RESOLUTION NO. 2016-173, SA-34

A RESOLUTION OF THE CITY OF FRESNO REGARDING THE DISPOSITION OF PROPERTY OF APPROXIMATELY 1.38 ACRES AT 1911 MERCED AND 1900 TUOLUMNE STREET (APN(s) 466-206-50T AND 466-206-51T)

WHEREAS, pursuant to AB X1 26 (which became effective at the end of June 2011), as modified by the California Supreme Court's decision in *California Redevelopment Association, et. al. v. Matosantos, et. al.* (53 Cal. 4th 231 (2011)), the Redevelopment Agency of the City of Fresno ("Former RDA") was dissolved as of February 1, 2012 and the Successor Agency was constituted; and

WHEREAS, AB 1484 (which became effective at the end of June 2012) amended and supplemented AB X1 26 (AB X1 26 and AB 1484, together, being referred to below as the "Dissolution Act"); and

WHEREAS, SB 107 (which became effective September 22, 2015) amended and supplemented AB 1484; and

WHEREAS, pursuant to the Dissolution Act, all non-housing assets, properties, contracts, leases, books and records, buildings, and equipment of the Former RDA have been transferred to the control of the Successor Agency; and

WHEREAS, pursuant to Section 34191.5(b) of the Dissolution Act, the Successor Agency prepared a long-range property management plan (the "Plan") which addresses the disposition and use of the real properties of the Former RDA, and the Plan was adopted by the Oversight Board on July 7, 2014, and submitted to the State Department of Finance ("DOF") for approval on July 9, 2014, and was approved by DOF December 16, 2015; and

WHEREAS, the Successor Agency and Oversight Board adopted Property Disposition Guidelines; and

WHEREAS, the Property Disposition Guidelines provide the City with a first right of refusal to purchase certain properties including the property located at 1911 Merced and 1900 Tuolumne Street, APNs 466-206-50T and 466-206-51T commonly referred to as Parking Lot 2; and

WHEREAS, such first right of refusal may be exercised by means of the City notifying the Oversight Board of the City's interest to acquire certain property for monetary consideration in an amount not less than appraised value and equal to or greater than offers received through solicitation process; and, obtaining approval of such purchase by the Oversight Board; and,

WHEREAS, the City of Fresno has considered its first right of refusal to purchase 1911 Merced and 1900 Tuolumne Street, APNs 466-206-50T and 466-206-51T commonly referred to as Parking Lot 2; and

WHEREAS, an unsolicited offer to purchase Parking Lot 2 was made to the Oversight Board by Tutelian and Company, however, the Oversight Board chose not to consider the offer and directed staff to utilize the Property Disposition Guideline procedure to sell the property.

NOW THEREFORE BE IT RESOLVED, the City of Fresno has determined it does not wish to purchase nor exercise its right of first refusal for Parking Lot 2; and

NOW THEREFORE BE IT FURTHER RESOLVED, the City of Fresno recommends that the Oversight Board pursuant to its Property Disposition Guidelines consider sale of the property to Tutelian and Company.

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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 15th day of September, 2016.

AYES : Baines, Brandau, Olivier, Quintero, Soria, Caprioglio
NOES : None
ABSENT : Brand
ABSTAIN : None

YVONNE SPENCE, CMC
City Clerk

By: Yvonne Spence
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: 9/19/16
Katie Doerr [Date]
Chief Assistant City Attorney