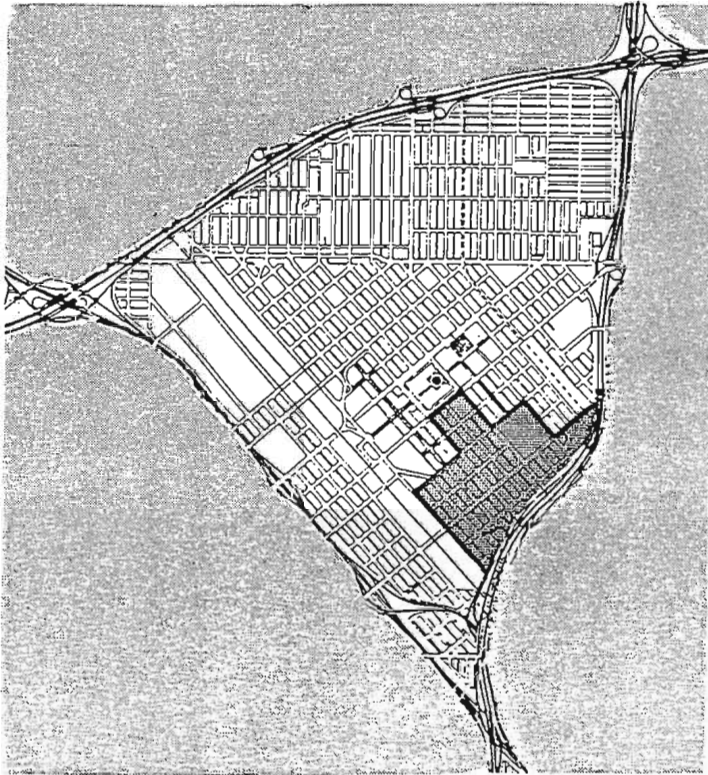


REDEVELOPMENT PLAN

JANUARY 1982



City of
FRESNO 
HOUSING and COMMUNITY
DEVELOPMENT DEPARTMENT
Redevelopment Division

**CONVENTION CENTER
REDEVELOPMENT PLAN AREA**

CONVENTION CENTER

REDEVELOPMENT PLAN AREA

REDEVELOPMENT PLAN

CITY OF FRESNO

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

January 1982

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BILL NO. B-4
INTRODUCED BY COUNCILMAN Wills
ORDINANCE NO. 82-6

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
ADOPTING THE REDEVELOPMENT PLAN FOR THE
CONVENTION CENTER REDEVELOPMENT AREA

WHEREAS, a Redevelopment Plan has been completed for the designated Redevelopment Plan Area, which is generally bounded by Ventura, Freeway 41, "H," Inyo, Van Ness, Tulare, "M," Inyo and "O" Streets as contained in attached Exhibit "A"; and,

WHEREAS, the Council of the City of Fresno has established policies for the revitalization of Fresno's Central Area of which the subject area is a part; and,

WHEREAS, the Council of the City of Fresno desires that a redevelopment project be initiated within the Convention Center Area.

NOW, THEREFORE, the Council of the City of Fresno does ordain as follows:

SECTION 1. The purposes and intent of the Council with respect to the Convention Center Redevelopment Plan and project area are to promote the elimination of blight, reverse the trend of economic stagnation, ensure the realization of the project area's potential for commercial and industrial growth, and to achieve the following objectives:

- (a) Mitigate, to the fullest possible extent, existing environmental deficiencies.
- (b) Protect existing and attract new investments in the plan area identifying the commercial and industrial land use potentials of the area and encouraging their development in accordance with the plans and policies of the City of Fresno.
- (c) Provide a coordinated and harmonious land use pattern which will attract larger-scale development and increase the relationship of the project



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area with the major activity centers of the Central Area.

- (d) Upgrade the pedestrian environment within the plan area and downtown Fresno by providing improvements which will encourage pedestrian traffic along specific routes between major activity areas.
- (e) Enhance the visual image of the plan area, providing an environment with a positive urban image and sense of entry into downtown Fresno.
- (f) Provide for the presentation and enhancement of historic structures and monuments as such may be identified.
- (g) Encourage the active and continuous participation of planning area residents in the formulation, refinement and implementation of this plan, in order to ensure that plan proposals included herein are directly beneficial to the people who live and work within the plan area.

SECTION 2. The Council does hereby approve and adopt the redevelopment plan for the Convention Center Redevelopment Plan Area annexed hereto as Exhibit "A" and by this reference made a part of this ordinance.

SECTION 3. The Council does hereby designate the plan incorporated in Section 2 of this ordinance as the official redevelopment plan of the project area.

SECTION 4. The Council finds and determines that:

- (1) The project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this part;
- (2) The redevelopment plan would redevelop the area in conformity with this part and in the interests of the public peace, health, safety, and welfare;
- (3) The adoption and carrying out of the redevelopment plan is economically sound and feasible;

(4) The redevelopment plan conforms to the general plan of the community;

(5) The carrying out of the redevelopment plan would promote the public peace, health, safety, and welfare of the community and would effectuate the purposes and policy of this part;

(6) The condemnation of real property, if provided for in the redevelopment plan, is necessary to the execution of the redevelopment plan and adequate provisions have been made for payment for property to be acquired as provided by law;

(7) The agency has a feasible method or plan for the relocation of families and persons displaced from the project area, if the redevelopment plan may result in the temporary or permanent displacement of any occupants of housing facilities in the project area;

(8) There are or are being provided in the 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 project area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment;

(9) All noncontiguous areas of a project area are either blighted or necessary for effective redevelopment and are not included for the purpose of obtaining the allocation of taxes from such area pursuant to Section 33670 without other substantial justification for their inclusion;

(10) Inclusion of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the area of which they are a part;

that any such area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 without other substantial justification for its inclusion;

(11) The elimination of blight and the redevelopment of the project area could not be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the agency.

SECTION 5. The Council of the City of Fresno is satisfied that permanent housing facilities are available for occupants displaced through the implementation of the redevelopment project and that adequate temporary housing facilities are also available in the community; and,

SECTION 6. The Council of the City of Fresno is convinced that, in the implementation of the redevelopment plan, the effect of tax increment financing will not cause a severe financial burden or detriment on any taxing agency deriving revenues from a tax increment project area; and,

SECTION 7. The Council of the City of Fresno finds that the Final Environmental Impact Report No. 10081, certified by Council Resolution No. 81-410, as the controlling environmental document for the project and constitutes full and complete compliance with the California Environmental Quality Act; and,

SECTION 8. The Council of the City of Fresno finds that the report and recommendations of the Planning Commission contained in Resolution No. 7665 constitutes the report required by Section 65402 of the California Government Code; and,

SECTION 9. On January 12, 1982, the Redevelopment Agency of the City of Fresno and the Council held a duly noticed, joint public hearing to consider the redevelopment plan and all evidence and testimony relating to said Plan.

SECTION 10. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

I hereby certify that the foregoing Ordinance was, at a regular meeting of the Council of the City of Fresno, held on the 12th day of JANUARY, 19 82 introduced by Councilman Wills, and action thereon under the rules was postponed to the regular meeting of said Council held on the 12th day of January, 19 82, at which meeting it was, on motion of Councilman Wills, seconded by Councilman Alvarado, duly adopted by said Council, by the following vote:

Ayes: Alvarado, Humphrey, Williams, Wills, Whitehurst

Noes: Doig, Reich

Absent: None

CLERK'S CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF FRESNO }
CITY OF FRESNO }

I, JACQUELINE L. RYLE, CMC, City Clerk of the City of Fresno, County of Fresno, State of California, do hereby certify the foregoing Ordinance No. 82-6 was adopted by the Council of the City of Fresno, California, on the 12th day of January, 1982.

JACQUELINE L. RYLE, CMC
City Clerk

By Salvador J. Acosta
Deputy

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1.0 INTRODUCTION

1.1 Summary of Redevelopment Planning Process

The adopted Convention Center Community Redevelopment Plan has been prepared in accordance with Section 33000 et. seq., Community Redevelopment Law, of the California Health and Safety Code and represents the sixth key step in the plan preparation process (see Redevelopment Planning Flow Chart, p. 45, in Appendix). The Fresno City Council initiated the planning process by the designation of the Survey Area boundaries on March 17, 1981, and the Fresno City Planning Commission approved Project Area boundaries on May 20, 1981, based upon the Analysis of Existing Conditions Report for the Convention Center Area (see City Council Resolution 81-100, p. 46, Planning Commission Resolution No. 7483, p. 48, and Legal Description of Project Boundaries, p. 60, in Appendix).

A Preliminary Plan was prepared with the input of the Planning Area Advisory Committee (PAAC) for the Convention Center Redevelopment Area, an informal citizen body appointed by the City Council to work with staff and make recommendations to the Council with respect to the redevelopment plan for the area. An additional meeting was held in the Wine Room of the Fresno Convention Center on October 6, 1981, where the PAAC had invited property owners, tenants, and residents in the area to become familiar with the intent and objectives of the proposed Preliminary Plan.

The Preliminary Plan, conceptual in nature, identified the boundaries of the project area, conformance to the City's General Plan, summarized the Plan's major recommendations, and described its potential impact upon the project area, and adjacent areas. The Preliminary Plan was approved by the Redevelopment Agency on October 13, 1981, as the basis for preparation of the Redevelopment Plan for the Convention Center Area upon recommendation of the Planning Commission (see Fresno Redevelopment Agency Resolution No. 1151, p. 58, and Planning Commission Resolution No. 7602, p. 56, in Appendix).

The adopted Redevelopment Plan contains a more detailed description of the plan recommendations, its impacts, and the assurances for implementation of the Plan as the basis for the formal public hearing process leading to adoption of a final Plan by the Redevelopment Agency and the City Council.

The final Community Redevelopment Plan then is considered as a specific plan which provides, in addition to a detailed land use, zoning and circulation recommendations, further implementation steps which include acquisition, rehabilitation, and public improvement recommendations. The Redevelopment Plan also has its own source of revenue generation, tax increment financing, to further aid in implementation of the plan recommendations.

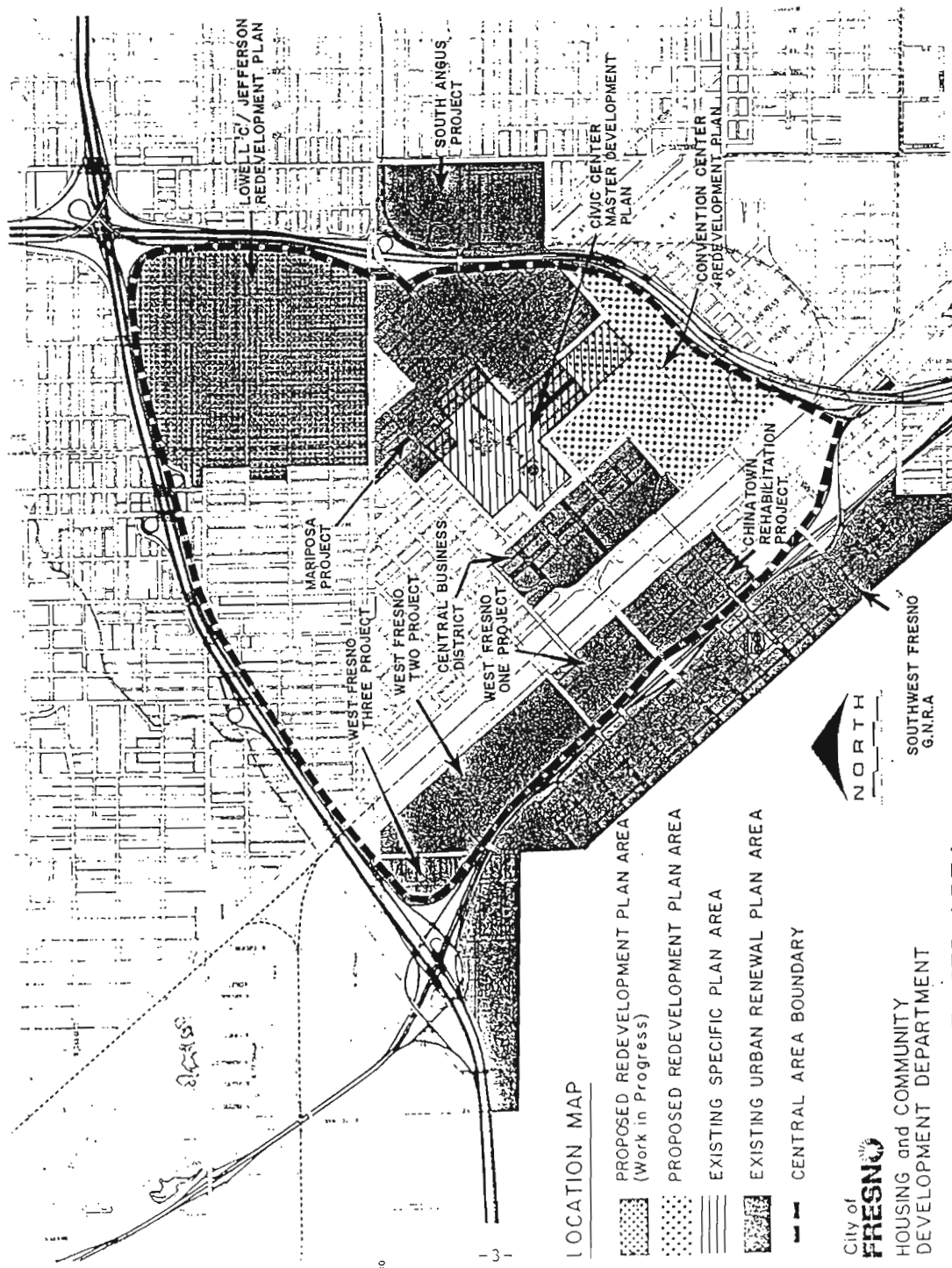
1.2 Overview of Central Area Revitalization Activities

The Convention Center Area Community Redevelopment Plan Area is comprised of a single area of approximately 120 acres located in the southerly end of Fresno's Central Area. The Central Area is one of the metropolitan area's major financial, commercial, and cultural centers as well as the dominant governmental center of the region (see Location Map, p. 3).

The Central Area has been a continuing long-term focus of the City's revitalization efforts. The development of the Fulton Mall and the initial development of the freeway system in the 1960's, followed by the South Angus Project's new housing, the West Fresno I, II, and III Project's new industry, construction of the City Convention Center represented the initial phase of major downtown revitalization activities.

The second phase of major revitalization activities is now underway in downtown Fresno, led by the new Huntington Gardens Housing and Farmers Market development in the Mariposa Project, high quality office construction in the Phase I of Civic Square, the new Hilmar Office Complex, Central Federal Savings, and Roos Atkins Rehabilitation Project under construction in the Central Business District, and the greater improvement of access to the Central Area related to the completion of Freeway 41 to Bullard Avenue in the summer of 1982.

The history of substantial public and private investment represents significant past accomplishments toward the revitalization of strategic portions of the Central Area through the continuous development of key projects which serve as anchors for attracting related new construction and reinvestment in downtown Fresno.



Continued revitalization of the Central Area, however, cannot occur without the combined efforts of the public and private sectors, and much remains to be accomplished in order to protect and capitalize upon the investments to date.

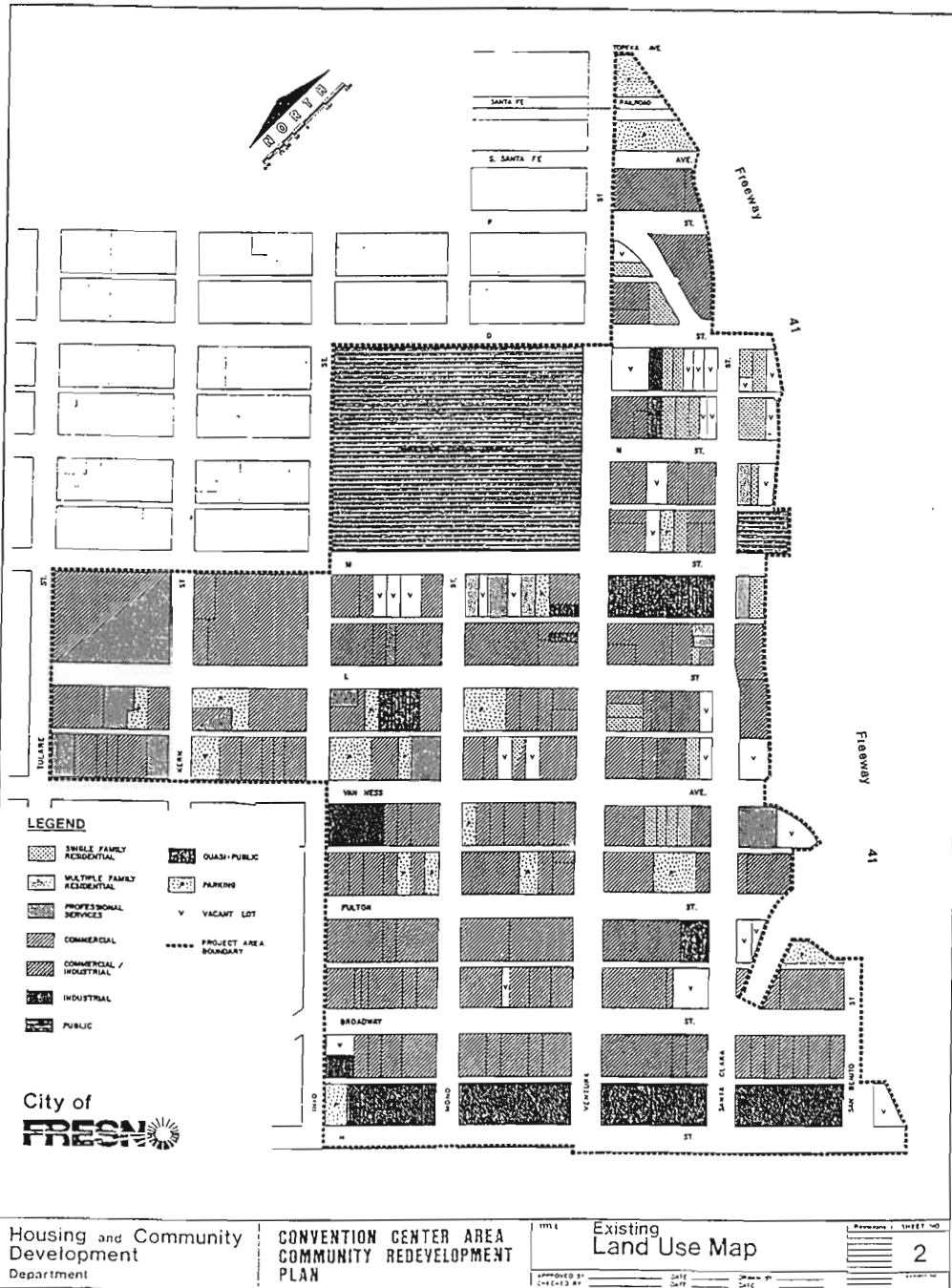
1.3 Summary of The Plan Area Existing Conditions

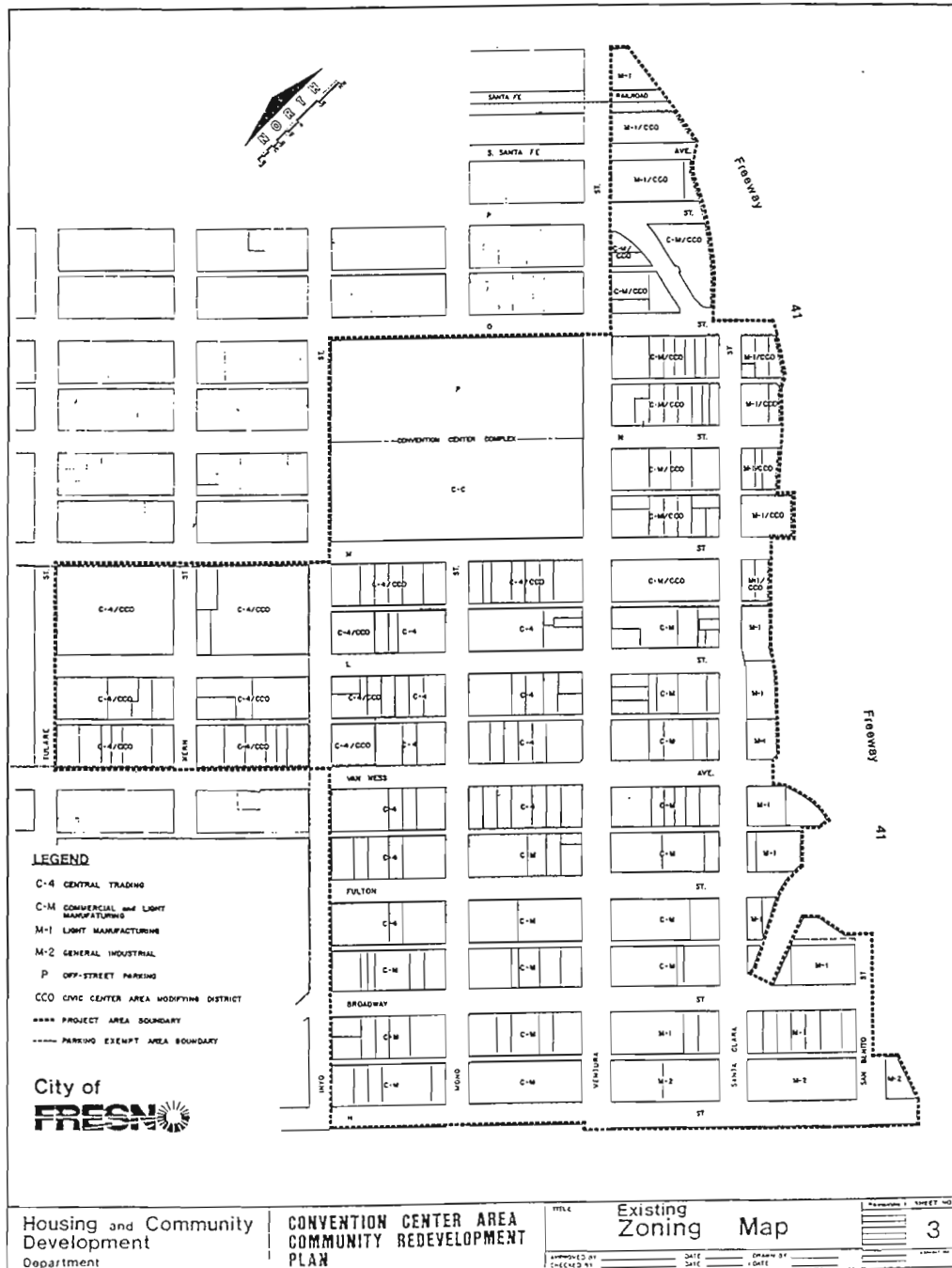
Although the Convention Center Community Redevelopment Plan Area is strategically located between the Mariposa Project, the Government Center, the Central Business District Project, and a completed portion of Freeway 41, few significant development activities have occurred since the construction of the Del Webb Building and the Convention Center complex in the late 1960's.

The overall land use character of the area is fairly mixed, consisting of commercial, office, industrial, quasi-public, public, and residential uses. Interspersed among many well-maintained business properties are numerous poorly-maintained properties and a number of vacant and underutilized properties. The majority of the residential properties are poorly maintained and are nonconforming to existing zoning requirements. (see Existing Land Use Map, p. 5, and Existing Zoning Map, p. 6.)

The renovation of several older buildings and the proposed conversion of floor space in the Del Webb Tower indicate a recent trend for future office development along Van Ness and Tulare Street adjacent to the Central Business District and Government Center. Several small-scale industrial buildings have been constructed or renovated in the area between Ventura Street and Freeway 41, indicating another recent trend for light industrial development.

Although investments have been made in the area, the overall image is not entirely positive but remains somewhat economically stagnant with respect to new development. Underutilized, poorly maintained, or vacant properties compete with the small-scale new development that has occurred in establishing the direction for further investments in the area. The area's potential for regrowth could greatly increase, remain the same, or possibly decline, depending upon the scale, location, and character of future investments in the area.





2.0 SUMMARY OF THE PLAN AREA POTENTIALS AND PROPOSALS

2.1 Overview of Plan Area Potentials

The Convention Center Community Redevelopment Plan Area has certain potential to become a more productive and stabilizing influence within the Central Area. The close proximity of the area to downtown activity centers such as the Central Business District, Government Center, Huntington Gardens Housing, the emerging Warehouse Row, the proposed Central Area Housing Sites and the Convention Center Complex itself increases the attractiveness of the area. These nearby activity centers contain a broad range of urban uses including federal, state, and local government facilities, major financial institutions, regional shopping, corporate office headquarters, and numerous commercial services, retailing, medical, hotel, motels, new housing, light industry, and entertainment facilities.

Of major importance to the area is the potential increase in metropolitan and regional exposure and accessibility which the completion of Freeway 41 will bring, especially in proximity to the Van Ness Avenue interchange. Also important is the impact of the initial redevelopment project, the proposed Conference Center and Centre Plaza Hotel Complex, which will be two-fold. The proposed convention center expansion-hotel project will serve to protect the vital Fresno convention industry, assuring its resurgence and competitiveness on a state-wide basis and its ability to attract a range of entertainment, dining, and supportive commercial uses to the area. Equally important would be the development of the hotel as another downtown anchor of urban scale, with distinctive architectural character and landscaping features. This proposed complex will be a catalyst capable of expanding the growth of the downtown employment center towards the Convention Center and Freeway 41 during the next 5 to 10 years.

In anticipation of this new, expanded role and the closer relationship of the area with the Convention Center and Freeway 41 planning policy for the area has been reevaluated and updated to provide a level of control for removal of negative conditions and to encourage immediate improvements in the area. It is necessary to protect sound investments, provide comprehensive marketing potentials, ensure long-lasting economic and environmental improvements in the immediate area and in the remainder of the stagnant portions of the Central Area as well.

2.2 Statement of Goals and Objectives

The specific purposes of this Plan are to promote the elimination of blight, reverse the trend of economic stagnation, and ensure the realization of the project area's potential for commercial and industrial growth. Toward that end, this Plan is designed and oriented to achieve the following objectives:

1. Mitigate, to the fullest possible extent, existing environmental deficiencies.
2. Protect existing and attract new investments in the plan area identifying the commercial and industrial land use potentials of the area and encouraging their development in accordance with the plans and policies of the City of Fresno.
3. Provide a coordinated and harmonious land use pattern which will attract larger-scale development and increase the relationship of the project area with the major activity centers of the Central Area.
4. Upgrade the pedestrian environment within the plan area and downtown Fresno by providing improvements which will encourage pedestrian traffic along specific routes between major activity areas.
5. Enhance the visual image of the plan area, providing an environment with a positive urban image and sense of entry into downtown Fresno.
6. Provide for the presentation and enhancement of historic structures and monuments as such may be identified.
7. Encourage the active and continuous participation of planning area residents in the formulation, refinement and implementation of this Plan, in order to ensure that plan proposals included herein are directly beneficial to the people who live and work within the plan area.

2.3 Executive Summary of Major Plan Proposals and Revitalization Actions

2.3.1 Major Plan Proposals

The major recommendations of the Redevelopment Plan include the following:

- a. The adopted land use concept provides necessary flexibility to satisfy future market demands while requiring minimum changes from established land use policies.
- b. Large-scale retail, office, cultural, and service commercial uses are encouraged to locate in relation to downtown activity centers such as the Convention Center, the nearby Government Center, and the adjacent Central Business District.

Large-scale, residential developments with a self-contained urban environment will be permitted on a limited basis only.

- c. The proposed Conference Center and Centre Plaza Hotel Complex will be a major catalyst capable of attracting a broad range of related major office, financial, commercial, entertainment, and cultural development in the immediate vicinity.

In order to implement the Centre Plaza Hotel Project, the designated two-block hotel site bounded by Inyo, "M", Ventura, and "L" Streets is identified on the adopted Acquisition Plan as "Subject to Acquisition".

- d. A transition of Commercial/Industrial land uses is recommended south of Ventura and west of the Fulton/Broadway Alley. Commercial uses are preferred along the Ventura and Van Ness frontages near the Convention Center, while additional areas for the protection and expansion of existing Commercial/Industrial uses are provided.
- e. Areas for the infilling of wholesaling, warehousing, and other light industrial uses are retained in the area adjacent to the Southern Pacific Railway.
- f. A combination of landscaped treatment and larger-scale buildings along Van Ness and Ventura Streets is proposed as a "gateway concept" to enhance the visual impact of the area and create an environment with a positive urban image. Certain property development guidelines which have been utilized in the Civic Center Area are proposed to be extended throughout the area to provide a continuity for the provision of landscaping, sign control, and screening of open storage areas.

- g. Several local streets are identified for potential right-of-way adjustments, improvements, consideration for pedestrian treatment, or for possible abandonment.
- h. Implementation of the Community Redevelopment Plan may utilize existing or future funding sources including but not limited to loan or grant funds from the City of Fresno, state, federal, or other local public agencies, and Tax Increment Financing.

A portion of the Tax Increment Funds will be utilized to increase and enhance the community's supply of "low and moderate income housing", either inside or outside of the Redevelopment Plan Area.

2.3.2 Summary of Revitalization Actions

In order to carry out the goals and objectives of this Plan, the following revitalization activities will be undertaken, pursuant to the Community Redevelopment Law of the California Health and Safety Code and other applicable statutes of the City of Fresno:

- a. Acquisition of real property, as identified on the Acquisition Plan, including improved or unimproved land, structures, improvements, easements, incorporeal herditaments, estates, and other rights in land, legal or equitable.
- b. Provision of relocation assistance to residents, nonprofit organizations and business concerns displaced as a result of the Acquisition Plan.
- c. Demolition, removal, and rehabilitation of building sites.
- d. Installation, construction, or reconstruction of streets, utilities, and other improvements necessary for the carrying out in the project area the renewal objectives of law in accordance with this Plan.
- e. Disposition of any property acquired in the project, including sale, initial leasing, or retention by the Agency itself, for reuse in accordance with this Plan.
- f. As determined by the Agency, rehabilitation of structures and improvements, redevelopment, and/or development of new vacant land by present owners or their successors in interest for uses in accordance with this Plan, if the respective owners agree to participate.

3.0 CONFORMANCE TO ADOPTED PLANS AND POLICIES

Following is an overview of the concepts and recommendations from the City's adopted land use plans which identify long-term public policy for the proposed project area. Also identified here are the relationships between the adopted Redevelopment Plan and current planning policy as well as those areas where current plans need to be updated in light of market opportunities and realities in downtown Fresno.

3.1 Fresno-Clovis Metropolitan Area General Plan

The Fresno-Clovis Metropolitan Area General Plan was adopted in 1974 based upon a Balanced Growth-Multiple Centers concept which identified the Central Area as a continuing dominant focal point of urban form, while suburban areas outside the Central Area would contain clusters of higher density development at specified community centers. In order to stabilize the Central Area while managing growth in fringe area, the General Plan policies were intended to reinforce the vitality of the Central Area as a prime location for retail, office, entertainment, cultural, governmental activities and quality housing, as well as to develop a broader range of implementation measures and a comprehensive strategy for carrying them out in Central Area.

The General Plan also identified a potential range of Public Facilities, General Commercial, and Light Industrial land uses as appropriate for the subject project area.

On July 7, 1981, the City Council received a draft update of the General Plan which may be considered in public hearings in early 1982. This updating of overall public policy in metropolitan Fresno has been necessitated by the many changes that have taken place since the last major revision of the General Plan in 1974, including the need to address energy conservation, prime agricultural land preservation, more compact developments, higher density land uses, water quality and quantity, and air pollution to list a few of the present day concerns which have direct and indirect effects upon the Central Area.

3.2 Community Plans

The project area is located within the Fresno High/Roeding and Roosevelt Community Plans which were adopted in 1977 and 1978, respectively, as refinements of the 1974 FCMA General Plan. The majority of the project area is included within the boundaries of the Fresno High/Roeding Community Plan, which is also the area where further detailing of implementation measures is most critical. The portion of the project area south of Ventura Street is located within the boundaries of the Roosevelt Community Plan.

The community plans in their recommendations related to the overall Central Area were supportive of concepts for high densities, residential and multi-use transition areas, and the consideration of more creative and flexible implementation techniques in revitalizing the Central Area. It was the intention that in the Central Area a more detailed planning effort concerned with implementation would be necessary as a refinement of the generalized land use and circulation recommendations and policies adopted in each of the community plans.

The community plans identified a range of Civic Center, Public Facility, General Commercial, Light Industrial and Heavy Industrial land uses as appropriate for the subject project area.

3.3 Civic Center Master Development Plan

A minor segment of the project area is located within the Civic Center Master Development Plan Area. This specific plan was adopted in 1966 for a 99-acre Civic Center area within Fresno's Central Area and included the government center, convention center, areas for a range of office, commercial, residential, and parking emphasizing development of pedestrian environment and cultural uses. Special design requirements have provided for a certain level of esthetic control as new development has occurred here and in the surrounding 103-acre Civic Center Overlay District Area (see Location Map, p. 3).

The Convention Center Complex and the properties within the project area that are immediately south and west of the Convention Center Complex are included within the planning area of the Civic Center Master Development Plan.

3.4 Statement of Redevelopment Plan Conformance

The adopted Redevelopment Plan has been prepared as a local refinement of the City's long-range, land use plans with more specific implementation measures including land use, zoning, property development standards, land assembly, and the funding of capital improvements. The adopted Redevelopment Plan is consistent with the City's long-range, land use plans in this area which are the FCMA General Plan, the Fresno High/Roeding Community Plan, the Roosevelt Community Plan, and the Civic Center Master Development Plan.

4.0 DESCRIPTION OF REDEVELOPMENT PLAN

The Convention Center Planning Area is the only remaining area within the southern section of the Central Area whose revitalization is not assured by a redevelopment plan. Without the refined but flexible land use reservations and public commitments for a redevelopment plan, the impacts of recent public and private revitalization activities may not provide the necessary stimulus for further major investments in the area.

The adopted Redevelopment Plan reflects the City's commitment to ensure the continued revitalization of the Central Area, provide a broadened range of market potentials in the area, as well as a basis for combined public and private sector participation in the area's improvement. The Redevelopment Plan reflects these objectives in the following proposals by defining land use concepts and designs, which are intended to provide a focus for further commercial expansion and create an environment for new, urban scale development potentials while protecting existing businesses in the area. The implementation of these concepts will have a positive impact on existing land uses in the Convention Center Planning Area, as well as the development of this area in combination with adjacent redevelopment areas, will provide additional foundation for the continued revitalization of the Central Area as a major focus for metropolitan Fresno's financial, commercial, governmental, entertainment, and cultural pursuits.

4.1 Redevelopment Plan Concept

The land use concept identified here represents a comprehensive approach for updating land use policy in the area. This concept encourages the development of larger-scale urban uses while providing a level of protection for existing businesses in reflection of substantial citizen input. Large-scale retail, office, cultural and service commercial uses are encouraged to locate in relation to adjacent major activity centers such as the Convention Center, the Government Center, and the Central Business District. Additional infilling of wholesaling, warehousing, and other light industrial uses are encouraged adjacent to Freeway 41 and near the Southern Pacific Railway. A transition of land uses is proposed between the Commercial and the Industrial areas. The Commercial/Industrial land uses encourages a close relationship between retail, service, and wholesale uses although commercial uses are

clearly preferred along Van Ness Avenue and the Ventura Street frontage near the Convention Center. Existing businesses compatible with the proposed land uses are encouraged to remain in the planning area and to expand as appropriate (See Land Use Plan, p. 16, and Zone Plan, p. 17).

4.1.1 Protection of Existing Development

In the adopted Redevelopment Plan, the existing land use composition and pattern has been a major influence in the consideration of future potentials for the area, as well as the development of a more comprehensive environment to enhance these potentials. Anticipated problems between existing land uses and possible future developments are of great concern to current residents of the area. While the introduction of any new development of a higher intensity is likely to result in change to the existing conditions, it is expected that careful design of the interface between these land uses can minimize actual conflicts.

A key objective of the Plan is to develop a land use pattern which requires minimum changes protecting existing investments but has the flexibility to provide alternatives to satisfy future market demands. Specific attention has been given to problems associated with improper zoning, mixed land use, lack of parking, and poor circulation patterns, to ensure a balance between existing land uses and future development potentials of the planning area.

4.1.2 Larger-scale Urban Development

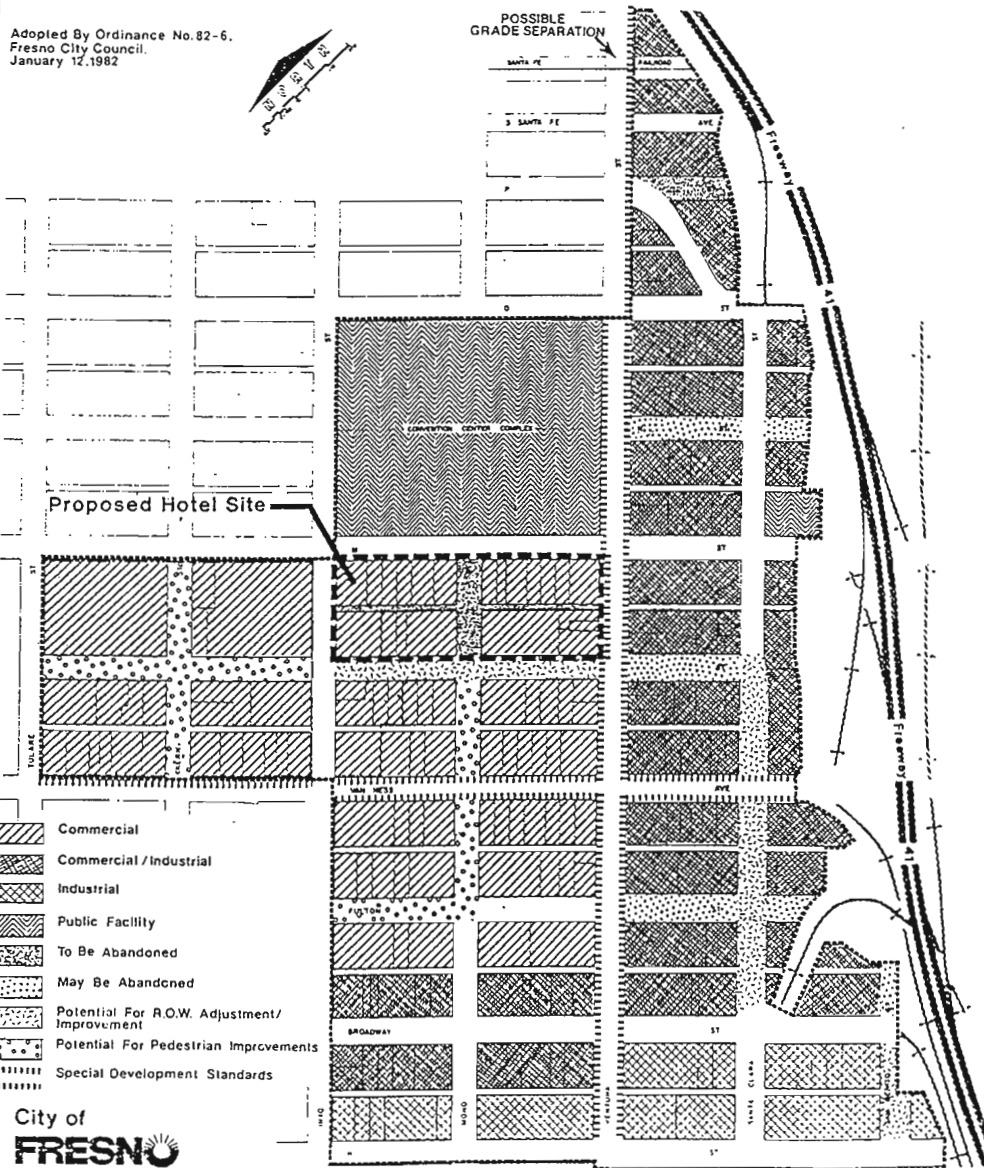
The close proximity of the eleven-block area generally bounded by Tulare, "M", and Ventura Streets, and the Fulton/Broadway Alley to the Central Business District and Mariposa Projects, provides an excellent opportunity to consider the potentials of providing incentives to attract higher intensity land uses into this area as an expansion of the downtown financial and office center. The reuse potentials of this particular area are among the best in the Central Area and have the capabilities of becoming a major activity center for metropolitan Fresno as well.

The proposed convention-related hotel complex, across from the Convention Center, will be a major development project in the area and is considered as a major catalyst which will attract related major office, financial, commercial, entertainment, and cultural development in the immediate vicinity of the hotel complex and the Convention Center itself.

Adopted By Ordinance No. 82-6,
Fresno City Council,
January 12, 1982



POSSIBLE
GRADE SEPARATION



- Commercial
- Commercial / Industrial
- Industrial
- Public Facility
- To Be Abandoned
- May Be Abandoned
- Potential For R.O.W. Adjustment/Improvement
- Potential For Pedestrian Improvements
- Special Development Standards

City of
FRESNO

NOTE: ALL ALLEYS IN AREA
MAY BE ABANDONED

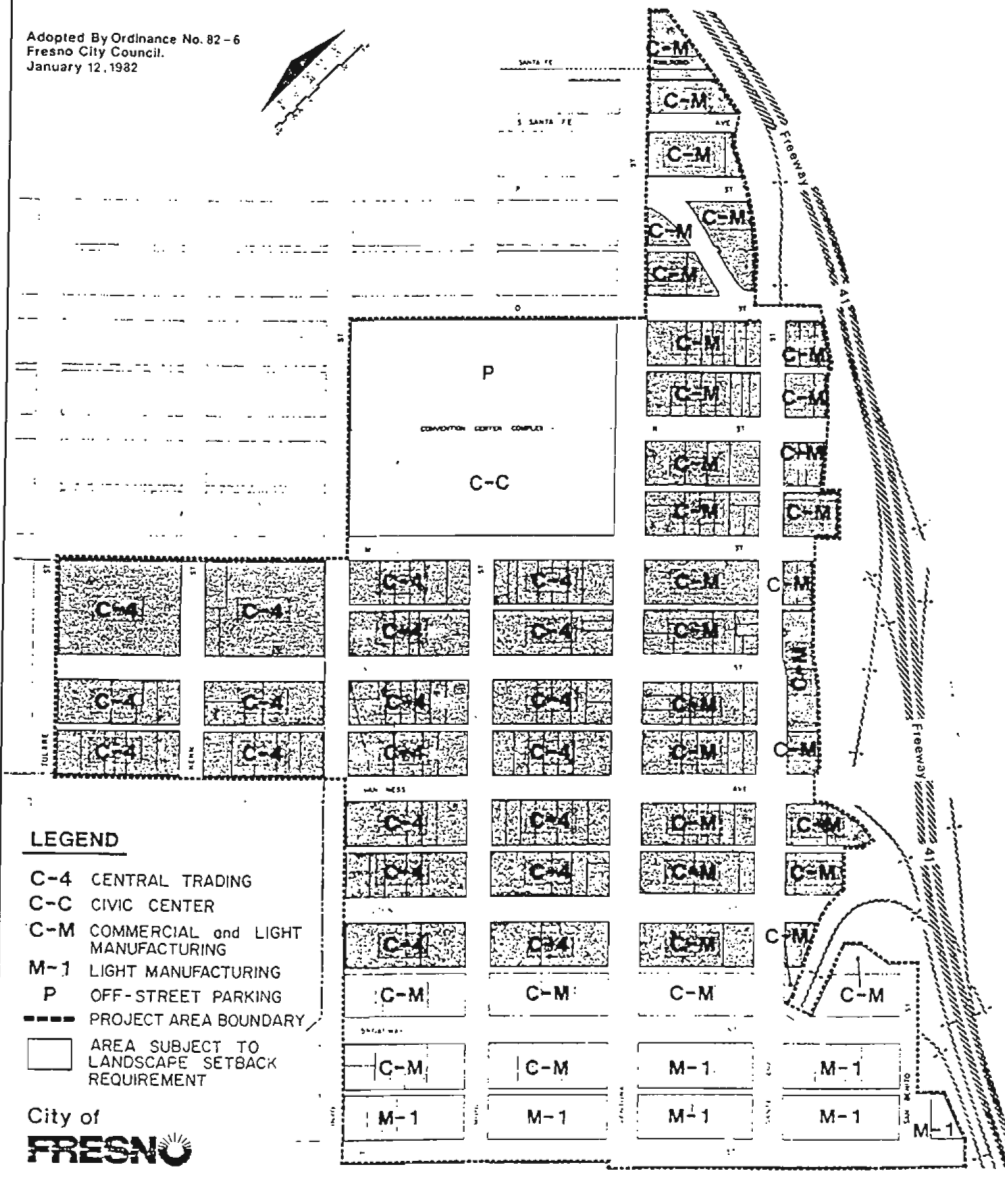
Housing and Community
Development
Department

CONVENTION CENTER AREA
COMMUNITY REDEVELOPMENT
PLAN

LAND USE PLAN

4

Adopted By Ordinance No. 82-6
Fresno City Council.
January 12, 1982



LEGEND

- C-4 CENTRAL TRADING
- C-C CIVIC CENTER
- C-M COMMERCIAL and LIGHT MANUFACTURING
- M-1 LIGHT MANUFACTURING
- P OFF-STREET PARKING
- PROJECT AREA BOUNDARY
- AREA SUBJECT TO LANDSCAPE SETBACK REQUIREMENT

City of
FRESNO

Housing and Community Development Department
CONVENTION CENTER AREA
COMMUNITY REDEVELOPMENT
PLAN

Zone Plan

5

The retention of the present C-4 zoning in this area and its expansion to include the two half-blocks on both sides of Fulton Street between Mono and Ventura Streets will provide a suitable area with potentials for larger-scale, urban uses which can be incorporated in the planning area. Excessive street rights-of-way on local streets may be considered for adjustment to provide larger building sites, additional parking spaces, or for better accommodation of pedestrians. In many cases the actual right-of-way may be retained but the utilization of modern street and pedestrian design techniques may offer more potentials for integrating vehicular and pedestrian traffic while retaining necessary parking and access to properties.

The Fresno Convention Center is a major downtown activity center which requires specific attention to protect its integrity and increase its association with the community. Commercial and entertainment uses attractive to the downtown business population, visiting businessmen, and tourists are encouraged in the immediate vicinity, especially those uses with daytime and nighttime activities.

4.1.3 Protection and Expansion of Light Industrial Area

Another recommendation of the Plan is to retain the majority of the properties presently zoned C-M in the Commercial/Industrial land use classification and to extend this land use classification to the remainder of the properties adjacent to Freeway 41 east of Broadway Street. The expanded application of this land use classification will provide more flexible land use alternatives, encourage broader market potentials, and more compatible character of development in the area. Freeway 41 now distinctly separates the planning area from the South Van Ness Industrial Area to the south. Therefore, the need for a transition of land uses with the predominantly industrial area is now provided by the freeway.

The completion of Freeway 41, the locational advantages of the area, the expansion of the downtown employment center, and recent new investments in wholesaling and light industrial uses indicate very good potentials for the area adjacent to Freeway 41. This area can successfully attract more new investment, especially commercial-industrial businesses needing public visibility and a location near downtown activity centers.

In recognizing that the compatibility of new development with the Convention Center and other proposed downtown commercial and residential uses is a particular concern, commercial uses are encouraged to locate along Ventura Street near the Convention Center. Further refinements of planning policy may need to be considered in this portion of the planning area in the next few years, based upon the impact of planned improvements and the marketability of urban-scale land use concepts.

4.1.4 Gateway Concept and Visual Improvements

Another area of concern which the Redevelopment Plan addresses is the necessity to improve the appearance of the area in general, and the entry routes into this portion of the Central Area in particular. A combination of landscaped treatment and larger-scale buildings along Van Ness and Ventura Streets is encouraged in a "gateway concept" to enhance the visual impact of the area and create an environment with a very positive image of urban character. Certain property development guidelines which have been utilized in the Civic Center Area are proposed to be extended throughout the area to provide a continuity for the provision of landscaping, sign control, and screening of open storage areas.

4.2 Proposed Land Uses, Zoning and Circulation

4.2.1 Commercial

The commercial land use classification employed in this Plan refers to the "C-4" zone district which is intended to serve as a central trading district area containing facilities that cannot and should not be dispersed into the smaller shopping areas. Developments within this district typically include regional offices, commercial and governmental centers, exhibit halls, hotels, business colleges and lighter uses such as neighborhood and community retail and service facilities. Land uses in this classification should be consistent with the permitted uses in the C-4 zone district and be reflective of the character of adjacent land uses to ensure a homogeneous environment. City policy permits structures over six stories in the Central Area of the City. Further, due to the nonresidential character of the planning area, only large-scale residential developments which have the ability to provide their own residential environments will be considered for location in the C-4 zone classification subject to special development standards and review/approval by the Agency.

4.2.2 Commercial/Industrial

This land use classification is intended to provide for land uses which employ retail, wholesale sales, and light industrial uses, as permitted in the "C-M" Commercial and Light Manufacturing District. Another purpose of the Commercial/Industrial classification is to provide a closer relationship between warehousing, distribution and retail sales. The implementation of this land use classification will provide an overall transition and buffer for commercial and industrial land uses presently in the planning area.

Commercial uses are preferred, however, and encouraged to locate along Ventura Street near the Convention Center in order to provide a more compatible transition of land uses with the Convention Center and other downtown commercial and residential areas.

4.2.3 Industrial

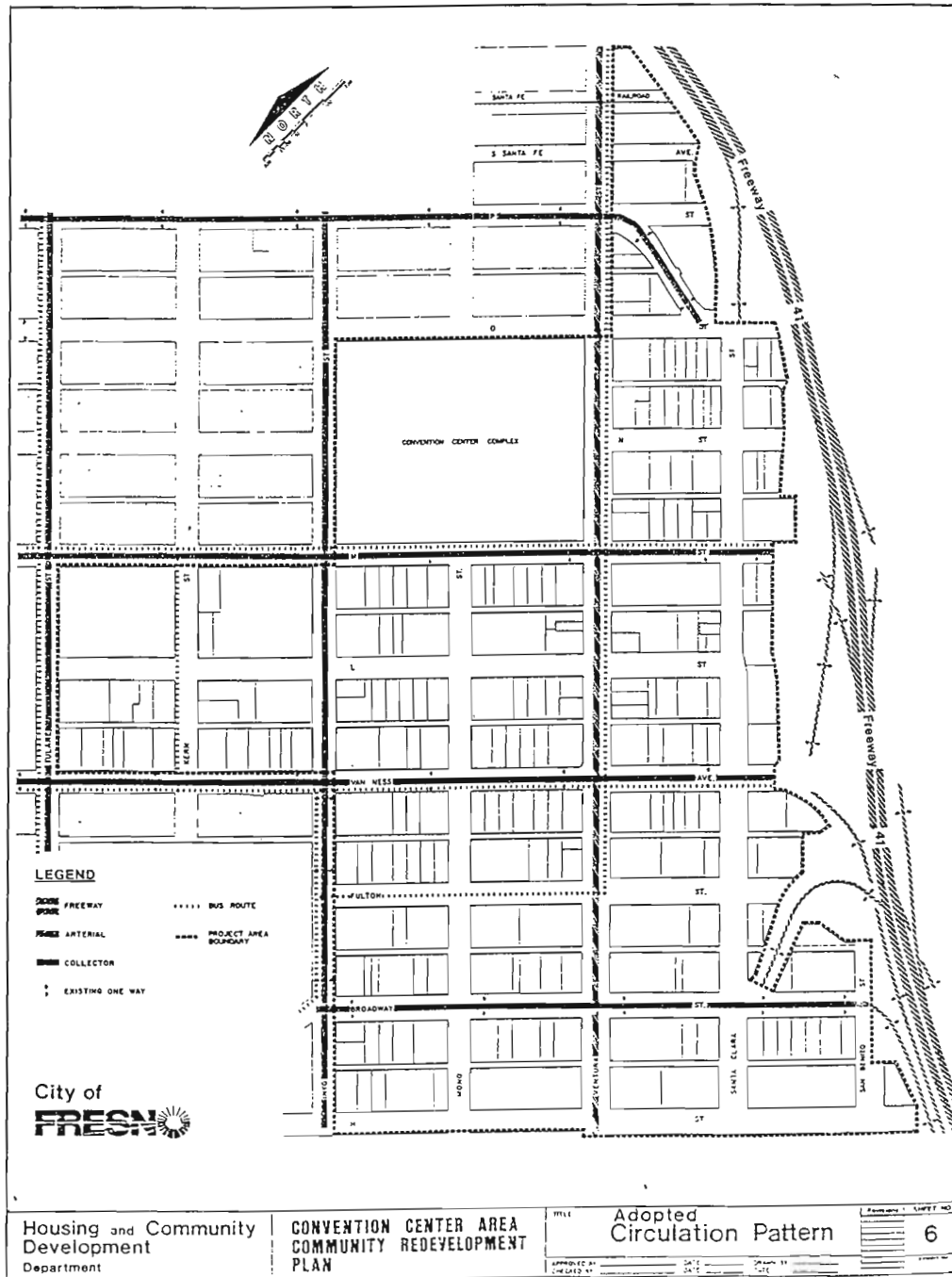
The Industrial classification in the Redevelopment Plan refers to permitted uses in the M-1, Light Manufacturing zone district. The M-1 zone is intended to provide for the development of industrial uses which involve fabrication, light manufacturing, and the assembly or processing of preprocessed materials. Examples of these land uses would include automotive painting and reconditioning, garment manufacturing, machine shops, fruit and vegetable packers, glass and leather shops, storage yards, and warehousing.

4.2.4 Public Facilities

Public Facilities in the Redevelopment Plan represents City-owned facilities which provides a public service. Presently, public facilities in the planning area include the Fresno Convention Center complex which is zoned for C-C, Civic Center, and P, Off-street Parking uses, and the City Fire Station headquarters.

4.2.5 Circulation Route Adjustments

The functional classification of major streets in and around the planning area are not proposed to be changed by this Plan, and will remain in conformance with the Circulation Element of the Fresno-Clovis Metropolitan Area General Plan as depicted on the Adopted Circulation Pattern Map, p. 21. Due to the concepts proposed in the Redevelopment Plan and the character of existing and proposed land uses, specific circulation routes in the planning area may receive modifications to facilitate the new land use demands. Specifically, modifica-



tions will involve street abandonment, potential abandonment, adjustment of right-of-way, and improvements to accommodate the Redevelopment Plan proposals. All proposed circulation route modifications will be reviewed in detail with adjacent property owners prior to their consideration in public hearings for adoption.

4.2.6 Property Development Standards

In order to maintain a comprehensive environment which will accommodate both new developments and protect existing investments in the area, all land uses shall be subject to the provisions of this section.

In addition to the provisions of the Fresno Zoning Ordinance, the following Property Development controls shall be applied:

(a) Special Development Requirements Along Major Streets

An average of two story development and a 10-foot landscaped front and sideyard shall be required of all new developments located on properties fronting on Van Ness Avenue and Ventura Street.

Encroachments by new development into the required landscaped setback at the second story level are encouraged in a uniform manner to provide a special pedestrian and visual environment through a "protected arcade". An additional encroachment of up to five (5) feet into the public right-of-way may also be considered in order to implement the "protected arcade" concept where existing conditions are a problem.

(b) Additional Landscape Setback Requirements

There shall be a landscaped front and sideyard of not less than ten (10) feet within all C-4 and C-M properties in the area east of the Fulton/Broadway Alley as shown on the Zone Map (see page 16). All landscaping shall be compatible with adjacent sidewalk landscaping, paving materials, patterns and/or other requirements subject to the approval of the Agency. Open parking areas shall be provided with appropriate perimeter and internal landscaping.

(c) Limitation on Advertising Structures

All outdoor advertising signs in the planning area shall be mounted on or parallel with any exterior

wall, not to exceed ten (10) percent of the total area of said exterior wall or one hundred (100) square feet, located on a wall with a public entrance, may not exceed building height in the district and be subject to the provisions of Section 12-217-5K of the C-1 zone district except as follows:

Free standing advertising structures shall not be permitted in the planning area.

(d) Requirements for Outside Storage Yards

Outside storage yards in the planning area shall be enclosed by a opaque fence/wall at least six (6) feet in height and a landscaped buffer of at least ten (10) feet along all street frontages, and be paved with asphalt concrete in accordance with City standards.

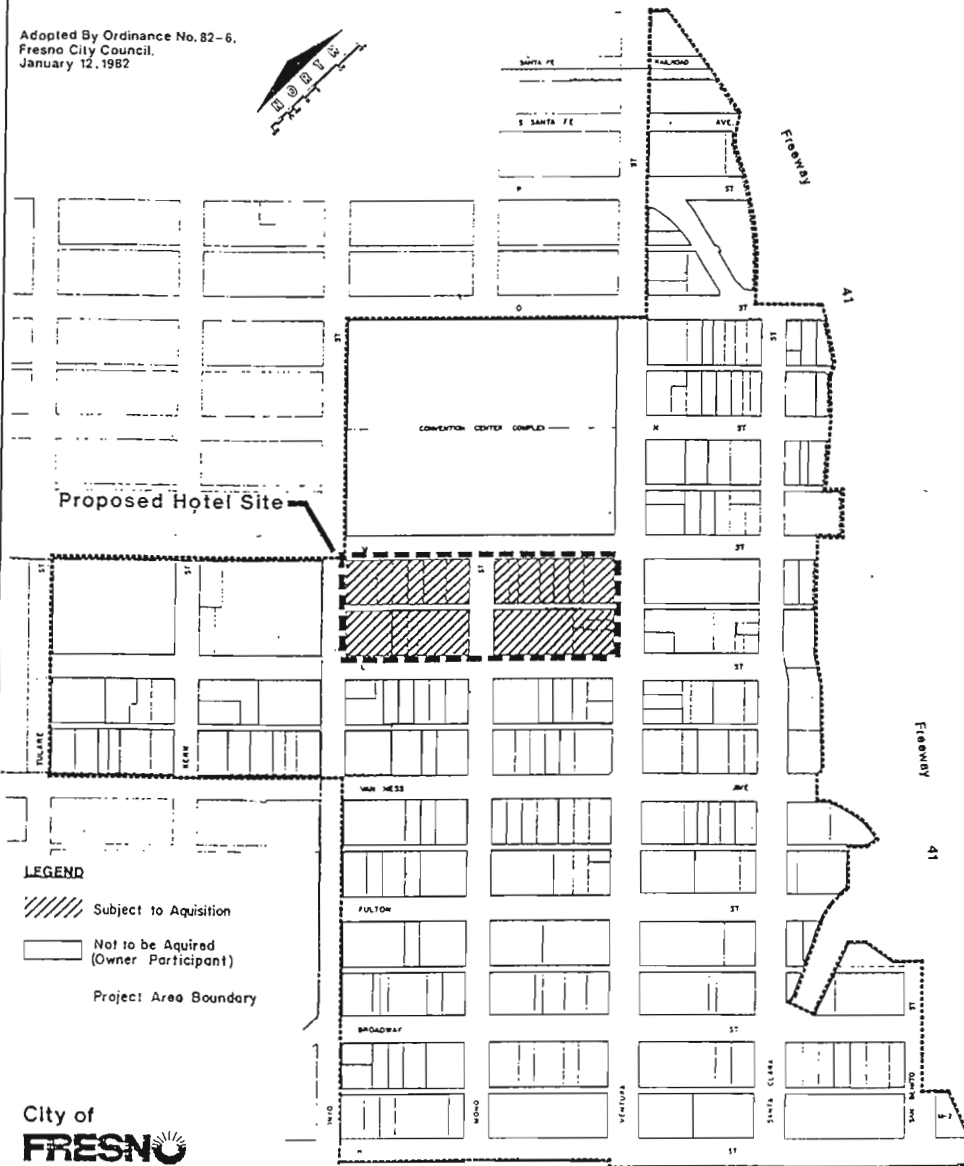
4.3 Land Acquisition

The implementation of the Redevelopment Plan concepts is dependent upon land assembly, redevelopment, and rehabilitation activities, which are summarized here and discussed in further detail in Chapter 6.0 of this Plan.

In order to assure the development of the Conference Center and Centre Plaza Hotel Project as a major catalyst for new development in the area and protection of the convention industry, the Agency will acquire by purchase, eminent domain, or otherwise, the real property contained in the area designated as "Subject to Acquisition" on the proposed Acquisition Plan. The location of the subject site is the two city blocks bounded by Inyo, "M", Ventura, and "L" Streets (see Acquisition Plan Map, p. 24, and Hotel Site Map, p. 25).

All other properties in the area, the use of which would conform to the final Redevelopment Plan, have been designated as properties which may not be acquired subject to owner participation (see Section 6.2, pp. 35 and 36). Where the structures on the properties are economically feasible to rehabilitate and the proposed reuse conforms to the final plan, it is anticipated that these properties will be rehabilitated as necessary to be in conformance with the Property Rehabilitation Standards contained in this Plan (see Section 5.6, p. 31).

Adopted By Ordinance No. 82-6,
Fresno City Council,
January 12, 1982



Housing and Community
Development
Department

CONVENTION CENTER AREA
COMMUNITY REDEVELOPMENT
PLAN

AQUISITION PLAN

7

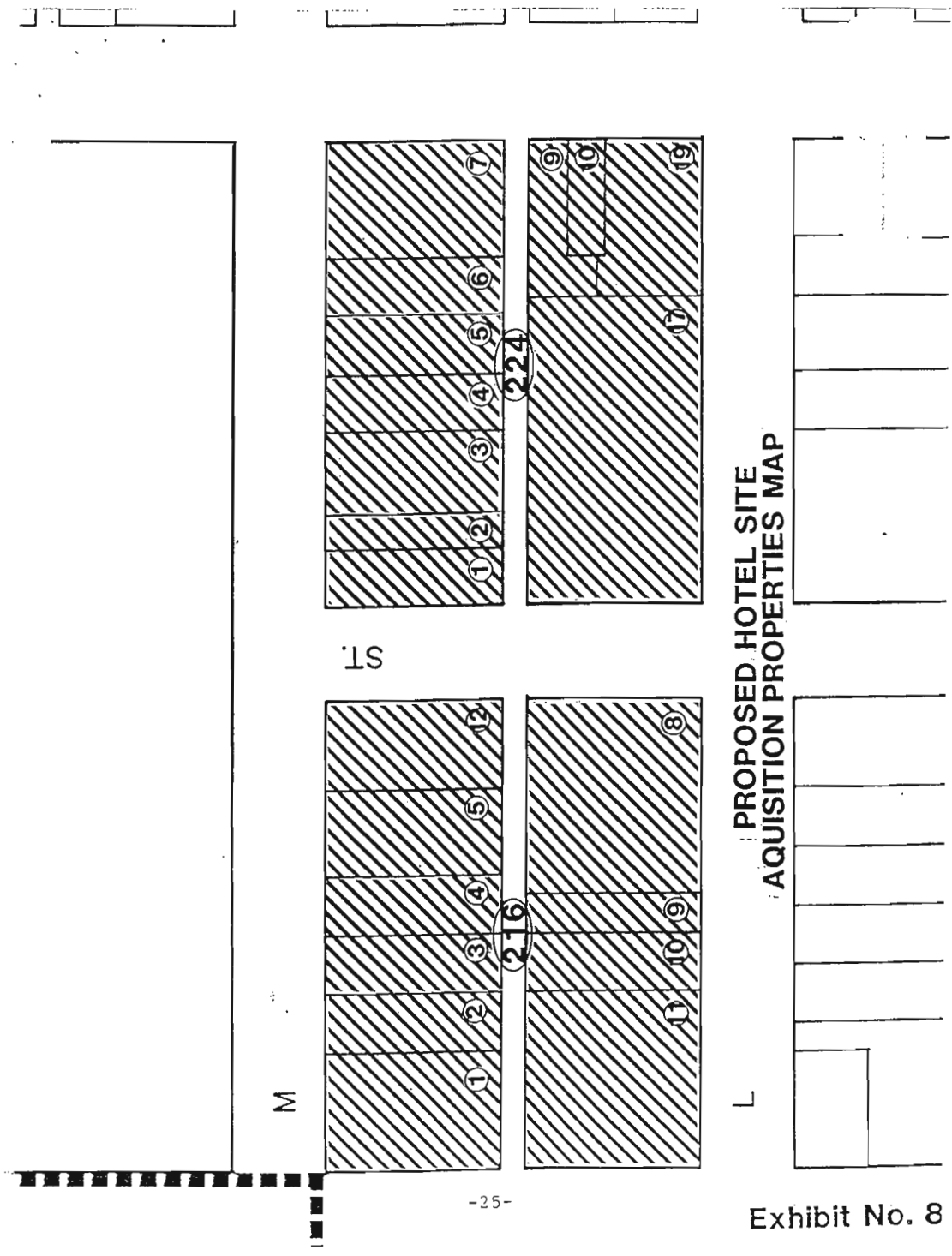


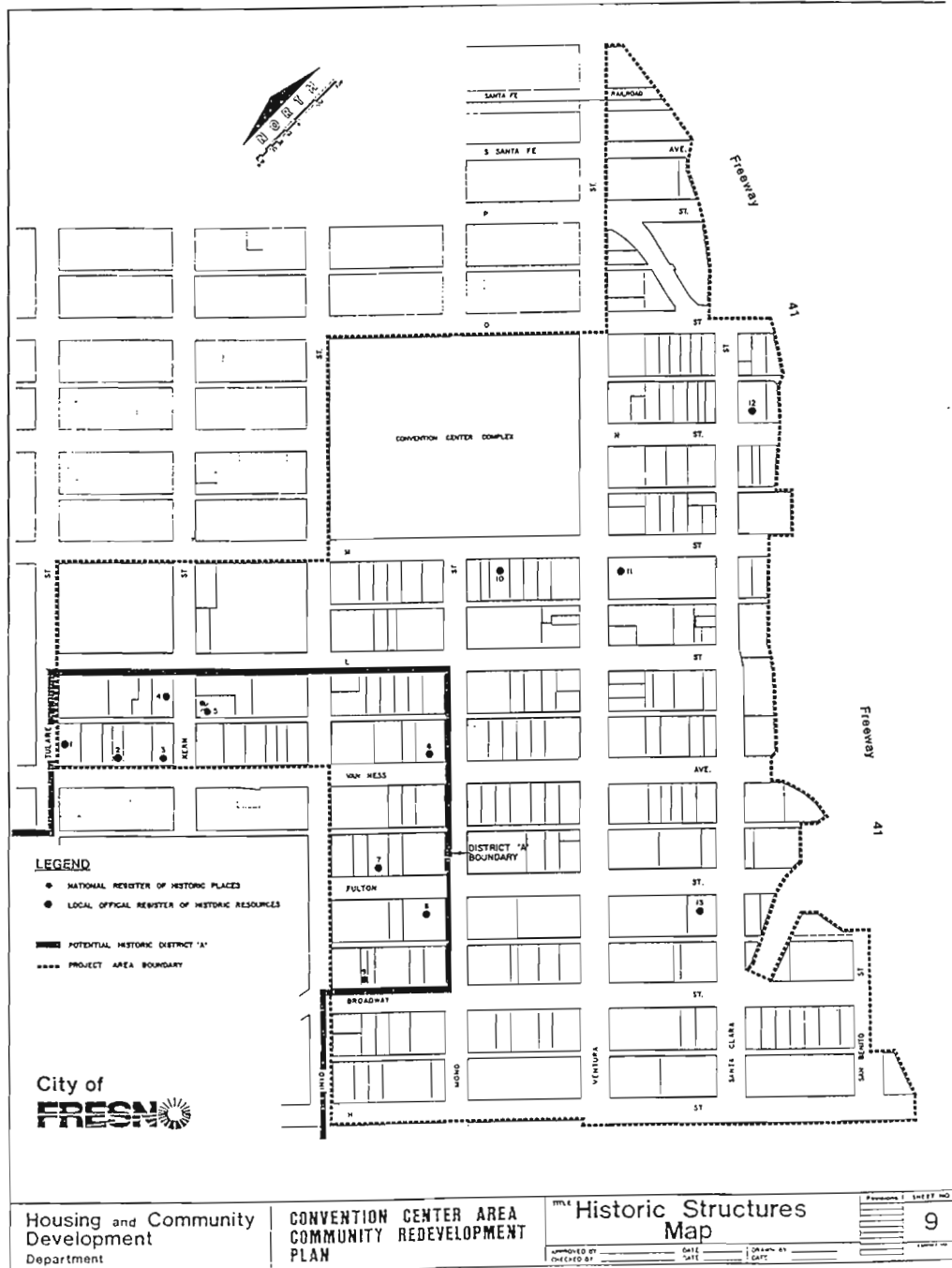
Exhibit No. 8

4.4 Relocation Assistance

Relocation Assistance as summarized here is required of the Agency in order to ensure consistent and fair treatment for persons, families, and businesses displaced as a result of acquisition of properties contained in the final Acquisition Plan. For further detail, see Section 6.1.5, p. 33, and Relocation Plan Summary, p. 49, in Appendix.

4.5 Historic Structures

All modifications to structures of architectural, historic, and cultural significance identified in the 1978 Local Historic Survey will be carried out in accordance with the prescribed requirements of the Historic Preservation Ordinance adopted in 1979. The use of historic structures will be in accordance with the provisions of the specific zone district applicable to the structure. Any rehabilitation or construction activity on or immediately adjacent to a historic structure on the Local or National Register requires prior clearance at the appropriate local or national level (see Historic Structures Map, p. 27).



5.0 GENERAL STANDARDS AND PROVISIONS

5.1 Duration of Covenants

All provisions regarding land uses, zoning, requirements, property development standards and restrictions shall be in force and effect for a period of thirty (30) years from the effective date of the ordinance adopting this plan and shall be incorporated in all deeds, contracts, and other instruments of land disposition, leases, and other contracts and instruments as appropriate, as covenants running with the land for said period of thirty (30) years. However, the covenant in respect to nondiscrimination restrictions on the basis of race, religion, color, creed, sex, marital status, national origin, or ancestry shall run in perpetuity.

5.2 Applicability of City Codes and Ordinances

The City Codes and Ordinances shall be uniformly and appropriately applied in all areas of the Convention Center Area, unless as otherwise made more restrictive by property development standards, restrictions and requirements as specified in this Redevelopment Plan.

5.3 Nondiscrimination Provisions

The participating owner, original purchasees, lessees or any successors in interest shall not effect or execute any agreement, lease, conveyance, or other instrument that restricts the sale, redevelopment or rehabilitation of property within the project area on the basis of race, religion, color, creed, sex, marital status, national origin, or ancestry.

All deeds, leases, or contracts for the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of any land in the project, shall be submitted to the Agency for approval and shall contain expressed provisions in substantially the following form:

In deeds the following language shall appear -- "The grantee herein covenants by and for himself, his heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there shall be no discrimination against, or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall the grantee himself or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land".

In leases the following language shall appear -- "The lessee herein covenants by and for himself, his heirs, executors, administrators, and assigns, and all persons claiming under or through him, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of the premises herein leased, nor shall the lessee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased".

In contracts entered into by the Agency relating to the sale, transfer or leasing of land or any interest therein acquired by the Agency within the redevelopment project, the foregoing provisions in substantially the forms set forth shall be included and such contracts shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties, and any subcontracting party or parties, or other transferees under the instrument.

The Agency shall review the nondiscrimination clauses of all deeds, leases or contracts effecting the lease,

transfer, use, occupancy, tenure or enjoyment of any land in the project area to determine their conformance with Section 33436 of the California Community Redevelopment Law and the nondiscrimination requirements of the Title 1, Housing Act of 1949, as amended.

5.4 Review of Plans

No construction shall be undertaken in the project area until the site, building, landscape, and signing details/plans of the developer have been approved, in writing, by the Agency. Approval shall be granted only if such plans will effectuate the purposes of this Plan and meet the standards and requirements as set forth herein. If the Agency's approval is not granted, no permits for the undertaking of such construction shall be issued by the City of Fresno.

Additionally, a review of plans for the redevelopment/development of any structures/places designated on either the Local List or National Register of Historic Structures and Places shall be required in accordance with the provisions of Article 4, Chapter 13 of the Municipal Code, as amended. This review shall occur before any permits for said redevelopment/development may be issued by the City of Fresno, and shall involve the redeveloper/developer and representatives of the following bodies and agencies:

The Historic Preservation Commission
The Department of Planning and Inspection
The Department of Housing and Community Development
The Fire Marshal

5.5 Rehabilitation of Properties

A. Scope of Rehabilitation

The project to be undertaken and carried out pursuant to this Plan, although involving the clearance and redevelopment of properties within the project area, also involves the rehabilitation of structures and improvements to accomplish the objectives of this Plan.

B. Designation of Properties to be Rehabilitated (Subject to Owner Participation)

All properties, the use of which conform to this Plan, and the improvements thereon are determined

to be rehabilitable by means that are economically feasible, are hereby designated as properties which "may not be acquired subject to owner participation". These Properties may be rehabilitated by their respective owners, subject, when deemed necessary, to the owners entering into an Owner Participation Agreement with the Agency to comply with the provisions and requirements of this Plan.

5.6 Standards for Satisfactory Rehabilitation

Commercial, residential, and industrial properties which may be feasibly rehabilitated and which may be integrated into this Plan by reason of location, availability of adjacent land and street access, shall comply with the following:

1. Any such property within the project shall be required to conform to all applicable provisions, requirements and regulations of this Plan.
2. Each structure and the properties on which they are located as part of the rehabilitation process shall be required to be brought into conformance with the minimum requirements of all applicable codes, ordinances, and regulations of the City of Fresno. Generally, this shall include but not be limited to the appropriate provisions for existing buildings within:
 - a. City's Zoning Ordinance
 - b. City's Building Regulations
 - c. City's Dangerous Building Ordinance
3. Upon completion of rehabilitation, each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue during the life of any new or existing mortgage and extend and remaining economic life of the property to a minimum of thirty (30) years.
4. Any historically significant structures as designated by the City Council shall also comply with all provisions of this Section except that the exterior facade of such buildings shall be restored to a reasonable degree and preserved in accordance with their original architectural design.

6.0 IMPLEMENTATION OF REDEVELOPMENT PLAN

6.1 Public Activities and Responsibilities

Activities and responsibilities of the Agency and City of Fresno in the planning area of this Redevelopment Plan shall be as follows:

6.1.1 Initiation of Rezoning Procedures

The City Planning Commission or City Council shall initiate rezoning procedures to bring existing "on-the-ground zoning into conformity with the Zone Plan Map in order to permit the types of uses permissible under the land use provisions of this Plan.

6.1.2 Land Acquisition, Demolition, and Clearance Activities

- a. Acquisition of properties as identified on the adopted Acquisition Plan is necessary to the implementation of this Plan, and property to be acquired within the plan area, where possible, will be by cooperative negotiation between the owner of such property and the Agency.
- b. In cases where purchase cannot be negotiated, property shall be acquired by the Agency through the exercise of its right of eminent domain, which shall commence within twelve years from the effective date of the ordinance approving this Redevelopment Plan. The Agency will comply with all the provisions of the statutes and Constitution of the State of California and the Department of Housing and Urban Development of the United States of America, relative to the exercise of the right of eminent domain. Payment for such property shall be in accordance with the State Law, as amended, and with applicable provisions of Federal law.
- c. After land acquisition as described above, and relocation of families and businesses within the plan area as described in Section 6.1.5 of this Plan, the Agency shall clear or cause to have cleared all acquired and vacated improvements not in conformity with this Plan, except those improvements on properties which are not to be acquired,

subject to owner participation, which properties may subsequently be acquired and cleared of all improvements if such action is determined by the Agency to be necessary in the interests of the project. The Agency may clear individual properties as acquired and vacated.

- d. Whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of this Redevelopment Plan, the Agency shall, within four years of such destruction or removal, ensure the rehabilitation, development, or construction for rental or sale to persons and families of low or moderate income on equal number of replacement dwelling units at affordable housing costs within the territorial jurisdiction of the Agency in accordance with the provisions of Section 33334.5 of the Community Redevelopment Law.

6.1.3 Real Property Management

All properties acquired in the project area will be managed by or under the direction of the Agency until the land is sold or converted to public use within a reasonable period necessary to effect such resale in accordance with the terms of Section 33402 of the Community Redevelopment Law.

6.1.4 Land Disposition

All of the land within the project area to be acquired by the Agency, other than that to be devoted to public use and conveyed to the City, shall be offered to developers for sale or lease in accordance with the terms of Sections 33335, 33430, and 33431 of the Community Redevelopment Law.

Such sale of property will be in accordance with the Agency's Marketing Policies as set forth in Resolution No. 1125 given by publication for not less than once a week for two weeks in a newspaper of general circulation published within the City of Fresno.

6.1.5 Displacement and Relocation of Families, Individuals, and Businesses

In order to ensure that uniform, fair, and equitable treatment is afforded persons, families, and businesses displaced as a result of acquisition of properties contained in the Acquisition Plan of the final Redevelopment Plan, the Agency will provide relocation assistance

and payments required by Chapter 16 of Division 7 of Title 1 of the Government Code, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Public Law 91-646) as well as applicable federal regulations and Sections 33410 to 33418 of the Community Redevelopment Law.

a. Relocation Plan

The Agency has prepared and adopted a Relocation Plan in accordance with the preceding law requirements which indicates that the Agency can feasibly relocate all displaced occupants. Further, the Agency maintains a Relocation Assistance Advisory Program which supplements endeavors to assist displacees of the Redevelopment Plan in their efforts to relocate to desired replacement sites within their financial capability.

Relocation Assistance is required of the Agency in order to ensure consistent and fair treatment for such persons, families, and businesses and to ensure they do not suffer disproportionate injuries as a result of the proposed redevelopment programs designed for the benefit of the public as a whole. A summary of relocation requirements and a list of the commercial and residential properties from the proposed hotel project acquisition site is contained in Appendix, p. .

b. Reentry Preference for Former Owners

Owners of property within the project area whose property is acquired by the Agency will be given reasonable preference as redevelopers in the project if the Agency, in its sole discretion, determines, all other things being equal, that such owners' proposal for redevelopment is in all respects equal to or superior to proposals of other redevelopers.

6.1.6 Improvement of Public Facilities

Any autonomous jurisdiction is encouraged to participate in early discussion and within the planning review process of the City of Fresno.

City-owned/operated facilities shall submit advance schematics/plan(s) before any entitlement is sought and said entitlement shall not be issued by the City until the Agency has approved the plan/development in writing.

6.2 Responsibilities of Redevelopers

The following is a description of obligations of redevelopers who acquire property in the planning area:

6.2.1 Prevention of Land Speculation

No redeveloper shall, without prior written consent of the Agency resell, lease, sublease, or otherwise dispose of land in the project area until the construction on the land has been completed and all obligations imposed on such redeveloper by this Plan have been discharged. It is in the public interest to rapidly develop the land in the project area in conformity with this Plan in the shortest possible time, and to prohibit unreasonable holding of land.

6.2.2 Establishment of Time Limits for Redevelopment

Purchasers/Leasees of land within the project area shall be required to commence construction in accordance with the Agreement for Sale of Land between the Agency and the redeveloper.

All Owner Participation Agreements shall contain provisions governing initiation and completion of construction of such site improvements as are required in each case.

6.2.3 Enactment of Owner Participation Agreements

It is proposed that certain properties/structures in the project area which require alteration, improvement, modernization, or rehabilitation be retained provided that the owners enter into an agreement called an Owner Participation Agreement with the Redevelopment Agency, consistent with the Owner Participation Rules and Regulations promulgated by the Agency.

6.2.4 Alternative Provisions for Redevelopment of Property

The Agency will not acquire real property which is retained by an owner under an Owner Participation Agreement unless said owner fails, refuses, or neglects to perform his obligation under said Agreement.

In the event of failure of an owner to participate pursuant to, and full compliance with, the terms of an Owner Participation Agreement, the Agency may, at its option, seek specific performance of said provisions of said Agreement and thereafter sell said property for redevelopment in accordance with the Plan.

6.2.5 Land Use Proposals for Properties to be Rehabilitated

All properties, the use of which conform to this Plan, have been designated as properties which may not be acquired subject to owner participation. Where the structures on the properties are economically feasible to rehabilitate and the proposed reuse conforms to the Redevelopment Plan, it is anticipated that these properties will be rehabilitated as necessary to be in conformance with the Property Rehabilitation Standards, so as to be in conformance with the controls of this Plan.

6.3 Financing

6.3.1 General Description of Financing Methods

The Agency is authorized to utilize all existing or future funding sources or methods deemed appropriate for financing the implementation of this Community Redevelopment Plan.

The Agency may accept financial or other assistance from any public or private source and expend any funds so received for any of the purposes of this Plan.

The Agency may utilize Tax Increment Financing, that is that portion of property taxes in excess of the frozen tax base, to finance or refinance, in whole or in part, this Plan.

Where appropriate to the purposes of this Plan, the Agency may accept the construction of site improvements, public facilities, and other supportive facilities by public agencies or private parties as either in lieu financial contributions or as gifts.

6.3.2 Community Development Block Grant

For funding purposes, the Agency may include the financing of the project in the Community Development Block Grant Program of the Department of Housing and Urban Development of the United States of America (hereinafter called the "Government") in a form satisfactory to the Government, under the provisions of Title I of the Housing Act of 1949, as amended, which financing is proposed as a combination of grant and loan funds.

The grant financing proposes to include funds received by the City of Fresno under and pursuant to the Com-

munity Development Act of 1974, as amended. In addition to or in lieu of direct cash financing, the City of Fresno may undertake to provide certain site improvements or supporting facilities in accordance with the provisions of this Plan. Any such contributions in connection with the project shall be included in the gross project cost to the extent that they are determined to be eligible for such inclusion and shall further be held to be a portion of the local share of the net project cost.

6.3.3 Loans and Advances

Within 30 years from the effective date of the ordinance approving the Redevelopment Plan, the Agency may, from time to time, borrow money, and it may expend such money for any or all of the following purposes:

1. Repayment of monies advanced by the Government for planning the project.
2. Acquisition of project land and existing improvements.
3. Preparation of Agency acquired land for disposition.
4. Expenses in connection with disposition of the project land.
5. Expenses of administering the project, including interest charges.

6.3.4 Grants

The City of Fresno and/or other local public bodies may grant sums of money to the Agency or may undertake to provide certain site improvements or supporting facilities in accordance with the provisions of this Plan. Any such contributions in connection with the project shall be included in the gross project costs to the extent that they are determined to be eligible for such inclusion and shall be held to be a portion of the local share of the net project cost.

6.3.5 Tax Increment

All taxes levied upon taxable property within the project, each year by or for the benefit of the State of California, County of Fresno, City of Fresno, any district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective

date of the ordinance approving this Community Redevelopment Plan, shall be divided as follows:

a. Frozen Tax Base

That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purposes of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of Fresno last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

b. Tax Increment

That portion of said levied taxes each year in excess of such amount but not to exceed a Total Allocation Limitation of \$25,000,000, shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Community Redevelopment Plan. Unless and until the total assessed value of the taxable property in the project exceeds the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in 6.3.5.a. above, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies.

No loans, advances, or indebtedness to be repaid from such allocation of taxes shall be established or incurred by the Agency beyond a time limitation

of 30 years from the effective date of the ordinance approving the Redevelopment Plan.

When said bonds, loans, advances, and indebtedness, if any, and interest thereon, have been paid, or when the \$25,000,000 Total Allocation Limitation is reached, all monies thereafter received from taxes upon the taxable property in the project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

c. Low and Moderate Income Housing Share of Tax Increment

Not less than twenty percent of all of the taxes allocated to the Agency referred to in Section 6.3.5.b. shall be used by the Agency for the purpose of increasing and improving the community's supply of low and moderate income housing, either inside or outside the Convention Center Area in accordance with the terms of Section 33334.2 of the Community Redevelopment Law.

d. Alleviation of Financial Burden

In any year during which the Agency owns property in the plan area, the Agency may pay directly to a taxing agency an amount of money in lieu of taxes. A proportionate share of any amount of money paid by the Agency shall also be dispersed to any school district with territory located within the plan area in accordance with the terms of Section 33401 of the Community Redevelopment Law.

The Agency may also pay to any of the taxing agencies, any amount of money which in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to any taxing agency by a redevelopment plan in accordance with the terms of Section 33401 of the Community Redevelopment Law.

7.0 MODIFICATION OF PLAN

7.1 Amendment of Plan

After adoption of the Plan by the City Council of the City of Fresno, the provisions of the Plan may be amended by the Council only by formal written amendment duly approved and recommended by the Agency and within the provisions of Chapter 4, Article 12 of the Community Redevelopment Law of the State of California.

7.2 Variances

Under exceptional circumstances, the Executive Director of the Agency is authorized to permit a variation from the limits, restrictions and controls of this Plan. In order to permit such a variation, the Executive Director must first determine that:

1. The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan.
2. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not generally apply to other properties having the same standards, restrictions, and controls.
3. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area.
4. Permitting a variation will not be contrary to the objectives of the Plan.
5. For a period of fifteen (15) days after a decision by the Executive Director, either granting or denying a variation, such granting or denial may be appealed to the Agency in writing by an affected

property owner, setting forth the reason for such appeal.

No such variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variance, the Executive Director shall impose such conditions as are necessary to protect the public health, safety, or welfare and to assure compliance with the general purpose of this Plan.

8.0 IMPACT OF REDEVELOPMENT PLAN

During the past 3-4 years, there has been a gradual but significant renewal of interest in downtown revitalization. Numerous development projects, both within and outside of existing redevelopment areas, have been proposed or constructed at various locations in the Central Area. The net result has been a considerable trend towards development of the downtown as a viable and active regional, financial, commercial, residential, and governmental center of the metropolitan area.

Therefore, the further revitalization of the Central Area through the effective, creative partnership of the private and public sectors as enabled by the Community Redevelopment Law cannot occur without a comprehensive updating and refinement of public policy within the Convention Center Area and the provision of a full range of effective tools necessary to stimulate the revitalization of the area.

8.1 Attainment of Plan Objectives

The adopted Redevelopment Plan is expected to attain the purposes of the Community Redevelopment Law of the State of California by:

- Effecting the elimination and prevention of the spread of physical blight and deterioration, and protection of existing businesses in the area through redevelopment and rehabilitation.
- Protecting the vital Fresno convention industry and providing a large-scale, high quality development catalyst in the area through the redevelopment of the proposed hotel site for a landmark hotel, entertainment, and convention facility.
- Providing incentives for the assembly of adequate sized parcels and required public improvements so as to encourage new construction by private enterprise, thereby providing the City of Fresno with a stronger economic base.

- Implementing the construction or reconstruction of adequate streets, curbs, gutters, street lights, sewers, sidewalks, storm drains, public facilities, open spaces, and other improvements as necessary to improve the physical environment of the area.
- Establishing development criteria and controls for the permitted reuse within the area in accordance with modern competitive development practices.
- Providing for relocation assistance and benefits to businesses and residences which may be displaced as a result of acquisition of proposed hotel site by the Agency, in accordance with the provisions of the Community Redevelopment Law.

8.2 Impact Upon Project Area and Adjacent Areas

It is the objective of the Agency to make available the full range of tools afforded by Community Redevelopment Law including the ability to acquire and sell property, provide for rehabilitation of existing structures, relocate businesses and residents where necessary and provide relocation benefits to relocatees, provide needed public improvements and utilize a full range of financing.

It is expected that the implementation of the Plan will provide additional development activities in the area and provide incentives for proper utilization of existing properties which are now and otherwise would continue as constraints to further investment in the area and adjacent areas. The increase of property values in the area and surrounding areas resulting from the activities of redevelopment will provide a broader tax base for the support of public functions for the City of Fresno.

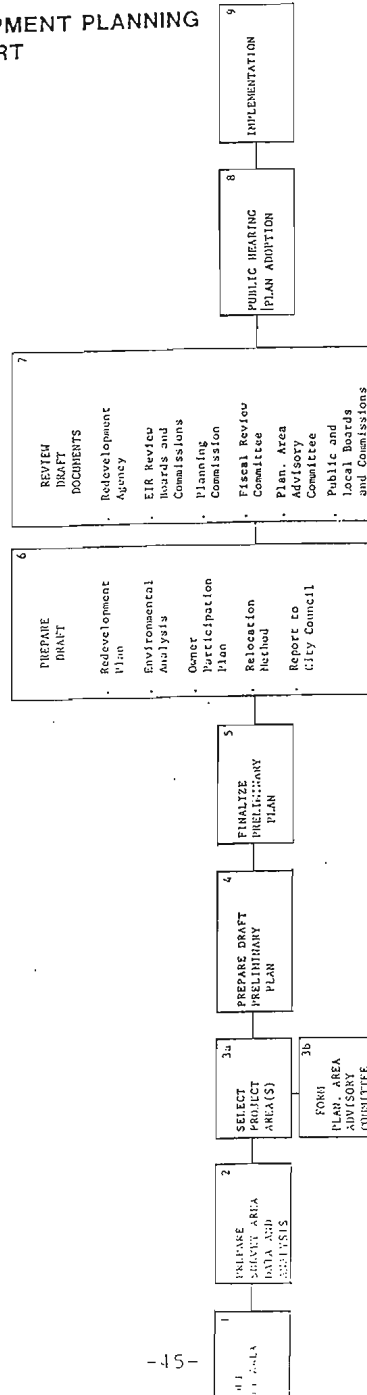
8.3 Conclusion

In conclusion, the Convention Center Area, through the guidance of a redevelopment plan pursuant to Community Redevelopment Law can meet its potential as a more productive and stable part of the Central Area. Proper planning and specific development of key "target" sites in conjunction with general incentives for the overall area can provide the necessary catalyst to generate an overall positive image and economic climate for long-term and continuous investment in the area. The termination of the transitional nature of much of the area, the protection of present investments, and the stimulation of further progress in the area are the major objectives of the Agency in this Redevelopment Plan.

9.0 APPENDIX

9.1 REDEVELOPMENT PLANNING FLOW CHART

CONVENTION CENTER AREA REDEVELOPMENT PLANNING PROCESS



RESOLUTION NO. 81-100

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO
DESIGNATING THE CONVENTION CENTER AREA AS A
REDEVELOPMENT SURVEY AREA FOR STUDY PURPOSES

WHEREAS, the Housing and Community Development Commission of the City of Fresno has recommended that a study area be established to determine if a redevelopment project is feasible in the area generally bounded by Ventura, Freeway 41, "H", Inyo, Van Ness, Tulare, "M", Inyo, and "O" Streets depicted in the map, attached hereto as Exhibit "A" and incorporated by reference herein, hereinafter called "Convention Center Area"; and

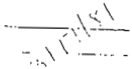
WHEREAS, the Council of the City of Fresno desires that the Convention Center Area be studied to determine if a redevelopment project within that area is feasible; and

WHEREAS, the Council of the City of Fresno desires that a redevelopment project be initiated within the Convention Center Area should it be found that such a project is feasible; and

WHEREAS, Section 33310 of the California Community Redevelopment Law (Health and Safety Code, Sections 33000, et seq.) provides that redevelopment survey areas may be designated by resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Fresno hereby designates the Convention Center Area as a Redevelopment Survey Area.

BE IT FURTHER RESOLVED, that the Council of the City of Fresno hereby finds that the Convention Center Area requires



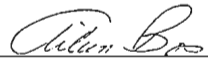
study to determine if a redevelopment project or projects
within the area are feasible.

CLERK'S CERTIFICATION

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

I, JACQUELINE L. RYLE, 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 17th day of March, 1981.

JACQUELINE L. RYLE,
City Clerk

By 

FRESNO CITY PLANNING COMMISSION

RESOLUTION NO. 7483

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF FRESNO DESIGNATING THE BOUNDARIES FOR
THE CONVENTION CENTER DEVELOPMENT PROJECT AREA

WHEREAS, an Assessment of Conditions has been completed for the designated Survey Area, which is generally bounded by Ventura, Freeway 41, "H", Inyo, Van Ness, Tulare, "M", Inyo, and "O" Streets depicted in the map, and legal description attached hereto as Exhibit "A" and Exhibit "B" respectively; and

WHEREAS, said Assessment of Conditions describes a finding of blight as defined in Section 33031 and Section 33032 of the of the California Health and Safety Code; and

WHEREAS, the Council of the City of Fresno has established policies for the revitalization of Fresno's Central Area of which the subject area is a part; and

WHEREAS, the Council of the City of Fresno desires that a redevelopment project be initiated within the Convention Center Area should it be found that such a project is feasible; and

WHEREAS, in accordance with Section 33322 of the California Health and Safety Code, the Planning Commission may establish the boundaries for a Redevelopment Project Area.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Fresno hereby designates the boundaries for the Convention Center Redevelopment Project Area as shown on Exhibits "A" and "B" attached thereto and by this reference made a part hereof.

The foregoing resolution was adopted by the Planning Commission of the City of Fresno upon a motion by Commissioner Quintero, seconded by Commissioner Gaston.

VOTING: Ayes - Quintero, Gaston, H. Garcia, Yengoyan, MacMichael

Noes - None

Not Voting - None

Absent - Broome

HUBERT E. ST. JOHN, Secretary
Fresno City Planning Commission

DATED: May 20, 1981

Resolution No. 7483

Applicant: City of Fresno/Department
Housing & Community
Development

Action: APPROVED

Project: Convention Center Area
Community Redevelopment Plan

SUMMARY OF RELOCATION PROGRAM

ESTIMATED RELOCATION COST

Type of Displacement:

<u>Residential</u>	<u>Number</u>	<u>Estimated Cost</u>
Tenants	14	\$ 45,000.00
Owners	<u>1</u>	<u>15,000.00</u>
Total Residential	15	\$ 60,000.00
<u>Commercial</u>	<u>Number</u>	<u>Estimated Cost</u>
Tenants	5	\$120,000.00
Owners	<u>7</u>	<u>120,000.00</u>
Total Commercial Cost	12	<u>\$240,000.00</u>
Total Relocation Cost		<u>\$300,000.00</u>

RELOCATION SCHEDULE

Begin Relocation Activities	-	July 1, 1981
Complete Residential Relocation	-	October 1, 1981
Complete Commercial Relocation	-	January 1, 1982

LAST RESORT HOUSING

No last resort housing will be required to accommodate the residential displacees because adequate private housing is available for market rate units and HUD programs are available for low-income and elderly tenants.

TEMPORARY MOVES

At this time, no temporary moves are considered to be necessary. However, this option is not ruled out due to the short lead time for completing the acquisition and relocation process.

<u>ASSESSOR'S PARCEL NUMBER</u>	<u>ADDRESS</u>	<u>USE</u>
468-224-07	611 "M" Street 2225/29/35/37 & 39 Ventura	Social Center Automotive Tool Distributor, Auto Parts Retail, Vacant Space.
468-224-09	2223 Ventura	Sign Painting Shop
468-224-10	2219 Ventura	Warehouse/Hall
468-224-17	666 "L" Street	Auto Parts Warehouse
468-224-19	2203 Ventura	Restaurant

The expected relocation activities include the relocation of 15 residential occupants, including one owner-occupant; and 12 businesses, including 7 owner-occupants.

RESIDENTIAL RELOCATION

The existing residential structures in the project area are generally studio apartments, sleeping rooms, or small one- or two-bedroom units. The rents are lower than average for the city due to the age and state of repair of the structures and the limited amenities, such as garages and carports available to the tenants. Public transportation and other services are readily accessible to residents in the neighborhood, including state, county and city government offices located around the Civic Center area. Grocery stores, parks, recreational opportunities, movie theaters are not within walking distance of the inhabitants.

Most of the dwelling units are occupied by single individuals. However, six of the units are occupied by families with children ranging in age from one year to 15 years of age. The size and price information on the units is listed on the following page.

RECOMMENDATIONS

Residential tenants will be relocated to dwellings which are comparable, as well as decent, safe and sanitary, either in the downtown area, or if they prefer another area of equal or better neighborhood amenities and social services. Those households with elderly, minority or handicapped members will be given special consideration during the relocation process. Low-income households will be encouraged to apply for Section 8 or other assistance programs.

Relocation advisory assistance will be available to all tenants having to relocate regardless of their length of occupancy. In addition, those meeting eligibility requirements prescribed by law will be able to claim moving expenses, either actual or by schedule of up to \$500, and a replacement housing payment of up to \$4,000, to offset higher rent (as determined by HCD); or \$2,000 plus an additional \$2,000 if matched by the claimant, for a down payment on a replacement residence.

The Redevelopment Agency is acquiring residential properties in other areas of downtown. However, the amount of displacement at this time is limited and voluntary on the part of the occupants. It is anticipated that sufficient housing exists for all potential residential displacees.

Commercial relocation constitutes the major task in this project. In addition to the properties previously listed as available, new listings will be referred to the business owners as they become known. Those businesses who either desire to build a new structure, or have no other alternative will be given high priority, to facilitate the construction process.

Relocation assistance for the businesses will include advisory assistance in finding and developing replacement locations, and an explanation of relocation policies and benefits. Payments for the eligible businesses will include the actual reasonable costs of moving personal property, such as inventories, business equipment, office equipment and telephones based on the lower of at least two acceptable bids. Each relocating business may also receive up to \$500 in costs in searching for a replacement site (time and mileage), and the reasonable and documented cost of new or reprinted stationary, business cards and invoices.

Instead of the above actual costs, some separate businesses may wish to claim the in-lieu of moving payment which would result in payments of between \$2,500 and \$10,000. A business has to be a separate entity (not a chain operation) and not be able to relocate without a loss in patronage in order to qualify for this payment.

APPEALS

Any residential or business claimant may appeal the amount of payments or eligibility to the City of Fresno through the procedures set forth in the established Appeal Procedures.

PROJECT ASSURANCES

The acquisition, relocation and temporary rental of the properties in the project area will be carried out by the staff of the Housing and Community Development Department of the City of Fresno. The office is located at 2014 Tulare Street, Suite 200 (approximately three blocks from the project area), telephone 485-6200. Bilingual services are available for Spanish-speaking individuals.

Every eligible person, family or business will be informed of his (its) eligibility for relocation assistance within 15 days of the offer to the property owner.

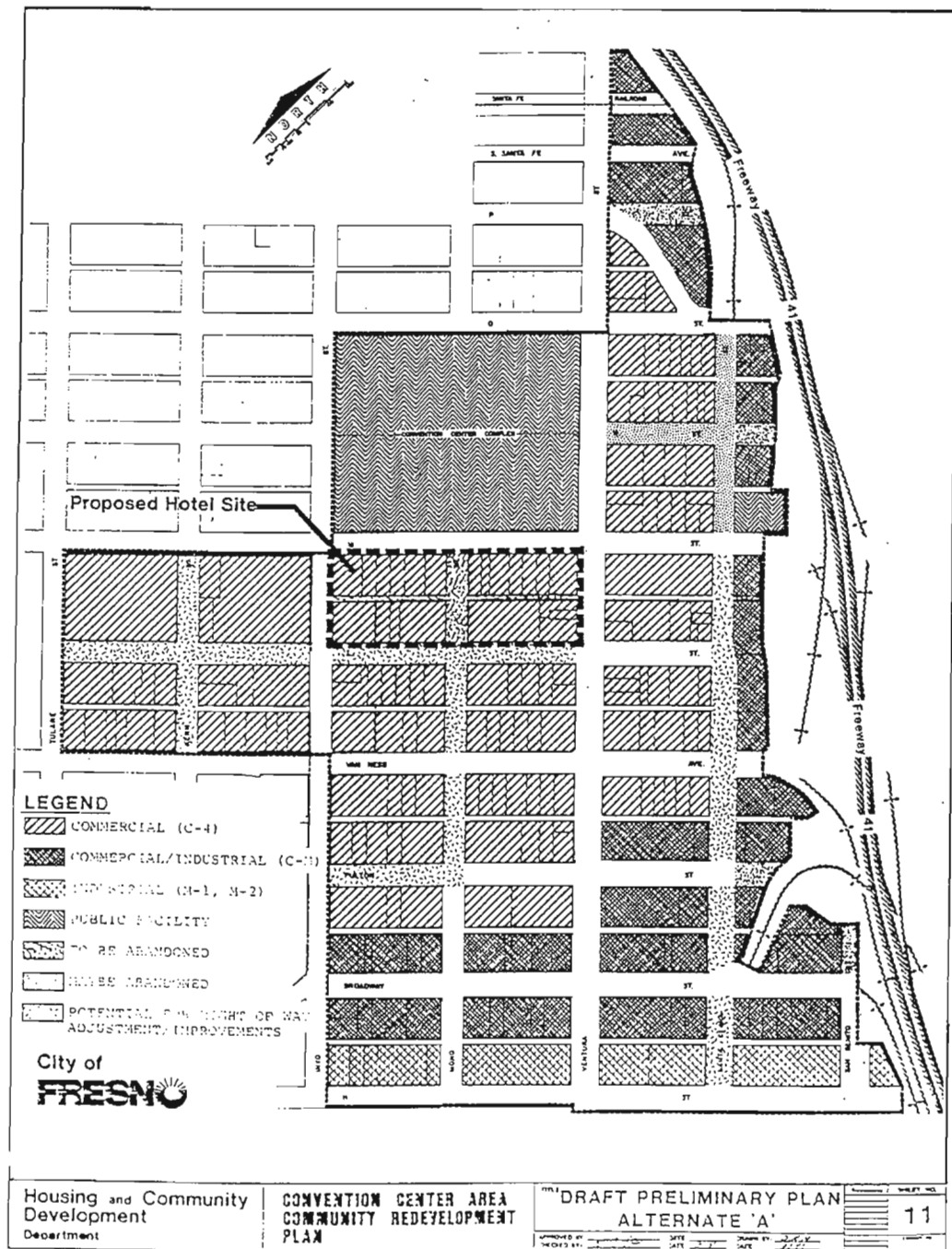
Replacement dwellings will be referred to individuals and families without regard to age, sex, national origin, ethnic background, or ancestry.

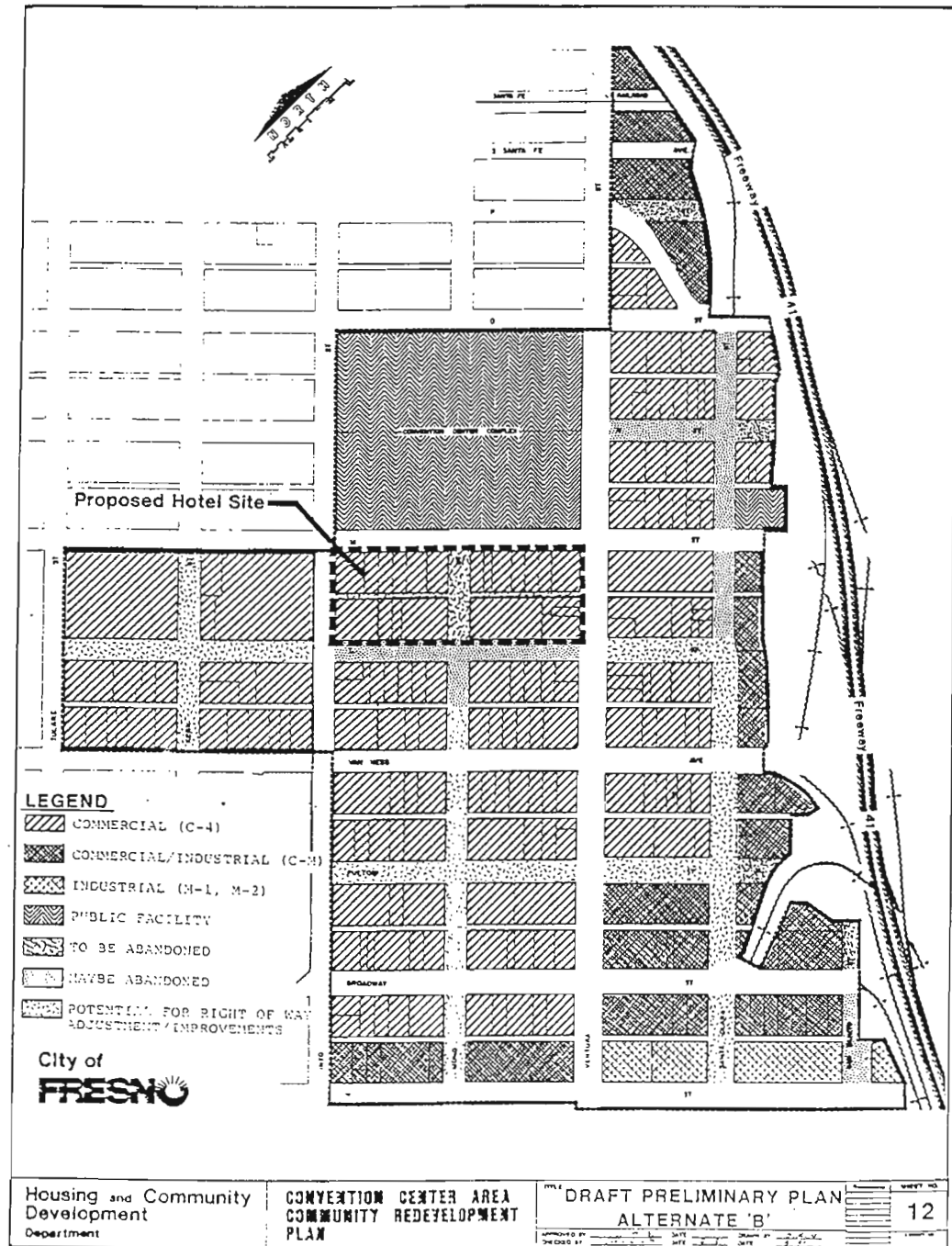
No person, family or business will be required to move without at least 90 days advance written notice.

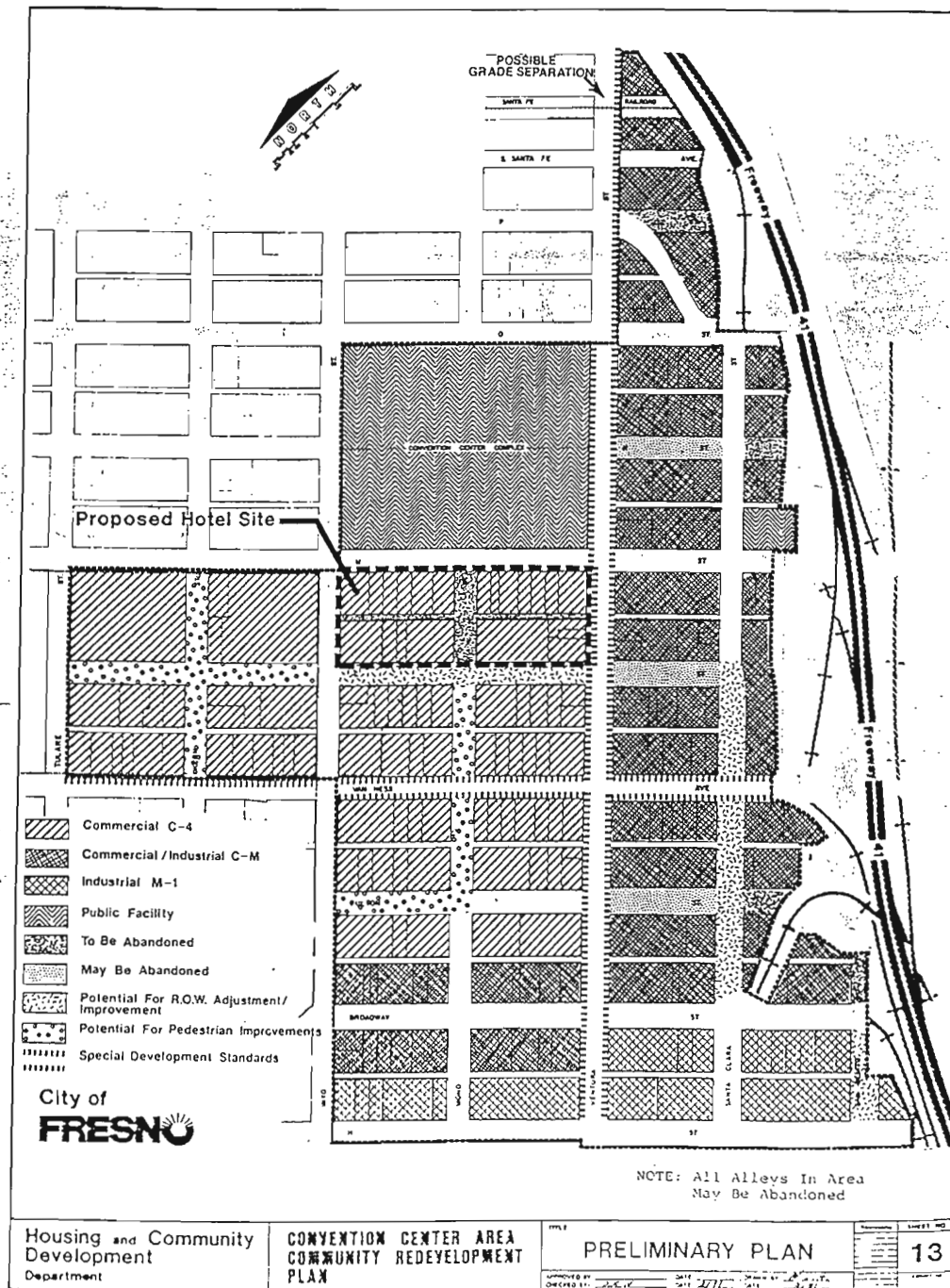
SUMMARY OF RELOCATION REQUIRED

The area in which the project is located is currently characterized as having mixed uses, ranging from low-density multiple-family dwellings to commercial and light manufacturing. The Residential properties are located along "M" Street, commercial and warehouse businesses are scattered, but generally situated with "L" Street and Ventura frontage. The following list contains the Assessor Parcel Numbers, addresses and uses of each of the affected properties:

<u>ASSESSOR'S PARCEL NUMBER</u>	<u>ADDRESS</u>	<u>USE</u>
468-216-01	2250 Mono 735/739 "M" Street	Auto Parts Retail and Machine Shop.
468-216-02	745 "M" Street	Newspaper and Custom printing.
468-216-03/04	Vacant Lots	
468-216-05	Vacant Lot	Parking
468-216-12	701 "M" Street	Auto Parts Retail/ Wholesale and Machine Shop.
468-216-08	712 "L" Street	Auto Parts Wholesale and Warehouse.
468-216-09	730 "L" Street	Law Offices
468-216-10	Vacant Lot	Parking
468-216-11	2220 Inyo	Automotive & Structural Glass & 4 Residential Apartments.
468-224-01/02	661 "M" Street 2226/32/44 Mono	4 Residential Units
468-224-03	647 "M" Street	Owner Residence, and 5 Bachelor Apartments
468-224-04	Vacant Lot	Parking
468-224-05	627/29/31/33 & 35 "M" Street	5 Residential Units (only one occupied)
468-224-06	Vacant Lot	Parking







FRESNO CITY PLANNING COMMISSION

RESOLUTION NO. 7602

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FRESNO RECOMMENDING THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO APPROVE THE PRELIMINARY REDEVELOPMENT PLAN FOR THE CONVENTION CENTER AREA

WHEREAS, a Preliminary Redevelopment Plan has been completed for the designated Redevelopment Plan Area, which is generally bounded by Ventura, Freeway 41, "H", Inyo, Van Ness, Tulare, "M", Inyo, and "O" Streets as contained in attached Exhibit "A"; and

WHEREAS, the Council of the City of Fresno has established policies for the revitalization of Fresno's Central Area of which the subject area is a part; and

WHEREAS, The Council of the City of Fresno desires that a redevelopment project be initiated within the Convention Center Area should it be found that such a project is feasible; and

WHEREAS, in accordance with Sections 33323 and 33325 of the California Health and Safety Code, the Planning Commission shall cooperate with the Redevelopment Agency in the preparation of the Preliminary Plan and submit the Preliminary Plan to the Redevelopment Agency; and

WHEREAS, said Preliminary Plan has been prepared in accordance with Section 33324 of the California Health and Safety Code; and

WHEREAS, the Planning Commission after reviewing the report found that the proposed Preliminary Plan conforms to the General Plan and policies of the City of Fresno.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Fresno, pursuant to Section 33325 of the California Health and Safety Code, hereby submits the Preliminary Redevelopment Plan, as described in Exhibit "A" to this Resolution, to the Redevelopment Agency of the City of Fresno, in order that said agency may prepare a Final

Redevelopment Plan for the area described in the Preliminary Redevelopment Plan.

The foregoing resolution was adopted by the Planning Commission of the City of Fresno upon a motion by Commissioner Gaston, seconded by Commissioner H. Garcia.

VOTING: Ayes - Gaston, H. Garcia, Civiello, Quintero,
Yengoyan, MacMichael
Noes - None

Not Voting - None

Absent - None

HUBERT E. ST. JOHN, Secretary
Fresno City Planning Commission

DATED: October 7, 1981

Resolution No. 7602

Applicant: City of Fresno/
Department of Housing
and Community Development

Action: Approved

Project: Convention Center Area
Community Development

Attachment: Exhibit "A"

REDEVELOPMENT AGENCY OF THE CITY OF FRESNO

RESOLUTION NO. 1151

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO RECEIVING THE PRELIMINARY REDEVELOPMENT PLAN FOR THE CONVENTION CENTER AREA AND AUTHORIZING PREPARATION OF REDEVELOPMENT PLAN.

WHEREAS, a Preliminary Redevelopment Plan has been completed for the designated Redevelopment Plan Area, which is generally bounded by Ventura, Freeway 41, "H", Inyo, Van Ness, Tulare, "M", Inyo, and "O" Streets as contained in attached Exhibit "A"; and

WHEREAS, the Council of the City of Fresno has established policies for the revitalization of Fresno's Central Area of which the subject area is a part; and

WHEREAS, the Redevelopment Agency of the City of Fresno desires that a redevelopment project be initiated within the Convention Center Area should it be found that such a project is feasible; and

WHEREAS, said Preliminary Plan has been prepared in accordance with Section 33324 of the California Health and Safety Code; and

WHEREAS, the Planning Commission after reviewing the report in accordance with Sections 33323 and 33325 of the California Health and Safety Code, adopted Resolution No. 7602, submitting the Preliminary Redevelopment Plan to the Redevelopment Agency in order that said Agency may prepare a Final Redevelopment Plan for the Convention Center Area.

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Agency hereby acknowledges receipt of the Preliminary Redevelopment Plan, as described in Exhibit "A" to this Resolution, and prepared and submitted in compliance with Sections 33323, 33324, and 33325 of the California Health and Safety Code.

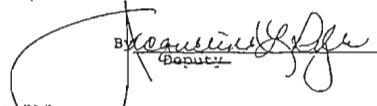
BE IT FURTHER RESOLVED, the Redevelopment Agency hereby authorizes the preparation of a Redevelopment Plan for the Convention Center Area pursuant to Section 3330 et seq. of the California Health and Safety Code.

CLERK'S CERTIFICATION

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

I, JACQUELINE L. RYLE, Clerk, Ex-Officio of the Redevelopment Agency certify that the foregoing resolution was adopted by the Redevelopment Agency of the City of Fresno, California, at a regular meeting held on the 13th day of October, 1981.

JACQUELINE L. RYLE,
CLERK, Ex-Officio

By 
Deputy

Attachment: Exhibit "A"

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

By 

Legal Description of Redevelopment Project Boundaries

The Convention Center Redevelopment Project Area (hereinafter called the "Project Area") consists of approximately 120 acres in the City of Fresno, County of Fresno, State of California, and is described as follows:

BEGINNING at a point on the Southwesterly right-of-way line of "H" Street which point is a prolongation of the Southeasterly right-of-way line of Inyo Street; thence in a Northeasterly direction along the Southeasterly right-of-way line of Inyo Street to the most Easterly corner of the intersection of Inyo Street and Van Ness Avenue; thence in a Northwesterly direction along the Northeasterly right-of-way line of Van Ness Avenue to the most Easterly corner of the intersection of Van Ness Avenue and Tulare Street; thence in a Northeasterly direction along the Southeasterly right-of-way line of Tulare Street to the most Southerly corner of the intersection of Tulare Street and "M" Street; thence in a Southeasterly direction along the Southwesterly right-of-way line of "M" Street to the most Southerly corner of the intersection of Inyo Street and "M" Street; thence in a Northeasterly direction and along the Southeasterly right-of-way line of Inyo Street to the most Southerly corner of the intersection of Inyo and "M" Street; thence in a Southeasterly direction along the Southwesterly right-of-way line of "O" Street to the most Southerly corner of the intersection of "O" Street and Ventura Street; thence in a Northeasterly direction along the Southeasterly right-of-way line of Ventura Street to the most Southerly corner of the intersection of Ventura Street and Topeka Avenue; thence in a Southeasterly direction along the Southwesterly right-of-way line of Topeka Avenue to the intersection of said Topeka Avenue right-of-way line and the Southwesterly right-of-way line of Freeway 41; thence in a Southwesterly direction and following the Southwesterly right-of-way line of Freeway 41 to the intersection of said Freeway 41 right-of-way line and the Southwesterly right-of-way line of "H" Street; thence in a Northwesterly direction along the Southwesterly right-of-way line of "H" street to the Point of Beginning.

REPORT TO LEGISLATIVE BODY

The following information is provided to facilitate the Council's consideration of the proposed Redevelopment Plan pursuant to the requirements of the Community Redevelopment Law, Section 33352. Included here are specific items for review purposes, where previous actions have already been taken. There are also items which the Council must consider prior to adoption of the Redevelopment Plan.

a) Reasons for Selection of Proposed Project Area

On May 20, 1981, the Fresno City Planning Commission adopted Resolution No. 7483, designating the boundaries for the subject Redevelopment Plan in order to effectuate a reversal of the physical conditions responsible for the presence of blight in the subject area as contained in Exhibit "C", the Analysis of Existing Conditions Report, May 1981, (see Planning Commission Resolution No. 7483 in Attachment "F").

b) Description of Physical, Social and Economic Conditions Existing in Proposed Project Area

Although the Convention Center Community Redevelopment Plan Area is strategically located between the Mariposa Project, the Government Center, the Central Business District Project, and a completed portion of Freeway 41, few significant development activities have occurred since the construction of the Del Webb Building and the Convention Center complex in the late 1960s.

The overall land use character of the area is fairly mixed, consisting of commercial, office, industrial, quasi-public, public, and residential uses. Interspersed among many well-maintained business properties are numerous poorly-maintained properties and a number of vacant and underutilized properties. The majority of the residential properties are poorly maintained and are nonconforming to existing zoning requirements.

The renovation of several older buildings and the proposed conversion of floor space in the Del Webb Tower indicate a recent trend for future office development along Van Ness and Tulare Streets adjacent to the Central Business District and Government Center. Several small-scale industrial buildings have been constructed or renovated in the area between Ventura Street and Freeway 41, indicating another recent trend for light industrial development.

Although investments have been made in the area, the overall image is not entirely positive but remains somewhat economically stagnant with respect to new development. Underutilized, poorly-maintained, or vacant properties compete with the small-scale new development that has occurred in establishing the direction for further investments in the area. The

overall trend for much of the area is one of physical blight and economic stagnation. The area's potential for regrowth could greatly increase, remain the same, or possibly decline, depending upon the scale, location, and character of future investments in the area.

c) Proposed Method of Financing Redevelopment of Project Area

On July 7, 1981, the Council approved a Conceptual Financing Plan for the Conference Center and Centre Plaza Hotel Project, and approved a development agreement with John Q. Hammons Industries on October 27, 1981. The proposed Conference Center and Centre Plaza Hotel Complex will be a major catalyst capable of attracting a broad range of related major office, financial, commercial, entertainment, and cultural development in the immediate vicinity as well as an important stimulus to the convention industry and the City of Fresno in general. The financing of the subject Hotel Project is feasible and based upon an approach whereby the project would be financed from revenues generated by the subject project. It is proposed that the Agency is authorized to utilize all existing or future funding sources or methods deemed appropriate for financing the implementation of the subject Redevelopment Plan. These sources or method may include Community Development Block Grant, other loans, advances, and grants as may be appropriate and specifically the utilization of Tax Increment Financing. No loans, advances, or indebtedness to be repaid from the Tax Increment shall be established beyond the 30 year limitation. The Tax Increment utilization is also subject to the Total Allocation Limitation of \$25,000,000, beyond which limit, tax revenues within the subject area shall be paid to the respective taxing agencies unless amended by legislative body.

Twenty percent of all of the Tax Increment allocated to the Agency shall be used for the purpose of increasing and improving the community's supply of low and moderate income housing.

d) Relocation Method

On January 5, 1982, the Council adopted Resolution No. 82-12, approving a Relocation Method for the Convention Center Redevelopment Plan in order to extend the relocation methodology employed in the designated Conference Center and Centre Plaza Hotel Project to the entire Redevelopment Plan Area to assist in further implementation of the Plan consistent with Community Redevelopment Law Requirements (see Attachment "G").

e) Analysis of Preliminary Plan

On October 13, 1981, the City Council, acting as the Redevelopment Agency, approved the Preliminary Plan as the basis for preparation of the Redevelopment Plan for the Convention Center Redevelopment Area. The Preliminary Plan was prepared in accordance with California Community Redevelopment Law with input and recommendations from the Planning Area Advisory Committee. The Preliminary Plan was conceptual in nature and represented a comprehensive approach towards encouraging revitalization of the planning area, reflected the City's commitment to ensure the continued rejuvenation of downtown Fresno to provide a broadened range of market potentials in the planning area, as well as to form the basis for future public and private section investments in the area.

f) Report and Recommendations of Planning Commission and Report Required by Section 65402 of Government Code

On January 5, 1982, the Planning Commission reviewed the proposed Redevelopment Plan for the Convention Center and adopted Resolution No. 7665 finding that the subject Redevelopment Plan was consistent with the General Plan and policies of the City of Fresno and submitted the subject Redevelopment Plan to the Redevelopment Agency of the City of Fresno in order that the Agency may adopt the Redevelopment Plan for the Convention Center Area. The subject Planning Commission Resolution No. 7665 also constitutes the necessary report to the City Council from the Planning Commission pursuant to Section 65402 of the California State Government Code.

g) Summary of Planning Area Advisory Committee Record

The Fresno City Council at its meeting of June 23, 1981, appointed 15 persons to serve on an informal Planning Area Advisory Committee (PAAC) which would work with City staff and make recommendations to the City Council regarding the proposed redevelopment plan for the Convention Center Planning Area.

During the months of July and August the committee elected officers, adopted bylaws and established work committees. After reviewing a slide presentation of the planning area and the staff presentation of the redevelopment processes and substantial discussion of the planning area conditions, the committee by general consensus approved the May 1981 report on an Analysis of Existing Conditions.

A draft of the Preliminary Plan containing two land use alternatives was distributed to the PAAC in July, where substantial review resulted in the preparation of a third land use concept as the preferred land use alternative. After considerable discussion in several meetings, the committee approved the preliminary plan and the acquisition plan in August and September. On October 6, 1981, the PAAC hosted a meeting at the Convention Center and provided an opportunity for property owners, tenants and residents to become familiar with the intent and objectives of the Preliminary Plan prior to its approval by the Planning Commission and Redevelopment Agency.

Copies of the proposed Redevelopment Plan and Schedule of Public Hearings were distributed to members of the Planning Area Advisory Committee for review and comment in December 1981. Copies of the proposed Owner Participation and Reentry Rules, the proposed Relocation Method, and the proposed finding on Low and Moderate Income Housing were distributed in January 1982, for the the PAAC's information. A list of PAAC meetings and correspondence is included in Attachment "H".

h) Report and Recommendations of the Planning Commission Required by Section 65402 of Government Code

(see preceding item f)

- i) Report Required by Section 21151 of Public Resources Code - Environmental Impact Report for the Project Area

On October 13, 1981, the City Council adopted Resolution No. 81-410, a Resolution of Certification for Final EIR No. 10081, which addressed environmental considerations relating to the Preliminary Plan for the Convention Center Redevelopment Area in general and the proposed Centre Plaza Hotel Project in particular (see Attachment "I").

The Preliminary Plan provides only for potential street improvements and minor adjustments in certain streets and a land use pattern which is consistent with the land use designations of the affected community plans (Roosevelt Community Plan and Fresno High-Roeding Community Plan). Significant effects on the environment are not attributed to the Preliminary Plan for the Convention Center Redevelopment Area. Any future public project, and any future private project for which a discretionary development entitlement is required will be subject to an environmental assessment under the provision of state law and local ordinances.

The proposed hotel project is considered a subproject within the Convention Center Redevelopment Area. The Final EIR discusses, in detail, potential effects on the environment which are attributable to demolition, construction and operation of the hotel and convention facilities, including space for exhibits, meetings, ballroom, and off-street parking.

The decision to prepare the Environmental Impact Report considered the apparent public controversy over the proposed hotel and conference center project. Under the provisions of the State EIR Guidelines (Section 15084), an Environmental Impact Report is not required if the public controversy is not related to an environmental issue. No environmental issue is involved in the apparent controversy. However, the Environmental Impact Report was prepared to ensure adequate information on the environmental effects of the project was provided to public decision-makers and the general public. Effects on the environment identified in the Environmental Impact Report are not considered significantly adverse and are similar to those of any comparable project located in the Central Area of the city. Mitigation measures and alternatives are handled accordingly, and consist primarily of means to reduce the effects of physical change in the immediate vicinity of the project site and to reduce effects inherent with the operation of the project.

As identified previously in this staff report, the proposed Redevelopment Plan is identical in concept to the previously approved Preliminary Plan, constituting a refinement of the Preliminary Plan. The Final EIR No. 10081 is still applicable and, therefore, no additional environmental impact report is required.

- j) Report of County Fiscal Officer

On December 22, 1981, Fresno County submitted the Fiscal Review Report for the Convention Center Redevelopment Project pursuant to Section 3332i of the Health and Safety Code. The report in its entirety is included in Attachment "8".

k) Report of Fiscal Review Committee

On January 5, 1982, Fresno County submitted the Fiscal Review Committee Report for the Convention Center Redevelopment Plan pursuant to Section 33353.5 of the Health and Safety Code. Following is a brief summary of the major issues addressed in the County Report which is included in its entirety in Attachment "B".

Of the ten affected taxing agencies in the project area only three reported their concern that the redistribution of tax increment to the Redevelopment Agency would have and adverse impact upon the future operations of their agencies. The Fresno County Free Library District and the Fresno Metropolitan Flood Control District both requested the retention of their agencies proportionate share of the annual tax increments, being 1.51% and 3.29% respectively. The County's request for sharing Tax Increment funds relates to tax increment losses in the later years of the project.

l) Neighborhood Impact Report

The impact of the proposed Convention Center Redevelopment Plan upon low and moderate income housing within the project area is basically very minimal. The Convention Center Area is not presently conducive for residential development, in regard to an identifiable, physical neighborhood, and especially not suitable for low and moderate income housing, which is in accordance with HUD directions that each housing development should not be located in distressed areas. The majority of the existing residential units are older, substandard dwellings which are nonconforming to existing zoning requirements and not suitable for rehabilitation.

There are only 27 residential parcels of the 230 parcels in the planning area and they are in basically scattered geographic locations within the 120 acre planning area. The only residential structures that will be directly affected by the proposed Redevelopment Plan are located within the designated Hotel Site. The relocation of residents from the seven residential structures was addressed in the Replacement Housing and Relocation Plan for the Convention Center Hotel Project, approved by the Council on September 9, 1981. All but two of these residential structures have been subsequently removed and the occupants relocated. No further removal of residences in the general area is anticipated at this time. Any further removal of residences would be in accordance with the Redevelopment Plan and the Relocation Method approved by the Agency.

The preceding statement constitutes the Neighborhood Impact Report pursuant to Section 33352 of the Health and Safety Code.

m) Analysis of Report of County Fiscal Officer and Summary of Consultations with County and Affected Taxing Agencies

With regard to consultations with taxing agencies the following summary is provided.

On October 27, 1981, a certified mail Notice of Redevelopment Plan Preparation for the subject Convention Center Area was sent to the County and affected taxing agencies pursuant to Community Redevelopment Law. On November 10, 1981, Fresno County called for the forma-

tion of the Fiscal Review Committee (FRC). Two FRC hearings on the subject Redevelopment Plan were scheduled and conducted by Fresno County on December 18th and December 24th with the City of Fresno participating in both. On January 5, 1982, a certified mail Notice of Public Hearing regarding the scheduled January 12th hearing of the Council and Agency was distributed to the taxing agencies along with a letter indicating that further consultation with individual taxing agencies was available upon request (see copies of Taxing Agency correspondence in Attachment "J").

Staff Analysis of County Fiscal Officer Report

Following is a brief summary of the major features of the County Report identified in the preceding item j) of this report:

The County Report identified the ten taxing agencies having jurisdiction with the Convention Center Plan boundaries, one of the taxing agencies is the City of Fresno. The total property tax based revenues of the ten taxing agencies in the 1981-82 base year from the Convention Center Project Area were only \$369,843. It should be pointed out that the City's share of the 1981-82 base year amount is \$104,843 (30.94%), the County's is \$97,181 (20.68%), the Flood Control District's is \$11,139 (3.29%), and the Library District's is \$5,106 (1.51%).

The report indicates that the total General Tax Revenues available to each taxing agency within its own respective boundary (covering the remainder of the metropolitan area or county), in the base year 1981-82, amounted to \$100,955,214 (subject to applicable Special District Augmentation Fund and in rounded tax monies). This indicates, by comparison, that the share of tax revenues for the ten taxing agencies within the Convention Center Area amounts to less than 0.5% of the total revenues available from the entire jurisdictions of the taxing agencies.

It is also important to note that the City's share of the total areawide revenues is \$16,665,609, the County's is \$45,778,331, the Flood Control District's is \$1,640,796, and the Library District's is \$3,168,865.

The County Report also includes an analysis of the assessed values within the Convention Center Area for the five years preceding the 1981-82 base year, i.e., 1976-77 to 1980-81. The basic trend for these preceding years, related to land and improvement values only, indicates growth in the assessed values of approximately 20% for the five year period.

The County Report identified two alternate growth projections for the tax increment from the Convention Center Area over the next thirty years, one with the hotel and one without the hotel project. The County's growth projections involved an assumption of a 7% growth in the assessed values over the thirty year time period without hotel construction and 11.5% with hotel construction. Based upon assumption that hotel development occurs, approximately \$91 million of tax increment would be available over the period of thirty years. While the City would retain \$25 million, in accordance with the proposed plan, there would be an excess of tax increment amount of approximately \$66 million available for all taxing agencies involved.

RESOLUTION NO. 82-15

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO FINDING THAT THE EFFECT OF TAX INCREMENT
FINANCING WILL NOT CAUSE A SEVERE FINANCIAL
BURDEN ON ANY TAXING AGENCY DERIVING REVENUES
WITHIN THE AREA OF THE CONVENTION CENTER
REDEVELOPMENT PLAN.

WHEREAS, the Redevelopment Agency of the City of Fresno,
pursuant to Sections 33327 and 33328 of the California Health
and Safety Code, transmitted to the auditor, assessor, and
tax collector of Fresno County, the Fresno County Board of
Supervisors, the Fresno County Free Library District, Fresno
Metropolitan Flood Control District, Fresno Mosquito Abatement
District, Fresno Unified School District, Fresno County
Department of Education, State Center Community College
District, and the State Board of Equalization, a notice of
preparation of a redevelopment plan for the Convention Center
project area, including a statement the Redevelopment Agency
proposes to use the allocation of taxes that will comply with
provisions of Sections 33670 and 33670.5 of the California
Health and Safety Code; and

WHEREAS, the County of Fresno, on November 10, 1981,
pursuant to Section 33353 of the California Health and Safety
Code, called for the creation of a fiscal review committee in
order to assist in the preparation of the report, required
pursuant to Section 33328 of the California Health and Safety
Code, for a redevelopment plan utilizing tax increment
financing; and

WHEREAS, the Fiscal Review Committee for the Convention
Center Redevelopment Plan conducted hearings on December 18,
1981 and December 29, 1981 and all affected taxing agencies
were notified and provided the opportunity to review and comment
upon the fiscal impacts of the proposed plan for the Convention
Center project area; and

WHEREAS, the Fresno Unified School District, Fresno

11/2/81 67-

Mosquito Abatement District, Fresno County Department of Education, and the State Center Community College District have indicated the proposed redevelopment plan would not affect such agencies; and

WHEREAS, the Fiscal Review Committee for the Convention Center Redevelopment Project submitted its report on the fiscal impact of the redevelopment plan on each of the members of the committee to the Redevelopment Agency on January 5, 1982; and

WHEREAS, staff of the Redevelopment Agency engaged in additional consultation and negotiation with Fresno County, Fresno Metropolitan Flood Control District, and Fresno County Free Library District subsequent to December 29, 1981.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO HEREBY RESOLVES AND FINDS the Convention Center Redevelopment Plan project shall be financed in part from revenues derived from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code and the effect of tax increment financing will not cause a severe financial burden or detriment on any taxing agency deriving revenues from a tax increment project area.

* * * * *

CLERK'S CERTIFICATION

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

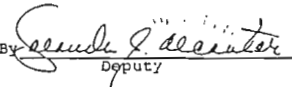
I, JACQUELINE L. RYLE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 12th day of January, 1982.

JACQUELINE L. RYLE
City Clerk

APPROVED AS TO FORM

CITY ATTORNEY'S OFFICE

By: 
Assistant

By: 
Deputy

DCR:dee
1/8/82


NOTICE IS HEREBY GIVEN that the City Council of the City of Fresno adopted Ordinance No. 98-46, on June 30, 1998, approving and adopting the 1998 Amendment to the Redevelopment Plan (the "1998 Amendment") for the Convention Center Redevelopment Area (the "Project").

The 1998 Amendment pertains to and does not change or revise the legal description of the boundaries of the Project which is attached hereto as Exhibit A and incorporated herein by reference.

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

Filed for recordation with the County Recorder of Fresno County by order of the City Council of the City Fresno, California.

Date: July 15, 1998


REBECCA E. KLISCH
City Clerk, City of Fresno

Attachment : Exhibit A - Legal Description


NOTICE IS HEREBY GIVEN that the City Council of the City of Fresno adopted Ordinance No. 98-46, on June 30, 1998, approving and adopting the 1998 Amendment to the Redevelopment Plan (the "1998 Amendment") for the Convention Center Redevelopment Area (the "Project").

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Filed for recordation with the County Recorder of Fresno County by order of the City Council of the City Fresno, California.

Date: July 15, 1998


REBECCA E. KLISCH
City Clerk, City of Fresno

Attachment : Exhibit A - Legal Description

FILED
2007

EXHIBIT A

LEGAL DESCRIPTION OF THE
PROJECT AREA BOUNDARIES FOR THE
CONVENTION CENTER REDEVELOPMENT AREA

The Convention Center Redevelopment Project Area (hereinafter called the "Project Area") consists of approximately 120 acres in the City of Fresno, County of Fresno, State of California, and is described as follows:

BEGINNING at a point on the Southwesterly right-of-way line of "H" Street which point is a prolongation of the Southeasterly right-of-way line of Inyo Street; thence in a Northeasterly direction along the Southeasterly right-of-way line of Inyo Street to the most Easterly corner of the intersection of Inyo Street and Van Ness Avenue; thence in a Northwesterly direction along the Northeasterly right-of-way line of Van Ness Avenue to the most Easterly corner of the intersection of Van Ness Avenue and Tulare Street; thence in a Northeasterly direction along the Southeasterly right-of-way line of Tulare Street to the most Southerly corner of the intersection of Tulare Street and "M" Street; thence in a Southeasterly direction along the Southwesterly right-of-way line of "M" Street to the most Southerly corner of the intersection of Inyo Street and "M" Street; thence in a Northeasterly direction and along the Southeasterly right-of-way line of Inyo Street to the most Southerly corner of the intersection of Inyo and "M" Street; thence in a Southeasterly direction along the Southwesterly right-of-way line of "O" Street to the most Southerly corner of the intersection of "O" Street and Ventura Street; thence in a Northeasterly direction along the Southeasterly right-of-way line of Ventura Street to the most Southerly corner of the intersection of Ventura Street and Topeka Avenue; thence in a Southeasterly direction along the Southwesterly right-of-way line of Topeka Avenue to the intersection of said Topeka Avenue right-of-way line and the Southwesterly right-of-way line of Freeway 41; thence in a Southwesterly direction and following the Southwesterly right-of-way line of Freeway 41 to the intersection of said Freeway 41 right-of-way line and the Southwesterly right-of-way line of "H" Street; thence in a Northwesterly direction along the Southwesterly right-of-way line of "H" Street to the Point of Beginning.

7 . Recording Requested By:
City of Fresno
No Fee-Govt. Code Sections
6103 and 27383
When Recorded Mail to:
Name CITY CLERK'S OFFICE
Street City of Fresno
Address 2600 Fresno Street
City & State Fresno, CA 93721-3623

SPACE ABOVE THIS LINE FOR RECORDER'S USE

ORDINANCE NO. 98-46

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, APPROVING
AND ADOPTING THE 1998 AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE CONVENTION CENTER REDEVELOPMENT AREA.

clarify certain provisions so that the provisions conform with current redevelopment law or are made consistent with existing City standards; 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 Convention Center Amendment, the Other Proposed Amendments and the Proposed New Redevelopment Plans (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 Merger No. 1 Project Area, which includes the Convention Center 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. 10124 (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

Community Redevelopment Plan for the Chinatown Expanded Area, the Community Redevelopment Plan for the Jefferson Redevelopment Area, the Urban Renewal Plan for the Mariposa Project, the Urban Renewal Plan for the West Fresno Project One, the Urban Renewal Plan for the West Fresno Project Two and the Urban Renewal Plan for the West Fresno Project Three (the "Other Existing Redevelopment Plans"); and

WHEREAS, the Convention Center Amendment, the Other Proposed Amendments and the Proposed New Redevelopment Plans provide for the merger of the area included within the Convention Center Plan (the "Convention Center Project Area") with the areas included within the Other Existing Redevelopment Plans (the "Other Existing Project Areas") and the areas included within the Proposed New Redevelopment Plans (the "Proposed New Project Areas"), which collectively are hereinafter referred to as the "Merged No. 1 Project Area;" and

WHEREAS, the purposes of the Convention Center 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 Convention Center Plan, (2) increase the dollar limitation on the allocation of tax increments from the Convention Center Project Area and establishing the amount of bonded indebtedness that can be outstanding at one time, (3) reestablish the time limit of the Agency's power of eminent domain, (4) amend the land use provisions to be consistent with the current General Plan of the City of Fresno (the "General Plan"), (5) merge the Convention Center Project Area with the Other Existing Project Areas and the Proposed New Project Areas, and (6) make certain other textual changes to update and

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

WHEREAS, the Housing and Community Development Commission has considered the proposed Convention Center Amendment at a scheduled Public Hearing on June 10, 1998, and has recommended approval of the Convention Center Amendment; and

WHEREAS, the Project Area Committee ("PAC") for the Convention Center Project Area has submitted its report and recommendations concerning the Convention Center Plan, and has recommended approval of the Convention Center Plan; and

WHEREAS, the Council and the Agency held joint and concurrent public hearings on the Convention Center Amendment, the Other Proposed Amendments and the Proposed New Redevelopment Plans in the Council Chambers, 2600 Fresno Street, Fresno, California, on June 23, 1998, to consider adoption of the Convention Center 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 Convention Center Project Area as shown on the last equalized assessment roll of the County of Fresno and copies of a statement concerning acquisition of property by the Agency were mailed by first-class mail to the last known address of each assessee of each parcel of land in the proposed Convention Center Project Area whose property may be subject to acquisition by purchase or condemnation by the Agency; 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 Convention Center 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 Convention Center Project Area; and

WHEREAS, the Council has considered the Agency's Report, the Report and Recommendation of the Planning Commission, the Housing and Community Development Commission, the Report and Recommendation of the PAC, the Convention Center 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 Convention Center Amendment; and has adopted written findings in response to each written objection to the Convention Center Amendment from an affected taxing entity or property owner within the Convention Center 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 Convention Center Amendment are: (1) to eliminate the significant remaining blighting influences and environmental deficiencies within the Convention Center Project Area and the Merger No. 1 Project Area as a whole; and (2) to contribute to and complement the overall goals and objectives of the Convention Center Plan and redevelopment of the Convention Center Project Area and the Merger No. 1 Project Area as a whole.

SECTION 2. The Council hereby finds and determines that:

a. It is necessary and desirable to amend the Convention Center Plan as set forth in the Convention Center Amendment in order to complete the redevelopment of the Convention Center Project Area and make possible the full achievement of the goals and objectives of the Convention Center Plan for the Convention Center Project Area. Significant blight remains within the Convention Center 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 Convention Center Amendment. These findings are based upon the facts, as more particularly set forth in the Agency's Report, that:

(1) The Convention Center 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; lots of

irregular form, shape and inadequate size for proper usefulness; depreciated or stagnant property values; low lease rates; residential overcrowding, 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 Convention Center Project Area and affects the Merger No. 1 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 Convention Center Project Area and the Merger No. 1 Project Area as a whole will allow the Agency to continue to carry out the goals and objectives of the Convention Center 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 Convention Center Project Area.

b. The Convention Center Amendment would redevelop the Convention Center 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 Convention Center Project Area, as contemplated by the Convention Center Plan, as amended by the Convention Center 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 Convention Center Project Area and the Merger No. 1 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 Convention Center 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 Convention Center 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 Convention Center Plan, as amended by the Convention Center Amendment, the funds available from tax increments from the Merger No. 1 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 Convention Center Project Area and the Merger No. 1 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 Convention Center 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 Convention Center Amendment conforms to the General Plan of the City of Fresno.

e. The carrying out of the Convention Center 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 Convention Center Amendment, will benefit the Convention Center Project Area and the Merger No. 1 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 Convention Center Project Area and the Merger No. 1 Project Area as a whole and that the continued redevelopment of the Convention Center Project Area will further promote and stimulate new private investment and redevelopment in the Convention Center Project Area and the Merger No. 1 Project Area as a whole.

f. The condemnation of real property, as reestablished by the Convention Center Amendment, is necessary to the execution of the Convention Center 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 Convention Center 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 Convention Center Project Area. This finding is based upon the fact that the existing Convention Center Plan and the existing Agency relocation policies, as well as the Agency's Report, 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 Convention Center 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 Convention Center Amendment.

h. There are, or shall be provided, in the Convention Center Project Area, Merger No. 1 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 Convention Center 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 Convention Center Plan, as amended by the Convention Center 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 Convention Center Project Area until suitable replacement housing is available. In addition, families and persons shall not be displaced from the Convention Center 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 Convention Center 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 Convention Center 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 Convention Center 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 Convention Center Amendment are reasonably related to the remaining proposed projects to be implemented in the Merger No. 1 Project Area and to the ability of the Agency to eliminate the remaining blight within the Convention Center Project Area and the Merger No. 1 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 Convention Center Project Area and the Merger No. 1 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 Convention Center Project Area and the Merger No. 1 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 Convention Center 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 Convention Center Project Area with the Other Existing Project Areas and the Proposed New Project Areas will result in substantial benefit to the public and will contribute to the revitalization of the blighted areas within the Merged No. 1 Project Area through the increased economic vitality of such areas and through increased and improvement housing opportunities in and near such areas by

enabling the areas within the Merged No. 1 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. 1 Project Area that will benefit the entire Merged No. 1 Project Area.

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

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

SECTION 7. The mitigation measures and mitigation monitoring plan, findings, and statement of overriding considerations made pertaining to the Convention Center Amendment, as identified in Council Resolution No. 98-190, adopted on June 30th, 1998, and Agency Resolution No. 1487, adopted on June 30th, 1998, were based upon consideration of the Final EIR and are incorporated and made part of the proposed Convention Center Amendment.

SECTION 8. The Convention Center Plan, as adopted and amended by Ordinances Numbered 6663, 86-13 and 94-116, is hereby further amended as set forth in the Convention Center Amendment attached hereto as Attachment 1, and incorporated herein by reference. As so amended, the Convention Center Plan is hereby incorporated by reference herein and designated as the official Community Redevelopment Plan for the Convention Center Expanded Area. The Executive Director of the Agency is hereby authorized to combine the Convention Center Plan, as amended by the Convention Center Amendment into a single document, and said document, when filed with the City Clerk and the Secretary of the Agency, shall constitute the official Convention Center Plan.

SECTION 9. Ordinance No. 82-6, as amended by Ordinance No. 94-118, is 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 Convention Center Plan, as amended by the Convention Center 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 Convention Center Amendment pursuant to this Ordinance, containing a statement that proceedings for the redevelopment of the Convention Center Project Area pursuant to the Convention Center Plan, as amended by the Convention Center Amendment, have been instituted under the California Community Redevelopment Law.

SECTION 12. Section XIII of the Convention Center Amendment to the Convention Center Plan, approved and adopted by this Ordinance, provides for the merger of the Convention Center Project Area with the Other Existing Project Areas and the Proposed New Project Areas (the "Convention Center Merger Provision"). The proposed Fulton Redevelopment Plan, the proposed South Van Ness Redevelopment Plan and the Proposed Amendments to the Other Existing Redevelopment Plans correspondingly provide for the merger of the Other Existing Project Areas and the Proposed New Project Areas with the Convention Center Project Area (the "Other Project Merger Provisions"). When the Convention Center Merger Provision takes effect and one or more of the Other

Project Merger Provisions take effect, the Convention Center Project Area shall be officially merged with all of the project areas for which the Other Project Merger Provisions take effect. If no Other Project Merger Provisions take effect, the Convention Center Merger Provision shall have no effect.

SECTION 13. If any part of this Ordinance or the Convention Center 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 Convention Center Amendment, and this Council hereby declares that it would have passed the remainder of this Ordinance or approved the remainder of the Convention Center Amendment if such invalid portion thereof had been deleted. It is the specific intent of the Council that the Convention Center Merger Provision be considered wholly independent of the other provisions of the Convention Center Amendment. In the event the Convention Center 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 Convention Center Amendment approved hereby.

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 Convention Center Redevelopment Area

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 ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 30th day of JUNE, 1998, by the following vote.

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

Mayor Approval: 7/6, 1998

Mayor Approval/No Return: N/A, 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 MONTOS
City Attorney

By: Hilda Cantu Montos
Deputy

1998 AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE
CONVENTION CENTER REDEVELOPMENT AREA

The Redevelopment Plan for the Convention Center Redevelopment Area adopted on January 12, 1982, by Ordinance No. 82-6, as amended on December 6, 1994, by Ordinance No. 94-118 (the "Plan"), is hereby further amended as follows:

- I. Section 1.1 of the Plan is hereby amended to add a sixth 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 4.2 of the Plan is hereby revised to read as follows:

"4.2.1. Land Use Plan Map

The Land Use Plan Map, (Revised 1998) illustrates the location of the Project Area boundaries, the streets within the Project Area, and the proposed land uses to be permitted in the Project for all land, public, semi-public and private.

4.2.2. Designated Land Uses

1. Commercial/Mixed Uses, Level 2 (C/MX-2)

The areas shown on the Land Use Plan Map (Revised 1998) for Commercial/Mixed Use Level 2 shall be used for the permitted residential, commercial, industrial and public uses set forth and described in the Central Area Community Plan.

2. Civic Center Uses

The areas shown on the Land Use Plan Map (Revised 1998) for Civic Center uses shall be used for the permitted residential, commercial, industrial and public uses set forth and described in the Central Area Community Plan.

3. Commercial/Industrial Uses

The areas shown on the Land Use Plan Map (Revised 1998) for Commercial/Industrial uses shall be used for the permitted commercial and industrial uses set forth and

4.2.3. Development Standards and Site Plan Review

The development of property and construction of buildings and structures, including, but not limited to, building heights, lot coverage, loading spaces and setbacks, within the Project Area shall be in conformance with the development standards set forth for the applicable permitted use in the Central Area Community Plan.

All site plans for development within the Project Area shall be submitted to the City of Fresno for site plan review in accordance with the City of Fresno zoning ordinances.

4.2.4. Signs and Advertising Structures

All signs shall conform to the applicable sign requirements set forth in the Central Area Community Plan and City of Fresno zoning ordinances.

In addition, All outdoor advertising signs in the Project Area shall be mounted on or parallel with any exterior wall, not to exceed ten (10) percent of the total area of said exterior wall or one hundred (100) square feet, located on a wall with a public entrance, may not exceed building height in the district and be subject to the provisions of Section 12-217-5K of the C-1 Zone District except that advertising structures (billboards) shall not be permitted in the Project Area.

4.2.5. Public Rights-of-Way

The public rights-of-way are illustrated on the Land Use Plan Map, (Revised 1998).

Public streets, alleys and easements may be created in the Project Area as needed for proper development. Existing streets, alleys, and easements may be abandoned, closed, or modified as necessary for proper development of the Project."

4.2.6. Special Property and Streetscape Development Standards

In order to create, protect, and maintain streets and adjacent properties as boulevards, gateways, and pedestrian-oriented streetscapes of special quality, by reason of their location within and adjacent to the Civic Center of the City and other activity centers within the Central Area, as determined by the Agency, all land uses shall be subject to the provisions of this section, in addition to the provisions of the City zoning ordinances. The requirements of this section are intended to complement and not to supersede the provisions of the Civic Center (CC) Zone District and the Civic Center Area Modifying Zone District (CCO) of the City zoning ordinances.

The following landscaping, streetscape, decorative sidewalk, and sign standards may be modified by the Executive Director of the Agency, or designee, to permit design flexibility when beneficial to the Project Area,

promote more diverse and higher quality streetscape and pedestrian environment, and are consistent with adopted plans and policies.

(a) Special Development Requirements Along Major and Local Streets

For developable properties, a front or side yard of not less than ten (10) feet along any abutting street, along with a minimum ten (10) foot wide, decorative, sidewalk pattern, shall be required. Street trees and trees within required yards shall be planted in a double-row configuration of sufficient quantity and size, and in such a manner as to create a "canopy effect", provide necessary shading on the adjacent pedestrian sidewalk, and to enhance the superior aesthetic quality of the proposed boulevard, gateway, and pedestrian-oriented streetscape environments. To the maximum extent possible, all existing mature street trees shall be preserved, protected, and incorporated into the landscape design.

(b) Center Divider Islands

Center divider islands shall be landscaped to the maximum extent possible and improved in a manner consistent with the boulevard and gateway concepts."

III. The second paragraph of Section 4.3 of the Plan is hereby revised to read as follows:

"In order to assure the development of the Chamlian Office and Commercial Development Project as a major catalyst for new development in the area, and implement policies of the Central Area Community Plan for protection of the convention industry, concentration of government facilities, and attraction of major office and commercial growth, the Agency will acquire by purchase, eminent domain, or otherwise, the real property contained in the area designated as "Subject to Acquisition" on the proposed Acquisition Plan."

Further, every effort will be made by the Redevelopment Agency to ensure the preservation of historically significant brick structure located at 456 N Street which should be retained through relocation or other means, if the property is acquired, as requested by the Convention Center Project Area Committee (PAC).

IV. Section 5.1 of the Plan is hereby amended to read as follows:

"5.1 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 January 12, 2022; provided, however, that, subject to the limitations set forth in Section 6.3.5.b. 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 terminates, 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."

V. Paragraph b. of Section 6.1.2 of the Plan is hereby amended to read as follows:

"In cases where purchase cannot be negotiated, property shall be acquired by the Agency through the exercise of its right of eminent domain, which shall commence within twelve years from the effective date of the 1998 Ordinance. The Agency will comply with all the provisions of the statutes and Constitution of the State of California and the Department of Housing and Urban Development of the United States of America, relative to the exercise of the right of eminent domain. Payment for such property shall be in accordance with the State Law, as amended, and with applicable provisions of Federal law."

VI. A new Section 6.1.5. is hereby added to the Plan to read as follows:

"6.1.5 Property Disposition and Development, Conveyance, or Participation Agreements with Public Bodies

Notwithstanding provisions of the Plan, to the extent permitted by law, and where beneficial to the Project Area, the Agency is authorized to enter into Disposition and Development Agreements, Conveyance Agreements, or Participation Agreements with the City or any public body, including but not limited to Federal, State, or local, agencies, where:

1. The Agency may dispose of real property, with or without improvements, by negotiated lease, sale, or transfer without public bidding, including conveyance by the Agency without charge;
2. In order to provide adequate safeguards to ensure that the provisions of the Plan will be carried out and to prevent the

recurrence of blight, and to prevent transfer, retention, or use of property for speculative purposes:

- (a) Uses Consistent with the Plan. The Agency may determine that Governmental uses, satisfactory to the Agency, are consistent with the purposes of the Plan;
- (b) Design Review. In the design review of plans and specifications, the Agency shall determine:
 - (1) Either the public body shall comply with the recommendations of the Agency, if the recommendations are submitted within deadlines designated in the agreement with the public body; or
 - (2) If the project area will benefit from the development, the public body shall use its best efforts to incorporate recommendations from the Agency, but the public body shall not be obligated to consider comments submitted after the deadlines designated in the agreement with the public body;
- (c) Certificate of Completion. The Agency may issue a certification of completion of improvements upon initiation of construction of improvements satisfactory to the Agency;
- (d) Nondiscrimination and Nonsegregation Provisions. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law, and in a form satisfactory to the Agency.
- (e) Provisions to Carry-out the Plan. Leases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out the Plan."

- VII. Section 6.1.5 of the Plan is hereby renumbered to 6.1.6 and Section 6.1.6 of the Plan is hereby renumbered to Section 6.1.7.
- VIII. Section 6.1.6 of the Plan is hereby amended to add a last paragraph to read as follows:

"Specifically, the Agency may pay for, install, or construct the buildings, structures or other public improvements identified in Exhibit 8, attached hereto and incorporated herein by reference, and may acquire or pay for the land required for such public improvements."

- IX. A new Section 6.2.6. is hereby added to the Plan to read as follows:

"6.2.6. Conforming Owners

The Agency may, at its sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan. However, a conforming owner shall be required by the Agency to enter into a participation agreement with the Agency in the event that such owner desires to: (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (b) acquire additional property within the Project Area."

- X. Section 6.3.3 of the Plan is hereby amended to delete the phrase "Within 30 years from the effective date of the ordinance approving the Redevelopment Plan," from the first sentence.

- XI. Paragraph b. of Section 6.3.5 of the Plan is hereby amended to read as follows:

"That portion of said levied taxes each year in excess of such amount but not to exceed a Total Allocation Limitation of \$51,000,000, shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Community Redevelopment Plan. Unless and until the total assessed value of the taxable property in the project exceeds the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in 6.3.5.a. above, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies.

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project with tax increments beyond January 1, 2014. Loans, advances or indebtedness may be repaid from tax increments 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 Section 6.3.5 beyond January 12, 2032.

When said bonds, loans, advances, and indebtedness, if any, and interest thereon, have been paid, or when the \$51,000,000 Total Allocation Limitation is reached, all monies thereafter received from taxes upon the taxable property in the project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The amount of bonded indebtedness to be repaid in whole or in part from the allocation of taxes described in this paragraph b. that can be outstanding at one time shall not exceed \$21,000,000."

- XII. Paragraph d. of Section 6.3.5 of the Plan is hereby amended to add a last paragraph to read as follows:

"Notwithstanding the provisions of this Paragraph d., if amendments to this Plan are adopted on or after January 1, 1994, payments to affected taxing entities shall be made in accordance with the provisions of the Community Redevelopment Law including, but not limited to, Sections 33607.5 and 33607.7."

- XIII. A new Section 6.3.6 is hereby added to the Plan to read as follows:

"6.3.6 Mergers

Upon the effective date of the 1998 Ordinance, the Project Area is hereby merged with those project areas for which an ordinance has become effective providing for merger with this Project Area (the "Other Merger No. 1 Ordinances"). Such other project areas may include: the areas of the existing Central Business District Amended Urban Renewal Plan, Chinatown Expanded Area Community Redevelopment Plan, Jefferson Community Redevelopment Plan, Mariposa Urban Renewal Plan, West Fresno Project One Urban Renewal Plan, West Fresno Project Two Urban Renewal Plan and West Fresno Project Three Urban Renewal Plan. Other project areas may also include the areas of the proposed Redevelopment Plan for the Fulton Redevelopment Project and the proposed Redevelopment Plan for the South Van Ness Industrial Redevelopment Project, if ordinances adopting such redevelopment plans, including the merger of such areas with this Project Area, become effective. Upon the effective date of the 1998 Ordinance and the Other Merger No. 1 Ordinances, the Project Area and the areas for which Merger No. 1 Ordinances become effective may hereinafter be known and referred to as the Merger No. 1 Project Area."

XIV. Section 7.2 of the Plan is hereby amended in its entirety to read as follows:

"7.2 Minor Variations

Under exceptional circumstances, the Executive Director of the Agency, or designee, is authorized to permit a variation from the limits, restrictions and controls established by this Plan. In order to permit such variation, the Executive Director of the Agency must first find all of the following:

1. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
2. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls;
3. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
4. Permitting a variation will not be contrary to the objectives of this Plan or of the General Plan of the City.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Executive Director of the Agency shall impose such conditions as are necessary to protect the public peace, health, safety or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Executive Director of the Agency hereunder shall not supersede any other approval required under applicable City codes and ordinances.

Within fifteen (15) calendar days after the publication of a notice pursuant to the applicable provisions of Section 12-401-C of the City's Zoning Ordinance, of the decision by the Executive Director of the Agency the decision may be appealed to the Housing and Community Development Commission. Any appeal to a decision of the Executive Director of the Agency shall be pursuant to the applicable procedures within the City's Municipal Code."

- XV. The map entitled "Land Use Plan," attached as Exhibit 4 of the Plan is hereby deleted and replaced with the "Exhibit 4, Land Use Plan Map (Revised 1998)," attached hereto and incorporated herein by reference.
- XVI. The map entitled "Adopted Circulation Pattern," attached as Exhibit 6 of the Plan is hereby renumbered to Exhibit 5 of the Plan.

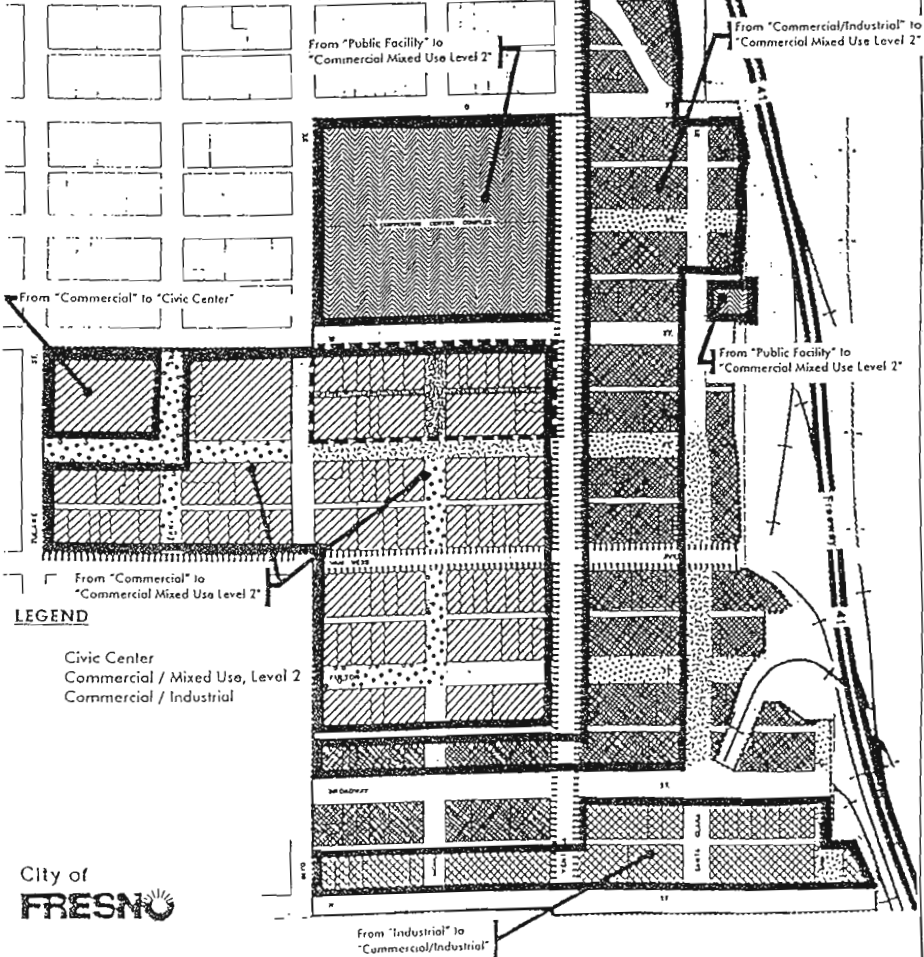
- XVII. The map entitled "Zone Plan," attached as Exhibit 5 of the Plan is hereby deleted in its entirety and all references in the Plan to Exhibit 5 or Zone Plan shall hereinafter mean Exhibit 4, Land Use Plan Map.
- XVIII. The map entitled "Acquisition Plan," attached as Exhibit 7 of the Plan is hereby deleted and replaced with the "Exhibit 6, Acquisition Plan Map (Revised 1998)," attached hereto and incorporated herein by reference.
- XIX. The map entitled "Proposed Hotel Site Acquisition Properties Map," attached as Exhibit 8 of the Plan is hereby deleted in its entirety.
- XX. The map entitled "Historic Structures Map," attached as Exhibit 9 of the Plan is hereby renumbered to Exhibit 7 of the Plan.
- XXI. The map entitled "Exhibit 8, List of Public Improvements," attached hereto is hereby added to the Plan.
- XXII. Exhibits 10, 11, 12 and 13 of the Plan are hereby renumbered as Exhibits 9, 10, 11 and 12 accordingly.

Adopted By Ordinance No. 82-6,
Fresno City Council,
January 12, 1982



POSSIBLE
GRADE SEPARATION

Note: Remove Designations From Public Right-Of-Way
Except Retain "Possible Grade Separation" Note



LEGEND

Civic Center
Commercial / Mixed Use, Level 2
Commercial / Industrial

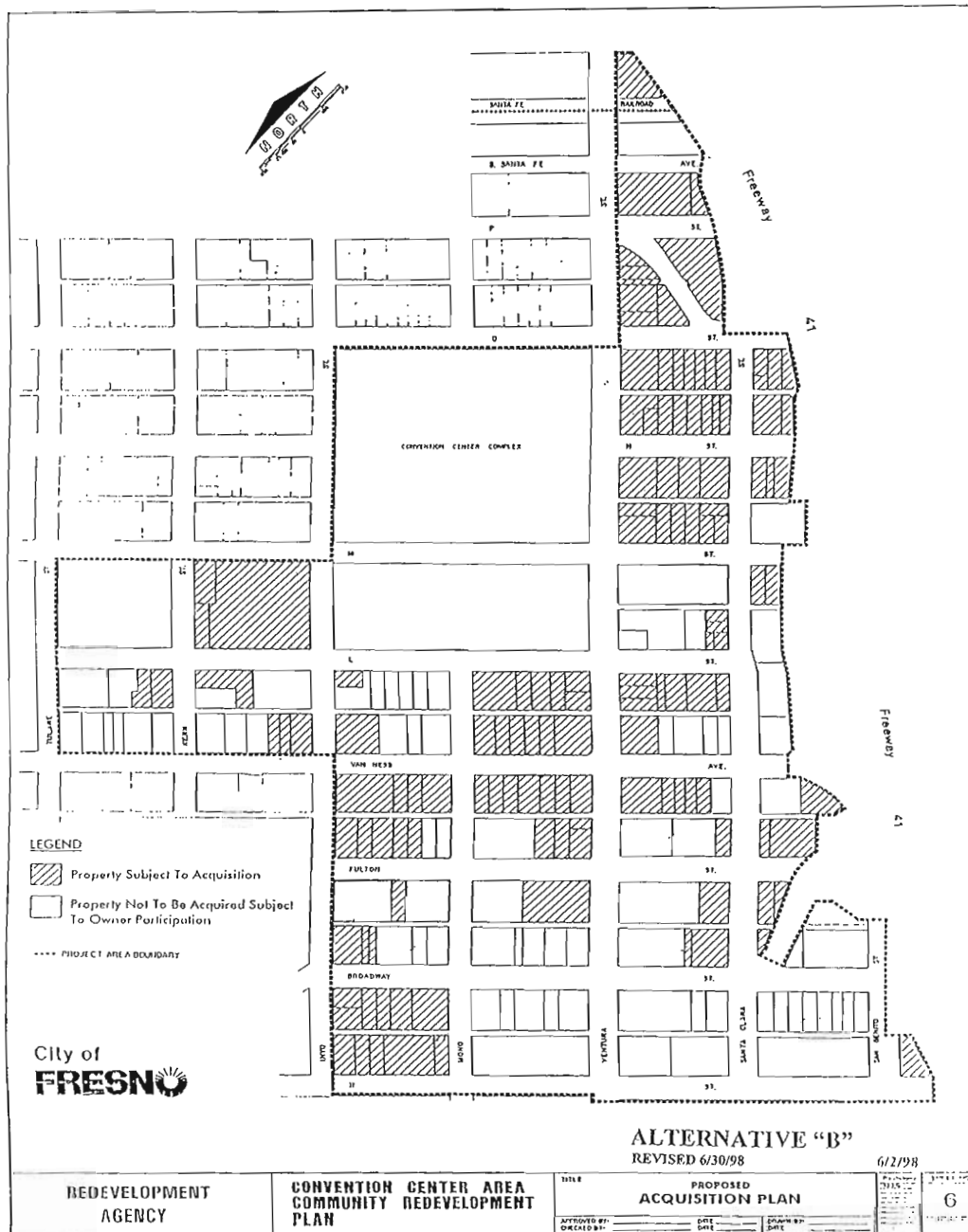
City of
FRESNO

Housing and Community
Development
Department

**CONVENTION CENTER AREA
COMMUNITY REDEVELOPMENT
PLAN**

PROPOSED
LAND USE PLAN
(Revised 1998)

4



CONVENTION CENTER REDEVELOPMENT PROJECT
LIST OF PUBLIC IMPROVEMENTS

1. Street improvements, including but not limited to curbs, gutters, sidewalks, paving, landscaping and irrigation systems, turning lanes, median islands, parking spaces, and street widening and extensions associated with plan implementation.
2. Sewer improvements, including but not limited to sewer mains, service lines, manholes, and related temporary pavement and pavement restoration work as required with plan implementation.
3. Water improvements, including but not limited to water wells, fire hydrants, water and service lines, water mains, and bore and jack casings, wet ties, and related pavement restoration work as required with plan implementation.
4. Storm drain improvements, including but not limited to outfalls and inlets, manholes, pipes, bore pipes, and related temporary pavement and pavement restoration as required.
5. Traffic signal and safety lighting improvements associated with plan implementation.
6. Utility installation, relocation and /or undergrounding.
7. Implementation of Fresno Central Area Streetscape Master Plan, including but not limited to street tree planting in sidewalk areas and planting strips, 4 feet by 4 feet tree grates and guards, new sidewalk paving for a minimum width of 10 feet, bus shelters, pedestrian crosswalks, landscape medians, and landscape planting nodes and gateways on all major and local streets as designated, particularly the "Target Areas" and the "entry treatment" on Ventura Street, "O" Street, "P" Street, and Van Ness Avenue.
8. Public parking facilities improvements as necessary to support implementation of Redevelopment Plan.
9. Building improvements, including but not limited to Convention Center expansions, a multiple use/sports Stadium, and a general service and/or administration office building(s) for the United States Government, State of California, County of Fresno, Fresno Metropolitan Flood Control District, Public School Districts, etc.
10. Railroad route and crossing safety improvements, including but not limited to the railroad right-of-way and properties along the southwest frontage of Topeka Avenue and northeast frontage of Santa Fe Avenue between Ventura Street and Freeway 41.

July 1, 1998

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

Council Adoption: _____
Mayor Approval: _____
Mayor Veto: _____
Override Request: _____
By: _____
Deputy

At the Council meeting of June 30, 1998, Council adopted the attached Ordinance No. 98-46, entitled Prop. amndmnts and merger of Convention Center RDA Proj., by the following vote:


Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
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 7/13/98. 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: 7/6/98

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes
Noes :
Absent :
Abstain :

RECEIVED
JUL 13 1998
CITY CLERK

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

CLERK'S CERTIFICATION

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

On July 14th, 1998, before me, Jocelyne Gueret, personally appeared Rebecca E. Klisch, City Clerk, 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

City Clerk, Fresno, California
No Fee-Gov't. Code 6103

When Recorded, Return to City Clerk
City of Fresno
2600 Fresno Street, Room 2133
Fresno, CA 93721-3623

FRESNO County Recorder
Robert C. Werner
DOC- 2006-0084630
Friday, APR 21, 2006 09:28:44
Ttl Pd \$0.00 Nbr-0002161000
GSF/R7/1-27

Space above this line reserved for Fresno County Recorder's Office

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA AMENDING
THE REDEVELOPMENT PLAN FOR THE CONVENTION CENTER
REDEVELOPMENT PROJECT AREA

Ordinance No. 2005-120

REC'D
FEB 26,
RY.

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO
PROPOSED AND INITIATED BY _____
MOVED BY Duncan SECONDED BY Westerlund

BILL NO. B-118
ORDINANCE NO. 2005-120

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING THE REDEVELOPMENT PLAN FOR THE
CONVENTION CENTER REDEVELOPMENT PROJECT AREA

WHEREAS, January 12, 1982, the Council of the City of Fresno (the "Council") established the Convention Center Redevelopment Project Area (the "Project Area"), by adopting Ordinance No. 82-6, approving and adopting the Convention Center Redevelopment Plan for the Project Area, and the Council has adopted Ordinances No. 94-118, and 98-46, on December 6, 1994 and June 30, 1998, respectively amending the Convention Center Redevelopment Plan (collectively the "Redevelopment Plan"); and

WHEREAS, Ordinance No. 98-46 included amendments that merged the Project Area with the Chinatown Expanded, West Fresno I, West Fresno II, West Fresno III, Jefferson, Mariposa, Central Business District, Fulton, and South Van Ness Industrial Redevelopment project areas, with the merged project areas thereafter known as the "Merger No. 1 Project Area"; and

WHEREAS, the Ordinances adopting and amending the Redevelopment Plan are on file at the office of the City Clerk, City Hall, 2600 Fresno Street, Fresno, California, with the Redevelopment Agency of the City of Fresno ("Agency") Report to Council that the Agency presented to the Council in connection with Ordinance 82-6 (the "1982 Report to Council"), and the Report to Council that the Agency

Adopted 1/11/05
Approved 1/12/05
Effective 1/12/05

2
2005-120


presented to the Council in connection with Ordinance 98-46 (the "1998 Report to Council"), and any supplements thereto that contain information required by Health and Safety Code Section 33352 of the Community Redevelopment Law (Health and Safety Code Sections 33000, *et seq.*) (the "Redevelopment Law")¹ (the foregoing reports and the 2005 Report to Council described herein are collectively called herein the "Reports to Council"); and

WHEREAS, Ordinance No. 82-6 includes findings and determinations required for adopting the Redevelopment Plan including, without limitation, that the Project Area is a blighted area based on facts presented to the Council including, without limitation, the facts set forth in the 1982 Report to Council; and

WHEREAS, under Section 33368, the decision of the Council in adopting Ordinance 82-6 is final and conclusive, and it is conclusively presumed that the Project Area is a blighted area; and

WHEREAS, Ordinance 98-46 includes Council findings and determinations, based in part on the 1998 Report to Council, required by the Redevelopment Law for adopting major amendments to the Redevelopment Plan including, without limitation, that the Project Area is characterized by and suffers from a combination of significant remaining physical and economic blight conditions, including

¹ Unless otherwise stated all Section numbers herein are references to the Redevelopment Law.



deteriorated and dilapidated buildings, aged and obsolete buildings; lots of irregular form, shape and inadequate size for proper usefulness, depreciated or stagnant property values, low lease rates, residential overcrowding, a high crime rate and inadequate or deteriorated public improvements, facilities and utilities; and

WHEREAS, under Section 33368, the decision of the Council in adopting Ordinance 98-46 and the findings therein are final and conclusive including, without limitation, that the Project Area is characterized by and suffers from a combination of significant remaining physical and economic blight conditions; and

WHEREAS, under Section 33450, the Council, by ordinance may amend a redevelopment plan any time after adopting the plan; and

WHEREAS, the proposed amendments to the Redevelopment Plan (the "2005 Amendments") have been presented to the Council and a copy of the 2005 Amendments are attached; and

WHEREAS, the focus of the Redevelopment Plan when adopted was large scale retail, office, cultural, and service and commercial use, among others, and the proposed 2005 Amendments do not propose to change the focus or purposes of the Redevelopment Plan; and

WHEREAS, the Council made relevant blight findings when it adopted the Redevelopment Plan in 1982 and in 1998 when it amended the Redevelopment Plan, merging it into the Merger No. 1 Project Area, and the Project Area is conclusively presumed to be blighted; and

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WHEREAS, the 1982 and the 1998 Reports to Council recognize eminent domain as a tool that may be used to help carry out the Redevelopment Plan; and

WHEREAS, the 1982 Report to Council recited a recommendation that Council adopt the redevelopment plan that included eminent domain as a redevelopment tool to help reverse physical conditions responsible for blight; and

WHEREAS, the purposes of the 2005 Amendments are to: (i) to cause the land use element to be the same as the General Plan for the City of Fresno (the "General Plan"), and any applicable community and specific plans, as each may be adopted or amended from time to time; and (ii) to extend the Agency's eminent domain power to additional parcels in the Project Area (the "Added Acquisition Area"); and

WHEREAS, the *Agency is not required*, under Sections 33354.5 and 33354.6 of the Redevelopment Law, to follow the same procedures and *the Council is not subject to* the same restrictions provided in the Redevelopment Law for adopting a redevelopment plan including, without limitation, establishing blight or significant continuing or remaining blight, since the 2005 Amendments will not: (a) amend the Redevelopment Plan to add tax increment financing, (b) amend the Redevelopment Plan to add new territory to the Project Area, (c) amend the Redevelopment Plan to increase either the limitation on the dollars allocated to the Agency or the time limit on establishing indebtedness, (d) amend the Redevelopment Plan to extend the duration of the Redevelopment Plan, (e) merge project areas, or (f) amend the Redevelopment Plan to add significant additional capital improvement projects; and

WHEREAS, eminent domain, is a necessary tool for achieving the public purposes of redevelopment; and

WHEREAS, California law provides strict guidelines and limitations on any exercise of eminent domain, and adequate protection for property owners; and

WHEREAS, adopting the proposed 2005 Amendments is subject to the noticed public hearing requirement (Sections 33451 and 33452 or 33458), and, *to the extent warranted by the proposed amendments*, this adopting ordinance contains the findings required under Section 33367, and the report and information required under Section 33352 was prepared and made available to the public before the hearing on the Plan Amendment (Section 33457.1); and

WHEREAS, the findings warranted by the 2005 Amendments that will add real property parcels to the acquisition plan, thereby making the property subject to possible acquisition by eminent domain, relate to whether, as to the Added Acquisition Area, eminent domain is necessary for carrying out the Redevelopment Plan, and findings associated with any exercise of eminent domain; and

WHEREAS, the findings warranted by the 2005 Amendments that will cause the land use element to be the City's General Plan, and any applicable community or specific plans, as such plans may be adopted or amended from time to time, relate to consistency with the City's General Plan including, without limitation, the housing element thereof; and

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WHEREAS, though the Project Area is presumed blighted, Agency staff has, nonetheless, presented substantial evidence of remaining blight in the Added Acquisition Area; and

WHEREAS, Redevelopment Law considers amending a redevelopment plan to add eminent domain or to modify the land use element to be a minor or nonmajor amendment that does not require further blight findings; and

WHEREAS, when the Council is also the Agency, the Council may adopt a plan amendment without Agency action, even as to certain recommendations (Section 33458); and

WHEREAS, Section 12-606-B of the Fresno Municipal Code provides that redevelopment plan amendments shall be initiated only by the Council adopting a resolution of initiation; and

WHEREAS, by Resolution No. 2004-297, the Council initiated the plan amendment process for amendments to the Redevelopment Plan; and

WHEREAS, the Council has received, from the Agency, the proposed 2005 Amendments, a copy of which is attached, on file at the office of the City Clerk, City Hall, 2600 Fresno Street, Fresno, California, and at Agency's offices at 2344 Tulare Street, Suite 200, Fresno, California; and

WHEREAS, the Council has received the Agency's Report to the Council on the proposed 2005 Amendments ("2005 Report to Council"), a copy of which is on file at the office of the City Clerk, and the Agency offices, at the addresses listed above; and

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WHEREAS, the 1982 Report to Council contained each element required under Section 33352 for adopting the Redevelopment Plan; and

WHEREAS, the 2005 Report to Council contains the elements under Section 33352 relating to adopting the 2005 Amendments for the Project Area including, without limitation, the following: (1) the reasons for the proposed 2005 Amendments, (2) a description of the physical and economic conditions that remain in the Added Acquisition Area; (3) a reference to the Implementation Plan that contains a description of specific Agency programs and projects proposed and started in the Project Area and an explanation about how the proposed and implemented programs and projects will improve or alleviate the conditions that remain in the Project Area; (4) a reference to the Agency's existing method or plan for relocating families and persons who may be temporarily or permanently displaced from housing facilities because of the Redevelopment Plan; (5) the report and recommendations of the Planning Commission of the City of Fresno (the "Planning Commission"); and

WHEREAS, 2005 Amendments do not warrant a discussion of all the elements addressed in Section 33352, such as, without limitation, reasons for selecting the Project Area, the Agency's use of financing alternatives other than tax increment financing, or a proposed method of financing the redevelopment of the Project Area, or an analysis of a preliminary plan, or a neighborhood impact report, or a report relating to a project area committee (October 19, 2004, the Council and Agency approved Joint Resolution No. 2004-385/1653 finding that the proposed

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2005 Amendments to the Redevelopment Plan do not require that a project area committee be established), or a report relating to housing as the Added Acquisition Area does not include residential properties; and

WHEREAS, the proposed 2005 Amendments have been environmentally reviewed under Environmental Assessment No. RDA 2005-1 (the "EA No. RDA 2005-1"), in compliance with the California Environmental Quality Act ("CEQA"), resulting in a Finding of Conformance with Master Environmental Impact Report No. 10130 ("MEIR No. 10130") for the 2025 General Plan; and

WHEREAS, the 2005 Amendments are within the scope of MEIR No. 10130 and a Notice of Intent to Adopt a Finding of Conformity was provided to the public on July 31, 2005 by publishing in the Fresno Bee, a local newspaper, posting the notice throughout the Project Area on July 29, 2005, and a copy of the notice and affidavit of publication are on file with the Agency; and

WHEREAS, EA No. RDA 2005-1 supports the finding that no substantial changes have occurred and no new information of substantial importance has been presented that demonstrate the need for any further CEQA review of the 2005 Amendments and that MEIR No. 10130 adequately analyzed and disclosed the potential impacts associated with the 2005 Amendments; and

WHEREAS, there are no new impacts associated with the 2005 Amendments, and all applicable mitigation measures identified in MEIR No. 10130 are applicable to the 2005 Amendments; and

WHEREAS, the Council and the Agency have reviewed and

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considered EA No. RDA 2005-1 and approved and adopted the Finding of Conformance with MEIR No. 10130 for the 2025 General Plan (the "EA RDA 2005-1"); and

WHEREAS, June 7, 2005, the Agency Board adopted Resolution No. 1661, approving an updated Five-Year Implementation Plan for the Merger No. 1 Project Area that includes the Project Area (the "Implementation Plan"), and a copy of the Implementation Plan is on file with the City Clerk and with the offices of the Agency; and

WHEREAS, the Implementation Plan, among other things, contains sections describing how the Agency will expend the Low and Moderate Housing Set Aside Funds to meet the housing requirements of the Redevelopment Law; and

WHEREAS, July 13, 2005, the Planning Commission considered the 2005 Amendments, and adopted Resolution No. 12244 making certain findings including that the 2005 Amendments are consistent with the General Plan including, without limitation, the Housing Element, and a copy of the resolution and any report and recommendations have been submitted to the Council; and

WHEREAS, July 13, 2005, the Housing and Community Development Commission ("HCDC") considered the 2005 Amendments and recommended that the Agency and the Council approve the 2005 Amendments; and

WHEREAS, at the HCDC public meeting and Planning Commission hearing some members of the public expressed concern regarding impacts to potentially historic buildings; and

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WHEREAS, the 2005 Amendments will cause the land use element of the Redevelopment Plan to be the General Plan and any applicable community and specific plans, as adopted or amended from time to time; and

WHEREAS, to address historic preservation concerns, and to implement the City's General Plan, and applicable Community and Specific Plan policies for the preservation of historic resources, the Agency has added a further provision to the 2005 Amendments under which the Agency will implement a consultation and review process before any development agreement, owner participation agreement or capital improvement project in the Project Area is approved that may impact any potential historic structures; and

WHEREAS, besides providing citizens an opportunity to be heard at the HCDC, and at the Planning Commission, the Agency consulted with and obtained the advice of owners, residents and businesses, community organizations and other interested persons regarding the proposed 2005 Amendments, and property owners, residents and businesses, community organizations and others were given the opportunity to review the 2005 Amendments at a public information meeting on September 23, 2004, and again on April 21, 2005, at a Citizen's Advisory Committee meeting;² and

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This committee was formed at the direction of the Council to provide a forum for Project Area persons, and any recommendations relating to the 2005 Amendments.

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WHEREAS, July 19, 2005, at the time for the originally noticed joint public hearing, the Council and Agency Board continued the hearing to July 26, 2005 at 4:30 p.m.; and

WHEREAS, July 26, 2005, Council and Agency Board continued the hearing to August 30, 2005 at 4:30 p.m.; and

WHEREAS, August 30, 2005, the Council and the Agency held a noticed joint public hearing in the Council Chambers, 2600 Fresno Street, Fresno, California, to consider the 2005 Amendments, and received and included in the public record the 2005 Report to Council, the staff's report and materials, heard the testimony of all interested persons, and received written communications from interested persons; and

WHEREAS, August 30, 2005, after closing the joint public hearing, the Council and Agency Board continued the matter to a future date to deliberate the matter and adopt written findings responding to written objections to the 2005 Amendments received from affected property owners; and

WHEREAS, October 11, 2005, Council and the Board considered and adopted the written responses to written objections; and

WHEREAS, a notice of the joint public hearing was duly and regularly published in The Fresno Bee, a newspaper of general circulation in the City of Fresno, once a week for three successive weeks before the July 19, 2005, the original date set for the joint public hearing, and a copy of the notice and affidavit of

publication are on file with the Agency; and

WHEREAS, copies of the notice of the joint public hearing set for July 19, 2005, copies of the Notice of Intent to adopt a Finding of Conformity, and information that the joint public hearing was continued to August 30, 2005 (the "Notices"), were mailed by first-class mail to the last known address of each assessee of each parcel of land in the Project Area as shown on the last equalized assessment roll of the County of Fresno; and

WHEREAS, copies of the Notices were mailed by first-class mail to all residential and business occupants within the Project Area; and

WHEREAS, copies of the notice of joint public hearing were mailed by first class mail to the last known address of the assessee of each parcel of land within the Added Acquisition Area, with a statement notifying the assessee that the property of the assessee is proposed to be subject to the possibility of acquisition by negotiation or condemnation under the proposed 2005 Amendments; and

WHEREAS, copies of the Notices were mailed by certified mail with return receipt requested to the governing body of each taxing agency, which receives taxes from property in the Project Area; and

WHEREAS, the Council and Agency have considered the 2005 Report to Council, the recommendations of the Planning Commission and the HCDC concerning the 2005 Amendments, the Planning Commission's certification that the 2005 Amendments are consistent with the General Plan including, without limitation, the Housing Element of it, and has considered the findings in Ordinance

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82-6, the 1982 Report to Council, the findings in Ordinance 98-46, and the 1998 Report to Council, the Redevelopment Plan, the Implementation Plan, and other information presented to it and available to it, has provided an opportunity for all persons to be heard and has received and considered all evidence and statements presented for or against any aspect of the 2005 Amendments; and

WHEREAS, the reports, documents, and other writings submitted to the Council contain the elements under Section 33352 warranted by the 2005 Amendments; and

WHEREAS, the Council and Agency have provided an opportunity for all persons to be heard and have received and considered all evidence and statements presented for or against any aspect of the 2005 Amendments; and

WHEREAS, the Council has adopted written findings in response to each written objection to the 2005 Amendments from an affected taxing entity or property owner within the Project Area; and

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

**NOW THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES
ORDAIN AS FOLLOWS:**

SECTION 1. The purposes and intent of the Council with respect to the 2005 Amendments are as follows: (1) to cause the land use element of the Redevelopment Plan to be the same as the General Plan and any applicable community and specific plans, as each may be adopted or amended from time to

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time; and (ii) to extend the Agency's eminent domain power to the Added Acquisition Area as a redevelopment plan implementation tool to help eliminate remaining blighting conditions in the Project Area.

SECTION 2. The Council finds and determines that:

2.1 Amending the Redevelopment Plan, as set forth in the 2005 Amendments, is necessary and desirable to complete redevelopment of the Project Area and to increase the probability of achieving the goals and objectives of the Redevelopment Plan, and to provide plan implementation flexibility. This finding is based on the facts as set forth in the 2005 Report to Council and EA No. RDA 2005-1.

2.2 Pursuant to Section 33368 of the Redevelopment Law, the adoption of the Redevelopment Plan is final and conclusive and the Project Area is presumed to be blighted as defined by Section 33031 of the Redevelopment Law, and all prior proceedings are deemed to have been duly and regularly taken.

2.3 Though the Redevelopment Law does not require that blight be re-substantiated for any part of a project area when amending a redevelopment plan to subject identified properties to eminent domain powers, the Council finds that significant blight continues within the Added Acquisition Area. This finding is based on the facts, more particularly set forth in (a) the 1982 Report to Council that documented blight throughout the Project Area including the Added Acquisition Area, (b) in the 1998 Report to Council that documented significant remaining physical and economic blighting conditions in the Project Area including the Added

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Acquisition Area and (c) in the 2005 Report to Council that in Attachment NO. 3 summarizes the blighting conditions found in the 1998 Report, and in Attachment No. 6 depicts and describes continuing blight in the Added Acquisition Area.

2.4 The combination of blighting conditions within the Added Acquisition Area continues to cause a reduction of, or lack of, proper utilization of the properties and affects the Project Area to such an extent that it constitutes a serious physical and economic burden on the City that cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment.

2.5 The availability of the power of eminent domain in the Added Acquisition Area will help the Agency effectively implement the Redevelopment Plan and to carry out the goals and objectives of the Project Area by providing a necessary tool for site assembly, as needed, to complete public improvements and to implement and continue redevelopment programs necessary to help alleviate the remaining blighting conditions and to promote and stimulate new private investment in the Project Area.

2.6 The availability of the power of eminent domain in the Added Acquisition Area is necessary to carry out the Redevelopment Plan, and adequate provisions exist to pay for property to be acquired, all as provided by law. This finding is based on the following facts: (a) to facilitate development of existing vacant or underutilized properties, the Agency may need to assemble parcels to produce more cohesive and economically feasible development within the Added

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Acquisition Area; (b) the Agency is required to comply with all state laws pertaining to a public agency acquiring real property, whether acquisition is by condemnation or negotiation, and these laws require paying just compensation for all real property, and (c) the Agency will not proceed with any voluntary acquisition or with condemnation of real property for which it does not have funds available.

2.7 The Redevelopment Plan, as proposed to be amended, would redevelop the Project Area in conformity with the 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 Project Area, as contemplated by the Redevelopment Plan, as amended, will implement the objectives of the Redevelopment Law and help to alleviate conditions of blight within the Project Area, by returning undeveloped and bypassed property to productive use; promoting the production of destination retail, commercial, entertainment and inner-city housing; facilitating and continuing to provide the planning, development, redesign, clearance, reconstruction or rehabilitation of properties that need improvement; thereby potentially providing additional employment opportunities or recouping lost jobs and maintaining those jobs within the Project Area.

2.4 The Redevelopment Plan, as proposed to be amended, is consistent with the General Plan including, without limitation, the Housing Element. This finding is based on the Planning Commission Resolution No. 12244 that includes such finding.

2.8 Carrying out of the Redevelopment Plan, as amended, will

promote the public peace, health, safety, and welfare of the City of Fresno and will achieve the purposes and policy of the Redevelopment Law. This finding is based upon the fact that redevelopment, as contemplated in the Redevelopment Plan, as amended by the 2005 Amendments, will benefit the Project Area by implementing the objectives of the Redevelopment Law by eliminating and correcting blighting conditions, and by coordinating additional public and private actions needed to stimulate development and improve the physical and economic conditions of the Project Area, and that continued redevelopment of the Project Area will further promote and stimulate new private investment and redevelopment in the Project Area.

SECTION 3. The 2005 Amendments will not add new territory to the Project Area, create any noncontiguous project areas, amend the boundaries of the Project Area, increase either the limitation on the number of dollars to be allocated to the Agency, or the time limit on establishing loans, advances, and indebtedness, will not lengthen the time during which the Redevelopment Plan is effective, will not merge project areas, or add significant additional capital improvement projects. Therefore, no findings related thereto are required.

SECTION 4. The Council finds, in the exercise of its own independent judgment, and considering the record before it, that there is no substantial evidence in the record that the 2005 Amendments may have a significant effect on the environment, as identified in EA No. RDA 2005-1, and hereby approves and adopts EA No. RDA 2005-1 and the Finding of Conformance with MEIR No. 10130 for the

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2005 General Plan based on the testimony and information presented at the joint public hearing and on review and consideration of the environmental documentation provided. Further, the Council hereby incorporates all feasible mitigation measures or feasible alternatives set forth in MEIR No. 10130 as may be applicable to 2005 Amendments.

SECTION 5. The Added Acquisition Area does not include residential properties, and therefore no findings related to relocating or displacing residential occupants are warranted.

SECTION 6. The Council is satisfied that its findings and determinations, as set forth above, are all the findings warranted under Section 33367 by the proposed 2005 Amendments, and so finds.

SECTION 7. The Council is satisfied that written findings have been adopted in response to any and each written objection received from any affected taxing entity or property owner either before or at the noticed joint public hearing. Having considered all evidence and testimony presented for or against any aspect of the 2005 Amendments, the Council overrules all written and oral objections to the 2005 Amendments and incorporates by reference into this ordinance those findings, responding to the written objections, contained within Council Resolution No. 2005-448, adopted October 11, 2005.

SECTION 8. The Redevelopment Plan is amended as set forth in the 2005 Amendments attached as Attachment 1. The Redevelopment Plan, as so amended, is incorporated herein and designated as the official redevelopment plan

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for the Project Area.

SECTION 9. To implement and facilitate carrying out the Redevelopment Plan, as amended, the Council hereby:

9.1 Pledges to cooperate in helping to carry out the Redevelopment Plan, as amended;

9.2 Directs the various City officials, departments, boards and agencies, having administrative responsibilities in the Project Area, to cooperate in helping to carry out the Redevelopment Plan, as amended, and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan, as amended;

9.3 Stands ready to consider and take appropriate action on proposals and measures designated to carry out the Redevelopment Plan, as amended; and

9.4 Declares its intention to undertake and complete any City proceeding including expending moneys that may be necessary under the Redevelopment Plan, as amended.

SECTION 10. The Executive Director of the Agency is authorized to combine the Redevelopment Plan, as amended, into a single document, and said document when filed with the City Clerk and the Secretary of the Agency, shall constitute the official Redevelopment Plan for the Project Area.

SECTION 11. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, and the Agency is hereby vested with the responsibility for

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carrying out the Plan, as amended.

SECTION 12. The City Clerk is hereby directed to record with the County Recorder of Fresno County a notice that the 2005 Amendments have been approved and adopted pursuant to this Ordinance. The notice shall contain a statement that proceedings for the redevelopment of the Project Area, pursuant to the Redevelopment Plan, as amended, have been instituted under the California Community Redevelopment Law.

SECTION 13. If any part of this Ordinance amending the Redevelopment Plan is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Redevelopment Plan, and this Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion of it had been deleted.

SECTION 14. This Ordinance shall become effective and in full force and effect at 12:00 a.m. 31 days following its final passage.

Attachment 1: 2005 Amendments to the Redevelopment Plan for the
Convention Center Redevelopment Project Area

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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 11th day of October, 2005, by the following vote.

AYES: Boyajian, Calhoun, Duncan, Sterling, Westerlund

NOES: Perea, Dages

ABSENT: None

ABSTAIN: None

Mayor Approval: N/A, 2005

Mayor Approval/No Return: October 24, 2005

Mayor Veto: N/A, 2005

Council Override Vote: N/A, 2005

REBECCA E. KLISCH,
City Clerk

By: Rebecca E. Klisch
Deputy

APPROVED AS TO FORM
HILDA CANTU MONTROY
City Attorney

By: [Signature]
Sr. Deputy

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ATTACHMENT 1

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2005 AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE
CONVENTION CENTER REDEVELOPMENT AREA

The Redevelopment Plan for the Convention Center Redevelopment Area, adopted January 12, 1982, by Ordinance No. 82-6, as amended December 6 1994, by Ordinance No. 94-118 and again June 30, 1998, by Ordinance No. 98-46 (collectively the "1998 Plan") is hereby further amended as follows:

I. Section 1.1 of the 1998 Plan is amended to add a seventh paragraph as follows:

"As of the effective date of the ordinance approving the 2005 Amendment to the 1998 Plan (the "2005 Ordinance"), reference herein to the "Plan" or the "Redevelopment Plan" shall mean the 1998 Plan, as amended by the 2005 Ordinance. The terms "Plan Area" and "Project Area" when used herein shall mean the land area within the boundaries of and subject to the Redevelopment Plan"

II. Section 3.0 of the Plan is hereby amended in its entirety (including all subsections) to read as follows:

"Section 3.0 Conformance to Adopted Plans and Policies

The City of Fresno ("City") land use plans and policies, as of the date of this Amendment, which apply to part or all the Project Area, are as follows:

1. City General Plan

The General Plan contains the broad scale plans and policies and the overall framework for planning in the City of Fresno, including the Project Area.

2. Area Community Plans and Specific Plans

The entire Project Area is within the boundaries of the Central Area Community Plan. The Central Area Community Plan is designed to further refine the goals of the General Plan, and provides the land use concept and policy framework for the Project Area."

3. Civic Center Master Development Plan.

Only a small, previously redeveloped, portion of the Project Area lies within the boundaries of the Civic Center Master Development Plan.

III. The Plan is revised to delete Section 4.2 in its entirety (including all subsections) and replace it with the following:

Uses Permitted in the Project Area"

"Section 4.2 Redevelopment Land Uses

The land uses shall be the land uses permitted in the Project Area pursuant to the General Plan, and any applicable community plans and specific plans for land within the Project Area, as from time to time adopted or amended. Specific permitted uses within the Plan Area are those that are permitted, or conditionally permitted, by the Zoning Ordinance contained in the Fresno Municipal Code, as it may be amended from time to time.

- IV. Section 4.3 of the Plan is hereby amended in its entirety to read as follows:

"Section 4.3 Property Acquisition

Implementing the Plan is dependent on land assembly, redevelopment, and rehabilitation activities. The Agency may but is not obligated to acquire property in the Project Area by any means authorized by law, excepting that any acquisition by eminent domain shall be as limited to that part of the Project described in, exercised within the time set forth in Section 6.1.2 of this Plan. In all property acquisition, the Agency shall comply with applicable provisions of California and federal law.

"The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than the fee.

"The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property transferred to private ownership before redevelopment of the Project Area is completed.

"Generally, personal property shall not be acquired. However, where necessary, or useful, in the execution of this Plan, the Agency is authorized to acquire personal property within the area designated as "Subject to Acquisition" (within the Acquisition Plan) by any lawful means, including, without limitation, eminent domain."

- V. Section 4.5 of the Plan is hereby amended to add the following as the first paragraph in that section:

"Section 4.5 Historic Structures. To address historic preservation concerns and to implement the City's General Plan, and applicable Community and Specific Plan policies for the preservation of historic resources, the Agency will implement a consultation and review process before any development agreement, owner participation agreement or capital improvement project in the Project Area is approved that may impact any potential historic structures. Staff shall (1) consult with the City's Historic Preservation Officer, (2) screen the subject land area for possible historic resources, which may be adversely affected by the redevelopment proposal and (3) forward any property identified as a potential candidate for the local, state or national register to the City of Fresno Historic Preservation Commission for the Commission's review and recommendations.

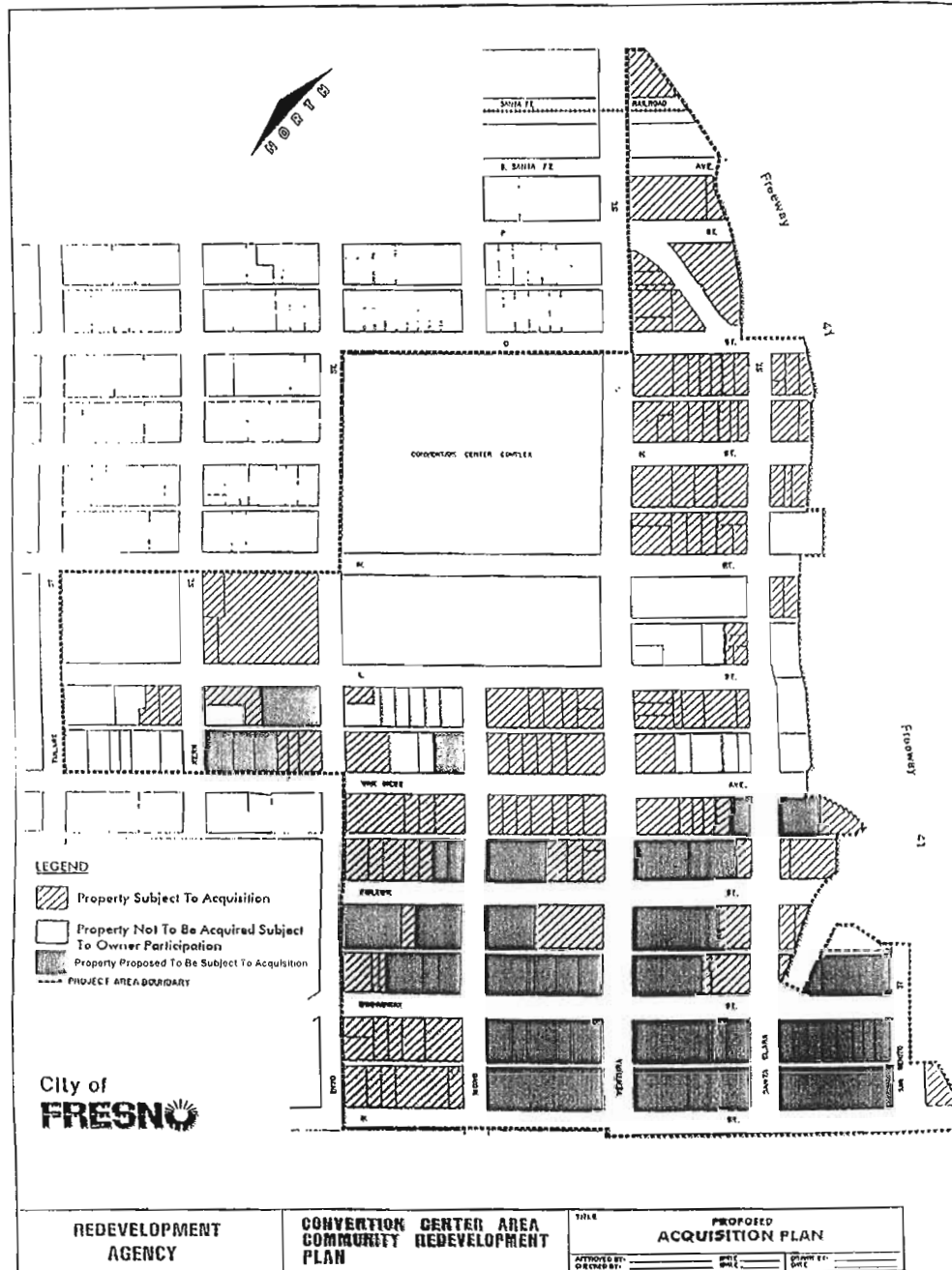
- VI. Land Acquisition. Section 6.1.2 of the Plan is hereby amended in its entirety to read as follows:

"6.1.2 Land Acquisition.

The Agency may acquire property as set forth in Section 4.3. In cases where purchase cannot be negotiated, the Agency, in its sole discretion, shall acquire property through the exercise of its right of eminent domain, commenced within the times set forth in this Section 6.1.2. The Agency will comply with all the provisions of the applicable statutes and Constitution of the State of California, and the United States of America, as and when relative to the exercise of its right of eminent domain. Payment for such property shall be in accordance with the State Law, as amended, and with the applicable provisions of Federal Law.

The area within the Project Area that is subject to the exercise of eminent domain is designated as "Subject to Acquisition" on the "Acquisition Plan," attached hereto as Exhibit 5, and incorporated herein by this reference. The Acquisition Plan is composed of two areas. The first acquisition area is composed of those properties in the Acquisition Plan as of the date that the 1998 Amendment became effective (identified on the Acquisition Plan as "Existing"). The second acquisition area is composed of those properties that are added to the Acquisition Plan upon the effective date of this 2005 Amendment (identified on the Acquisition Plan as "Added"). The Agency shall commence any eminent domain proceedings to acquire property within the "Existing" area of the Acquisition Plan by August 6, 2010. The Agency shall commence any eminent domain proceedings to acquire property within the "Added" area of the Acquisition Plan within twelve years from the date the ordinance adopting this 2005 Amendment becomes effective.

- VII. The Map entitled "Exhibit 4, Land Use Plan Map (Revised 1998)," is hereby deleted.
- VIII. The Map entitled "Exhibit 5, Adopted Circulation Pattern Map" is hereby renumbered to Exhibit 4 of this Plan.
- IX. The map entitled "Exhibit 6, Acquisition Plan Map (Revised 1998)," is hereby deleted and replaced with "Exhibit 5, Acquisition Plan Map (Revised 2005)," attached hereto and incorporated herein by reference.
- X. The map entitled "Historic Structures Map" attached as Exhibit 7 of the Plan is hereby renumbered to Exhibit 6 of this Plan.
- XI. The map entitled "Exhibit 8, List of Public Improvements," is hereby renumbered to Exhibit 7 of this Plan.
- XII. Exhibits 9, 10, 11 and 12 of this Plan are renumbered as Exhibits 8, 9, 10, and 11 respectively.



10/11/05

TO: MAYOR ALAN AUTRY
FROM: REBECCA E. KLISCH, CMC
City Clerk

Mayor Approval: _____
Mayor Veto: _____
Override Request: _____

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 10/11/05, Council adopted the attached Ordinance No. 2005-120, entitled **Adopt findings of conf., etc. & amend Conv. Center Red. Plan**, Item No. 3:00 p.m. A-2, by the following vote:

Ayes	:	Boyajian, Calhoun, Duncan, Sterling, Westerlund
Noes	:	Perea, Dages
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 October 24, 2005. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th 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.)

Alan Autry, Mayor

Date: _____

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes	:
Noes	:
Absent	:
Abstain	:

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