

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 NONRESIDENTIAL MOVE AND REESTABLISHMENT PACKAGES FOR OWNER-OPERATED BUSINESSES 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 \$58,500,000 of Project funding (Project Funds); and

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

WHEREAS, the Project may relocate up to six owner-operated 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 Nonresidential Relocation and Reestablishment under the URA ; and

WHEREAS, a benefit package is necessary to provide eligible owners with nonresidential eligible moving and reestablishment expenses, but requires personal and sensitive information which may include owners' drivers' licenses, birth certificates, certifications regarding legal residence, source and amount of business income, including tax returns; and

WHEREAS, benefits for each nonresidential relocation are derived by the URA statute and may exceed \$100,000; 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 \$100,000.

WHEREAS, this resolution will delegate authority to the City Manager or designee to execute nonresidential relocation packages for the Project as required by statute, in an amount not to exceed \$200,000 per nonresidential relocation 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 nonresidential relocation packages for the Project to provide relocation and reestablishment benefits to statutorily eligible property owners in an amount not to exceed \$200,000 per nonresidential relocation 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.

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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 _____ 2025.

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