

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, FINDING GOOD CAUSE AND CLEAR AND CONVINCING BENEFIT TO THE PUBLIC PURSUANT TO FRESNO MUNICIPAL CODE SECTION 4-204 RELATING TO THE DISPOSITION OF REAL SURPLUS PROPERTY LOCATED ON THE EAST SIDE OF BROADWAY AVENUE, NORTH OF DIVISADERO STREET.

WHEREAS, the parcel of property located on the east side of Broadway Avenue, north of Divisadero Street was previously declared exempt surplus land by Fresno City Council on February 27, 2025; and

WHEREAS, the Fresno Municipal Code (FMC) Section 4-204 details the additional steps which may be required to dispose of real property; and

WHEREAS, pursuant to FMC Section 4-204(d)(4), the City shall not approve any purchase and sale agreement, disposition and development agreement, or any other agreement that would cause or allow City owned real property to be conveyed, except upon specified terms and conditions; and

WHEREAS, Section 4-204(d)(4) requires that the purchase price be at the fair market appraised value, unless the Council finds good and convincing benefits to accept a purchase price of less than fair market value by a supermajority approval of at least five votes; and

WHEREAS, on August 9, 2024, City Staff prepared an estimate of value of the 0.011-acre (475.3 square feet) City owned parcel of undeveloped land located on the east side of Broadway Avenue, north of Divisadero Street (adjacent to APN 459-304-01)

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: KAS

Resolution No.

(Subject Property), determining the total value to be \$4,139.86; and

WHEREAS, the Subject Property is approximately Three feet wide and One Hundred Fifty Seven feet long; and

WHEREAS, the City is seeking to vacate the Subject Property and dispose of it to a neighboring property owner who has proposed the expansion of the existing parking lot area on the adjacent APN 459-304-01; and

WHEREAS, the Subject Property would be used as an expansion area where a new wrought iron perimeter fence will be installed to accommodate the additional parking area; and

WHEREAS, the City has negotiated a sale price of \$1,238.00; and

WHEREAS, the price is justified, would provide substantial community benefits, and has development limitations due to the dimensions of the Subject Property; and

WHEREAS, in addition, there have been challenges over the years to the community and the City in maintaining the parcel free of blight; and

WHEREAS, the City has a significant interest in encouraging development and eliminating blight whenever possible; and

WHEREAS, development of the Subject Property and the project on the adjoining parcel would generate revenue for the City through the tax rolls.

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

1. The Council hereby makes findings of good cause and clear and convincing benefit to the public to vary from the provisions contained within FMC Section 4-204.
2. The Council hereby makes findings pursuant to FMC Section 4-204(d)(4) that

there are substantial community benefits resulting from the purchase and sale agreement to justify the purchase price of \$1,238.00 to Margaret R. Boyajian Curtis and Jeffrey L. Boyajian.

3. This resolution shall be effective upon final approval.

* * * * *

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

I, TODD STERMER, CMC, 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 _____ 2025.

AYES :
NOES :
ABSENT
ABSTAIN

Mayor Approval: _____, 2025
Mayor Approval/No Return: _____, 2025
Mayor Veto: _____, 2025
Council Override Vote: _____, 2025

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Kelsey A. Seib Date
Deputy City Attorney