



**COUNCIL RESOLUTION NO. 2009-147**  
**REDEVELOPMENT AGENCY RESOLUTION NO. 1743**

**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, AUTHORIZING THE AGENCY'S INSTALLATION OF PUBLIC IMPROVEMENTS WITHIN AND OUTSIDE OF THE SOUTHEAST FRESNO REVITALIZATION REDEVELOPMENT PROJECT AREA FOR TRAFFIC SIGNAL IMPROVEMENTS AT JENSEN AND PEACH AVENUES**

WHEREAS, on June 29, 1999, the Council of the City of Fresno (the "Council") by Ordinance No. 99-45, adopted the redevelopment plan (the "Plan") for the Southeast Fresno 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 the Project Area (the "Implementation Plan"); and

Adopted 6/25/09  
Approved 6/25/09  
Effective 6/25/09

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WHEREAS, the Implementation Plan, to help eliminate physical and economic blighting influences, includes a redevelopment program to facilitate private reinvestment in the Project Area by installing public facilities and infrastructure, and improving the traffic flow and public safety at this intersection which falls 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 existing intersection of Jensen and Willow Avenues is not signalized; and

WHEREAS, the Project improvements will allow north and south bound traffic to enter and pass safely through this busy intersection, and will provide a protected left turn phase to allow Jensen traffic access onto Willow Avenue, improving the traffic flow and increasing public safety at the intersection of Jensen and Willow Avenues (the "Project"); and

WHEREAS, the portion of the existing intersection of Jensen and Willow Avenues that is east of the easterly right-of-way of South Willow Avenue and south of the southerly right-of-way of East Jensen Avenue is outside of the boundaries of the Southeast Fresno Revitalization Redevelopment Project Area and the City limits, lying within the unincorporated area of the County of Fresno ("County"); and

WHEREAS, under an agreement, now expired, between the City and County, the



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City maintained traffic signals throughout the City and County; and

WHEREAS, the City continues to perform traffic signal maintenance throughout the County, and the County pays the City for the work under City-issued invoices; 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, the proposed Project scored high on the City's priority ranking for infrastructure needs, and no City funds are currently available or budgeted to complete the proposed Project; and

WHEREAS, June 10, 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 Agency award a contract to the lowest responsible bidder, for installing the Project at the intersection of Jensen and Willow Avenues; 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 has appropriated the necessary funds for the project within FY 08-09, without limitation, the construction contract, engineering costs, and construction management; and

WHEREAS, the Agency and Council, after due consideration, believe that the Agency's costs are 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:** Constructing the Project that will be within and outside of the Project Area will help improve the traffic circulation, streetscapes and image of the Project Area within and near the proposed Projects, and is necessary to achieve the purposes of, is consistent with the Plan, and will benefit the Project Area.

**Finding No. 1.2:** Installing the Project that will be within and outside the Project Area will help eliminate blight within the Project Area in the immediate vicinity of the Project, and within the overall Project Area, by increasing efficient traffic flow, and improving traffic safety and 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 install and construct the Project, and consents to the Agency award of a contract for the Project.

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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 10<sup>th</sup> day of June, 2009, and that the same was passed by the following vote:



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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 Rebecca E. Klisch  
Deputy

APPROVED AS TO FORM:  
James Sanchez  
City Attorney and Ex-Officio Attorney  
to the Agency

By [Signature]  
Deputy BRAND