



CITY OF LONG BEACH

R-20

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 Phone: 570.6428 Fax: 570.6205

November 18, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a resolution making certain findings regarding the construction of certain public improvements at 2125 East Spring Street, with funds from the North Redevelopment Project Area. (District 5)

DISCUSSION

The owners of the property at 2125 East Spring Street are constructing a Long Beach BMW Motorcycle dealership on the site (Exhibit A – Map). A utility pole that is located between this property (Exhibit B – Site Photograph) and the adjacent property at 3000 Cherry Avenue provides electrical and telephone services to both sites. In order to assist with the development of this new dealership, the Long Beach Redevelopment Agency (Agency) proposes to fund the removal of the utility pole and move the utilities underground for both properties. In addition, new sidewalks and driveway approaches for the dealership would be provided. This action was approved by the Agency on November 17, 2008.

California Redevelopment Law provides that the Agency may, with the consent of the City Council, pay for public improvements within a redevelopment project area if the City Council determines all of the following:

- The construction of such public improvements are of benefit to the redevelopment project area or the immediate neighborhood in which the public improvement project is located;
- No other reasonable means of financing the public improvements are available to the community; and
- The payment of Agency funds for the construction of the public improvements will assist in the elimination of one or more blighting conditions within the redevelopment project area.

Since the Agency is funding construction of these public improvements, these findings must be made. These public improvements will assist economic revitalization by attracting a profitable business to Long Beach and removing the blighted conditions next to the Long Beach BMW dealership.

A resolution is attached making certain findings regarding the construction of these public improvements with redevelopment funds in the North Long Beach Redevelopment Project Area.

This letter was reviewed by Assistant City Attorney Heather Mahood on October 29, 2008 and by Budget Management Officer Victoria Bell on October 29, 2008.

TIMING CONSIDERATIONS

City Council action is requested on November 18, 2008 to expedite these public improvements.

FISCAL IMPACT

Funding for this project is available in the Redevelopment Funds (RD), in the Department of Development Services (DS). There is no fiscal impact on the General Fund (GP).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG BECK
DIRECTOR OF DEVELOPMENT SERVICES

CB:AJB:SR:dac
R:\City Council Letters\2008 City Council Letters\CC Appr BMW Findings 111808_v5

Attachments: Exhibit A – Site Map
Exhibit B – Site Photograph
City Council Resolution

APPROVED:



PATRICK H. WEST
CITY MANAGER

EXHIBIT A

2125 Spring Street

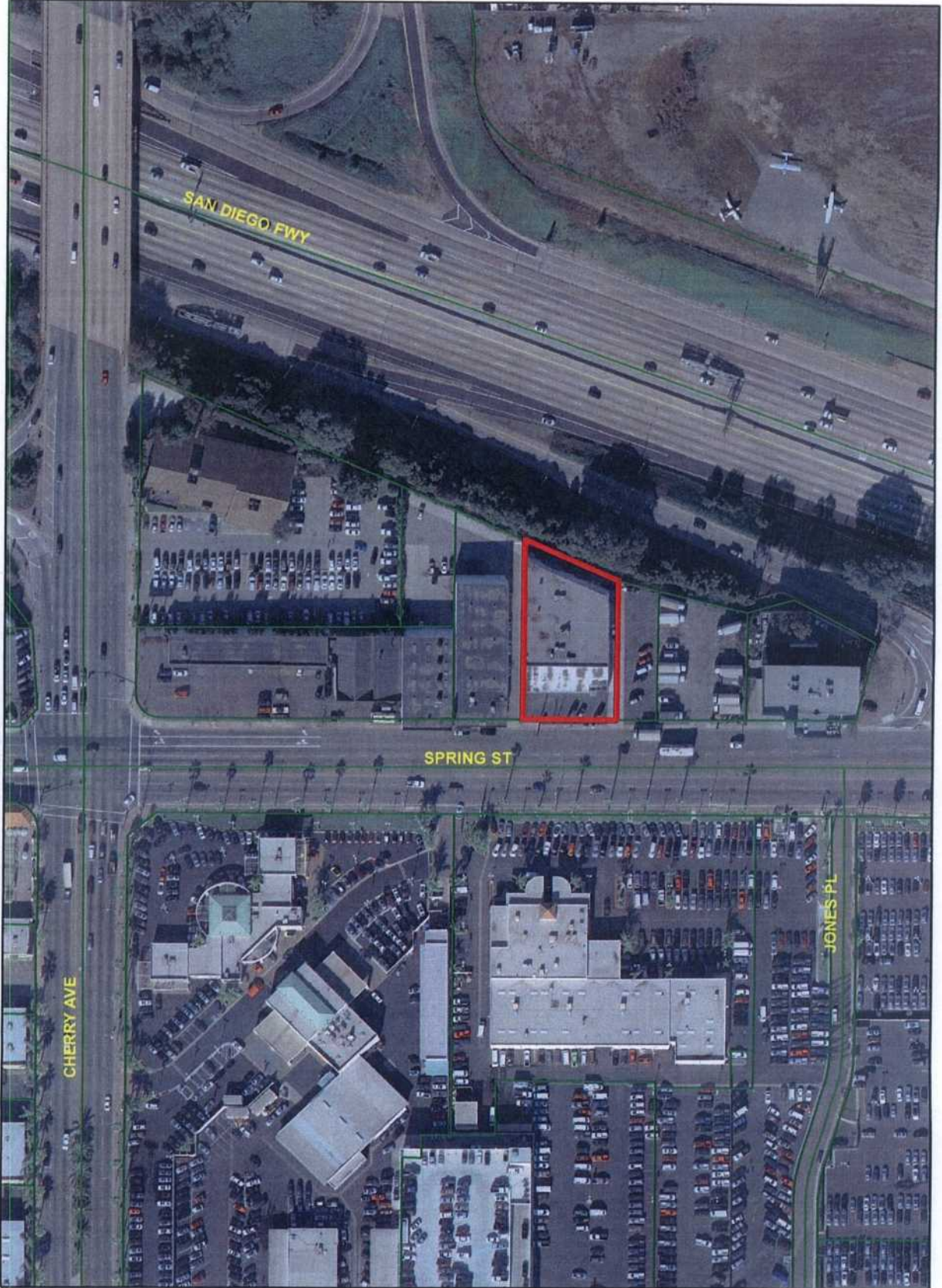




EXHIBIT B

10/10/2008

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO.

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 (2125
EAST SPRING STREET)

WHEREAS, the City Council of the City of Long Beach adopted and
approved a certain Redevelopment Plan (the "Redevelopment Plan") for the North Long
Beach Redevelopment Project Area (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 finance 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
the immediate neighborhood in which the Project is located. This finding is supported by

1 the following facts:

2 The relocation of utilities and the construction of sidewalks and
3 driveway approaches are necessary to assist the redevelopment of the
4 property located at 2125 East Spring Street, Long Beach, California. Such
5 relocation and construction activities will remove blight in the Project Area
6 and encourage the economic revitalization of the surrounding area.

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

10 Before the passage of Proposition 13, most of the City's general
11 operating and capital improvements were funded through property taxes.
12 However, the initiative placed severe constraints on the City's ability to
13 use property tax revenues to offset increases in operating and capital
14 costs. It has also been difficult for the City, by itself, to provide sufficient
15 funds to support the construction of major public improvements. In fiscal
16 year 2008-2009, the limited resources of the City's General Fund are
17 committed to previously incurred obligations and planned projects.

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

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

24 ///

25 ///

26 ///

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2008 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

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

EXHIBIT "A"

DESCRIPTION OF PUBLIC IMPROVEMENTS

- Relocation of utility pole and undergrounding of utilities adjacent to the property located at 2125 East Spring Street, Long Beach, California.
- Construction of sidewalks and driveway approaches adjacent to property located at 2125 East Spring Street, Long Beach, California.