



ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO  
PROPOSED AND INITIATED BY \_\_\_\_\_  
MOVED BY Dages SECONDED BY Brand

BILL NO. B-22

ORDINANCE NO. 2009-22

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,  
ADDING SUBSECTION (c) TO SECTION 7-912, OF THE  
FRESNO MUNICIPAL CODE, RELATING TO  
QUALIFICATIONS OF APPLICANTS FOR CITY FINANCING.

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

SECTION 1. Section 7-912 of the Fresno Municipal Code is amended by adding subsection (c) thereto to read:

SEC. 7-912. QUALIFICATIONS OF APPLICANTS FOR CITY FINANCING.

(a) The City Manager or his designee shall ascertain and make available to the Council information with respect to the qualifications and financial status of all applicants seeking city financial assistance or funding for private projects pursuant to the city's economic development program, whether such assistance consists of loans, grants, bond issuance, or otherwise. In order to comply with this requirement, and to safeguard city funds and protect the city's bond rating, the City Manager or his designee shall cause an investigation to be made of the facts stated in each application for city financing. Conviction (including pleas of guilty and nolo contendere) of any felony or misdemeanor involving moral turpitude shall constitute prima facie grounds for denying financial assistance to an applicant, except that such conviction may be disregarded if it is determined that mitigating circumstances exist. For purposes of this section, the term "applicant" includes but is not limited to an individual in a sole proprietorship, all general partners in a partnership, any

Adopted 6/4/09  
Approved 6/11/09  
Effective 7/12/09

2009-22





\*\*\*\*\*

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 4th day of June, 2009.

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

Mayor Approval: June 11, 2009

Mayor Approval/No Return: N/A, 2009

Mayor Veto: N/A, 2009

Council Override Vote: N/A, 2009

REBECCA E. KLISCH  
City Clerk

By Rebecca Klisch  
Deputy

APPROVED AS TO FORM  
CITY ATTORNEY'S OFFICE

By R 5-12-09  
Robert R. Coyle  
Senior Deputy City Attorney

RRC:sn [49097sn/ORD] 4/30/09



June 5, 2009

Council Adoption: 6/4/09  
Mayor Approval:  
Mayor Veto:  
Override Request:

TO: MAYOR ASHLEY SWEARENGIN **RECEIVED**  
FROM: REBECCA E. KLISCH, CMC *REK* **2009 JUN 11 PM 4:27**  
City Clerk **CITY CLERK. FRESNO CA**

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 6/04/09, Council adopted the attached Ordinance No. 2009-22 entitled **Amd FMC re: qualifications of applicants for City financing**, Item No. **1N**, by the following vote:

Ayes : Borgeas, Brand, Dages, Perea, Westerlund, Xiong, Sterling  
Noes : None  
Absent : None  
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 June 15, 2009. 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.

\*\*\*\*\*

**APPROVED:**

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

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

*Ashley Swearengin*  
Ashley Swearengin, Mayor

Date: 6/11/09

**COUNCIL OVERRIDE ACTION:**

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

Ayes :  
Noes :  
Absent :  
Abstain :