

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

1 RESOLUTION NO. RES-13-0026

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH TO DISESTABLISH THE ANDY  
5 STREET MULTI-FAMILY IMPROVEMENT DISTRICT  
6

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

9 Section 1. This resolution is made and enacted pursuant to the  
10 provisions of the Multi-family Improvement District Law of 2004 (Sections 36700, et seq.  
11 of the California Streets and Highways Code, hereinafter sometimes referred to as "the  
12 law").

13 A. On April 10, 2007, the City Council of the City of Long Beach  
14 adopted Resolution No. RES-07-0047 entitled, "A Resolution of Intention of the City  
15 Council of the City of Long Beach Declaring the Intention of the City Council to Establish  
16 the Andy Street Multi-family Improvement District, Fixing the Time and Place of a Public  
17 Hearing Thereon and Giving Notice Thereof."

18 B. Further, pursuant to Resolution No. RES-07-0047, a hearing  
19 concerning the formation of said area was held before the City Council of the City of Long  
20 Beach on June 5, 2007, at the hour of 5:00 p.m. in the City Council Chambers of City Hall  
21 of the City of Long Beach.

22 C. Further, on June 5, 2007, the City Council of the City of Long  
23 Beach adopted Resolution No. RES-07-0071 entitled, "A Resolution of the City Council of  
24 the City of Long Beach Establishing the Andy Street Multi-family Improvement District,  
25 Fixing the Boundaries Thereof and Providing the Levy of Assessment."

26 D. Further, on February 12, 2013, the City Council of the City of  
27 Long Beach adopted Resolution No. RES-13-0020 entitled, "A Resolution of Intention of  
28 the City Council of the City of Long Beach Declaring the Intention to Disestablish the

1 Andy Street Multi-Family Improvement District, Fixing a Time and Place of a Public  
2 Hearing Thereon and Giving Notice Thereof.”

3 Section 2. On March 19, 2013, at the hour of 5:00 p.m., in the Council  
4 Chambers of the City Council in the Long Beach City Hall, a public hearing was held to  
5 consider the disestablishment of the Andy Street Multi-family Improvement District as  
6 herein proposed and described and to hear any and all protests thereto.

7 Section 3. That pursuant to said law the City of Long Beach hereby  
8 disestablishes the Andy Street Multi-family Improvement District.

9 Section 4. The Department of Public Works is hereby directed to dispose  
10 of any remaining assets of the Andy Street Multi-family Improvement District in the  
11 following manner: Any remaining revenues, after all outstanding debts are paid, derived  
12 from the levy of assessments, or derived from the sale of assets acquired with the  
13 revenues, shall be refunded to the owners of the property or businesses then located and  
14 operating within the district in which assessments were levied by applying the same  
15 method and basis that was used to calculate the assessments levied in the fiscal year in  
16 which the district is disestablished.

17 Section 5. If any section, subsection, sentence, clause or phrase of this  
18 resolution is for any reason held to be invalid or unconstitutional by the decision of any  
19 court of competent jurisdiction, such decision shall not affect the validity of the remaining  
20 portions of the resolution. The City Council hereby declares that it would have passed  
21 this resolution and each section, subsection, sentence, clause and phrase hereof,  
22 irrespective of the fact that any one or more of the sections, subsections, sentences,  
23 clauses or phrases hereof be declared invalid or unconstitutional.

24 Section 6. This resolution shall take effect immediately upon its adoption  
25 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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1 I hereby certify that the foregoing resolution was adopted by the City  
2 Council of the City of Long Beach at its meeting of March 19, 2013, by the  
3 following vote:

4 Ayes: Councilmembers: Lowenthal, DeLong, O'Donnell, Schipske,  
5 Andrews, Johnson, Austin, Neal, Garcia.  
6 \_\_\_\_\_  
7 \_\_\_\_\_

8 Noes: Councilmembers: None.  
9 \_\_\_\_\_  
10 \_\_\_\_\_

11 Absent: Councilmembers: None.  
12 \_\_\_\_\_  
13 \_\_\_\_\_

14 Log Heney  
15 \_\_\_\_\_  
16 City Clerk

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