



RESOLUTION NO. 2014-191

RESOLUTION AMENDING THE BETTER BUSINESS ACT
(RESOLUTION NO. 2009-118) TO INCORPORATE
PROVISIONS OF THE REDEVELOPMENT IMPROVEMENT
ACT APPLICABLE TO THE CITY IN ITS CAPACITY AS
HOUSING SUCCESSOR

WHEREAS, by Resolution No. 2009-118, the City adopted the Better Business Act ("Act"), effective May 28, 2009; and

WHEREAS, by Agency Resolution No. 1747, the former Redevelopment Agency adopted the Redevelopment Improvement Act which mirrored the Better Business Act; and

WHEREAS, certain affordable housing and mixed use projects were exempt under the Redevelopment Improvement Act; and

WHEREAS, pursuant to AB X1 26, as modified by the California Supreme Court's decision in *California Redevelopment Association, et. al. v. Matosantos, et. al.* (53 Cal. 4th 231 (2011)) and AB 1484, the Redevelopment Agency was dissolved as of February 1, 2012, and the City became the Housing Successor to the Redevelopment Agency pursuant to Health and Safety Code section 34176; and

WHEREAS, Council now wishes to amend the Act to allow for exemptions for affordable housing and mixed use projects that would have applied under the terms of the Redevelopment Improvement Act.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The following language shall be added to Section 2 of the Act:
Affordable housing and mixed-use projects which include more than 20% affordable units and receive less than \$2 million in assistance shall be exempt. Owner Participation Agreements are exempt.
2. This resolution shall take effect upon its adoption.



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

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 20th day of November, 2014.

AYES : Baines, Brand, Caprioglio, Olivier, Quintero, Xiong
NOES : None
ABSENT : Brandau
ABSTAIN : None

YVONNE SPENCE, CMC
City Clerk

BY: *Yvonne Spence*
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: *Laurie Avedisian-Favini* *11/24/14*
Laurie Avedisian-Favini Date
Supervising Deputy

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