

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 PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 507-030-48ST (HERNDON & BRAWLEY AVENUE).

WHEREAS, the City entered into a Purchase and Sale Agreement on October 5, 2022, for the sale of approximately 14.58 acres of undeveloped land located at the southwest corner of West Herndon and North Brawley Avenues, APN: 507-030-48ST for the development of a 50,000 square feet Class A medical office building; and

WHEREAS, the City and buyer desire to amend the Agreement to modify the scope of development, adjust the purchase price and revise certain construction development timelines and reverter rights; and

WHEREAS, pursuant to FMC Section 4-204(d), the City shall not approve any purchase and sale agreement, disposition and development agreement, or any other agreement that would cause or allow the City owned property to be conveyed, except upon specified terms and conditions including that the agreement should not be extended for longer than 180 days from the date of Council approval; except upon a showing of extraordinary good cause; and

WHEREAS, Section 4-204(d)(4) requires that the purchase price be at the fair market appraised value, unless the Council finds good and convincing benefits to accept a purchase price of less than fair market value by a supermajority approval of at least five votes; and

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Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: AMK

Resolution No. _____

WHEREAS, Section 4-204(d)(5) requires that property being utilized for a specified purpose, shall require a reverter right to the City if the project is not completed within thirty six (36) months; and

WHEREAS, the Council may approve one or more extensions to complete not exceeding twelve (12) months each upon a finding of good cause; unless the Council finds good and convincing benefits to allow for a longer extension by a supermajority approval of at least five votes; and

WHEREAS, buyer was unsuccessful in developing said Building due to a decreased demand for medical offices in the vicinity; and

WHEREAS, buyer has received a serious inquiry from a Grocery Store interested in locating on the property; and

WHEREAS, access to healthy food is a priority for the City of Fresno who has consistently ranked among the top US metro areas for food insecurity; and

WHEREAS, the buyer and City now desire to amend the purchase price to \$2,100,000; and

WHEREAS, the price is justified as it would provide substantial community benefits, and has development limitations due to its close proximity to the Sierra Sky Park Airport which makes it subject to the Fresno County Airport Plan Land Use Compatibility Plan (Fresno County ALUCP), and places development, density, and height restrictions on this parcel; and

WHEREAS, in addition, there have been challenges over the years to the community and to the City in developing the parcel of vacant land and maintaining the parcel free of blight; and

WHEREAS, the City has a significant interest in encouraging development and eliminating blight whenever possible; and

WHEREAS, development of this property would also generate revenue for the City through the tax rolls and confer further substantial benefit to the public by increasing access to food in the area.

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 that there are substantial community benefits to vary from the provisions contained in FMC Section 4-204(d)(2) and allow for an extension of the purchase and sale agreement for a period of five (5) years or until construction has been completed, whichever is later.

3. The Council hereby makes finds of good cause and clear and convincing benefit to vary from the provisions contained in FMC Section 4-204(d)(4) that there are substantial community benefits resulting from the amendment to the purchase and sale agreement to justify purchase price of \$2,100,000 to Lakhjit S. Sandhu, MD.

4. The Council hereby makes findings that there are substantial community benefits to vary from the provisions contained in FMC Section 4-204(d)(5) and extend the reverter right for a period of five (5) years or until construction has been completed, whichever is later

5. This resolution shall be effective upon final approval.

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

I, AMY K. ALLER, Interim 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
Interim City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

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