

James A. McKelvey  
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## EDUCATION:

B.S. Business Administration, California State University Fresno. (1961)  
L.L.D. Boalt Hall School of Law, University of California Berkeley. (1965)

Admitted to practice in all California State Courts, U.S. Federal Court (Eastern District), and U.S. Court of Appeals (9<sup>th</sup> Circuit)

## PROFESSIONAL EXPERIENCE:

2007 – present: Sole practitioner

Practice dedicated to pro-bono work for churches and non-profit organizations.

1987 – 2007: Motschiedler, Michaelides & Wishon

Partner in law firm specializing in real estate development.

Provided all legal work necessary for the development of multiple new planned residential/recreational communities and/or commercial projects in Merced, Madera, Fresno, Tulare, Kings, Kern, San Luis Obispo, Stanislaus, Del Norte, and San Diego counties containing, in the aggregate, over 5,000 acres of land. This work included:

- \* Negotiation and drafting of land purchase agreements/options and related title documents.
- \* Procurement of development entitlements from responsible local, state and federal agencies.
- \* Obtaining all required environmental approvals.
- \* Negotiation and drafting of loans and financing instruments.
- \* Negotiation and drafting of construction contracts, utility agreements, and related documents.

Structured tax-exempt bond financings for commercial, golf course and residential projects in Los Angeles, Madera, Fresno, Monterey and Riverside counties.

Successfully defended numerous lawsuits filed against developers by project opponents and environmental groups.

Successfully defended Counties of Fresno, Madera and Kings in litigation filed by persons or entities opposed to various development and business interests.

Represented the Fresno/Madera Building Industry Association and/or local developers on matters of general interest to the Building industry including litigation, drafting of plan amendments and local ordinances and appearances at public hearings before numerous governmental agencies.

1978 – 1987: City of Fresno -- City Attorney

Responsibilities: Chief legal advisor to a major California city (population 475,000), providing a full range of municipal services to its residents including two airports, a transit system, sewer and water utilities, regional parks, police and fire protection. Responsible for the supervision of a staff consisting of nine attorneys, two paralegals, and eight clerical personnel with a budget of \$800,000.

1973 – 1978: City of Fresno – Deputy City Attorney, Senior Deputy City Attorney, Chief Assistant City Attorney (in sequence).

Accomplishments: Author of City of Fresno's noise, environmental quality, councilmanic district, and urban growth management ordinances and numerous other legislative enactments including charter amendments and state statutes. Responsible for landmark California court decisions favorable to local government agencies in areas of eminent domain, environmental law, zoning entitlements, taxation, and labor relations. Structured and processed tax-exempt financings for 12 city projects exceeding \$100 million and 20 private projects exceeding \$80 million. Represented the city in negotiations and drafted legal documents for such major projects as an eight-story downtown hotel and four blocks of offices built on redevelopment land, a \$10 million conference center, and an airport expansion project which caused a regional airline to relocate its hub to Fresno.

1966 – 1970: United States Air Force

Five years in Judge Advocate General Corps, serving one year as Staff Judge Advocate (chief counsel to Base Commander and staff), Plattsburg Air Force Base, New York, in charge of legal office employing five attorneys, four enlisted clerks, one civilian secretary, and one civilian court reporter. Prior assignments included two years as chief U.S.A.F. trial attorney at Clark Air Base, Philippines and two years processing and adjudicating claims for and against the U.S. Government at Glasgow Air Force Base, Montana.

## AFFILIATIONS:

### Professional:

American Bar Association (retired)  
California State Bar Association  
Fresno County Bar Association (retired)

### Private Non-Profit:

Fresno Rescue Mission, Executive Board Member / General Counsel  
Fresno Christian Schools, Executive Board Member / General Counsel  
Central California School of Pharmacy, Executive Board Member / General Counsel  
Hope Animal Foundation, Executive Board Member / General Counsel  
Fresno Convention & Business Bureau, General Counsel  
Tenaya Park Homeowner's Association, General Counsel  
Habitat for Humanity, General Counsel  
Aquarius Aquarium Institute, General Counsel