

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING THE CITY OF LONG BEACH TRANSPORTATION IMPROVEMENT FEE, PARKS AND RECREATION FACILITIES FEE, FIRE FACILITIES IMPACT FEE, POLICE FACILITIES IMPACT FEE AND SENSITIVE COASTAL RESOURCE IMPACT FEE REPORTS FOR FISCAL YEAR 2024; AND FINDINGS RELATIVE THERETO IN ACCORDANCE WITH LONG BEACH MUNICIPAL CODE CHAPTERS 18.17, 18.18, 18.19, 18.22 AND 18.23, AND GOVERNMENT CODE SECTIONS 66001 AND 66006

WHEREAS, on November 20, 1990, the City Council adopted Ordinance No. C-6824 (as amended by Ordinances C-6836 and C-6848) to establish and impose a Transportation Improvement Fee (TIF) on certain new residential and nonresidential development in the City for the purpose of assuring that the transportation Level of Service (LOS) goals of the City as set forth in the City's Traffic Mitigation Program are met with respect to the additional demands placed on the transportation system by traffic generated by such development; and

WHEREAS, on December 11, 1990, the City Council adopted Resolution No. C-24978 (as amended by Resolution No. C-25393), establishing a Transportation Improvement Fee by land use type and, where relevant, by location, following consideration of the projected development in the City of Long Beach from the year 1990 to the year 2010; and

WHEREAS, Long Beach Municipal Code Section 18.17.170 requires that at least once each year the Director of Public Works shall prepare a report to the City Council

1 in order to evaluate progress in the implementation of the Transportation Improvement
2 Plan and the Transportation Improvement Fee and in order to make any recommended
3 changes to said Plan or Fee; and

4 WHEREAS, on February 7, 1989, the City Council adopted Ordinance No.
5 C-6567 (as amended by Ordinance No. ORD-07-0036), to establish and impose a Park
6 and Recreation Facilities Fee ("Park Impact Fee") on certain new residential development
7 in the City for the purpose of assuring that park land and recreational facility standards
8 established by the City are met with respect to the additional needs created by such
9 residential development; and

10 WHEREAS, on March 7, 1989, the City Council adopted Resolution No. C-
11 24638 (amended by Resolution No. C-25040 and Resolution No. RES-07-0100)
12 establishing a Park Impact Fee on new residential development; and

13 WHEREAS, Long Beach Municipal Code Section 18.18.160 requires that at
14 least once each year the Director of Parks, Recreation and Marine shall prepare a report
15 to the City Council to evaluate progress in the implementation of the Park and Recreation
16 Facilities Fee Program; recommend amendments, if appropriate, to said program;
17 recommend amendments to resolutions establishing Park Impact Fee amounts and identify
18 capital improvements to be funded by said impact fees; and

19 WHEREAS, on April 10, 2007, the City Council adopted Ordinance No. ORD-
20 07-0017 to establish and impose a Fire Facilities Impact Fee ("Fire Impact Fee") on certain
21 new development in the City for the purpose of assuring that fire facility standards
22 established by the City are met with respect to the additional needs created by such
23 development; and

24 WHEREAS, on April 3, 2007, the City Council adopted Resolution No. RES-
25 07-0042 establishing a Fire Facilities Impact Fee on new development; and

26 WHEREAS, Long Beach Municipal Code Section 18.16.140 requires that at
27 least once each year the Fire Chief shall prepare a report to the City Council to evaluate
28 progress in the implementation of the Fire Facilities Impact Fee Program; recommend

1 amendments, if appropriate, to said program; recommend amendments to resolutions
2 establishing Fire Impact Fee amounts and identify capital improvements to be funded by
3 said impact fees; and

4 WHEREAS, on April 10, 2007, the City Council adopted Ordinance No. ORD-
5 07-0016, to establish and impose a Police Facilities Impact Fee ("Police Impact Fee") on
6 certain new development in the City for the purpose of assuring that police facility
7 standards established by the City are met with respect to the additional needs created by
8 such development; and

9 WHEREAS, on April 3, 2007, the City Council adopted Resolution No. RES-
10 07-0041 establishing a Police Facilities Fee on new development; and

11 WHEREAS, Long Beach Municipal Code Section 18.15.140 requires that at
12 least once each year the Chief of Police shall prepare a report to the City Council to
13 evaluate progress in the implementation of the Police Facilities Impact Fee Program;
14 recommend amendments, if appropriate, to said program; recommend amendments to
15 resolutions establishing Police Impact Fee amounts and identify capital improvements to
16 be funded by said impact fees; and

17 WHEREAS, on November 15, 2022, the City Council adopted Ordinance No.
18 ORD-22-0032, to establish and impose a Sensitive Coastal Resource Impact Fee
19 ("Sensitive Coastal Resource Impact Fee") on certain new development in the City to
20 assure that the impacts created by new development pay its fair share of the costs required
21 to support needed additional infrastructure and services and related costs established by
22 the City are met with respect to the additional needs created by such development; and

23 WHEREAS, on November 1, 2022, the City Council adopted Resolution No.
24 RES-22-0185 establishing a Sensitive Coastal Resource Impact Fee on new development;
25 and

26 WHEREAS, Long Beach Municipal Code Section 18.19.140 requires that at
27 least once each year the Director of Community Development (formerly Department of
28 Development Services) shall prepare a report to the City Council to evaluate progress in

1 the implementation of the Sensitive Coastal Resource Impact Fee Program; recommend
2 amendments, if appropriate, to said program; recommend amendments to resolutions
3 establishing Sensitive Coastal Resource Impact Fee amounts and identify capital
4 improvements to be funded by said impact fees; and

5 WHEREAS, Government Code Section 66006(b)(1) requires the City to,
6 within 180 days after the last day of each fiscal year, make available to the public and
7 review certain information for the fiscal year regarding accounts or funds established in
8 connection with the approval of a development project(s) that shall be expended only for
9 the purpose for which the funds were collected; and

10 WHEREAS, Government Code Section 66001(d)(1) requires the City to
11 make certain findings for the fifth fiscal year following the first deposit into the account or
12 fund, and every five years thereafter, with respect to that portion of the Traffic Mitigation
13 Program, Parks, Fire and Police Impact Fee accounts, fund, or sub-funds ("the funds")
14 remaining unexpended, whether committed or uncommitted.

15 NOW, THEREFORE, the City Council of the City of Long Beach does hereby
16 find, determine and declare:

17 Section 1. That the City Council does hereby adopt that certain City of
18 Long Beach Transportation Improvement Impact Fee Report for Fiscal Year 2024 ("the
19 Transportation Report"), a copy of which is attached hereto and incorporated herein by this
20 reference as Exhibit "A".

21 Section 2. That the Report attached hereto as Exhibit "A" contains all of
22 the information required pursuant to Long Beach Municipal Code Sections 18.17.170, as
23 well as the information required by California Government Code Sections 66001 and
24 66006.

25 Section 3. In reference to Government Code Section 66001(d)(1)(A), and
26 with respect to only that portion of the Traffic Improvement Fee Fund remaining
27 unexpended at the end of the 2024 Fiscal Year whether committed or uncommitted, the
28 City Council finds that the purpose of the fees is to assure that the transportation Level of

1 Service goals of the City of Long Beach as said goals are more fully set forth in the City's
2 Traffic Mitigation Program, as well as in Ordinance Nos. C-6824, C-6836, and C-6848, are
3 met with respect to the additional demands placed on the City's transportation system by
4 traffic generated from new residential and nonresidential development.

5 Section 4. In reference to Government Code Section 66001(d)(1)(B), and
6 with respect to only that portion of the Transportation Improvement Fees Fund remaining
7 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the
8 City Council finds that the findings and facts as set forth in the City's Transportation Report
9 and in Ordinance Nos. C-6824, C-6836, and C-6848 which findings and facts are
10 incorporated by reference herein, amply demonstrate that there is a reasonable
11 relationship and nexus between the fees imposed and the purpose for which said fees are
12 charged.

13 Section 5. In reference to Government Code Section 66001(d)(1)(C), and
14 with respect to only that portion of the Transportation Improvement Fees Fund remaining
15 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the
16 City Council finds that all of the sources and amounts of funding anticipated to complete
17 financing for any incomplete improvements are identified and described in Exhibit "A".

18 Section 6. In reference to Government Code Section 66001(d)(1)(D), and
19 with respect to only that portion of the Transportation Improvement Fees Fund remaining
20 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the
21 City Council finds that the approximate date on which the funding referred to in Section 5
22 is expected to be deposited into the appropriate fund is designated and described in Exhibit
23 "A".

24 Section 7. That during the 2024 Fiscal Year no refunds or allocations were
25 made pursuant to subdivision (e) or (f) of Government Code Section 66001.

26 Section 8. That the City Council does hereby adopt that certain City of
27 Long Beach Park and Recreation Facilities Impact Fee Report for Fiscal Year 2024 ("the
28 Park Fee Report"), a copy of which is attached hereto and incorporated herein by this

1 reference as Exhibit "B".

2 Section 9. That the Report attached hereto as Exhibit "B" contains all of the
3 information required pursuant to Long Beach Municipal Code Sections 18.18.160, as well
4 as the information required by California Government Code Sections 66001 and 66006.

5 Section 10. In reference to Government Code Section 66001(d)(1)(A), and
6 with respect to only that portion of the Park Impact Fee Fund remaining unexpended at the
7 end of the 2024 Fiscal Year whether committed or uncommitted, the City Council finds that
8 the purpose of the fees is to assure that the park land and recreational facility standards
9 established by the City are met with respect to the additional needs created by new
10 residential development in the City.

11 Section 11. In reference to Government Code Section 66001(d)(1)(B), and
12 with respect to only that portion of the Park Impact Fee Fund remaining unexpended at the
13 end of the 2024 Fiscal Year, whether committed or uncommitted, the City Council finds
14 that the findings and facts as set forth in Ordinance No. C-6567 and Ordinance No. ORD-
15 07-0036 and Resolution No. RES-07-0100 which findings and facts are incorporated by
16 reference herein, amply demonstrate that there is a reasonable relationship and nexus
17 between the fees imposed and the purpose for which said fees are charged.

18 Section 12. In reference to Government Code Section 66001(d)(1)(C), and
19 with respect to only that portion of the Park Impact Fee Fund remaining unexpended at the
20 end of the 2024 Fiscal Year, whether committed or uncommitted, the City Council finds
21 that all of the sources and amounts of funding anticipated to complete financing for any
22 incomplete improvements are identified and described in Exhibit "B".

23 Section 13. In reference to Government Code Section 66001(d)(1)(D), and
24 with respect to only that portion of the Park Impact Fees Fund remaining unexpended at
25 the end of the 2024 Fiscal Year, whether committed or uncommitted, the City Council finds
26 that said funds have already been deposited in the City's Capital Projects Fund.

27 Section 14. That during the 2024 Fiscal Year no refunds or allocations were
28 made pursuant to subdivision (e) or (f) of Government Code Section 66001.

1 Section 15. That the City Council does hereby adopt that certain City of
2 Long Beach Fire Facilities Impact Fee Report for Fiscal Year 2024 ("the Fire Facilities Fee
3 Report"), a copy of which is attached hereto and incorporated herein by this reference as
4 Exhibit "C".

5 Section 16. That the Report attached hereto as Exhibit "C" contains all of the
6 information required pursuant to Long Beach Municipal Code Sections 18.16.140, as well
7 as the information required by California Government Code Sections 66001 and 66006.

8 Section 17. In reference to Government Code Section 66001(d)(1)(A), and
9 with respect to only that portion of the Fire Facilities Impact Fee Fund remaining
10 unexpended at the end of the 2024 Fiscal Year whether committed or uncommitted, the
11 City Council finds that the purpose of the fees is to assure that the fire facility standards
12 established by the City are met with respect to the additional needs created by new
13 development in the City.

14 Section 18. In reference to Government Code Section 66001(d)(1)(B), and
15 with respect to only that portion of the Fire Facilities Impact Fee Fund remaining
16 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the
17 City Council finds that the findings and facts as set forth in Ordinance No. ORD-07-0017
18 and Resolution No. RES-07-0042 which findings and facts are incorporated by reference
19 herein, amply demonstrate that there is a reasonable relationship and nexus between the
20 fees imposed and the purpose for which said fees are charged.

21 Section 19. In reference to Government Code Section 66001(d)(1)(C), and
22 with respect to only that portion of the Fire Facilities Impact Fees Fund remaining
23 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the
24 City Council finds that all of the sources and amounts of funding anticipated to complete
25 financing for any incomplete improvements are identified and described in Exhibit "C".

26 Section 20. In reference to Government Code Section 66001(d)(1)(D), and
27 with respect to only that portion of the Fire Facilities Impact Fees Fund remaining
28 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the

1 City Council finds that said funds have already been deposited in the City's Capital Projects
2 Fund.

3 Section 21. That during the 2024 Fiscal Year no refunds or allocations were
4 made pursuant to subdivision (e) or (f) of Government Code Section 66001.

5 Section 22. That the City Council does hereby adopt that certain City of
6 Long Beach Police Facilities Impact Fee Report for Fiscal Year 2024 ("the Police Facilities
7 Fee Report"), a copy of which is attached hereto and incorporated herein by this reference
8 as Exhibit "D".

9 Section 23. That the Report attached hereto as Exhibit "D" contains all of the
10 information required pursuant to Long Beach Municipal Code Sections 18.15.140, as well
11 as the information required by California Government Code Sections 66001 and 66006.

12 Section 24. In reference to Government Code Section 66001(d)(1)(A), and
13 with respect to only that portion of the Police Facilities Impact Fee Fund remaining
14 unexpended at the end of the 2024 Fiscal Year whether committed or uncommitted, the
15 City Council finds that the purpose of the fees is to assure that the police facility standards
16 established by the City are met with respect to the additional needs created by new
17 development in the City.

18 Section 25. In reference to Government Code Section 66001(d)(1)(B), and
19 with respect to only that portion of the Police Facilities Impact Fee Fund remaining
20 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the
21 City Council finds that the findings and facts as set forth in Ordinance No. ORD-07-0016
22 and Resolution No. RES-07-0041 which findings and facts are incorporated by reference
23 herein, amply demonstrate that there is a reasonable relationship and nexus between the
24 fees imposed and the purpose for which said fees are charged.

25 Section 26. In reference to Government Code Section 66001(d)(1)(C), and
26 with respect to only that portion of the Police Facilities Impact Fees Fund remaining
27 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the
28 City Council finds that all of the sources and amounts of funding anticipated to complete

1 financing for any incomplete improvements are identified and described in Exhibit "D".

2 Section 27. In reference to Government Code Section 66001(d)(1)(D), and
3 with respect to only that portion of the Police Facilities Impact Fees Fund remaining
4 unexpended at the end of the 2024 Fiscal Year, whether committed or uncommitted, the
5 City Council finds that said funds have already been deposited in the City's Capital Projects
6 Fund.

7 Section 28. That during the 2024 Fiscal Year no refunds or allocations were
8 made pursuant to subdivision (e) or (f) of Government Code Section 66001.

9 Section 29. That the City Council does hereby adopt that certain City of Long
10 Beach Sensitive Coastal Resource Impact Fee Report for Fiscal Year 2024 ("the Sensitive
11 Coastal Resource Impact Fee Report"), a copy of which is attached hereto and
12 incorporated herein by this reference as Exhibit "E".

13 Section 30. That the Report attached hereto as Exhibit "E" contains all of the
14 information required pursuant to Long Beach Municipal Code Sections 18.19.140, as well
15 as the information required by California Government Code Sections 66001 and 66006.

16 Section 31. In reference to Government Code Section 66001(d)(1)(A), and
17 with respect to only that portion of the Sensitive Coastal Resource Impact Fee Fund
18 remaining unexpended at the end of the 2024 Fiscal Year whether committed or
19 uncommitted, the City Council finds that the purpose of the fees is to assure that the
20 impacts created by new development pay its fair share of the costs required to support
21 needed additional infrastructure and services and related costs established by the City are
22 met with respect to the additional needs created by new development in the City.

23 Section 32. In reference to Government Code Section 66001(d)(1)(B), and
24 with respect to only that portion of the Sensitive Coastal Resource Impact Fee Fund
25 remaining unexpended at the end of the 2024 Fiscal Year, whether committed or
26 uncommitted, the City Council finds that the findings and facts as set forth in Ordinance
27 No. ORD-22-0032 and Resolution No. RES-22-0185 which findings and facts are
28 incorporated by reference herein, amply demonstrate that there is a reasonable

1 relationship and nexus between the fees imposed and the purpose for which said fees are
2 charged.

3 Section 33. In reference to Government Code Section 66001(d)(1)(C), and
4 with respect to only that portion of the Sensitive Coastal Resource Impact Fee Fund
5 remaining unexpended at the end of the 2024 Fiscal Year, whether committed or
6 uncommitted, the City Council finds that all of the sources and amounts of funding
7 anticipated to complete financing for any incomplete improvements are identified and
8 described in Exhibit "E".

9 Section 34. In reference to Government Code Section 66001(d)(1)(D), and
10 with respect to only that portion of the Sensitive Coastal Resource Impact Fee Fund
11 remaining unexpended at the end of the 2024 Fiscal Year, whether committed or
12 uncommitted, the City Council finds that said funds have already been deposited in the
13 City's Capital Projects Fund.

14 Section 35. That during the 2024 Fiscal Year no refunds or allocations were
15 made pursuant to subdivision (e) or (f) of Government Code Section 66001.

16 Section 36. This resolution shall take effect immediately upon its adoption
17 by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

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Ayes:	Councilmembers:	_____

Noes:	Councilmembers:	_____

Absent:	Councilmembers:	_____

Recusal(s):	Councilmembers:	_____

City Clerk