

CITY RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, IN SUPPORT OF A CONTRIBUTION OF CITY FUNDS IN AN AMOUNT NOT TO EXCEED \$1,600,000 TOWARD THE HOUSING DEVELOPMENT PROJECT LOCATED ON 1101 FULTON ST, FRESNO CALIFORNIA

WHEREAS, 1101 Fulton Mall LLC, a Limited Liability Company (Developer) is proposing to rehabilitate the historical Helm Building located on 1101 Fulton St Fresno, CA 93721 (Property), into a 98-unit multifamily housing development, including 9 affordable housing units (Project); and

WHEREAS, the City of Fresno (City) has a significant interest in encouraging Developer to develop the Project on the Property; and

WHEREAS, Council recognizes that the development of permanent multifamily rental housing on the Property will assist in addressing the City's housing crisis; and

WHEREAS, Developer intends to submit an application to secure private financing from a commercial lender to help fund the Project (Application); and

WHEREAS, the City intends to provide a conditional commitment of City funds to the Project in the amount not to exceed \$1,600,000 from the Permanent Local Housing Allocation (PLHA) for eligible acquisition, predevelopment, and construction costs associated with the Project; and

WHEREAS, the City's financing is contingent upon issuance of the private lender commitment to Developer as evidence of funding for the Project, and evidence that the

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:

696005v2



Resolution No.

Project is fully funded, the City and Developer will execute an enforceable financing commitment for future City Funding in an amount not to exceed \$1,600,000; and

WHEREAS, the City's contribution from the Permanent Local Housing Allocation fund does impose affordability restrictions on the Project; and

WHEREAS, the PLHA Project requires that all funds be used in a manner consistent with state statutes, PLHA Program guidelines, the Standard Agreement, and all applicable federal and state restrictions; and

WHEREAS, the PLHA Project requires that assistance for Affordable Rental Housing Developments be provided in the form of a low-interest, deferred loan to the Developer, evidenced by a Promissory Note secured by a Deed of Trust, and subject to a Regulatory Agreement restricting occupancy and rents for a minimum of 55 years; and

WHEREAS, this resolution does not constitute a binding obligation of the City to disburse funds until all stated conditions are satisfied; and

WHEREAS, the City's conditional commitment of funds and this resolution shall terminate on December 31, 2026.

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

1. The Council approves a conditional commitment of City funds to the Project in an amount not to exceed \$1,600,000 for eligible acquisition, predevelopment, and construction costs associated with the Project.

2. The City's conditional commitment of City funds is subject to the Project being fully funded and the Council's approval for City and Developer to execute and

record an enforceable financing commitment which shall be prepared and provided by the City, consistent with the following terms and conditions:

- a. Funding not to exceed \$1,600,000;
 - b. The loan shall be for a term of 55 years;
 - c. Interest will accrue on the loan at a rate of 3% annually;
 - d. The loan will be subject to all the state and/or federal requirements of the City's Permanent Local Housing Allocation Fund;
 - e. The City's conditional commitment of City funds, and this Resolution shall terminate if Developer has not received full funding for the project by December 31, 2026.
3. This Resolution is subject to all applicable City rules and regulations.
 4. This Resolution shall become effective immediately upon final Council approval.

* * * * *

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

I, AMY K. ALLER, 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 _____ 2026.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2026
Mayor Approval/No Return: _____, 2026
Mayor Veto: _____, 2026
Council Override Vote: _____, 2026

AMY K. ALLER
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Brent Richardson Date
Deputy City Attorney