

Recording Requested By:

City of Fresno
No Fee-Govt. Code Sections
6103 and 27383

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CITY CLERK'S OFFICE
City of Fresno
2600 Fresno Street
Fresno, CA 93721-3623



Fresno County Recorder
William C. Greenwood

DOC- 98180721

Monday, DEC 14, 1998 15:44:20

FRE \$0.00

Ttl Pd \$0.00

Nbr-0000021937

djg/R6/1-23

SPACE ABOVE THIS LINE FOR RECORDER'S USE

ORDINANCE NO. 98-83

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA APPROVING & ADOPTING
THE 1998 AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE FRUIT/CHURCH
PROJECT.

98-83

ATTACHMENT "J"

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO
PROPOSED AND INITIATED BY

MOVED BY Ronquillo SECONDED BY Quintero

BILL NO. B-96
ORDINANCE NO. 98-83

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
APPROVING AND ADOPTING THE 1998 AMENDMENT TO
THE REDEVELOPMENT PLAN FOR THE FRUIT/CHURCH
PROJECT

WHEREAS, the Council of the City of Fresno (the "Council") established the Fruit/Church Project (the "Project"), and approved and adopted the Redevelopment Plan for the Project by Ordinance No. 71-98, on October 7, 1971, as amended by Ordinance No. 86-205, Ordinance No. 94-113, and Ordinance No. 95-48 (the "Fruit/Church Plan"); and

WHEREAS, the Council has received from the Redevelopment Agency of the City of Fresno (the "Agency") a proposed 1998 Amendment to the Fruit/Church Plan (the "Fruit/Church Amendment"), a copy of which is on file at the offices of the City Clerk at 2600 Fresno Street, Fresno, California and the Agency at 2344 Tulare Street, Suite 200, Fresno, California; and

WHEREAS, the Council and the Agency are simultaneously considering the approval and adoption of a proposed 1998 Amendment (the "Southwest Amendment") to the Urban Renewal Plan for the Southwest Fresno General Neighborhood Renewal Area Project (the "Southwest Plan"); and

WHEREAS, the Fruit/Church Amendment and the Southwest Amendment provide for the merger of the area included within the Fruit/Church Plan (the "Fruit/Church Project Area") with the area included within the Southwest Plan (the

Adopted 10-20-98
Approved 11-16-98
Effective 12-17-98

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98-83

"Southwest Project Area"), which collectively are hereinafter referred to as the "Merged No. 2 Project Area;" and

WHEREAS, the purposes of the Fruit/Church Amendment are to: 1) increase the limitations on the time for incurring debt, the time for repaying debt and the time for the effectiveness of the Fruit/Church Plan, (2) increase the dollar limitation on the allocation of tax increments from the Fruit/Church Project Area, (3) extend the time limit of the Agency's power of eminent domain, (4) merge the Fruit/Church Project Area with the Southwest Project Area, and (5) make certain other textual technical and clarifying changes to the Fruit/Church Plan in connection with the hereinabove stated changes; and

WHEREAS, the Council has also received from the Agency the Report of the Agency to the Council, as supplemented by a Supplemental Report of the Agency to the Council, on the Fruit/Church Amendment and the Southwest Amendment (the "Agency's Report") in accordance with Section 33352 of the Community Redevelopment Law (Health and Safety Code Section 33000, et seq.); and

WHEREAS, the Council and Agency, as a co-lead agency, prepared and circulated a Draft Program Environmental Impact Report (the "Draft EIR") on the Merged No. 2 Project Area, which includes the Fruit/Church Amendment, in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.), and

environmental procedures adopted by the Agency and Council pursuant thereto, and the Draft EIR was thereafter revised and supplemented to incorporate comments received and responses thereto, and, as so revised and supplemented, a Final Program Environmental Impact Report No. 10125 (the "Final EIR") was prepared and certified by the Council and the Agency; and

WHEREAS, the Agency and the Council have reviewed and considered the Final EIR and have each adopted a Statement of Findings, Facts, and Overriding Considerations applicable to the environmental impacts identified in the Final EIR; and

WHEREAS, the Planning Commission of the City of Fresno has submitted to the Council its report and recommendations concerning the proposed Fruit/Church Amendment and its certification that the Fruit/Church Amendment conforms to the General Plan for the City of Fresno; and

WHEREAS, the Housing and Community Development Commission has considered the proposed Fruit/Church Amendment at a scheduled Public Hearing on October 14, 1998, and has recommended approval of the Fruit/Church Amendment; and

WHEREAS, the Agency has consulted with and obtained the advice of owners, residents and businesses, community organizations and others regarding the proposed Fruit/Church Amendment, and property owners, residents and

businesses, community organizations and others were given the opportunity to review the proposed Fruit/Church Amendment at informational meetings; and

WHEREAS, the Council and the Agency held joint and concurrent public hearings on the Fruit/Church Amendment and the Southwest Amendment in the Council Chambers, 2600 Fresno Street, Fresno, California, on October 20, 1998, to consider adoption of the Fruit/Church Amendment, Southwest Amendment and certification of the Final EIR; and

WHEREAS, a notice of said joint and concurrent public hearings was duly and regularly published in the Fresno Bee, a newspaper of general circulation in the City of Fresno, once a week for four successive weeks prior to the date of said hearings, and a copy of said notice and affidavit of publication are on file with the City Clerk and the Agency; and

WHEREAS, copies of the notice of joint and concurrent public hearings were mailed by first-class mail to the last known address of each assessee of each parcel of land in the Fruit/Church Project Area as shown on the last equalized assessment roll of the County of Fresno; and

WHEREAS, copies of the notice of joint and concurrent public hearings were mailed by first-class mail to all residential and business occupants within the Fruit/Church Project Area; and

WHEREAS, copies of the notice of joint and concurrent public hearings were mailed by certified mail with return receipt requested to the governing body of each

taxing agency which receives taxes from property in the Fruit/Church Project Area;
and

WHEREAS, the Council has considered the Agency's Report, the Report and Recommendation of the Planning Commission, the Report and Recommendation of the Housing and Community Development Commission, the Fruit/Church Amendment, and the Final EIR; has provided an opportunity for all persons to be heard and has received and considered all evidence and testimony presented for or against any and all aspects of the Fruit/Church Amendment; and has adopted written findings in response to each written objection to the Fruit/Church Amendment from an affected taxing entity or property owner within the Fruit/Church Project Area; and

WHEREAS, all actions required by law have been taken by all appropriate public bodies;

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. The purposes and intent of the Council with respect to the Fruit/Church Amendment are: (1) to eliminate the significant remaining blighting influences and environmental deficiencies within the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole; and (2) to contribute to and complement the overall goals and objectives of the Fruit/Church Plan and redevelopment of the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole.

SECTION 2. The Council hereby finds and determines that:

a. It is necessary and desirable to amend the Fruit/Church Plan as set forth in the Fruit/Church Amendment in order to complete the redevelopment of the Fruit/Church Project Area and make possible the full achievement of the goals and objectives of the Fruit/Church Plan for the Fruit/Church Project Area. Significant blight remains within the Fruit/Church Project Area which cannot be eliminated without the increase in the time to establish debt and the increase in the tax increment dollar limit provided by the Fruit/Church Amendment. These findings are based upon the facts, as more particularly set forth in the Agency's Report and/or the Final EIR, that:

(1) The Fruit/Church Project Area is characterized by and suffers from a combination of significant remaining physical and economic blight conditions, including deteriorated and dilapidated buildings, aged and obsolete buildings, vacant lots and buildings; depreciated property values; incompatible uses; the existence of hazardous wastes; a high crime rate; and inadequate or deteriorated public improvements, facilities and utilities.

(2) The combination of the conditions referred to in paragraph (1) above are so prevalent and so substantial that it continues to cause a reduction of, or lack of, proper utilization of the Fruit/Church Project Area and affects the Merged No. 2 Project Area as a whole to such an extent that it constitutes a serious physical and economic burden on the City which cannot reasonably be expected to be reversed

or alleviated by private enterprise or governmental action, or both, without redevelopment.

(3) The continued availability of tax increment revenues from the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole will allow the Agency to continue to carry out the goals and objectives of the Fruit/Church Plan by providing the financing needed to complete the public improvements and to continue the redevelopment programs necessary to alleviate the remaining blight conditions and promote and stimulate new private investment in the Fruit/Church Project Area.

b. The Fruit/Church Amendment would redevelop the Fruit/Church Project Area in conformity with the Community Redevelopment Law and in the interests of the public peace, health, safety and welfare. This finding is based upon the fact that redevelopment of the Fruit/Church Project Area, as contemplated by the Fruit/Church Plan, as amended by the Fruit/Church Amendment, will implement the objectives of the Community Redevelopment Law by aiding in the elimination and correction of the remaining conditions of blight and deterioration in the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole; by facilitating and continuing to provide the planning, development, redesign, clearance, reconstruction or rehabilitation of properties which need improvement; by providing additional employment opportunities or recouping lost jobs and maintaining those jobs within the Fruit/Church Project Area; by providing for higher

economic utilization of potentially useful land and buildings; and by providing additional funds to improve and increase the supply of low- and moderate-income housing within the community.

c. The adoption and carrying out of the Fruit/Church Amendment is economically sound and feasible. This finding is based upon the facts, as more particularly set forth in the Agency's Report, that under the Fruit/Church Plan, as amended by the Fruit/Church Amendment, the funds available from tax increments from the Merged No. 2 Project Area and other financing sources will be sufficient to pay for the costs of the proposed public projects needed to alleviate the remaining blight conditions; the nature and timing of public redevelopment assistance will depend on the amount and availability of such financing resources, including tax increments generated by new investment in the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole; and no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity.

d. The Fruit/Church Amendment conforms to the General Plan of the City of Fresno, including, but not limited to, the Housing Element. This finding is based on the finding of the Planning Commission that the Fruit/Church Amendment conforms to the General Plan of the City of Fresno.

e. The carrying out of the Fruit/Church Amendment would promote the public peace, health, safety, and welfare of the City of Fresno and would effectuate

the purposes and policy of the Community Redevelopment Law. This finding is based upon the facts that redevelopment, as contemplated by the Fruit/Church Amendment, will benefit the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole by correcting the remaining conditions of blight and by coordinating the additional public and private actions needed to stimulate development and improve the physical and economic conditions of the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole and that the continued redevelopment of the Fruit/Church Project Area will further promote and stimulate new private investment and redevelopment in the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole.

f. The condemnation of real property, as extended by the Fruit/Church Amendment, is necessary to the execution of the Fruit/Church Plan, and adequate provisions have been made for payment of property to be acquired as provided by law. This finding is based on the following facts: (1) in order to facilitate development of existing vacant or underutilized commercial properties, the Agency may need to assemble parcels to effectuate more cohesive and economically feasible development within the Fruit/Church Project Area; (2) the Agency is required to comply with all state laws pertaining to the acquisition of real property by a public agency by negotiation or by condemnation, which laws require the payment of just compensation for any real property purchased by negotiation or

condemnation; and (3) the Agency shall not proceed with any voluntary acquisition or condemnation of real property for which funds are not available.

g. The Agency has a feasible method and plan for the relocation of families and persons who may be displaced, temporarily or permanently, from housing facilities in the Fruit/Church Project Area. This finding is based upon the fact that the existing Fruit/Church Plan and the existing Agency relocation policies contain the Agency's general method and plan for the relocation of families and persons who may be displaced, temporarily or permanently, from housing facilities in the Fruit/Church Project Area, and provide for relocation assistance according to law. That general method and plan for relocation will continue to apply following the adoption of the Fruit/Church Amendment.

h. There are, or shall be provided, in the Fruit/Church Project Area, Merged No. 2 Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Fruit/Church Project Area, decent, safe, and sanitary dwellings equal in number to the number of and available to the displaced families and persons and reasonably accessible to their places of employment. This finding is based upon the fact that pursuant to the Fruit/Church Plan, as amended by the Fruit/Church Amendment, if the Agency does displace any persons or families from a dwelling unit, no person or family will be required to move from any dwelling unit in the Fruit/Church Project Area until

suitable replacement housing is available. In addition, families and persons shall not be displaced from the Fruit/Church Project Area prior to the adoption of a relocation plan pursuant to Sections 33411 and 33411.1 of the Community Redevelopment Law, and dwelling units housing persons and families of low or moderate income within the Fruit/Church Project Area shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Sections 33334.5, 33413 and 33413.5 of the Community Redevelopment Law.

i. The continuation of the elimination of blight and the effective redevelopment of the Fruit/Church Project Area could not be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based upon the facts, as more particularly set forth in the Agency's Report, that higher costs and more significant risks are associated with development in a blighted area such as the Fruit/Church Project Area, available governmental actions and resources have been and are insufficient to address remaining blighting conditions and the cost and risk to private enterprise is too great.

j. The time limitations and the tax increment dollar limitation contained in the Fruit/Church Amendment are reasonably related to the remaining proposed projects to be implemented in the Merged No. 2 Project Area and to the ability of the Agency to eliminate the remaining blight within the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole. This finding is based upon the fact that

redevelopment depends, in large part, upon private market forces beyond the control of the Agency and shorter time limitations would impair the Agency's ability to be flexible and respond to market conditions as and when appropriate and would impair the Agency's ability to maintain development standards and controls over a period of time sufficient to assure area stabilization. Shorter time limitations would also limit the revenue sources and financing capacity necessary to carry out the proposed projects in the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole. As more particularly described in the Agency's Report, the tax increment dollar limitation has been established at an amount to ensure the Agency's ability to undertake the redevelopment activities necessary to alleviate the remaining blight conditions in the Fruit/Church Project Area and the Merged No. 2 Project Area as a whole.

SECTION 3. The Council is satisfied that permanent housing facilities will be available within three years from the time occupants of the Fruit/Church Project Area are displaced, if any, and that pending the development of such facilities, there will be available to any such displaced occupants adequate temporary housing facilities at rents comparable to those in the City of Fresno at the time of their displacement.

SECTION 4. The merger of the Fruit/Church Project Area with the Southwest Project Area will result in substantial benefit to the public and will contribute to the revitalization of the blighted areas within the Merged No. 2 Project Area through the

increased economic vitality of such areas and through increased and improved housing opportunities in and near such areas by enabling the areas within the Merged No. 2 Project Area to be planned and developed in a coordinated and integrated manner and allowing the Agency to better respond to economic opportunities throughout the Merged No. 2 Project Area that will benefit the entire Merged No. 2 Project Area.

SECTION 5. In order to implement and facilitate the effectuation of the Fruit/Church Amendment, certain official actions must be taken by the Council; accordingly the Council hereby:

- i) pledges its cooperation in helping to carry out the Fruit/Church Plan, as amended by the Fruit/Church Amendment;
- ii) directs the various officials, department, boards and agencies of the City of Fresno having administrative responsibilities in the Fruit/Church Project Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Fruit/Church Plan, as amended by the Fruit/Church Amendment;
- iii) stands ready to consider and take appropriate action on proposals and measures designed to effectuate the Fruit/Church Plan, as amended by the Fruit/Church Amendment; and

- iv) declares its intention to undertake and complete any proceeding, including the expenditure of moneys, necessary to be carried out by the City under the provisions of the Fruit/Church Plan, as amended by the Fruit/Church Amendment.

SECTION 6. The Council is satisfied that written findings have been adopted in response to each written objection received from an affected taxing entity or property owner either before or at the noticed joint and concurrent public hearing. Having considered all evidence and testimony presented for or against any aspect of the Fruit/Church Amendment, the Council hereby overrules all written and oral objections to the Fruit/Church Amendment.

SECTION 7. The mitigation measures and mitigation monitoring plan, findings, and statement of overriding considerations made pertaining to the Fruit/Church Amendment, as identified in the Joint Council Resolution No. 98-317, adopted on 10/20, 1998, and Agency Resolution No. 1498, adopted on 10/20, 1998, were based upon consideration of the Final EIR and are incorporated and made part of the proposed Fruit/Church Amendment.

SECTION 8. The Fruit/Church Plan, as adopted and amended by Ordinance Nos. 71-98, 86-205, 94-113, and 95-48 is hereby further amended as set forth in the Fruit/Church Amendment attached hereto as Attachment 1, and incorporated herein by reference. As so amended, the Fruit/Church Plan is hereby incorporated by

reference herein and designated as the official Redevelopment Plan for the Fruit/Church Project. The Executive Director of the Agency is hereby authorized to combine the Fruit/Church Plan, as amended by the Fruit/Church Amendment, into a single document and said document, when filed with the City Clerk and the Secretary of the Agency, shall constitute the official Fruit/Church Plan.

SECTION 9. Ordinance No. 71-98, as amended by Ordinance Nos. 86-205, 94-113, and 95-48 are continued in full force and effect as amended by this Ordinance.

SECTION 10. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency and the Agency hereby is vested with the responsibility for carrying out the Fruit/Church Plan, as amended by the Fruit/Church Amendment.

SECTION 11. The City Clerk is hereby directed to record with the County Recorder of Fresno County a notice of the approval and adoption of the Fruit/Church Amendment pursuant to this Ordinance, containing a statement that proceedings for the redevelopment of the Fruit/Church Project Area pursuant to the Fruit/Church Plan, as amended by the Fruit/Church Amendment, have been instituted under the California Community Redevelopment Law.

SECTION 12. Section V of the Fruit/Church Amendment to the Fruit/Church Plan, approved and adopted by this Ordinance, provides for the merger of the Fruit/Church Project Area with the Southwest Project Area (the "Fruit/Church Merger

Provision"). The proposed Southwest Amendment correspondingly provides for the merger of the Southwest Project Area with the Fruit/Church Project Area (the "Southwest Merger Provision"). When the Fruit/Church Merger Provision takes effect and the Southwest Merger Provision takes effect, the Fruit/Church Project Area shall be officially merged with the Southwest Project Area. If the Southwest Merger Provision does not take effect, the Fruit/Church Merger Provision shall have no effect.

SECTION 13. If any part of this Ordinance or the Fruit/Church Amendment which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining Ordinance or of the Fruit/Church Amendment, and this Council hereby declares that it would have passed the remainder of this Ordinance or approved the remainder of the Fruit/Church Amendment if such invalid portion thereof had been deleted. It is the specific intent of the Council that the Fruit/Church Merger Provision be considered wholly independent of the other provisions of the Fruit/Church Amendment. In the event the Fruit/Church Merger Provision is determined to be invalid by a court of competent jurisdiction for any reason, that circumstance shall not affect the remaining provisions of the Fruit/Church Amendment approved hereby.

Ordinance No. _____
Adopting 1998 Amendment to
Redevelopment Plan for
Fruit/Church Project
Page 17

SECTION 14. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

Attachment 1: 1998 Amendment to the Redevelopment Plan for the Fruit/Church Project

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 20th day of October, 1998, by the following vote.

AYES: Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz
NOES: None
ABSENT: Mathys
ABSTAIN: None

Mayor Approval: N/A, 1998
Mayor Approval/No Return: 11/16, 1998
Mayor Veto: N/A, 1998
Council Override Vote: N/A, 1998

REBECCA E. KLISCH,
City Clerk

By: Rebecca E. Klisch
~~Deputy~~

APPROVED AS TO FORM

HILDA CANTU MONTROY
City Attorney

By: [Signature]
Deputy

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A TACHMENT "1"
ATTACHMENT "1"

1998 AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE FRUIT/CHURCH PROJECT

The Redevelopment Plan for the Fruit/Church Project adopted on October 7, 1971, by Ordinance No. 71-98, as amended to date (the "Plan"), is hereby further amended as follows:

- I. Section 101 of the Plan is hereby amended to add a seventh paragraph to read as follows:

"As of the effective date of the ordinance approving the 1998 Amendment to the Plan (the "1998 Ordinance"), this Plan shall mean and include the Plan, as amended by the 1998 Ordinance."

- II. Section 501 of the Plan is hereby amended to read as follows:

"SECTION 501 Duration of Plan and Covenants

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective until October 7, 2011; provided, however, that, subject to the limitations set forth in Section 801.D. of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible."

- III. The first paragraph of Section 601 of the Plan is hereby amended to add a last sentence to read as follows:

"Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the 1998 Ordinance becomes effective."

- IV. Section 801.D. of the Plan is hereby amended to add new second and third paragraphs to read as follows:

"The portion of taxes divided and allocated to the Agency pursuant to subparagraph 2 of this Paragraph C. hereof shall not exceed a cumulative total of \$21,000,000.

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project beyond October 7, 2011. Loans, advances or indebtedness may be repaid over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the Agency's housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness as set forth herein. The Agency shall not receive, and shall not repay loans, advances or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Paragraph D. beyond October 7, 2021."

- V. A new ARTICLE X, Section 1001, is hereby added to the Plan to read as follows:

"SECTION 1001 Merger

Upon the effective date of the 1998 Ordinance and provided an ordinance becomes effective amending the Urban Renewal Plan for the Southwest Fresno General Neighborhood Renewal Area Project which includes the merger of the Southwest Fresno General Neighborhood Renewal Area Project with this Project Area (the "Southwest Merger Ordinance"), the Project Area is hereby merged with the Southwest Fresno General Neighborhood Renewal Area Project. Upon the effective date of the 1998 Ordinance and the Southwest Merger Ordinance the Project Area and the Southwest Fresno General Neighborhood Renewal Area Project may hereinafter be known and referred to as the Merger No. 2 Project Area."

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November 5, 1998

TO: MAYOR JIM PATTERSON
FROM: REBECCA E. KLISCH, City Clerk
SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

Council Adoption: 11/16/98
Mayor Approval: Rejection
Mayor Veto: No
Override Request: _____
By: _____
Deputy

At the Council meeting of 10/20/98, Council adopted the attached Ordinance No. 98-83, entitled Proposed 1998 amndmnt and merger of the Fruit/Church RDA Proj., by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz
Noes : None
Absent : Mathys
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 11/16/98. 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.

APPROVED: _____

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

Jim Patterson, Mayor

Date: 11-16-98

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes
Noes :
Absent :
Abstain :

c: Jeff Reid, City Manager
Hilda C. Montoy, City Attorney

JR

CLERK'S CERTIFICATION

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

On DECEMBER 9Th, 1998, before me, Jocelyne Gueret, personally appeared DANIEL R FITZPATRICK, EXEC. DIRECTOR, known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument(s) the person(s), or the entity upon behalf of the City of Fresno of which the person(s) acted, executed the instrument.

WITNESS my hand and official City Seal.

REBECCA E. KLISCH
CITY CLERK

BY: Jocelyne Gueret
DEPUTY

Recording Requested By:

Redevelopment Agency of
the City of Fresno
No Fee-Govt. Code Sections
6103 and 27383

When Recorded Mail to:
Fresno Redevelopment Agency
2300 Tulare Street, Suite 200
Fresno, CA 93721
Attention: Executive Director




Fresno County Recorder
William C. Greenwood
DOC- 98180720

Monday, DEC 14, 1998 15:43:58
FRE \$0.00
Ttl Pd \$0.00 Nbr-0000021936
dJg/R5/1-2

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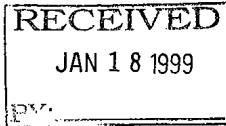
This Notice is recorded at the request of and for the Redevelopment Agency of the City of Fresno, by order of the City Council of the City of Fresno, and is exempt from the payment of a recording fee pursuant to Government Code Section 6103.

REDEVELOPMENT AGENCY OF THE
CITY OF FRESNO

By: 
Its: Exec. Dir. Daniel R. Fitzpatrick
Dated: 12/14/98

**NOTICE UNDER HEALTH AND SAFETY CODE
SECTION 33373**

1998 Amendment to the
Fruit-Church Redevelopment Plan



NOTICE IS HERE GIVEN that the City Council of the City of Fresno adopted Ordinance No. 98-83 on October 20, 1998, and that the Ordinance was finally approved, as provided in Section 605(d) of the Charter of the City of Fresno, on November 16, 1998. The Ordinance approved and adopted the 1998 Amendment (the "1998 Amendment") for the Fruit-Church Project (the "Project").

The 1998 Amendment pertains to the Project and the land within the Project Area, but does not modify the Project boundaries described in Document No. 85375, recorded October 26, 1971, in the Official Records of Fresno County, California, pursuant to Section 33373 of the California Community Redevelopment Law.

Proceedings for the redevelopment of the Project pursuant to the 1998 Amendment have been instituted under the California Community Redevelopment Law.

This Notice is recorded with the County Recorder of Fresno County by order of the City Council of the City of Fresno, California, and pursuant to Health and Safety Code Section 33373.

Date: Dec 4, 1998

City Clerk, City of Fresno
By: Rebecca L. P. Wood