

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING THE CLARION POINTE EMERGENCY SHELTER MOTEL LOCATED AT 4061 N. BLACKSTONE AVENUE OF ASSESSOR'S PARCEL NUMBER (APN) 434-143-06 TO BE SURPLUS PROPERTY AND DIRECTING STAFF TO COMPLY WITH THE SURPLUS LAND ACT

WHEREAS, the City of Fresno (City) owns the Clarion Pointe Motel located at the west side of North Blackstone Avenue, north of Dakota Avenue, and south of Ashlan Avenue of the 2.70-acre portion of Assessor's Parcel Number (APN) 434-143-06 (Property), more particularly described in Exhibit "A" and depicted in Exhibit "B," attached hereto and made a part hereof by reference; and

WHEREAS, The City acquired the Property using State and Local Fiscal Recovery Funds (SLFRF), to be used as a homeless shelter and bridge housing site to provide housing for individuals and families experiencing homelessness and/or at risk of homelessness; and

WHEREAS, the grant funds originally allocated for the operation of the Property have been fully expended, and new grant rounds are not expected to be renewed or replenished, making continued shelter operations at this Property financially unfeasible; and

WHEREAS, under the Surplus Land Act, Government Code sections 54220, *et seq.*, surplus land means land owned in fee simple for which a local agency's governing body takes formal action at a regular public meeting declaring land to be surplus and not necessary for a local agency's use; and

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Date Adopted:
Date Approved:
Effective Date:

City Attorney Approval: AMK

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WHEREAS land must be declared either “surplus” or “exempt surplus” as supported by written findings before a local agency may take any action to dispose of it consistent with an agency’s policies or procedures; and

WHEREAS, except as otherwise provided in the Surplus Land Act and Guidelines, “agency’s use” shall include, but not be limited to, land that is being used, or is planned to be used pursuant to a written plan adopted by the local agency’s governing board for agency work or operations, including, but not limited to, utility sites, watershed property, land being used for conservation purposes, land for demonstration, exhibition, or educational purposes related to greenhouse gas emissions, and buffer sites near sensitive governmental uses, including, but not limited to, waste water treatment plants as described in Government Code Section 54221(c)(1). Agency’s use shall not include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development. Property disposed of for the sole purpose of investment or generation of revenue shall not be considered necessary for the agency’s use; and

WHEREAS, staff has identified the property as potential surplus real property and wishes to dispose of the property; and

WHEREAS, pursuant to Government Code Section 54222, City staff will send a written Notice of Availability to sell the surplus Property to the entities and agencies identified in Government Code Section 54222, *et seq.*, and if one of the entities/agencies desires to purchase the Property after having received notice, it must indicate its intent to do so in writing within 60 days of receiving the notice, and the City and the other

entity/agency shall negotiate in good faith for a period of 90 days on the price and terms for the disposition of the Property; and

WHEREAS, pursuant to Government Code section 54230.5, City staff will provide to the Department of Housing and Community Development a description of the Notices of Availability sent, and negotiations conducted with any responding entities, regarding the disposal of each parcel of surplus land; and

WHEREAS, in the event no agreement is reached between the City and any interested entity/agency to whom notice is provided, staff will present Council with proposals for disposition of the surplus property; and

WHEREAS, prior to the disposition of the Property, the City must obtain disposition instructions from the federal awarding agency, the U.S. Department of the Treasury (Treasury), in accordance with the SLRFR Final Rule and 2 CFR 200.311; and

WHEREAS, the disposition instructions may include:

- (a) Keep the property and compensate the federal awarding agency. The amount due is calculated by applying the awarding agency's percentage of participation in the cost of the original purchase (and any improvements) to the fair market value of the property.
- (b) Sell the property and compensate the federal awarding agency. The amount due is calculated by applying the percentage of federal interest to the proceeds of the sale after deduction of any actual and reasonable selling and repair expenses. Sale must be competitive and must result in highest possible return.

(c) Transfer title to the federal awarding agency or an approved 3rd party entity. Owner is entitled to be paid an amount calculated by applying entity's percentage of participation in the original purchase (and any improvements) to the Fair Market Value (FMV) of the property.

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

1. The City Council hereby declares the 2.70-acre Property located at 4061 N. Blackstone Avenue, APN 434-143-06, Fresno California 93726, to be surplus; and the City therefore intends to dispose of said Property.
2. City staff is hereby directed to send all notices and take all actions required by the Surplus Land Act so that it may dispose of the Property.
3. The City shall request disposition instructions to the Treasury, prior to disposition, in accordance with applicable federal regulations.
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: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

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

Attachments:
Exhibit "A" Legal Descriptions
Exhibit "B" Parcel Map

EXHIBIT A

LEGAL DESCRIPTION

APN: 434-143-06

REAL PROPOERTY IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL A OF PARCEL MAP NO. 97-11, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 60 PAGE 7 OF PARCELS MAPS, FRESNO COUNTY RECORDS.

EXHIBIT B

PARCEL MAP

