

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO AUTHORIZING THE CITY MANAGER OR  
DESIGNEE TO APPROVE AND ACCEPT THE  
DETERMINATION OF JUST COMPENSATION FOR  
ACQUISITION OF REAL PROPERTY AND PROPERTY  
RIGHTS FOR CITY PROJECTS

WHEREAS, when acquiring real property or property rights for federally or state funded City projects, the Fifth Amendment to the United States Constitution requires a determination of Just Compensation for each property interest acquired for public use; and

WHEREAS, the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) mandates that before the initiation of negotiations with property owners for the acquisition of real property or property rights, an amount which is believed to be just compensation must be established based on an approved appraisal or waiver valuation prepared by City staff or right of way consultants; and

WHEREAS, Acquisition of real property and property rights for City purposes and uses shall be in accordance with City regulations and applicable federal and state laws and regulations. In order to protect the rights of property owners, the following shall apply:

The total amount of the highest approved appraisal shall be accepted and determined to be just compensation for the purchase of real property and property rights for Project purposes by the City Manager or their designees; and

WHEREAS, Pursuant to Code of Federal Regulations Section 102-73.275, the amount of just compensation to be offered to a property owner must be identified through

a summary statement which :

- (a) identifies the real property and the interest(s) to be acquired,
- (b) identifies the buildings, structures, or other improvements considered part of the real property for which just compensation is being offered,
- (c) states that estimate of just compensation is based on the City's estimate of the property's fair market value. If only a part of a property or less than a full interest is being acquired, the City must explain how they determined the just compensation for it, and ,
- (d) states the City's estimate of just compensation is at least as much as the property's approved appraisal value for the portion to be acquired.

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 approve and accept the determination of just compensation for real property and/or property rights to be acquired for City Projects.
2. Such determination shall be made in accordance with applicable laws and regulations and shall be based upon an approved real estate appraisal or waiver valuation prepared by City Staff or right of way consultant, which has been reviewed and has been found acceptable by the Capital Projects Real Estate Manager, as set forth in a summary statement specifying the nature of the review, the finding of acceptability, and the basis for such finding.
3. The total amount determined to be the fair market value of the property to be acquired shall be accepted and determined to be just compensation for the acquisition

of real property and/or property rights for Project purposes by the City Manager or their designee.

4. This Resolution shall be subject to all applicable City rules and regulations.
5. 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 \_\_\_\_\_ 2025.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

TODD STERMER, MMC  
City Clerk

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

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

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