

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DISAFFIRMING AND REVOKING REGULATORY AGREEMENT BETWEEN THE CITY OF FRESNO, IN ITS CAPACITY AS HOUSING SUCCESSOR, THE COUNTY OF FRESNO, AND CMG CONSTRUCTION MANAGEMENT, INC., DATED SEPTEMBER 24, 2019

WHEREAS, in response to a request from the County in 2019, the City agreed to assist the County by overseeing the monitoring of affordability covenants on the housing portion of a mixed use development planned for the former University Medical Center site following a sale from the County to CMG Construction Management, Inc.; and

WHEREAS, the City's involvement resulted from what appears to be a conflict of interest, seriously calling into question the propriety of moving forward; and

WHEREAS, the County provided the City written assurance the transaction would not close without the City affirming the prior agreement; and

WHEREAS, as a result of changed circumstances and delays in closing, the City desires to revoke the Regulatory Agreement.

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

1. The City Council hereby disaffirms and revokes the Regulatory Agreement between the City of Fresno, in its capacity as Housing Successor, the County of Fresno, and CMG Construction Management, Inc., dated September 24, 2019, effective immediately.

2. The City Manager, or designee, is directed to take immediate action to advise the parties to the Regulatory Agreement of such revocation.

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

I, YVONNE SPENCE, 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 _____ 2021.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC CRM
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By:  3/30/21
Laurie Avedisian-Favini Date
Assistant City Attorney