



**COUNCIL RESOLUTION NO. 2007-266
REDEVELOPMENT AGENCY RESOLUTION NO. 1705**

A JOINT RESOLUTION OF THE COUNCIL AND THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO MAKING CERTAIN FINDINGS PURSUANT TO SECTION 33445 OF THE COMMUNITY REDEVELOPMENT LAW, AND AUTHORIZING THE AGENCY'S EXPENDITURE OF TAX INCREMENT TO INSTALL STREETScape AND STREET IMPROVEMENTS ON MCKINLEY AND CLOVIS AVENUES ADJACENT TO THE FRESNO-YOSEMITE INTERNATIONAL AIRPORT WITHIN THE AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA

WHEREAS, on June 29, 1999, the Council of the City of Fresno (the "Council") by Ordinance No. 99-44, adopted the redevelopment plan (the "Plan") for the Airport area Revitalization Redevelopment Project (the "Project Area"), pursuant to the Community Redevelopment Law of California (Health & Safety Code Sections 33000 *et. seq.*) (the "Law"); and

WHEREAS, the Redevelopment Agency of the City of Fresno (the "Agency") is engaged in activities necessary to carry out the Plan, and the Plan authorizes the Agency to: (i) install, construct or reconstruct public improvements or facilities to eliminate blight, (ii) cause or provide for installing or constructing utilities and other public improvements necessary to carry out the Plan, and (iii) specifically includes traffic signal and safety lighting system improvements associated with plan implementation; and

WHEREAS, on January 11, 2005, the Agency adopted Resolution 1657, approving the Five-Year Implementation Plan for four project areas including the Project Area (the "Implementation Plan"); and

WHEREAS, the Implementation Plan, to help eliminate physical and economic

Adopted _____
Approved _____
Effective _____
7-31-07

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blighting influences, includes a redevelopment program to facilitate private reinvestment in the Project Area by installing public improvements, and improving traffic flow and public safety within the Project Area; and

WHEREAS, June 29, 1999, by Council Resolution No. 99-45 and Agency Resolution No. 1657, relating to the Plan, Council adopted a Program Environmental Impact Report that addressed, among other things, the development of new public improvements pursuant to the Plan, and demolition of existing improvements; and

WHEREAS, the proposed public improvements adjacent to the Fresno-Yosemite International Airport (FYI Airport), including street trees and plants, a monument sign for the FYI Airport, wrought iron fencing, curvilinear sidewalks, landscaped median islands on Clovis Avenue, and a right-turn lane including related curb, gutter and paving improvements, along McKinley Avenue between Peach and Clovis Avenues and Clovis Avenues between McKinley Avenue and Airways Drive, will improve the visual quality of the street corridors and improved traffic flow and increase public safety by the provision of the right-turn lane on Clovis Avenue for access to McKinley Avenue, all of which is intended to encourage and support the retention and expansion of existing businesses and the attraction and development of new businesses within the Airport Project Area (the "Project"); and

WHEREAS, the inability of the City to undertake this Project without the involvement of the Agency relates to the limited funding ability of the City's General Fund,



to the City's budget constraints interrelated with the State budget constraints, and scarce City funds directed toward the "No Neighborhood Left Behind" initiative ("NNLB"); and

WHEREAS, NNLB focuses on constructing and repairing critical infrastructure in 71 neighborhoods where little or no infrastructure currently exists, and in some places has never existed; and

WHEREAS, July 25, 2007, in a regular meeting, the Housing and Community Development Commission ("HCDC") considered whether to recommend adopting this resolution, and awarding the construction contract for the Project, and voted to recommend that the Agency adopt the resolution and award a contract for \$1,023,040 to Elite Landscaping, Inc., for the McKinley and Clovis Streetscape and Street Improvement Project; and

WHEREAS, the Agency's adopted FY 07/08 Budget appropriated funds for the Project and funds are currently available for the construction; and

WHEREAS, pursuant to Section 33445 of the Redevelopment Law the Agency, with the consent of the Council and upon certain Council determinations, may pay for the cost to install and construct publicly owned improvements within and outside the Project Area; and

WHEREAS, the Agency and Council, after due consideration, believe that the Agency's cost, which was estimated at \$1,045,000, to construct the Project, is in the best interests of the City and health, safety, and welfare of employees, businesses, property, and visitors to the Project Area, and is consistent with the public purposes and provisions of applicable state and local laws; and will improve the quality of life for residents, visitors



to, and businesses and properties within the Project Area, consistent with the Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Council and the Agency of the City of Fresno as follows:

1. Based upon substantial evidence provided in the record before it, the Council and the Agency find and determine the following:

Finding No. 1.1: The Project is within the Project Area and will help improve visual quality and vehicular circulation within the Project Area within and near the proposed Project, and is necessary to achieve the purposes of redevelopment goals and objectives to improve the visual and physical quality of the project area, and is consistent with the Plan, and will benefit the Project Area.

Finding No. 1.2: The streetscape improvements and right turn lane will help eliminate blight within the immediate vicinity of the Project, and the overall Project Area, by increasing efficient traffic flow, improving traffic safety, enhancing the area for private investment, and upgrading and improving the image of the Area.

Finding No. 1.3: The Project is consistent with the Implementation Plan.

Finding No. 1.4: Using tax increment for the Project is essential and necessary, as no other reasonable means of financing the Project are available to the City of Fresno.

2. The Council consents to the Agency expending tax increment to construct the Project, and consents to the Agency award of a contract for the Project.



CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno and Ex-Officio Clerk of the Redevelopment Agency of the City of Fresno, certify that the City Council of the City of Fresno and the Redevelopment Agency of the City of Fresno, California, adopted the foregoing resolution at a joint public meeting held on the 31st day of July 2007, and that the same was passed by the following vote:

AYES: Dages, Duncan, Sterling, Westerlund, Xiong, Perea
NOES: None
ABSENT: Calhoun
ABSTAIN: None

REBECCA E. KLISCH
City Clerk and Ex-Officio Clerk
of the Agency

By Rebecca E. Klisch
Deputy

APPROVED AS TO FORM:
JAMES C. SANCHEZ
City Attorney and Ex-Officio Attorney
to the Agency

By Jamie A. Medeiros
Deputy

**REDEVELOPMENT AGENCY OF THE CITY OF FRESNO
MCKINLEY - CLOVIS BEAUTIFICATION PROJECT**

MEDIAN ISLAND LANDSCAPING

WROUGHT IRON FENCING
LANDSCAPING & SIDEWALK
MONUMENT SIGN
RIGHT TURN LANE

E MCKINLEY AVE

STREET TREES & IRRIGATION IMPROVEMENTS

E MCKINLEY AVE

PEACH AVENUE

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