



RESOLUTION NO. 2009-58

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO APPROVING A ONE-YEAR EXTENSION OF THE PROJECT AREA COMMITTEE FOR THE CHINATOWN EXPANDED COMMUNITY REDEVELOPMENT PLAN PROJECT AREA

WHEREAS, Section 33385.3 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq., the "CRL"), provides that if a project area committee does not exist, and the redevelopment agency proposes to amend a redevelopment plan, the agency shall establish a project area committee ("PAC") pursuant to Section 33385 if either the proposed amendment to a redevelopment plan will displace a substantial number of low-income persons or moderate income persons, or both, or would grant the authority to the redevelopment agency to acquire by eminent domain property on which persons reside in a project area in which a substantial number of low- and moderate-income persons reside; and

WHEREAS, Section 33386 of the CRL provides that when a PAC is elected for a redevelopment project area, it will serve as an advisory body throughout the period of preparation of the redevelopment plan, and for a three-year period after the redevelopment plan is adopted, subject to one-year extensions by the legislative body; and

WHEREAS, pursuant to the CRL, the Redevelopment Agency of the City of Fresno (the "Agency") prepared a Redevelopment Plan (the "Plan") for the Chinatown Expanded Redevelopment Project Area (the "Project"), and the Council of the City of Fresno ("Council") adopted the 2006 Amendment to the Chinatown Expanded Community Redevelopment Plan on April 17, 2006, by Ordinance 2006-40; and,

WHEREAS, pursuant to Section 33385(a) of the CRL, the Council called upon residents, business owners, and existing community organizations within the boundaries of the Project Area to form a PAC to advise the Agency regarding the preparation of the Redevelopment Plan; and

WHEREAS, on September 20, 2005, a duly noticed PAC election was held pursuant to the provisions of the Election Procedures for Project Area Committee Members ("PAC Election Procedures"), adopted by Council Resolution No. 95-120, and the Procedures for the Formation or Expansion of Project Area Committees ("PAC Formation Procedures"), adopted by Resolution No. 95-121, resulting in the election of a PAC for the Project, and

WHEREAS, on October 11, 2005, in a duly noticed public meeting the Council adopted Resolution No. 2005-449, finding that the PAC was elected in conformity with the PAC Formation Procedures and the PAC Election Procedures, and confirming the members of the PAC; and

Adopted 3/17/09  
Approved 3/30/09  
Effective 3/30/09

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WHEREAS, the statutorily mandated three-year period of service for the PAC will expire April 17, 2009; and

WHEREAS, on July 29, 2008, the Council adopted Resolution No. 2008-192, authorizing the initiation of procedures for amendments to ten existing Redevelopment Plans in the Merger No. 1 Project, which included the Chinatown Expanded Community Redevelopment Plan; and

WHEREAS, a one year extension is required in order for the PAC to continue its advisory role in the preparation of the Merger No. 1 Project plan amendments to the Chinatown Expanded Community Redevelopment Plan and in the Plan implementation process; and

WHEREAS, at its meeting on March 11, 2009, the Housing and Community Development Commission, heard a staff presentation, considered public testimony, and recommended that the Council adopt a resolution approving the one-year extension of the PAC as recommended by staff.

NOW, THEREFORE, THE COUNCIL RESOLVES as follows:

1. The Council finds that the continuance of the Chinatown Expanded Community Redevelopment Plan Project Area Committee is desirable as an advisory body to the Agency concerning policy and related implementation matters for the Project.
2. That the Council extends the service of the Project Area Committee for one year, beginning April 17, 2009, and continuing through April 17, 2010, as permitted under Section 33386 of the Community Redevelopment Law.

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CLERK'S CERTIFICATE

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 Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 17th of March, 2009, by the following vote:

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

REBECCA E. KLISCH, City Clerk

By *Rebecca E. Klisch*  
Clerk/Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ, City Attorney

By *Laurie A. Avedisian*  
Laurie A. Avedisian, Deputy

Mayor Approval: \_\_\_\_\_ N/A \_\_\_\_\_, 2009  
Mayor Approval/No Return: March 30 \_\_\_\_\_, 2009  
Mayor Veto: \_\_\_\_\_ N/A \_\_\_\_\_, 2009  
Council Override Veto: \_\_\_\_\_ N/A \_\_\_\_\_, 2009

March 18, 2009

\* NO RETURN \*

Council Adoption: 3/17/09

Mayor Approval:

Mayor Veto:

Override Request:



TO: MAYOR ASHLEY SWEARENGIN

FROM: REBECCA E. KLISCH, CMC  
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 3/17/09, Council adopted the attached Resolution No. 2009-58 entitled **appvg one-year extension of Chinatown Expanded Community RDA Plan Project Area Committee**, Item No. 10:15 a.m. – B, by the following vote:

Ayes	:	Borgeas, Brand, Caprioglio, Dages, Xiong, Sterling
Noes	:	None
Absent	:	Perea
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 March 30, 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.

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**APPROVED:**

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

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

\* NO RETURN \*

\_\_\_\_\_  
Ashley Swearengin, Mayor

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

**COUNCIL OVERRIDE ACTION:**

Ayes	:	
Noes	:	
Absent	:	
Abstain	:	

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