

RESOLUTION NO. 2006 – 01

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF LEMOORE
CONCERNING THE USE OF FUNDS FOR INFRASTRUCTURE**

At a Regular Meeting of the Lemoore Redevelopment Agency duly called and held on March 21, 2006 at 5:30 p.m. on said day, it was moved by Boardmember Plourde seconded by Boardmember Grego, that the following resolution be adopted:

WHEREAS, on December 2, 1986, the Lemoore City Council enacted Ordinance No. 8616, approving the Redevelopment Plan (the "Original Plan") for the Lemoore Redevelopment Project Area (the "Project Area"), and, on June 19, 1990 enacted Ordinance No. 9009 approving Amendment No. One to the Original Plan.

WHEREAS, on July 19, 1997, the Lemoore City Council enacted Ordinance No. 9702, approving Amendment No. Two to the Redevelopment Plan for the Lemoore Redevelopment Project (the "Amended Plan"), which added territory to the Project Area and, except as expressly provided therein, superseded and replaced the Original Plan as amended by Amendment No. One. The Amended Plan now is the controlling Redevelopment Plan for the entire Project Area; and,

WHEREAS, the Community Redevelopment Law authorizes a redevelopment agency to acquire and develop property as building sites and to cause, provide for, or undertake – or make provision with other agencies for – the installation or construction of, among other things, providing improvements necessary to effectuate the purposes of the Amended Plan; and,

WHEREAS, Health and Safety Code sections 33030 and 33031 require the area subject to such improvements to be characterized by one or more physical conditions of blight and one or more economic conditions of blight; and,

WHEREAS, the Lemoore Redevelopment Agency (Agency) has determined that there are physical conditions that prevent or substantially hinder the economically viable use or capacity of certain lots within the Project Area; and that excessive vacant lots developed for commercial use and served by utilities are conditions of economic blight; and,

WHEREAS, a developer is required to install storm sewer improvements necessary for the development of a gas station/convenience store at the southwest corner of West Bush Street and 19 ½ Avenue and the City of Lemoore (City) desires such improvements to be oversized to accommodate future development in the Project Area; and,

WHEREAS, the City Impact Fees are not adequate to reimburse the developer for oversizing said improvements; and,

WHEREAS, the Agency has the capacity to loan the City an amount not to exceed \$165,000 to pay for such oversizing and during the ten years immediately following payment of the loan, any new adjoining property development shall reimburse the City its prorated share for oversizing; and,

WHEREAS, the City shall reimburse the Agency annually for all funds collected for such oversizing; and,

WHEREAS, any balance remaining on the loan to the Agency, after the ten-year period, shall be forgiven to the City, provided the non-payment is due to lack of development.

THEREFORE, BE IT RESOLVED that the Lemoore Redevelopment Agency Board authorizes an infrastructure loan to the City of Lemoore for the installation of oversized storm sewer improvements along 19 ½ Avenue in an amount not to exceed \$165,000 and shall be reimbursed by the City from funds collected as a result of adjoining property development over the next ten years.

BE IT FURTHER RESOLVED that, based on the foregoing recitals and all the evidence in the record before it, the Agency Board finds and determines as follows:

1. The oversized storm drain improvements funded by the Agency loan will benefit the Project Area and the immediate neighborhood in which the improvements are located;
2. There are no reasonable means of financing such improvements other than the Agency loan; and
3. Providing such improvements will assist in elimination of conditions of blight in the Project Area by providing essential infrastructure that will accommodate and foster additional economically viable uses and development of vacant lots within the Project Area.

Passed and adopted at a Regular Meeting of the Board of Directors of the Redevelopment Agency of the City of Lemoore held on the 21st day of March, 2006, by the following vote:

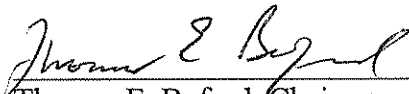
AYES: Plourde, Grego, Martin, Murray, Buford

NOES: None


ABSTAINING: None

ABSENT: None

APPROVED:


Thomas E. Buford, Chairman

ATTEST:

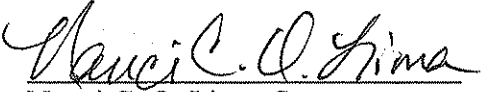

Nanci C. O. Lima, Secretary

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, **NANCI C. O. LIMA**, Secretary of the City of Lemoore Redevelopment Agency, do hereby certify the forgoing Resolution of the Redevelopment Agency Board was duly passed and adopted at a Regular Meeting of the Redevelopment Agency Board held on March 21, 2006.

DATED: March 21, 2006


Nanci C. O. Lima
Nanci C. O. Lima, Secretary