

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

RESOLUTION NO. RES-09-0059

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH MAKING CERTAIN FINDINGS  
REGARDING THE CONSTRUCTION OF CERTAIN PUBLIC  
IMPROVEMENTS WITH REDEVELOPMENT FUNDS (CITY  
PLACE PARKING STRUCTURE DEBT SERVICE)

WHEREAS, the City Council of the City of Long Beach adopted and approved a certain Redevelopment Plan (the "Redevelopment Plan") for the Downtown Redevelopment Project (the "Project"); and

WHEREAS, in furtherance of the Project and the immediate neighborhood in which the Project is located, the Redevelopment Agency of the City of Long Beach, California (the "Agency"), has recognized the need for certain public improvements, which improvements will be located within the boundaries of the Project, and proposes to use redevelopment funds to reimburse the City for the cost of constructing the improvements; and

WHEREAS, Section 33445 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) requires the Agency to make certain findings prior to the acquisition of land and construction of public improvements or facilities thereon; and

WHEREAS, Section 33678 of the Community Redevelopment Law provides that under certain conditions tax increment funds shall not be subject to the appropriations limitation of Article XIII B of the California Constitution;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The City Council determines that the construction of public improvements, more particularly described in Exhibit "A", are of benefit to the Project and

1 the immediate neighborhood in which the Project is located. This finding is supported by  
2 the following facts:

3           These improvements have assisted in the removal of blight by improving  
4 the availability of parking and enhanced the Downtown visitor experience, thereby  
5 promoting business attraction along Pine Avenue and nearby streets.

6           Section 2. The City Council determines that no other reasonable means  
7 of financing the above-described improvements are available to the community. This  
8 finding is supported by the following facts:

9           Before the passage of Proposition 13, most of the City's general operating  
10 and capital improvements were funded through property taxes. However, the initiative  
11 placed severe constraints on the City's ability to use property tax revenues to offset  
12 increases in operating and capital costs. It has also been difficult for the City, by itself, to  
13 provide sufficient funds to pay the debt service for the construction of major public  
14 improvements. In fiscal year 2009-2010, the limited resources of the City's General Fund  
15 are committed to previously incurred obligations and planned projects.

16           Section 3. The City Council further determines that the payment of funds  
17 to reimburse the City for the cost of the construction of the public improvements, will  
18 assist in the elimination of one or more blighting conditions within the Project, and is  
19 consistent with the implementation plan adopted pursuant to Health and Safety Code  
20 Section 33490.

21           Section 4. This resolution shall take effect immediately upon its adoption  
22 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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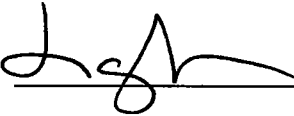
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of June 9, 2009 by the following vote:

Ayes: Councilmembers: Garcia, S. Lowenthal, O'Donnell,  
Schipske, Andrews, Gabelich,  
Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: DeLong, Reyes Uranga.

  
\_\_\_\_\_  
City Clerk

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**EXHIBIT "A"**

**DESCRIPTION OF THE PUBLIC IMPROVEMENTS**

Payment of debt service for bonds sold to finance original construction of the City Place parking garages.