

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, DECLARING PROPERTY
IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 436-260-
22 TO BE EXEMPT SURPLUS LAND AND INITIATING THE
OPEN AND COMPETITIVE REQUEST FOR PROPOSALS
PROCESS FOR THE DISPOSITION OF THIS PROPERTY
FOR AN AFFORDABLE HOUSING DEVELOPMENT

WHEREAS, the City of Fresno (City) owns a 0.91 acre parcel of land identified as Assessor's Parcel Number (APN) 436-260-22 (Property), as more particularly described in Exhibit A, attached hereto and made a part hereof by reference; and

WHEREAS, the Surplus Land Act (California Government Code sections 54220 through 54236) is generally intended to make a local agency's surplus land (i.e., land not needed for the agency's use) available for potential acquisition by affordable housing sponsors for affordable housing purposes or by other local public entities; and

WHEREAS, California Government Code section 54221(b) and the April 2021 Surplus Land Act Guidelines (SLA Guidelines) published by the California Department of Housing and Community Development (HCD) require that prior to taking any action to dispose of land that is subject to the Surplus Land Act, the City Council must, at a public meeting, declare the land either surplus land or exempt surplus land, as each are defined in California Government Code section 54221; and

WHEREAS, under the Surplus Land Act, land shall be declared either "surplus land" or "exempt surplus land" as supported by written findings, before a local agency may take any action to dispose of it consistent with the agency's policies or procedures; and

WHEREAS, the City has sought concurrence with the State of California Housing and Community Development Department, and the State has concurred that APN 436-260-22 was determined to be exempt surplus land on November 6, 2023; and

WHEREAS, the proposed development and affordability restrictions support the findings that the property qualifies as exempt from the California Surplus Land Act pursuant to Government Code section 54221(f)(1)(A) because the Property will be disposed for the development project pursuant to Government Code section 37364(a) which requires: (1) Minimum of 80% of the area of any parcel shall be used for development of housing (remaining 20% could be ancillary commercial or park/open space use); (2) Not less than 40% of the total number of housing units developed on any parcel pursuant to this section shall be affordable to households whose incomes are equal to, or less than, 75 percent of the maximum income of lower income households (80% of area median income), and at least half of which (20% of the units) shall be affordable to very low-income households (50% of area median income); and (3) Dwelling units shall be restricted by regulatory agreement to remain continually affordable to those persons and families for the longest feasible time, but not less than 30 years and shall be recorded against the property; and

WHEREAS, in accordance with Government Code section 54221(b)(1), the land is owned in fee simple by the City for which the governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use; and

WHEREAS, the City will release a Request for Proposal for the development of the sites into an affordable housing development.

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

1. The City Council hereby declares the .091-acre parcel of land identified as Assessor's Parcel Number (APN) 436-260-22 exempt surplus land pursuant to Government Code section 54221(f)(1)(A) of the California Surplus Land Act because the Property will be transferred for a development project pursuant to Government Code section 37364.

2. The City Council hereby initiates the open and competitive request for proposals process for the development of this parcel into affordable housing pursuant to Fresno Municipal Code section 4-204 and return to Council for approval of an Agreement for disposition.

3. Conduct any environmental assessment as may be required under the California Environmental Quality Act.

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

Attachment:
Exhibit A

EXHIBIT A

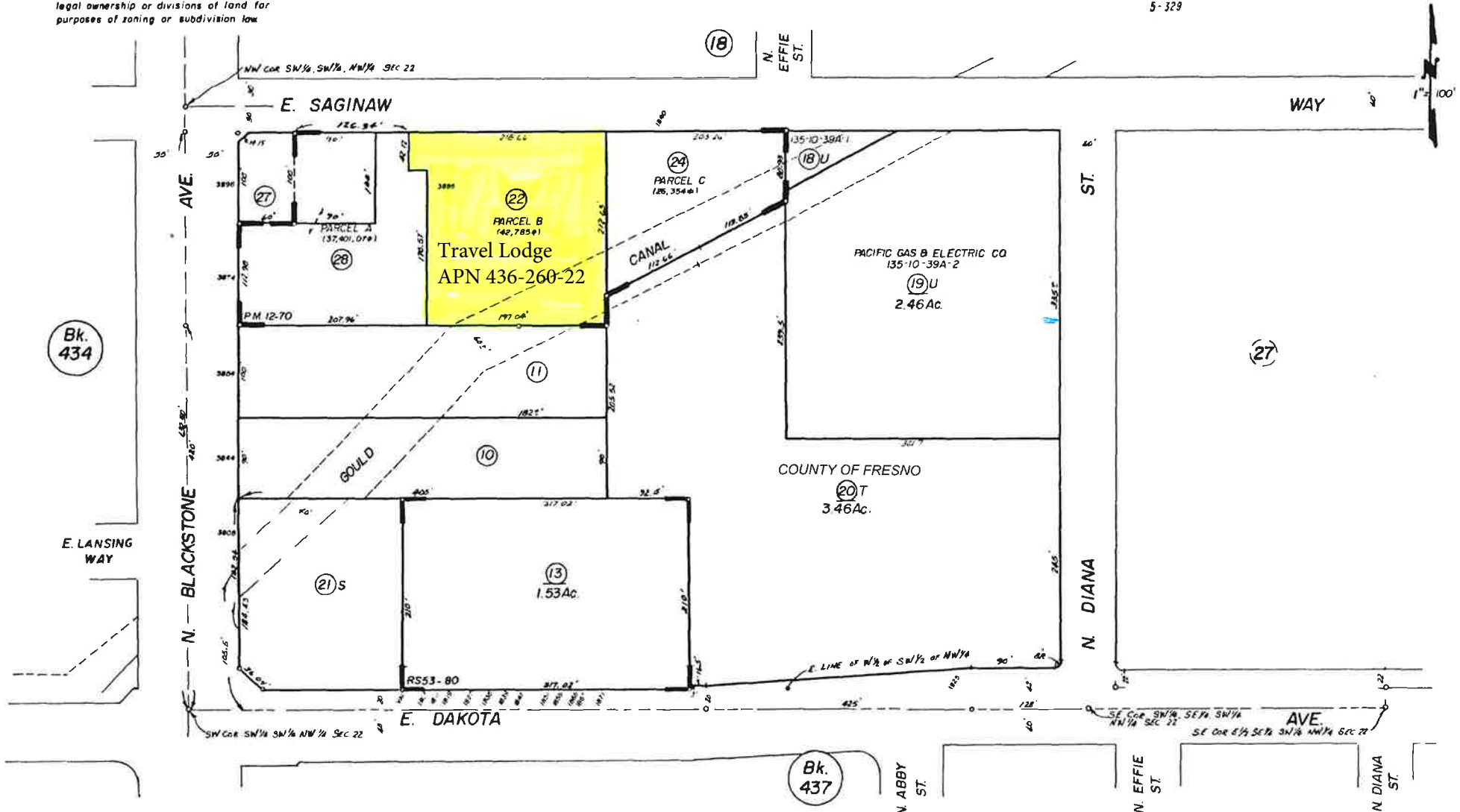
POR. SEC. 22, T.13S., R.20E. M.D.B. & M.

Tax Rate Area

436-26

5-308
5-329

--- 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



Parcel Map No. 74-18 - Bk. 12, Pg. 70
Record of Survey - Bk. 53, Pg. 80

Assessor's Map Bk. 436-Pg. 26

County of Fresno, Calif.