

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF FRESNO, CALIFORNIA,
IN ITS CAPACITY AS HOUSING SUCCESSOR AGENCY
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 PROPERTY IDENTIFIED AS
ASSESSOR'S PARCEL NUMBERS 468-282-05T and 468-
282-22T (829 and 835 FULTON STREET) FOR AN
AFFORDABLE HOUSING DEVELOPMENT

WHEREAS, the City of Fresno acting in its capacity as Housing Successor Agency to the Redevelopment Agency (Agency) owns parcels of land located at 829 and 835 Fulton Street, Fresno, California 93621 identified as APN 468-282-05T (0.08 acres) and APN 468-282-22T (0.09) (Property); more particularly described in Exhibit "A" and depicted in Exhibit "B" attached hereto and made a part hereof by reference; and

WHEREAS, the Property was declared surplus land by the City of Fresno in its capacity as Housing Successor on May 25, 2023, Resolution 2023-158 and proper noticing to developers was thereafter completed in compliance with the Surplus Land Act; 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, the FMC Section 4-204 states, in part, "Real property may be sold, encumbered by an option, or leased for a period exceeding five years only after an open and competitive RFP process initiated by Council action and in compliance with state law

concerning the disposition of surplus land; exclusive negotiating agreements shall not be permitted”; and

WHEREAS, an exception to the RFP process may be provided where the Agency 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, concurrently with related actions, the City Council and Agency will consider approval of a Disposition and Development Agreement (DDA) with The Park Partners, LLC (Developer) for the acquisition, development, and operation of the Property as permanent affordable housing for qualified individuals; and

WHEREAS, pursuant to FMC Section 4-204(d), the Agency shall not approve any purchase and sale agreement, disposition and development agreement, or any other agreement that would cause or allow Agency owned real property to be conveyed, except upon specified terms and conditions including that the agreement shall require a deposit paid to the City in the amount of at least 10 percent of the purchase price, which shall not be refundable; and

WHEREAS, the Agency and Developer desire to make the ten percent deposit refundable until December 31, 2025, at which time the deposit will be nonrefundable; and

WHEREAS, in conjunction with one other parcel, the Project will consist of an eight-story mixed-use development consisting of 160 apartments offering up to 621 beds with a diverse unit mix of studios, lofts, two- and three-bedroom layouts along with ground floor retail and community space; and

WHEREAS, upon the Agency’s approval of related actions to the Property, Agency staff will work to facilitate the transfer of ownership of the subject Property to the

Developer to develop and operate the Property for the purpose of constructing and operating permanent affordable housing for individuals' experiencing homelessness or at risk of homelessness; and

WHEREAS, Agency recognizes the development of the Property into permanent affordable housing will address the City's homelessness and housing crisis; and

WHEREAS, Agency recognizes the importance of developing affordable housing for individuals experiencing homelessness or at risk of homelessness; and

WHEREAS, the Agency has a significant interest in encouraging the development of the Property into a permanent affordable housing development for individuals experiencing homelessness or at risk of homelessness.

NOW, THEREFORE, BE IT RESOLVED by the City of Fresno acting in its capacity as the Housing Successor as follows:

1. The City 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 and make an exception to the RFP process as detailed below.

2. Agency staff is directed to bypass the RFP process and allow the Executive Director or designee to execute the DDA and any associated documents with the Developer for the transfer of the Property at upon completion of the development of the Property for affordable housing.

3. The City Council hereby makes findings of good cause and clear and convincing benefit to the public to vary from the provisions contained in FMC Section 4-204(d)(3) and allow for the deposit to be refundable for a period of time.

4. This resolution shall be effective upon final approval.

* * * * *

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: _____ Date
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

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

Attachments:
Exhibit A
Exhibit B

EXHIBIT A

Legal Description

For APN/Parcel ID(s): 468-282-05T

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Lot 9 in Block 74 of the Town (now City) of Fresno, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Volume 1, Page 2 of Plats, Fresno County Records.

Legal Description

For APN/Parcel ID(s): 468-282-22T

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Lot 8 and the Southeasterly 1.2 feet of Lot 7 in Block 74 of the Town (now City) of Fresno, in the County of Fresno, State of California, as per map thereof recorded June 8, 1876, in Book 1 of Plats, at Page 2, Fresno County Records.

The above described legal description is also known as Parcel B of Parcel Map 70-52 as per map recorded October 14, 1970 in Book 2 of Parcel Maps at Page 30, Fresno County Records.

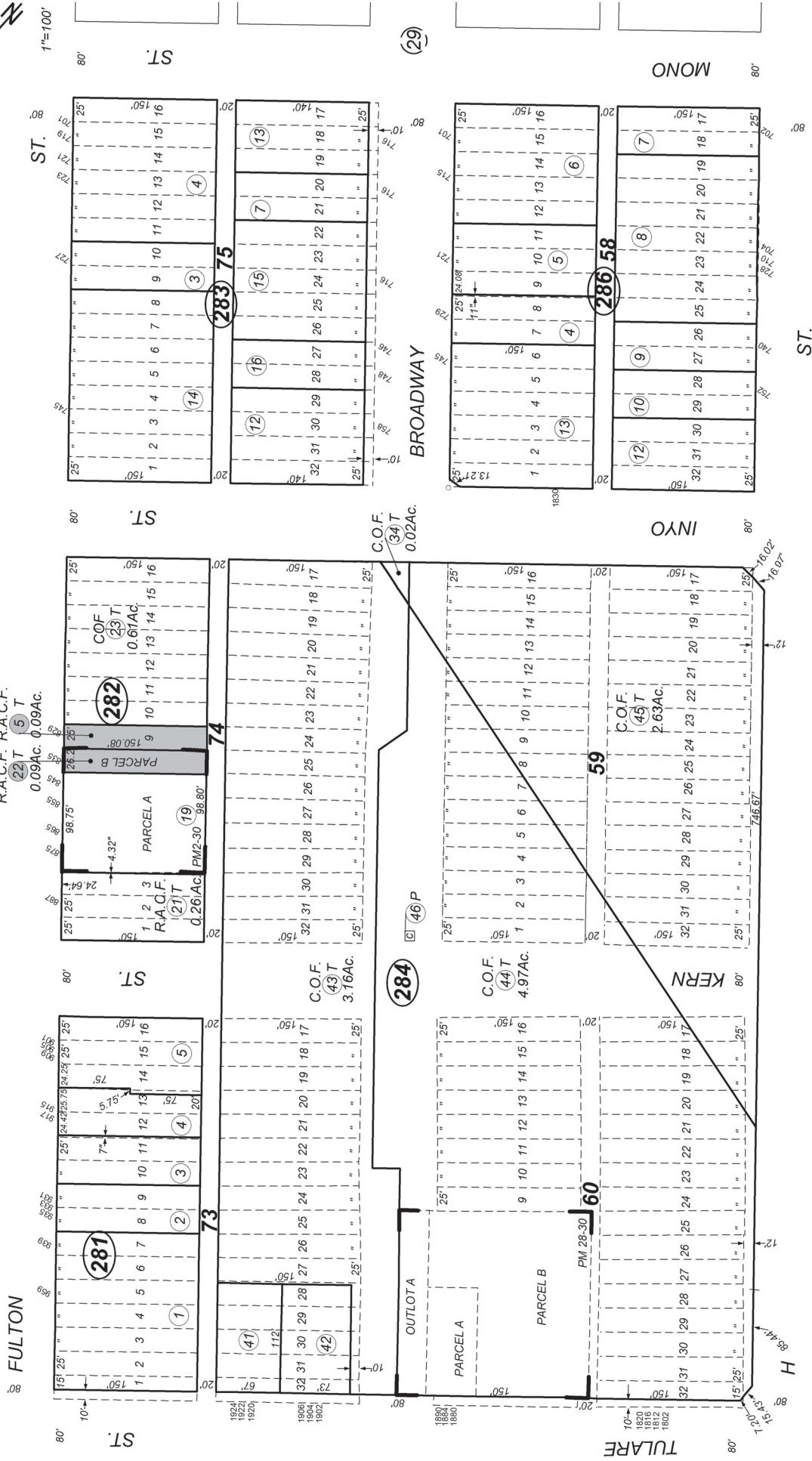
EXHIBIT B

-NOTE-
This map is for Assessment purposes only.
It is not to be construed as portraying legal
ownership or divisions of land for purposes
of zoning or subdivision law.

FRESNO CITY BLOCKS

Tax Rate Area
5-005
5-023
5-190
5-216
5-227

468-28



Parcel Map No. 70-52 - Bk. 2, Pg. 30
Parcel Map No. 78-36 - Bk. 28, Pg. 30

R.A.C.F. = REDEVELOPMENT AGENCY OF CITY OF FRESNO
C.O.F. = CITY OF FRESNO
Note - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles