



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

H-4

333 West Ocean Boulevard 6th Floor • Long Beach, CA 90802 • (562) 570-6845 • Fax (562) 570-5836

July 10, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing and adopt the attached resolution confirming amended assessment and directing actions with respect to Earthquake Repair Assessment District No. 90-3. (District 2)

DISCUSSION

On June 19, 2007, City Council adopted two resolutions, RES-07-0087 ordering the making of an amended assessment and RES-07-088 approving a preliminary amended assessment of Earthquake Repair Assessment District No. 90-3 (AD 90-3) and setting the public hearing for Tuesday, July 10, 2007 at 5:00 p.m. AD 90-3 enabled property owners to make necessary seismic repairs and placed annual levies on their properties to repay issued bonds.

City Council is to receive written or oral protests, if any, and may confirm the amended assessment as delineated in Assessment Report No. 23. A public notice was published on June 22, 2007 in the Press-Telegram notifying the public of this hearing as required.

After concluding the public hearing, City Council may adopt the resolution that apportions the unpaid installments of the original assessment on an own-your-own property at 10 Atlantic Avenue that has since been converted into condominiums, thereby amending the assessment district roll.

This matter was reviewed by Assistant City Attorney Heather Mahood on June 26, 2007 and Budget and Performance Management Bureau Manager David Wodynski on June 28, 2007.

TIMING CONSIDERATIONS

City Council action is requested on July 10, 2007 to complete the apportionment process and amend the AD 90-3 levy accordingly.

FISCAL IMPACT

There is no direct fiscal impact to the City associated with the requested action.

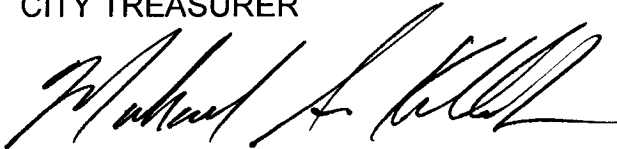
SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



DAVID S. NAKAMOTO
CITY TREASURER



MICHAEL A. KILLEBREW
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:



CHRISTINE F. SHIPPEY
ASSISTANT CITY MANAGER

MK:DN:EC

Attachment

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

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH CONFIRMING AMENDED
5 ASSESSMENT AND DIRECTING ACTIONS WITH RESPECT
6 THERETO (EARTHQUAKE REPAIR ASSESSMENT
7 DISTRICT NO. 90-3)

8
9 WHEREAS, this City Council adopted Resolution No. RES-07-0087, a
10 Resolution Ordering the Making of Amended Assessments Pursuant to Sections
11 3.52.652 through 3.52.656 of the Long Beach Municipal Code and Directing Actions With
12 Respect Thereto, in which the City Council ordered the preparation and filing with the City
13 Clerk a report and an amended assessment diagram and amended assessment roll of
14 Assessment Number 023 previously recorded on the 11th day of February, 1991 in Book
15 171, Document No. 91-206200 segregating and apportioning the unpaid installments of
16 the original assessment in accordance with the benefits to the several parts of the original
17 parcel; and

18 WHEREAS, said report, amended assessment diagram, and amended
19 assessment roll have been made, filed, and duly considered by this Council and found to
20 be sufficient in every particular, whereupon it was determined that said report should
21 stand as the engineer's report for all subsequent proceedings under and pursuant to
22 Resolution No. RES-07-0088; and

23 WHEREAS, Resolution Approving Preliminary Amended Assessment,
24 Ordering Hearing and Directing Actions with Respect Thereto, July 10, 2007, at the hour
25 of 5:00 p.m., in the regular meeting place of this Council, was appointed as the time and
26 place for hearing protests in relation to the amended assessment diagram and amended
27 assessment roll of the parcel of land designated as Assessment Number 023, previously
28 recorded on the 11th day of February, 1991 in Book 171, Document No. 91-206200

1 segregating and apportioning the unpaid installments of the original assessment in
2 accordance with the benefits of the several parts of the original parcel, plus costs and
3 fees of making such apportionments, notices of which hearing were duly published; and

4 WHEREAS, said hearing was duly and regularly held, and all persons
5 interested in the original assessment, or in the lands affected thereby or in the Bonds
6 secured thereby desiring to be heard were given an opportunity to be heard, and all
7 matters and things pertaining to said amended assessment were fully heard and
8 considered by this Council, and all protests, both written and oral, were duly heard and
9 considered;

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

12 Section 1. All written and oral protests are hereby overruled, and this
13 Council has thereby acquired jurisdiction to order said amended assessment and re-
14 confirms said amended assessment diagram and amended assessment roll, referenced
15 herein, and the costs and expenses thereof.

16 Section 2. Said amended assessment diagram and said amended
17 assessment roll, referenced herein, filed with the Assessment Engineer pursuant to the
18 resolution ordering same, be, and same is hereby, ratified, approved, and re-confirmed.

19 Section 3. The City Clerk of the City of Long Beach shall:

20 a) deliver the amended assessment roll to the Assessment Engineer,
21 together with the amended assessment diagram, as approved and confirmed by this
22 Council, with a certificate of such confirmation and of the date thereof, executed by the
23 City Clerk of the City of Long Beach thereon. The Assessment Engineer shall record the
24 amended assessment roll and amended assessment diagram in his/her office in a
25 suitable book to be kept for that purpose, and append thereto his certificate of the date of
26 such recording, and such recordation shall be and constitute the amended reassessment
27 roll herein.

28 b) cause a copy of the amended assessment diagram and an amended

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1 Notice of Assessment executed by the City Clerk of the City of Long Beach, to be filed
2 and recorded, respectively, in the office of the County Recorder of the County of Los
3 Angeles, such notice to be in substantially the form provided in Section 3114 of the
4 Streets and Highways Code of California.

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

7 I hereby certify that the foregoing resolution was adopted by the City
8 Council of the City of Long Beach at its meeting of _____, 2007 by the
9 following vote:

10	Ayes:	Councilmembers:	_____
11			_____
12			_____
13			_____
14	Noes:	Councilmembers:	_____
15			_____
16	Absent:	Councilmembers:	_____
17			_____
18			_____
19			_____
20			_____
21			_____
22			_____
23			_____
24			_____
25			_____
26			_____
27			_____
28			_____

City Clerk

HAM:fl
6/12/07; rev. 6/26/07
#07-02872