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Agenda Item: 2:00 P.M. Special Mtg.

Date: 11/20/14

2014 NOV 19 PM 2 25



Supplemental Information Packet

Agenda Related Items – 2:00 p.m.

Supplemental Packet Date: November 20, 2014

Item(s)

RESOLUTION – Amending Better Business Act to incorporate provisions of the Redevelopment Act applicable to the City in its capacity as Housing Successor

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

RESOLUTION NO. _____

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

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

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

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

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

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

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

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

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: _____

* * * * *

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

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the

_____ day of _____, 2014.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Laurie Avedisian-Favini Date
Supervising Deputy

LAF:elb [66272elb/laf] Reso