

# CITY OF LONG BEACH

# R-18

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4<sup>th</sup> Floor Long Beach, CA 90802 (562) 570-6615 Fax: (562) 570-6215

April 14, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment Funds (Downtown Public Art Improvements);

Adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment Funds (West Beach Public Art Improvements);

Adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment Funds (West Long Beach Industrial Public Art Improvements);

Adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment Funds (Los Altos Public Art Improvements);

Adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment Funds (Central Public Art Improvements);

Adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment Funds (Poly High Public Art Improvements); and

Adopt resolution making certain findings regarding the construction of certain public improvements with Redevelopment Funds (North Public Art Improvements). (Districts 1, 2, 4, 6, 7, 8 and 9)

## DISCUSSION

The Redevelopment Agency (Agency) has made a commitment to support the growing

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public art collection throughout the City of Long Beach. The Agency's investment in public art has been instrumental in leveraging other redevelopment projects, decreasing blight and contributing to positive neighborhood transformations.

As part of improvements to public infrastructure, public art can be incorporated in a variety of projects such as street medians, sidewalk treatments, bus stop enclosures, murals, decorative metal work, park developments, and utility boxes. Vacant lots and empty storefronts awaiting development are also enhanced through temporary public art installations that are rotated throughout the Agency's project areas.

The Agency has supported the growth of public art by entering into a partnership with the Arts Council for Long Beach for the creation and installation of public art, as well as pursuing independent endeavors.

To pursue public art opportunities, California Redevelopment Law requires that the Agency adopt a resolution making the following findings:

- That 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.
- That no other reasonable means of financing the public improvements are available to the community.
- That the payment of Agency funds for the construction of public improvements will assist in the elimination of one or more blighting conditions within the redevelopment project area.

A separate resolution for each redevelopment project area is required. Adoption of these resolutions will allow the Agency to proceed with the creation and installation of various public art projects.

This letter was reviewed by Chief Assistant City Attorney Heather Mahood on March 19, 2009 and by Budget and Performance Management Bureau Manager David Wodynski on March 23, 2009.

### TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

### FISCAL IMPACT

Cost for prospective projects is unknown at this point. However, funding for public art is available in the Redevelopment Fund (RD) in the Department of Development Services (DV). There is no fiscal impact to the General Fund (GP).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,




CRAIG BECK  
DIRECTOR OF DEVELOPMENT SERVICES

CB:AJB:DSW:JV  
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Attachments: City Council Resolutions (7)

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

1 RESOLUTION NO.

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH MAKING CERTAIN FINDINGS  
5 REGARDING THE CONSTRUCTION OF CERTAIN PUBLIC  
6 IMPROVEMENTS WITH REDEVELOPMENT FUNDS  
7 (DOWNTOWN PUBLIC ART IMPROVEMENTS)

8  
9 WHEREAS, the City Council of the City of Long Beach adopted and  
10 approved a certain Redevelopment Plan (the "Redevelopment Plan") for the Downtown  
11 Redevelopment Project (the "Project"); and

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

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

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

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

26 Section 1. The City Council determines that the construction of public  
27 improvements, more particularly described in Exhibit "A", are of benefit to the Project and  
28 the immediate neighborhood in which the Project is located. This finding is supported by

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

1 the following facts:

2           Development of public art facilities will assist the removal of blight in  
3 densely populated neighborhoods, while also helping to create a more  
4 positive and nurturing environment within neighborhoods. Further, such  
5 improvements will promote business attraction and retention.

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

17           Section 3. The City Council further determines that the payment of funds  
18 for the construction of the public improvements will assist in the elimination of one or  
19 more blighting conditions within the Project, and is consistent with the implementation  
20 plan adopted pursuant to Health and Safety Code 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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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2009, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

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

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## **EXHIBIT A**

### **Downtown Public Art Improvements**

Public art may be located within the public right-of-way, parks, vacant lots, and vacant storefronts within the Downtown Redevelopment Project Area.