

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, FINDING GOOD CAUSE AND CLEAR AND CONVINCING BENEFIT TO THE PUBLIC TO ALLOW A PURCHASE OPTION ON SUBJECT PROPERTY FOR MORE THAN FIVE YEARS WITHOUT A REQUEST FOR PROPOSAL PROCESS, ALLOW CLOSE OF ESCROW ON THE SUBJECT PROPERTY TO EXTEND BEYOND 12 MONTHS OF COUNCIL APPROVAL, AND ALLOW THE REMOVAL OF A REVERTER CLAUSE; AND FINDING SUBSTANTIAL COMMUNITY BENEFITS TO JUSTIFY A SALES PRICE LESS THAN FAIR MARKET VALUE PURSUANT TO FRESNO MUNICIPAL CODE SECTION 4-204 RELATING TO THE DISPOSITION OF REAL PROPERTY COMMONLY KNOWN AS 959 N. PARKWAY DRIVE, FRESNO, CA (APN 449-324-11)

WHEREAS, the City of Fresno (City) owns a sixty-five-room facility located at 959 N. Parkway Drive, Fresno, California, (APN 449-324-11) (Subject Property) to be used as emergency temporary housing until it can be disposed of and developed for permanent affordable and/or mixed income housing; and

WHEREAS, the City acquired the Subject Property by Assignment of a Purchase and Sale Agreement between the owner and the Fresno Housing Authority (FHA) for a purchase price of \$3,234,000 which was later appraised by Gregg J. Palmer of James G. Palmer Appraisals Inc., in May 2021, with a total appraised value of \$4,000,000; and

WHEREAS, in order to address the City's critical interest in encouraging the development of permanent affordable housing, the City determined Fresno Housing Authority (FHA) would be granted a Purchase Option on the Subject Property in the amount of \$1,000 for the sole purpose of developing permanent affordable and/or mixed income housing that may be exercised within a twelve-year period, starting three years

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No. _____

after the City's close of escrow on the Subject Property; and

WHEREAS, the price is justified and would provide substantial community benefits by the development of additional affordable and/or mixed income housing; and

WHEREAS, the City has a significant interest in facilitating affordable and/or mixed income housing developments whenever possible; and

WHEREAS, there have been challenges over the years to the community and to the City in revitalizing Parkway Drive; and

WHEREAS, FHA is the community's most experienced and highest capacity developer of affordable housing and shares the City's objective to provide affordable housing; and

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

1. The Council hereby makes the following findings to vary from the provisions contained within FMC 4-204 in the event FHA chooses to exercise its Purchase Option.
2. The Council hereby makes findings that there is good cause and clear and convincing benefit to the public to allow FHA's Purchase Option involving the Subject Property for a period exceeding five years without a Request for Proposal process, pursuant to FMC 4-204(a).
3. The Council hereby makes findings that there is good cause and clear and convincing benefit to the public to allow close of escrow on the Option Agreement to extend beyond 12 months from the date of Council approval, pursuant to FMC 4-204(d)(1).

4. The Council hereby makes findings that there are substantial community benefit resulting from the Purchase Option with FHA to justify a sales price less than fair market value, pursuant to FMC Section 4-204(d)(4).

5. The Council hereby makes findings that there is good cause and clear and convincing benefit to the public to remove the reverter clause, pursuant to FMC Section 4-204(d)(5).

6. To the extent required by law, Staff is directed to dispose of the Subject Property in accordance with all applicable Surplus Land Act provisions in effect at the time of disposition.

7. 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 _____ 2023.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2023
Mayor Approval/No Return: _____, 2023
Mayor Veto: _____, 2023
Council Override Vote: _____, 2023

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Tracy Parvanian Date
Supervising Deputy City Attorney