



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

CONNIE CONWAY
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: July 29, 2008 **REVISED**

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>						

CONTACT PERSON: Celeste Perez PHONE: 559-733-6291

SUBJECT: Pixley Redevelopment Plan First Amendment

REQUEST(S):

That the Board of Supervisors:

1. Certify, approve, and adopt the attached Mitigated Negative Declaration and Mitigation Monitoring Checklist for the Pixley Redevelopment Plan First Amendment.
2. Introduce and waive the First Reading of the attached proposed uncodified Ordinance of the Tulare County Code pertaining to the adoption of the Pixley Redevelopment Plan First Amendment.
3. Set a Joint Public Hearing with the Redevelopment Agency Board of Directors for August 12, 2008 at 9:30 AM for the second reading and adoption of the attached proposed uncodified Ordinance of the Tulare County Code pertaining to the adoption of the Pixley Redevelopment Plan First Amendment.

SUMMARY:

Plan Amendment

The Pixley Redevelopment Plan was adopted on December 16, 1997 by the Tulare County Board of Supervisors, as directed by the Tulare County Redevelopment Agency (TCRA) Board of Directors Resolution No. RA 97-35. Staff, at the direction of the Board of Supervisors with the assistance of County Counsel, has prepared an ordinance which amends the existing Pixley Redevelopment Plan. The ordinance, if acted upon, will adopt a Redevelopment Plan Amendment for the Pixley Redevelopment Project Area. The proposed Plan Amendment would add four parcels totaling approximately 219 acres to the existing Pixley Redevelopment Plan.

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These parcels are being added to include development which has occurred since the original Redevelopment Plan adoption.

Mitigated Negative Declaration

As part of the Amendment process, the Board must adopt and certify the Mitigated Negative Declaration for the Plan Amendment. The Mitigated Negative Declaration is required by the California Environmental Quality Act (CEQA) to address any potential environmental impacts that may be caused as a result of the Redevelopment Plan Amendment. This project will have no significant adverse environmental impacts that cannot be mitigated to a less than significant level. Pursuant to CEQA Guidelines Section 15071, the Mitigated Negative Declaration includes the following:

- A brief description of the project.
- The location of the project.
- A finding that the project will not have a significant impact on the environment.
- The Initial Study which documents the reasons for the Mitigated Negative Declaration and mitigation measures included in the project to avoid potentially significant effects.

Mitigation Monitoring Checklist

The mitigation measures included in the Mitigation Monitoring Checklist will ensure that environmental impacts as a result of the Redevelopment Plan will be mitigated to a less than significant level. These measures are required to be included in the Mitigation Monitoring Checklist by CEQA. The Board must adopt and certify the Mitigation Monitoring Checklist which was approved by the Planning Commission through its Resolution No. 8245. The Checklist addresses the following impacts: Agricultural Resources; Air Quality; Historical/Archaeological; Geology and Soils; and Noise. An example of a mitigation measure includes, "a grading and storm drainage plan shall be submitted for review and approval by the County Engineer prior to approval of an industrial or commercial project."

First Reading

Staff is requesting that the Board introduce and waive the First Reading of an uncodified Ordinance of the Tulare County Code pertaining to the adoption of the Pixley Redevelopment Plan First Amendment and set a Joint Public Hearing with the TCRA Board of Directors at 9:30 AM on August 12, 2008 to consider the Ordinance.

FISCAL IMPACT/FINANCING:

This Redevelopment Plan Amendment is being funded through the Pixley Redevelopment Project Area, Budget No. RP3-RP3-2000. There are no net County costs to the General Fund for this activity. However, adoption of the Redevelopment Plan Amendment will result in a reduction of tax revenue to the County from any future development occurring within the Plan Amendment boundaries.

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LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Quality of Life - The amendment of the Pixley Redevelopment Plan First Amendment will address the issues of Quality of Life for its residents. By the elimination of blight and blighting influences, the County will be promoting public health and welfare.

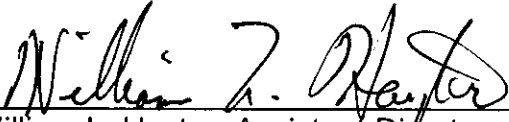
ALTERNATIVES:

The Board may decline the adoption of this Amendment.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

California State Board of Equalization to accept and register the Project Area; Auditor-Controller and Assessor's offices to provide various documentation; County Counsel to review all related documentation; Resource Management Agency (RMA) Engineering Branch - Property Management to prepare and review the Legal Description; RMA Engineering Branch - GIS Division to prepare the map to be submitted to the State Board of Equalization; RMA Community & Development Services Branch – Community Development & Redevelopment Division to fund the formation; and the Tulare County Redevelopment Agency to prepare and review all documentation.

ADMINISTRATIVE SIGN-OFF:



William L. Hayter, Assistant Director
Community & Development Services



Henry Hash,
Director

cc: Auditor/Controller
County Counsel
County Administrative Office (3)

Attachment(s):
Proposed Ordinance Adopting Redevelopment First Amendment
Proposed Resolution Adopting Ordinance
Mitigated Negative Declaration
Mitigation Monitoring Checklist
Redevelopment Plan First Amendment

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF THE FIRST READING)
OF THE ORDINANCE ADOPTING THE) RESOLUTION NO. _____
PIXLEY REDEVELOPMENT PLAN FIRST) AGREEMENT NO. _____
AMENDMENT)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JULY 29, 2008, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Certified, approved, and adopted the attached Mitigated Negative Declaration and Mitigation Monitoring Checklist for the Pixley Redevelopment Plan First Amendment.
2. Introduced and waived the First Reading of the attached proposed Ordinance adopting the Pixley Redevelopment Plan First Amendment.
3. Set a Joint Public Hearing with the Redevelopment Agency Board of Directors for August 12, 2008 at 9:30 AM for the second reading and adoption of the attached proposed uncodified Ordinance of the Tulare County Code pertaining to the adoption of the Pixley Redevelopment Plan First Amendment.

ATTACHMENT: PROPOSED ORDINANCE

ORDINANCE NO. _____

AN UNCODIFIED ORDINANCE PERTAINING TO THE ADOPTION OF THE PIXLEY REDEVELOPMENT PLAN, FIRST AMENDMENT.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS
FOLLOWS:

Section 1. **PURPOSE AND INTENT:** The purpose and intent of the Board of Supervisors with respect to the Pixley Redevelopment Plan, First Amendment, for which is described in Exhibit A, attached hereto and incorporated herein by reference, and illustrated in Exhibit B, attached hereto and incorporated herein by reference, is to eliminate the conditions of blight in the Project Area by providing needed public improvements, encouraging the rehabilitation and repair of deteriorated structures, facilitating land assembly and development which will result in housing opportunities, employment opportunities and an expanded tax base, and promoting development in accordance with the General Plan of Tulare County and the then current Pixley Community Plan accomplishing the following:

1. The elimination or retardation of blighting influences and the correction of certain environmental deficiencies, including but not limited to buildings in which it is unhealthy or unsafe for persons to live or work, incompatible land uses, and uneconomic land uses; and
2. The elimination of blight in the form of small or irregularly shaped lots through the assembly of land into parcels suitable for development of permitted industrial uses; and
3. The augmentation of the Project Area's economic base through the stimulation of new investments in permitted industrial uses; and
4. The provision of opportunities for participation by owners and business tenants in the revitalization of their properties; and
5. The expansion and diversification of employment opportunities; and
6. The installation of new or replacement public improvements, facilities, and utilities in areas which are currently inadequately served with regard to such improvements, facilities, and utilities; and
7. The improvement and expansion of the supply of low and moderate income housing within the community; and
8. The creation or enhancement of recreational opportunities and community facilities available to the residents of the Project Area and of the community at-large.

Section 2. **REDEVELOPMENT PLAN AND DOCUMENTATION:** The document entitled "Pixley Redevelopment Plan, First Amendment" prepared by the Tulare County Redevelopment Agency, the maps contained and referenced therein, and such other documents and reports as are incorporated therein by reference, a copy of which document is on file and available in the office of the Clerk of the Tulare County Board of

Supervisors for review and copying in accordance with the California Public Records Act, having been duly reviewed and considered by the Tulare County Board of Supervisors, is hereby incorporated in this Ordinance by reference and is hereinafter referred to as the "Redevelopment Plan." In addition, this Board has received, reviewed and considered the Preliminary Report prepared by the Tulare County Redevelopment Agency, the reports and recommendations of the Tulare County Planning Commission, and the Report (hereinafter referred to as the "33352 Report") prepared by the Tulare County Redevelopment Agency pursuant to Health and Safety Code Section 33352, which report includes the report of the County Fiscal Officer and an analysis of neighborhood impact.

Section 3. FINDINGS AND DETERMINATION: Based upon the record before it, including but not limited to the Preliminary Plan, Preliminary Report, the 33352 Report, and the Pixley Redevelopment Plan, First Amendment prepared by the Tulare County Redevelopment Agency, the Mitigated Negative Declaration certified for review of this project, the comments and reports of the Tulare County Planning Commission formed for review of this project, and the comments and evidence received at the public hearing on this project, the Board of Supervisors hereby finds and determines the following:

1. The Pixley Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared above and in the Community Redevelopment Law, Health and Safety Code Section 33000 et seq. This finding is based upon the following conditions, identified in the record before this Board including but not limited to the Preliminary Report and the 33352 Report, submitted to this Board with the Redevelopment Plan, which characterize the Pixley Project Area:
 - a. The predominance of unfit or unhealthy buildings due to code violations, dilapidation and deterioration, defective design or physical construction, faulty or inadequate utilities, or other similar factors;
 - b. The prevalence of conditions which prevent or substantially hinder the effective use or capacity of buildings or lots, which may be caused by substandard design, inadequate size given market conditions, lack of parking or similar factors;
 - c. The existence or mixture of adjacent or nearby uses that are incompatible with each other and prevent the economic development of the area;
 - d. The existence of subdivided lots in multiple ownerships of irregular form and shape and inadequate size for proper development;
 - e. The existence of depreciated or stagnant property values or impaired investments, including but not limited to properties containing hazardous waste or materials and requiring redevelopment remediation authority; and
 - f. The existence of residential overcrowding that has led to public safety and welfare problems as indicated by local statistics.
2. It is further found and determined that the conditions described in subsection (1) are causing and will increasingly cause a reduction and lack of proper utilization of the Project Area to such an extent that the Project Area constitutes a serious physical and economic burden on the County of Tulare, which burden cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone, thereby requiring redevelopment in the interests of the health, safety and general welfare of the people of the County and the State. This finding is based upon the fact that the powers and activities available to local government without

redevelopment are insufficient to allow any significant correction or remedy of the blighting conditions. In addition, this finding is based upon the fact that the nature and costs of the public and private improvements and facilities required to correct the blighting conditions are beyond the capacity and cannot be successfully undertaken or borne by private enterprise acting alone or in concert with now available government action.

3. The Pixley Redevelopment Plan, First Amendment addresses the issues mentioned above and will provide for and allow the redevelopment of the Project Area in conformity with the Community Redevelopment Law, and in the interests of the public health, safety, welfare and peace of the County of Tulare. This finding is based upon the fact that the Redevelopment Plan provides for the implementation of the Community Redevelopment Law and the promotion of the public health, safety, welfare and peace by providing for the elimination and correction of the conditions of blight, for planning, development, redesign, clearance, reconstruction or rehabilitation of properties which need improvement and for higher economic utilization of potentially useful land in the Project Area.
4. The adoption and carrying out of the Pixley Redevelopment Plan, First Amendment, is economically sound and feasible. This finding is based upon the information provided in the Preliminary Report and the 33352 Report and upon the fact that the Redevelopment Plan authorizes the Tulare County Redevelopment Agency to seek and utilize a variety of potential financing resources, including but not limited to tax increment financing, that the nature and timing of public redevelopment assistance will depend on the amount and availability of such financing resources, and that, under the Redevelopment Plan, no public redevelopment activities will be undertaken unless the Tulare County Redevelopment Agency can demonstrate that it has adequate revenue to finance the activity.
5. The Pixley Redevelopment Plan, First Amendment, is consistent with the General Plan of the County of Tulare, including but not limited to the Housing Element of such General Plan, which Housing Element complies with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code. This finding is based upon this body's review of such plans and the advice and findings set out in Tulare County Planning Commission Resolution No. 7632.
6. The carrying out of the Pixley Redevelopment Plan, First Amendment, will promote the public peace, health, safety, and welfare of the community of Pixley and the County of Tulare at-large and will effectuate the purposes and policies of the Community Redevelopment Law. This finding is based upon the fact that the redevelopment activities proposed in the Pixley Redevelopment Plan, First Amendment, will correct are designed to and will correct conditions of blight and coordinate public and private development actions to stimulate development and redevelopment, and improve the economic and physical conditions of the Project Area.
7. The power of condemnation, as provided for and reserved to the Tulare County Redevelopment Agency in the Pixley Redevelopment Plan, First Amendment, may be necessary to implement the Redevelopment Plan and adequate provisions have been made for the payment of property to be acquired, as

- provided by law. This finding is based upon the fact acquisition of property by the Tulare County Redevelopment Agency may be necessary to implement the Redevelopment Plan and assist in redevelopment. The Pixley Redevelopment Plan, First Amendment, allows such activity only in compliance with law and if sufficient funds are available for the purpose. In addition, the laws of eminent domain and condemnation allow the acquisition of property under their provisions only if fair market value is paid and there are sufficient public funds available to cover such cost for the effected property.
8. The Tulare County Redevelopment Agency has a feasible method or plan for the relocation of families and persons displaced from the Project Area if the Redevelopment Plan results in the temporary or permanent displacement of any occupants of housing facilities in the Project Area. This finding is based, among other evidence, upon the Relocation Plan for this Project Area adopted by the Tulare County Redevelopment Agency in its Resolution No. RA-97-23 and the information provided on relocation in the 33352 Report. In addition, the Redevelopment Plan calls for the provision of relocation assistance according to law.
 9. There are, or shall be 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 the displaced families and persons and reasonably accessible to their places of employment. This finding is based upon the fact that the Tulare County Redevelopment Agency's adopted Relocation Plan for the Pixley Redevelopment Project provides for assistance in relocating to comparable housing of displaced families and persons. In addition, the Community Redevelopment Law and the Pixley Redevelopment Plan, First Amendment, require the Tulare County Redevelopment Agency to adopt a replacement housing plan prior to the removal of any low or moderate income housing stock from the Pixley Redevelopment Project Area.
 10. Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to California Health and Safety Code sections 33411 and 33411.1. This finding is based upon the fact that the Tulare County Redevelopment Agency by its Resolution No. RA-97-23 has adopted a relocation plan for the Pixley Redevelopment Project area in accordance with Health and Safety Code sections 33411 and 33411.1. Further, dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Health and Safety Code sections 33334.5, 33413 and 33413.5. This finding is based upon the fact that section 410 of the Pixley Redevelopment Plan, First Amendment, requires that the Tulare County Redevelopment Agency comply with Health and Safety Code section 33334.5, 33413 and 33413.5 before any low or moderate income housing is destroyed in or removed from Project Area.
 11. Health and Safety Code section 33367(d)(9) does not apply to Pixley Redevelopment Project Area. This finding is based upon the fact that Pixley Redevelopment Project Area does not contain any noncontiguous areas.

12. Inclusion of any lands, buildings, or improvements in the Pixley Project Area which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the area of which they are part; that any area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from the area pursuant to Health and Safety Code section 33670 without other substantial justification for its inclusion. This finding is based upon the facts provided in the Preliminary Report and the 33352 Report in the record. In particular, the boundaries of the Pixley Project Area were chosen as a unified and consistent whole to include areas characterized by blighted conditions and, consequently, underutilization and health, safety and welfare problems.
13. The elimination of blight and the redevelopment of the Pixley Redevelopment Project Area, First Amendment, could not be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Tulare County Redevelopment Agency. This finding is based upon the blighted conditions, described in the Preliminary Report, characterizing the Pixley Redevelopment Project Area, First Amendment, which show the declining physical and economic conditions in the area. The prevalence and effect of such conditions is so conducive that uncoordinated actions by private enterprise acting alone cannot, without the aid and assistance of the Tulare County Redevelopment Agency, be expected to accomplish the redevelopment of this area. In addition, other governmental programs capable of eliminating the root problem of blight and/or providing sufficient infrastructure and utilities to support redevelopment by other sources are non-existent, inadequately funded, or too limited in power and scope.
14. The Pixley Redevelopment Project Area, First Amendment, is predominately urbanized, as defined by subdivision (b) of Health and Safety Code section 33320.1. This fact is based upon the information provided in the Preliminary Report and the record before this Board. In particular, less than 20 percent of the Project Area is vacant; the remaining area falls within the definition of urbanized or is considered an integral part of the areas developed for urbanized uses as provided in Health and Safety Code sections 33320.1(b) and (c).
15. The time limitations contained in the Pixley Redevelopment Plan, First Amendment, are reasonably related to the proposed projects to be implemented in the Pixley Redevelopment Project Area and the ability of the Tulare County Redevelopment Agency to eliminate blight within the Project Area. This finding is based upon the fact that the time limits in the Redevelopment Plan are fixed by law and that the Redevelopment Plan was prepared with this limitation as an inherent parameter. As such, the individual projects proposed for implementation of the Pixley Redevelopment Plan, First Amendment, were selected due to the feasibility of carrying out such projects within the time frames established, the ability of such projects to effectuate the elimination of the identified blighting conditions and the potential for obtaining sufficient financing to carry out such projects within the established time frames. The information concerning the timing of the proposed implementing projects, how completion of the projects will eliminate or alleviate blight and the estimated expenditures for such projects are set out in the Preliminary Report and/or the 33352 Report.

16. The Pixley Redevelopment Plan, First Amendment, will afford the maximum opportunity; consist with the sound needs of the County of Tulare as a whole, for the redevelopment of such area by private enterprise.
17. The Pixley Redevelopment Plan, First Amendment, contains adequate safeguards so that the work of the redevelopment will be carried out pursuant to the Redevelopment Plan and the Redevelopment Plan provides for the retention of controls and the establishment of restrictions and covenants running with the land sold or leased for private use for the periods of time and under conditions specified in the Redevelopment Plan in accordance with, and which this Board deems necessary to effectuate the purposes of, the Community Redevelopment Law.

Section 4. **AVAILABILITY OF HOUSING FACILITIES FOR DISPLACED OCCUPANTS:** Based upon the Relocation Plan adopted by the Tulare County Redevelopment Agency and the requirements for compliance with Health and Safety Code section 33334.5, 33413 and 33413.5 imposed by the Pixley Redevelopment Plan, First Amendment, the Tulare County Board of Supervisors is satisfied that permanent housing facilities will be available within three years from the time occupants of the Pixley Redevelopment Project Area are displaced and that, pending the development of facilities, there will be available to the displace occupants adequate temporary housing facilities at rents comparable to those in the community of Pixley at the time of their displacement.

Section 5. **OBJECTIONS:** Pursuant to Health and Safety Code section 33363, this Board has heard and considered all evidence and testimony for and against the adoption of the Pixley Redevelopment Plan, First Amendment, including any and all written objections, and has found and responded to any or all written objections as set forth in Tulare County Board of Supervisors Resolution No. _____, which findings and responses are incorporated herein by reference.

Section 6. **OFFICIAL REDEVELOPMENT PLAN OF THE PIXLEY REDEVELOPMENT PROJECT AREA:** The document entitled "Pixley Redevelopment Plan, First Amendment", the maps contained and referenced therein, and such other documents and reports as are incorporated therein by reference in Section 2 of this Ordinance, having been duly reviewed and considered by the Tulare County Board of Supervisors, is approved and adopted as the official Pixley Redevelopment Plan, First Amendment.

Section 7. **COUNTY OF TULARE IMPLEMENTATION:** In order to implement and facilitate the effectuation of the Pixley Redevelopment Plan, First Amendment, hereby approved, it may be necessary for the County of Tulare to take action with reference to, among other matters, changes in zoning, the vacation and removal of streets, alleys or other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action. According, this Board hereby:

1. Pledges the County of Tulare's cooperation in helping to carry out the Pixley Redevelopment Plan, First Amendment,
2. Requests the various officials, departments, boards, commissions and agencies of the County of Tulare, having administrative responsibilities in the Project Area, to likewise cooperate to such end and to exercise their respective functions and powers in a manner consistent with the redevelopment of the Project Area,

3. Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Pixley Redevelopment Plan, First Amendment, and
4. Declares its intention to undertake and complete any proceedings necessary to be carried out by the County of Tulare under the provisions of the Pixley Redevelopment Plan, First Amendment.

Section 8. **SEVERABILITY:** If any part of this Ordinance, or the Pixley Redevelopment Plan, First Amendment, which it approves, is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or the Redevelopment Plan, and this Board hereby declares that it would have passed the remainder of this Ordinance or the Redevelopment Plan, if such invalid portion thereof had been deleted.

Section 9. **DECLARATION OF URGENCY:** Due to the blighted conditions within the Project Area which are leading to the increasing deterioration of physical and economic conditions with the Project Area, it is in the best interests of the people of the State of California and the County of Tulare that this Ordinance adopting the Pixley Redevelopment Plan, First Amendment, become effective on August 18th, 2008.

Section 10. The foregoing ordinance shall take effect on August 18th, 2008, and prior to the expiration of fifteen (15) days from the passage hereof a summary shall be published once in the Tulare Advance-Register, a newspaper printed and published in the County of Tulare, State of California, together with the names of the Board of Supervisors voting for and against the same.

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THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the 12th day of August 2008, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Chairman, Board of Supervisors

ATTEST: JEAN ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

By: _____

Deputy

EXHIBIT A
PROJECT AREA LEGAL DESCRIPTION

AREA "A"

All of those portions of the Southwest one-quarter of Section 17 and the Southeast one-quarter of Section 18, Township 22 South, Range 25 East, Mount Diablo Base and Meridian, according to the official government plat thereof, situate in the County of Tulare, State of California, and more particularly described as follows:

1. Beginning at the intersection of the easterly right of way line of the Union Pacific (formerly Southern Pacific) Railroad with the South line of the Southwest one-quarter of said Section 17, said point also being an angle point on the westerly boundary of the Pixley Redevelopment Agency's redevelopment plan area;
2. thence leaving said boundary and proceeding westerly, along the South line of said Southwest one-quarter, a distance of 312 feet, more or less, to the Southwest corner of said Section 17;
3. thence North 89° 33' 35" West, along the South line of the Southeast one-quarter of said Section 18, a distance of 614.40 feet;
4. thence North 00° 26' 25" East, a distance of 40.75 feet, more or less, to the northerly line of that parcel of land conveyed to the State of California by the deed recorded August 15, 1961, in Book 2281 at Page 560 of the Official Records of Tulare County;
5. thence leaving said northerly line and continuing North 00° 26' 25" East, a distance of 1577.05 feet to an angle point on the north line of the "Pitigliano Parcel" as shown on the Record of Survey recorded September 3, 1991, in Book 18 of Licensed Surveys, at Page 81, m Tulare County Records;
6. thence along said north line, South 89° 33' 36" East, a distance of 461.69 feet, more or less, to the northeast corner of said "Pitigliano Parcel";
7. thence easterly, along the prolongation of the most easterly segment of the north line of said "Pitigliano Parcel", a distance of 367 feet, more or less, to the easterly right of way line of State Route 99;
8. thence southeasterly, along said easterly right of way line of State Route 99, a distance of 674 feet, more or less, to an angle point on the northerly boundary of the Pixley Redevelopment Agency's redevelopment plan area;
9. thence continuing southeasterly, along said easterly right of way line of State Route 99 and said northerly boundary, a distance of 1000 feet, more or less, to the South line of the southwest one-quarter of said Section 17;

10. thence westerly, along said South line and continuing along said northerly boundary, a distance of 350 feet, more or less, to the Point of Beginning.

Approximate Area = 39 Acres

AREA "B"

All of that portion of the Northwest one-quarter of Section 20, Township 22 South, Range 25 East, Mount Diablo Base and Meridian, according to the official government plat thereof, situate in the County of Tulare, State of California, and more particularly described as follows:

1. Beginning at the West one-quarter corner of said Section 20, said point also being on the westerly boundary of the Pixley Redevelopment Agency's redevelopment plan area;
2. thence leaving said boundary and proceeding northerly, along the West line of said Northwest one-quarter, a distance of 1320 feet, more or less, to the Northwest corner of the South half of the Northwest one-quarter of said Section 20;
3. thence easterly, along the North line of said South half, a distance of 586 feet, more or less, to the easterly right of way line of the Union Pacific (formerly Southern Pacific) Railroad, also being the westerly boundary of the Pixley Redevelopment Agency's redevelopment plan area;
4. thence southeasterly, along said easterly right of way line and said westerly boundary, a distance of 1342 feet, more or less, to the South line of said Northwest one-quarter of said Section 20;
5. thence westerly, along said South line and said westerly boundary, a distance of 828 feet, more or less, to the Point of Beginning.

Approximate Area = 21 Acres

AREA "C"

All of that portion of the Northeast one-quarter of Section 6, Township 23 South, Range 25 East, Mount Diablo Base and Meridian, according to the official government plat thereof, situate in the County of Tulare, State of California, and more particularly described as follows:

1. Beginning at the Northeast corner of said Section 6, said point lying along the boundary of the Pixley Redevelopment Agency's redevelopment plan area;
2. thence leaving said boundary and proceeding southerly, along the east line of the Northeast one-quarter of said Section 6, a distance of 2663 feet, more or less, to the Southeast corner of said Northeast one-quarter;

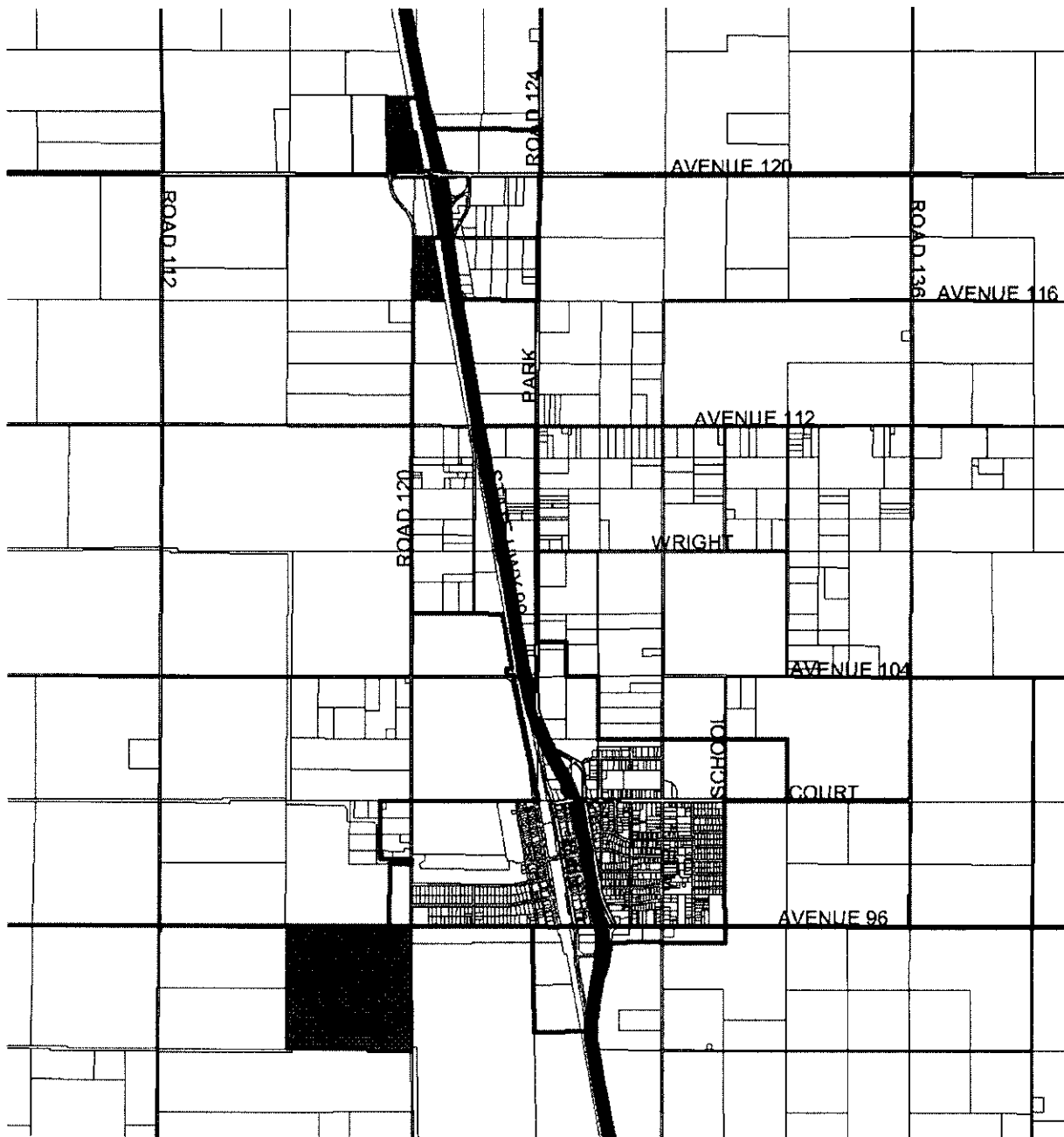
3. thence N 88° 44' 00" W, along the South line of said Northeast one-quarter, a distance of 932.56 feet, more or less, to the southeast corner of the parcel of land described in the deed recorded June 22, 29170, as Document No. 20652, in Volume 2899, at Page 889, Official Records of Tulare County;
4. thence N 29° 45' 20" W, along the easterly line of said parcel of land, a distance of 70.01 feet, more or less, to a line, parallel with and 60 feet northerly from the South line of said Northeast one-quarter;
5. thence N 88° 44' 00" W, along said parallel line, a distance of 1671.89 feet, more or less, to the West line of said Northeast one-quarter;
6. thence N 00° 00' 47" E, along said West line, a distance of 2590.58 feet, more or less, to the Northwest corner of said Northeast one-quarter;
7. thence S 89° 00' 00" E, along the North line of said Northeast one-quarter, a distance of 2187 feet, more or less, to an angle point on the boundary of the Pixley Redevelopment Agency's redevelopment plan area;
8. thence continuing easterly along the North line of said Northeast one-quarter and said boundary, a distance of 453 feet, more or less, to the Point of Beginning.

Approximate Area = 159 Acres

END OF DESCRIPTION

EXHIBIT B
PROJECT AREA MAP

Pixley RDA First Amendment



0.5 0 0.5 1 1.5 Miles

Added Territory
Pixley Amendment Boundary



ATTACHMENT: PROPOSED RESOLUTION ADOPTING ORDINANCE

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF ADOPTION OF TULARE) COUNTY ORDINANCE NO. _____,) APPROVING THE PIXLEY REDEVELOPMENT) PLAN, FIRST AMENDMENT)	RESOLUTION NO. _____ AGREEMENT NO. _____
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WHEREAS: The Tulare County Redevelopment Agency on March 23, 2004, by Resolution No. RA 2004-07, directed the Community Development and Redevelopment Division of the Resource Management Agency to pursue the Pixley Redevelopment Plan, First Amendment, in the unincorporated community of Pixley.

WHEREAS: The Board of Supervisors on August 12, 2008, by Resolution No. _____ designated the Pixley Redevelopment Plan, First Amendment, in the unincorporated community of Pixley.

WHEREAS: The Tulare County Planning Commission, in cooperation with the Tulare County Redevelopment Agency, selected the Pixley Redevelopment Plan, First Amendment, by its Resolution No. 8245 and approved a Preliminary Plan, by its Resolution No. 8123, for such redevelopment project area, which set out the parameters for the redevelopment of the selected project area and submitted such information to the Tulare County Redevelopment Agency.

WHEREAS: The Tulare County Redevelopment Agency by its Resolution No. RA 2007-03, accepted the Preliminary Plan, directed the submittal of the information required by Health and Safety Code Section 33327 to the County Tax Officials, and directed Redevelopment Agency staff to prepare the Pixley Redevelopment Plan, First Amendment.

WHEREAS: The Tulare County Redevelopment Agency has prepared and submitted to the Board of Supervisors and the Tulare County Planning Commission for consideration, the Pixley Redevelopment Plan, First Amendment.

WHEREAS: The Tulare County Redevelopment Agency has certified the Mitigated Negative Declaration prepared for the Pixley Redevelopment Plan, First Amendment in accordance with the California Environmental Quality Act for use to review the proposed Pixley Redevelopment Plan, First Amendment.

WHEREAS: The Board has before it the aforementioned Preliminary Report for the Pixley Redevelopment Plan, First Amendment, the Mitigated Negative Declaration certified by the Tulare County Redevelopment Agency for review of the proposed Pixley Redevelopment Plan, First Amendment, the report prepared on this proposed project by the Tulare County

Redevelopment Agency pursuant to Health and Safety Code Section 33352.

WHEREAS: The Board set and held a joint public hearing with the Tulare County Redevelopment Agency on August 12, 2008, regarding the adoption of the Pixley Redevelopment Plan, First Amendment, and subsequently received the recommendations of the Tulare County Redevelopment Agency as set out in its Resolution No. _____.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Finds and determined as follows:
 - a. That the Board considered the Mitigated Negative Declaration prepared for the Pixley Redevelopment Plan, First Amendment, staff comments and any or all comments received at the public hearing in review of the Pixley Redevelopment Plan, First Amendment.
 - b. That the Mitigated Negative Declaration prepared for the Pixley Redevelopment Plan, First Amendment, reflects the independent judgment of the County and is hereby certified and approved.
 - c. That there is substantial evidence that the Pixley Redevelopment Plan, First Amendment, will have a significant effect on the environment which can be mitigated.
 - d. That mitigation measures, the Mitigation Monitoring Checklist set out in Planning Commission Resolution No. 8245 are applicable to, and are hereby approved and adopted, for the Pixley Redevelopment Plan, First Amendment, and incorporated herein by reference as if set out in full.
2. Determined that no written objections to the proposed Pixley Redevelopment Plan, First Amendment, were filed and not withdrawn prior to the close of the public hearing.
3. Waived the second reading in full and adopted the proposed Ordinance No. _____, and directed the Clerk of the Board to file a Notice of Determination in accordance with the California Environmental Quality Act with the County Clerk-Recorder.
4. Certified that it has reviewed and considered the Mitigated Negative Declaration prepared for the Pixley Redevelopment Plan First Amendment, which document has also been certified by the Tulare County Redevelopment Agency as adequate, sufficient, and in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq., for review of this project, that such Mitigated Negative Declaration reflects the independent judgment of the County of Tulare, and that such Mitigated Negative Declaration was certified and approved, that findings were made pertaining to significant effects, and that mitigation measures, a Mitigation Monitoring Checklist were adopted by Tulare County Board of Supervisors Resolution No. _____ on _____, which approval and supporting determinations, and findings and approvals are incorporated herein by reference as if set out in full.
5. Incorporated in the Pixley Redevelopment Plan, First Amendment, the mitigation measures, identified and adopted in Tulare County Board of Supervisors Resolution No. _____ and Tulare County Redevelopment Agency Resolution No. _____ adopted herein for the Pixley Redevelopment Project Area.

6. Directed the Clerk of the Board of Supervisors to send certified copy of this Ordinance to the Tulare County Redevelopment Agency, whereupon such Agency is vested with the authority and responsibility for carrying out the Redevelopment Plan as adopted and approved herein.
7. Directed the Clerk of the Board of Supervisors to record with the Tulare County Recorder a notice of the approval and adoption of the Pixley Redevelopment Plan, First Amendment, pursuant to this Ordinance, which notice shall contain a description of the boundaries of the Project Area and a statement that proceedings for the redevelopment of the Project Area have been instituted under the Community Redevelopment Law.
8. Directed the Clerk of the Board of Supervisors to transmit a copy of this Ordinance, a description of the land within the Project Area, and a map or plat indicating the boundaries of the Project Area to the Auditor, Assessor and Tax Collector of the County of Tulare, to the officer or officers performing the functions of auditor or assessor for any taxing agencies, which in levying taxes, do not use the County of Tulare assessment rolls, to the governing bodies of each taxing agency with levies taxes upon any property in the Project Area, and to the State Board of Equalization.

THE FOREGOING RESOLUTION WAS ADOPTED UPON MOTION OF SUPERVISOR _____, SECONDED BY SUPERVISOR _____, AT A REGULAR MEETING ON AUGUST 12, 2008 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER
CLERK OF THE BOARD OF SUPERVISORS

BY: _____
Deputy Clerk