



COUNCIL RESOLUTION NO. 2009-174
REDEVELOPMENT AGENCY RESOLUTION NO. 1745

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 PUBLIC IMPROVEMENTS WITHIN THE SOUTHWEST FRESNO GENERAL NEIGHBORHOOD RENEWAL AREA PROJECT FOR STREET RECONSTRUCTION IMPROVEMENTS AT CALIFORNIA AVENUE BETWEEN PLUMAS AND WALNUT AVENUES, AND AT PLUMAS BETWEEN CALIFORNIA AND GEARY AVENUES

WHEREAS, the urban renewal plan (the "Redevelopment Plan") for the Southwest Fresno General Neighborhood Renewal Area Project, a redevelopment project area (the "Project Area") and all amendments thereto have been duly adopted; and

WHEREAS, October 20, 1998, the Council adopted Ordinance No. 98-82 ("Merger No. 2"), amending the Redevelopment Plan and merging the Project Area with the Fruit-Church Redevelopment Project Area (the "Merger No. 2 Project Area"); and

WHEREAS, June 7, 2005, the Agency adopted Resolution No. 1661, approving an updated Five-Year Implementation Plan for the Merger No. 2 Project Area (the "Implementation Plan") that includes the Project Area, and for the Merger No. 1 Project Area, and for the Fresno Air Terminal Redevelopment Project Area, all 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 execute and carry out the Redevelopment Plan for the Project Area and the Plan authorizes the Agency to: (i) install, construct or reconstruct public improvements or facilities to eliminate blight, (ii) cause or provide for

Adopted _____
Approved 7/30/09
Effective _____

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installing or constructing utilities and other public improvements necessary to carry out the Plan, and (iii) specifically includes street improvements associated with plan implementation; and

WHEREAS, the Implementation Plan, to help eliminate physical and economic blighting influences and establish a positive visual image, includes a program to make selected public improvements in the Project Area including, without limitation, street improvements associated with plan implementation, and

WHEREAS, on October 20, 1998, by Council Resolution No. 98-190 and Agency Resolution No. 1487, Council adopted Program Environmental Impact Report # 10124, related to the Plan that addressed, among other things, the development of new public improvements pursuant to the Plan, and demolition of existing improvements; and

WHEREAS, the proposed project provides for street reconstruction improvements at California and Plumas Avenues (the "Project"); and

WHEREAS, the inability of the City of Fresno (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, which are in part 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, June 24, 2009, in a regularly noticed meeting, the



Housing and Community Development Commission ('HCDC') considered whether to recommend awarding the construction contract for the Project, and voted to recommend that the Council and Agency Board award a contract to the lowest responsible bidder; and

WHEREAS, the Agency's adopted FY 10 Budget appropriates funds to construct 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 the Project Area; and

WHEREAS, the Agency and Council, after due consideration, believe that the Agency's costs (Construction, Design, Construction Management) estimated at \$963,685.00, 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 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 will help improve the traffic safety in the



Project Area, and benefit the Project Area.

Finding No. 1.2: Installing the Project will help eliminate blight within the Project Area in the immediate vicinity of the Project, and within the overall Project Area, by enhancing the area for private investment, and upgrading and improving the image of the Project 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.

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

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Street Reconstruction Improvements – California and Plumas Avenues
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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 30th day of July 2009, and that the same was passed by the following vote:

AYES: Borgeas, Brand, Dages, Perea, Westerlund, Xiong, Sterling
NOES: None
ABSENT: None
ABSTAIN: None

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

By 
~~Deputy~~

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

By 
~~Sr~~ Deputy ~~PERDUE~~