

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, GRANTING AUTHORITY TO THE  
CITY MANAGER OR DESIGNEE TO EXECUTE UNIFORM  
RELOCATION ACT RENTAL ASSISTANCE PROGRAM  
PACKAGES FOR COMMERCIAL TENANTS BEING  
RELOCATED AS A RESULT OF THE BLACKSTONE  
MCKINLEY BNSF GRADE SEPARATION PROJECT

WHEREAS, in 2020, the Fresno City Council approved the Blackstone McKinley BNSF Grade Separation Project (Project) which will eliminate two existing at-grade railroad crossings of the BNSF mainline tracks at North Blackstone and East McKinley Avenues by separating train traffic from pedestrians, cyclists, and moving vehicle traffic to an underpass below the BNSF mainline tracks; and

WHEREAS, the Fresno City Council approved the Measure C Cooperative Project Agreement for the Project and subsequent amendments (collectively the Agreement) which provides approximately \$27,000,000 of Project funding (Project Funds); and

WHEREAS, the Project requires the acquisition of nineteen commercial properties for use as right of way; and

WHEREAS, the Project will relocate up to twenty-four tenant businesses currently operating in the commercial properties pursuant to the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs (URA); and

WHEREAS, Part 24 of Section 49 of the Code of Federal Regulations sets forth the eligibility requirements and qualifications of URA Rental Assistance Program (RAP) benefits, including the formula for tenants' relocation assistance; and

WHEREAS, a RAP benefit package is necessary to provide eligible tenants with

RAP benefits, but requires personal and sensitive information which may include tenants' drivers' licenses, birth certificates, certifications regarding legal residence, source and tax returns, including business income; and

WHEREAS, RAP benefits for each tenant business are derived by the URA statute and exceed \$50,000 for the Project; and

WHEREAS, pursuant to Fresno Municipal Code section 4-107(b), the City Manager is authorized to enter into contracts for which an appropriation has been made or the liability exposure is equal to or less than \$50,000.

WHEREAS, this resolution will delegate authority to the City Manager or designee to execute RAP packages for the Project as required by statute, in an amount not to exceed \$125,000 per RAP Package using Project Funds.

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

1. The Council of the City of Fresno authorizes the City Manager or designee to execute RAP Packages for the Project to provide relocation benefits to statutorily eligible tenants in an amount not to exceed \$125,000 per RAP Package, paid through Project Funds.
2. All agreements shall be reviewed and approved by staff and the relocation consultants contracted for the Project prior to execution by the City Manager or designee.
3. This Resolution shall be subject to all applicable City rules and regulations.
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 \_\_\_\_\_ 2024.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

TODD STERMER, CMC  
City Clerk

By: \_\_\_\_\_  
Deputy Date

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Kelsey A. Seib Date  
Deputy City Attorney