



BILL NO. B-50  
ORDINANCE NO. 2008-47

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA ADOPTING AMENDMENTS TO EIGHT REDEVELOPMENT PLANS WITHIN MERGER NUMBER ONE REDEVELOPMENT PROJECT, INCLUDING THE CENTRAL BUSINESS DISTRICT PROJECT ONE URBAN RENEWAL PLAN, CHINATOWN EXPANDED COMMUNITY REDEVELOPMENT PLAN, CONVENTION CENTER REDEVELOPMENT PROJECT AREA, JEFFERSON AREA PROJECT, MARIPOSA PROJECT REDEVELOPMENT PLAN, WEST FRESNO PROJECT ONE URBAN RENEWAL PLAN, WEST FRESNO PROJECT TWO URBAN RENEWAL PLAN, AND THE WEST FRESNO PROJECT THREE URBAN RENEWAL PLAN, PURSUANT TO HEALTH AND SAFETY CODE SECTION 33333.6(E)(2) DELETING THE DEBT INCURRENCE TIME LIMIT

WHEREAS, the Redevelopment Agency of the City of Fresno ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, et. seq., ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council of the City of Fresno ("City Council"); and

WHEREAS, on March 16, 1961, by Ordinance No. 5891, the City Council adopted a redevelopment plan for the Central Business District Project One Urban Renewal Plan and subsequently amended the redevelopment plan fifteen (15) times by way of Ordinances 6282, adopted on April 18, 1963, 6316 adopted on August 1, 1963, 6596 adopted on March 25, 1965, 6923 adopted on December 1, 1966, 67-35 adopted June 1, 1967, 67-76 adopted on August 2, 1967, 69-06 adopted on January 9, 1969, 73-19 adopted on January 11, 1973, 73-159 adopted on October 25, 1973, 78-41 adopted on March 21, 1978, 86-199 adopted on December 16, 1986, 94-32 adopted on May 3, 1994, 94-115 adopted on December 6, 1994, 98-44 adopted on June 30, 1998, and 2008-9 adopted on February 26, 2008 in compliance with the provisions of the CRL ("Central Business Project"); and

WHEREAS, on July 22, 1965, by Ordinance No. 6663, the City Council adopted a redevelopment plan for the West Fresno Business District Rehabilitation Project ("Original Project Area"), and subsequently amended the redevelopment plan five (5) times by way of Ordinance 86-13 adopted on January 28, 1986 [adding territory ("Added Area") to the Original Project Area and renaming the Project Area, as amended to add territory, the Chinatown

Adopted 7-22-08  
Approved 8-4-08  
Effective 9-3-08



Expanded Community Redevelopment Plan], and further amended the Chinatown Expanded Community Redevelopment Plan by way of Ordinances 94-116 adopted December 6, 1994, 98-45 adopted June 30, 1998 and 2006-40 adopted April 4, 2006, and 2008-9 adopted on February 26, 2008 in compliance with the provisions of the CRL (“Chinatown Expanded Project”); and

WHEREAS, on January 12, 1982, by Ordinance No. 82-6, the City Council adopted a redevelopment plan for the Convention Center Redevelopment Project Area and subsequently amended the redevelopment plan four (4) times by way of Ordinances 94-118 adopted December 6, 1994, 98-46 adopted June 30, 1998, 2005-120 adopted October 11, 2005, and 2008-9 adopted February 26, 2008 in compliance with the provisions of the CRL (“Convention Center Redevelopment Project”); and

WHEREAS, on December 18, 1984, by Ordinance No.84-182, the City Council adopted a redevelopment plan for the Jefferson Area Project and subsequently amended the redevelopment plan four (4) times by way of Ordinances 94-119 on December 6, 1994, 95-18 on February 28, 1995, 98-47 on June 30, 1998, and 2008-9 adopted February 26, 2008 in compliance with the provisions of the CRL (“Jefferson Area Project”); and

WHEREAS, on January 14, 1969, by Ordinance No. 69-11, the City Council adopted an Urban Renewal Plan and Feasibility of Relocation for the Mariposa Medical Center Project (also known as the Mariposa Project Redevelopment Plan) and subsequently amended the Redevelopment Plan a total of twelve (12) times by way of Ordinances 72-26 adopted on April 20, 1972, 75-124 adopted on December 4, 1975, 79-112 adopted on June 19, 1979, 82-78 adopted on August 3, 1982, 86-204 adopted on December 16, 1986, 88-23 adopted on February 2, 1988, 88-116 adopted on September 13, 1988, 92-55 adopted on July 28, 1992, 94-112 adopted on December 6, 1994, 95-19 adopted February 28, 1995, 98-48 adopted June 30, 1998, and 2008-9 adopted February 26, 2008 in compliance with the provisions of the CRL (the “Mariposa Project”); and

WHEREAS, on October 1, 1964, by Ordinance No. 6517, the City Council adopted a redevelopment plan for the West Fresno Project One Urban Renewal Plan and subsequently amended the redevelopment plan seven (7) times by Ordinances 6601 adopted on April 1, 1965, 71-48 adopted on May 6, 1971, 77-46 adopted on May 10, 1977, 86-200 adopted on December 16, 1986, 94-120 adopted on December 6, 1994, 98-49 adopted on June 30, 1998 and 2008-9 adopted February 26, 2008, in compliance with the provisions of the CRL (“West Fresno One Project”); and

WHEREAS, on December 19, 1963, by Ordinance No. 6384, the City Council adopted a redevelopment plan for the West Fresno Project Two Urban Renewal Plan and subsequently



amended the redevelopment plan five (5) times by way of Ordinances 67-14 on April 13, 1967, 86-201 on December 16, 1986, 94-121 on December 6, 1994, 98-50 on June 30, 1998 and 2008-9 on February 26, 2008, in compliance with the provisions of the CRL ("West Fresno Two Project"); and

WHEREAS, on January 14, 1969, by Ordinance No. 69-12, the City Council adopted a redevelopment plan for the West Fresno Project Three Urban Renewal Plan and subsequently amended the redevelopment plan three (3) times by way of Ordinances 86-202 on December 16, 1986, 94-122 on December 6, 1994 and 98-51 on June 30, 1998, in compliance with the provisions of the CRL ("West Fresno Three Project"); and

WHEREAS, the "Existing Plans" consist of the Redevelopment Plans, as amended, prepared for the Merger Number One Redevelopment Project, including the Central Business District Project One Urban Renewal Plan, Chinatown Expanded Redevelopment Plan, Convention Center Redevelopment Project Area, Jefferson Area Project, Mariposa Project Redevelopment Plan, West Fresno Project One Urban Renewal Plan, West Fresno Project Two Urban Renewal Plan, and the West Fresno Project Three Urban Renewal Plan; and

WHEREAS, CRL Section 33333.6 was amended by the inclusion of Section 33333.6(c)(2)(B), effective January 1, 2002, to provide that as to redevelopment plans originally adopted before January 1, 1994, the City Council may enact an ordinance eliminating the deadline on the establishment of loans, advances, and indebtedness, which was formerly required by CRL Section 33333.6, and to further provide that such ordinance may be adopted without compliance with CRL Section 33354.6 or Article 12 of the CRL, except that the Redevelopment Agency must begin making certain payments of portions of the Agency's tax increment to affected taxing entities required by CRL Section 33607.7; and

WHEREAS, pursuant to Section 33333.6(e)(2), the Agency desires to eliminate the time limit for establishing loans, advances and indebtedness in the Existing Plans; and

WHEREAS, on June 11, 2008 at a regular meeting, the Housing and Community Development Commission heard the testimony of staff and interested citizens, considered the proposed plan amendments, and recommended that the Council adopt the proposed ordinance approving the amendments to the Existing Plans, as recommended by staff; and

WHEREAS, a notice was published in a newspaper of general circulation at least ten (10) days prior to the public hearing on the Amendments, a full and fair public hearing has been held on the Amendments and the City has considered all written and oral comments and testimony relating hereto and has been fully advised hereon.



NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FRESNO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment of Redevelopment Plans. The proposed Amendments, including all related documents, correspondence and transmittals, copies of which are on file in the office of the City Clerk, are hereby approved, and the Plans are hereby amended to delete from the Plans any and all time limits stated in the Plans that place, or purport to place, on the Agency, any deadline on the establishment of loans, advances, and indebtedness with respect to the Redevelopment Plans or Project Areas.

Section 1.1 The time limit of January 1, 2009, established by Ordinance No. 98-44 to establish loans, advances and indebtedness in the Central Business District Project One Urban Renewal Plan is hereby eliminated and the Agency is hereby authorized to incur indebtedness and any other obligations with respect to the Redevelopment Plan in accordance with all remaining provisions at any time during which the Redevelopment Plan is effective.

Section 1.2. The time limits of January 1, 2009, for the Original Area and February 28, 2016, established by Ordinance No. 98-45 to establish loans, advances and indebtedness in the Chinatown Expanded Community Redevelopment Plan are hereby eliminated and the Agency is hereby authorized to incur indebtedness and any other obligations with respect to the Redevelopment Plan in accordance with all remaining provisions at any time during which the Redevelopment Plan is effective.

Section 1.3. The time limit of January 1, 2014, established by Ordinance No. 98-46 to establish loans, advances and indebtedness in the Redevelopment Plan for the Convention Center Redevelopment Plan Area is hereby eliminated and the Agency is hereby authorized to incur indebtedness and any other obligations with respect to the Redevelopment Plan in accordance with all remaining provisions at any time during which the Redevelopment Plan is effective.

Section 1.4. The time limit of December 18, 2014, established by Ordinance No. 98-47 to establish loans, advances and indebtedness in the Jefferson Area Redevelopment Plan is hereby eliminated and the Agency is hereby authorized to incur indebtedness and any other obligations with respect to the Redevelopment Plan in accordance with all remaining provisions at any time during which the Redevelopment Plan is effective.

Section 1.5. The time limit of January 14, 2009, established by Ordinance No. 98-48 to establish loans, advances and indebtedness in the Mariposa Project Redevelopment Plan is hereby eliminated and the Agency is hereby authorized to incur indebtedness and any other obligations with respect to the Redevelopment Plan in accordance with all remaining provisions at any time during which the Redevelopment Plan is effective.



Section 1.6. The time limit of January 1, 2009, established by Ordinance No. 98-49 to establish loans, advances and indebtedness in the West Fresno Project One Urban Renewal Plan is hereby eliminated and the Agency is hereby authorized to incur indebtedness and any other obligations with respect to the Redevelopment Plan in accordance with all remaining provisions at any time during which the Redevelopment Plan is effective.

Section 1.7. The time limit of January 1, 2009, established by Ordinance No. 98-50 to establish loans, advances and indebtedness in the West Fresno Project Two Urban Renewal Plan is hereby eliminated and the Agency is hereby authorized to incur indebtedness and any other obligations with respect to the Redevelopment Plan in accordance with all remaining provisions at any time during which the Redevelopment Plan is effective.

Section 1.8. The time limit of January 14, 2009, established by Ordinance No. 98-51 to establish loans, advances and indebtedness in the West Fresno Project Three Urban Renewal Plan is hereby eliminated and the Agency is hereby authorized to incur indebtedness and any other obligations with respect to the Redevelopment Plan in accordance with all remaining provisions at any time during which the Redevelopment Plan is effective.

Section 2. Compliance with Health and Safety Code. The City Council finds and determines that the amendments to the Plans as adopted by this ordinance are in compliance with the time limitation provisions set forth in Section 33333.6 of the Health and Safety Code.

Section 3. Certification. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Amendments.

Section 4. Effect of Amendments. It is hereby found and determined that the foregoing Amendments are necessary and desirable. Except as expressly provided in this Ordinance, the Existing Plans, as previously amended, shall remain unchanged and in full force and effect.

Section 5. Partial Invalidity; Severability. If any part of this Ordinance or the Amendments that it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Amendments, and this City Council hereby declares that it would have passed the remainder of the Ordinance or approved the remainder of the Amendments if such invalid portion thereof had been deleted.

Section 6. The Executive Director of the Redevelopment Agency shall notify the appropriate public entities of the adoption of this Ordinance.

Section 7. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after adoption.



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STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
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 foregoing ordinance was adopted by the City Council of the City of Fresno and the Redevelopment Agency of the City of Fresno, at a joint public meeting held on the 22 day of July, 2008.

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

Mayor Approval: N/A , 2008

Mayor Approval/No Return: August 4 , 2008

Mayor Veto: N/A , 2008

Council Override Vote: N/A , 2008

REBECCA E. KLISCH  
City Clerk

BY: Rebecca E. Klisch  
~~Deputy~~

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

BY: Laurie Avedisian  
Deputy Laurie Avedisian



July 22, 2008

NO RETURN

Council Adoption: 7/22/08

Mayor Approval:

Mayor Veto:

Override Request:

TO: MAYOR ALAN AUTRY  
FROM: REBECCA E. KLISCH, CMC  
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 7/22/08, Council adopted the attached Ordinance No. 2008-47 entitled **To delete the debt incurrence time limit within the Central Business District, Chinatown Expanded (and West Fresno Rehabilitation Project), Convention Center, Jefferson, Mariposa, West Fresno I, West Fresno II, and West Fresno III pursuant to SB 211, Item No. 3:30 p.m. - A**, by the following vote:

Ayes : Calhoun, Dages, Perea, Sterling, Xiong  
Noes : None  
Absent : Caprioglio, Duncan  
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before August 4, 2008. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10<sup>th</sup> day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

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APPROVED:

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Alan Autry, Mayor

Date: \_\_\_\_\_

COUNCIL OVERRIDE ACTION:

Ayes :  
Noes :  
Absent :  
Abstain :

Date: \_\_\_\_\_