

RESOLUTION NO. RES-07-0021

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH DETERMINING THE NECESSITY  
TO INCUR BONDED INDEBTEDNESS WITHIN  
IMPROVEMENT AREAS A AND B OF THE CITY OF LONG  
BEACH COMMUNITY FACILITIES DISTRICT NO. 2007-1  
(DOUGLAS PARK – COMMERCIAL AREA) AND  
SUBMITTING PROPOSITIONS TO THE QUALIFIED  
ELECTORS OF THE IMPROVEMENT AREAS

WHEREAS, on January 23, 2007, this City Council adopted a resolution  
entitled "A Resolution of the City Council of the City of Long Beach Declaring Intention  
to Establish a Community Facilities District and to Authorize the Levy of Special Taxes  
Therein – Douglas Park Commercial Area" (the "Resolution of Intention") stating its  
intention to form the City of Long Beach Community Facilities District No. 2007-1  
(Douglas Park – Commercial Area) (the "District"), pursuant to the Long Beach Special  
Tax Financing Improvement Law, Long Beach Municipal Code Section 3.52.511 et seq.  
(the "Law"), to fund a portion of the costs of certain public improvements (the  
"Facilities") and certain municipal services (the "Services"), as described therein; and

WHEREAS, the Resolution of Intention designated a portion of the District  
as "Improvement Area A of the City of Long Beach Community Facilities District No.  
2007-1 (Douglas Park – Commercial Area)" ("Area A"), and a portion of the District as  
"Improvement Area B of the City of Long Beach Community Facilities District No. 2007-  
1 (Douglas Park – Commercial Area)" ("Area B"), as authorized by Section 3.52.565 of  
the Law (Area A and Area B are sometimes referred to below individually as an  
"improvement area" and collectively as the "improvement areas"); and

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1 WHEREAS, on January 23, 2007, this City Council also adopted a  
2 resolution entitled "A Resolution of the City Council of the City of Long Beach Declaring  
3 Intention to Incur Bonded Indebtedness of the Proposed Improvement Areas A and B of  
4 the City of Long Beach Community Facilities District No. 2007-1 (Douglas Park –  
5 Commercial Area)" (the "Resolution of Intention to Incur Indebtedness") stating its  
6 intention to incur bonded indebtedness within the boundaries of each of Areas A and B  
7 of the District for the purpose of financing costs of the Facilities; and

8 WHEREAS, the Resolution of Intention and the Resolution of Intention to  
9 Incur Indebtedness called for public hearings on the improvement areas of the District  
10 to be held on February 20, 2007, and notices of the public hearings were published as  
11 required by the Law; and

12 WHEREAS, on this date, this City Council held the public hearing as  
13 required by the Law and the Resolution of Intention relative to the determination to  
14 proceed with the formation of the improvement areas of the District, the provision of  
15 funds by the improvement areas of the District to pay a portion of the costs of the  
16 Facilities and of the Services, and the rates and methods of apportionment of the  
17 special tax to be levied within each of the improvement areas of the District to pay costs  
18 of the Facilities and the Services, the principal and interest on the proposed  
19 indebtedness and the administrative costs of the City relative to the respective  
20 improvement areas of the District; and

21 WHEREAS, at the hearing all persons desiring to be heard on all matters  
22 pertaining to the formation of each of the improvement areas of the District, the  
23 provision of funds to pay costs of the Services and the Facilities and the levy of the  
24 special tax on property within each of the improvement areas of the District were heard  
25 and a full and fair hearing was held; and

26 WHEREAS, subsequent to the hearing, this City Council adopted a  
27 resolution entitled "A Resolution of the City Council of the City of Long Beach of  
28 Formation of Improvement Areas A and B of the City of Long Beach Community

1 Facilities District No. 2007-1 (Douglas Park – Commercial Area), Authorizing the Levy  
2 of a Special Tax Within the Improvement Areas, Preliminarily Establishing  
3 Appropriations Limits for the Improvement Areas, and Submitting Levy of the Special  
4 Tax and the Establishment of the Appropriations Limits to the Qualified Electors of the  
5 Improvement Areas” (the “Resolution of Formation”); and

6 WHEREAS, on this date, this City Council held the public hearing as  
7 required by the Law relative to the matters material to the questions set forth in this  
8 Resolution of Intention to Incur Indebtedness; and

9 WHEREAS, no written protests with respect to the matters material to the  
10 questions set forth in the Resolution of Intention to Incur Indebtedness have been filed  
11 with the City Clerk;

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

14 Section 1. The foregoing recitals are true and correct.

15 Sec. 2. This City Council deems it necessary to incur bonded  
16 indebtedness in the maximum aggregate principal amount of \$16,000,000 within the  
17 boundaries of Area A of the District. This Council deems it necessary to incur bonded  
18 indebtedness in the maximum aggregate principal amount of \$13,500,000 within the  
19 boundaries of Area B of the District.

20 Sec. 3. The indebtedness incurred in each improvement area of the  
21 District is for the purpose of financing costs of the Facilities, as provided in the  
22 Resolution of Formation including, but not limited to, the costs of issuing and selling  
23 bonds to finance a portion of costs of the Facilities, and the initial costs of the City in  
24 administering the respective improvement area of the District.

25 Sec. 4. The whole of Area A of the District shall pay for the bonded  
26 indebtedness with respect to Area A through the levy of the special tax. The special tax  
27 for Area A is to be apportioned in accordance with the rate and method of  
28 apportionment of special tax set forth in Exhibit C to the Resolution of Intention. The

1 whole of Area B of the District shall pay for the bonded indebtedness with respect to  
2 Area B through the levy of the special tax. The special tax for Area B is to be  
3 apportioned in accordance with the rate and method of apportionment of special tax set  
4 forth in Exhibit D to the Resolution of Intention.

5           Sec. 5.       The maximum amount of bonded indebtedness to be  
6 incurred for Area A is \$16,000,000 and the maximum term of the bonds to be issued  
7 shall in no event exceed fifty (50) years. The maximum amount of bonded indebtedness  
8 to be incurred for Area B is \$13,500,000 and the maximum term of the bonds to be  
9 issued shall in no event exceed fifty (50) years.

10           Sec. 6.       The bonds for each improvement area shall bear interest at  
11 a rate or rates not to exceed the maximum interest rate permitted by applicable law at  
12 the time of sale of the bonds, payable weekly, semiannually or in such other manner as  
13 this City Council or its designee shall determine, the actual rate or rates and times of  
14 payment of such interest to be determined by this City Council or its designee at the  
15 time or times of sale of the bonds.

16           Sec. 7.       The proposition of incurring the bonded indebtedness herein  
17 authorized for each improvement area shall be submitted to the qualified electors of the  
18 respective improvement area and shall be consolidated with elections on the  
19 proposition of levying special taxes within the respective improvement area and the  
20 establishment of an appropriations limit for the respective improvement area pursuant  
21 to Section 3.52.568 of the Law. The time, place and conditions of said election shall be  
22 as specified by separate resolution of this Council.

23           Sec. 8. This resolution shall take effect immediately upon its adoption by  
24 the City Council, and the City Clerk shall certify the vote adopting this resolution.

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26           I hereby certify that the foregoing resolution was adopted by the City  
27 Council of the City of Long Beach at its meeting of February 20, 2007, by  
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Robert E. Shannon  
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333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

1 the following vote:

2 Ayes: Councilmembers: B. Lowenthal, O'Donnell, Schipske,  
3 Reyes Uranga, Gabelich, Lerch.

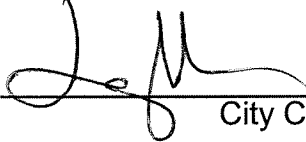
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6 Noes: Councilmembers: None.

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8 Absent: Councilmembers: S. Lowenthal, DeLong.

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12 City Clerk

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