

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 PROPERTIES LOCATED AT THE CORNER OF BRIX AVENUE AND SWIFT AVENUE, EAST OF CORNELIA AVENUE

WHEREAS, the parcels of property located at the corner of Brix Avenue and Swift Avenue, east of Cornelia Avenue, identified as Assessor's Parcel Numbers (APN) 510-326-32T and 510-326-33T (Subject Property), were previously declared surplus land by Fresno City Council on May 23, 2024; and

WHEREAS, the Fresno Municipal Code (FMC) Section 4-204 details the additional steps which may be required to dispose of real property and conduct a request for proposals (RFP) process; and

WHEREAS, FMC 4-204 states, in part: "Real property may be sold, encumbered by an option, or leased for period exceeding five years only after an open and competitive request for proposals (RFP) process initiated by Council action in compliance with state law concerning disposition of surplus land; exclusive negotiating agreements shall not be permitted"; and

WHEREAS, on April 30, 2025, City Staff issued an RFP to purchase and develop APNs 510-326-32T and 510-326-33T (RFP Number 12502100) with no submissions received. City staff subsequently issued Addendum Number 1 to the RFP on May 15, 2025, extending the RFP response date to June 13, 2025; which no proposals were received; and

1 of 3

Date Adopted:
Date Approved:
Effective Date:

City Attorney Approval: AMK

Resolution No.

WHEREAS, the City still has the desire to disposing of the Subject Property through other mechanisms, including listing the properties on the Fresno Multiple Listing Service (MLS); and

WHEREAS, an exception to the RFP process may be provided where the Council finds good cause and clear and convincing benefits to the public to do so with a supermajority approval of at least five votes; and

WHEREAS, there is good cause to bypass the RFP process and allow the City to list the property for sale on the Fresno MLS Service.

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 for City staff to list the Subject Property for sale to the public on the Fresno MLS Service.
3. This resolution shall be effective upon final approval.

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

I, TODD STERMER, 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, MMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Angela M. Karst Date
Senior Deputy City Attorney