



Legislation Details (With Text)

**File #:** ID16-854      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Passed  
**File created:** 7/14/2016      **In control:** City Council  
**On agenda:** 8/18/2016      **Final action:** 8/18/2016

**Title:** Actions related to the selling of an abandoned water pump property number (PS-229) to Mr. Ramon J. Tostado: (Property located in the County of Fresno)  
1. Adopt a finding of no possibility of significant effect pursuant to CEQA Guidelines Section 15061(b)(3) and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of an abandoned water well property located at 4757 E. Simpson Avenue, to Mr. Tostado.  
2. Authorize the Public Works Director or his designee to execute the Agreement for Purchase and Sale of Real Property and complete the sale of excess land to Mr. Tostado

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity Map PS 229 APN 447-061-23T.pdf, 2. Signed Sales Agreement For PS 229.pdf

Date	Ver.	Action By	Action	Result
8/18/2016	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**August 18, 2016**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**THROUGH:** ANDREW J. BENELLI, PE, City Engineer/Assistant Director  
Public Works Department, Traffic and Engineering Services Division

CRAIG L. HANSEN, Supervising Real Estate Agent  
Public Works Department, Real Estate Services Section

**BY:** PETE CALDWELL, Senior Real Estate Agent  
Public Works Department, Real Estate Services Section

**SUBJECT**

Actions related to the selling of an abandoned water pump property number (PS-229) to Mr. Ramon J. Tostado: (Property located in the County of Fresno)  
1. Adopt a finding of no possibility of significant effect pursuant to CEQA Guidelines Section 15061(b)(3) and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of an abandoned water well property located at 4757 E. Simpson Avenue, to Mr. Tostado.

2. Authorize the Public Works Director or his designee to execute the Agreement for Purchase and Sale of Real Property and complete the sale of excess land to Mr. Tostado

## **RECOMMENDATION**

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to CEQA Guidelines Section 15061(b)(3) and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of an abandoned water well property located at 4757 East Simpson Avenue, to Mr. Tostado.
2. Authorize the Public Works Director or his designee to execute the Agreement for Purchase and Sale of Real Property and complete the sale of excess land to Mr. Tostado.

## **EXECUTIVE SUMMARY**

In order to eliminate maintenance costs and return land to the tax roll, it is proposed the City sell an abandoned water well property to Mr. Tostado. The site contains approximately 12,197 square feet and is located at 4757 East Simpson Avenue. The property is an odd shaped property that is large enough to construct a house. Staff first tried to sell this property in 2007 by contacting local non-profit private home builders as well as the City of Fresno Housing Division for a show of interest in developing the property. Staff has not received any responses about purchasing the property. Staff estimated the value at \$12,200 and has received Mr. Tostado's cashier's check for that amount. The property will be sold "as is" to Mr. Tostado.

## **BACKGROUND**

The City owns a number of abandoned water well properties which are no longer in use or needed by the City. The City Water Division plans to dispose of these properties, which are either too small or irregularly shaped. The sales price of the sites is established by analysis of the size, shape, location, frontage, access, use potential, potential benefit added to the adjacent property, and subsequent negotiations with the prospective buyers. The sale price for this site is in the range of prices the City has received for similar surplus well sites. Mr. Tostado contacted the Real Estate Section of Public Works Department to inquire if the property was for sale now that it appears to be abandoned. After discussions with Department of Public Utilities - Water Division, it was confirmed that the site was still available for disposal and sale. The acquisition documents were drawn up and presented to Mr. Tostado for signature. The documents signed by Mr. Tostado have been approved as to form by the City Attorney's Office.

## **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this action and, pursuant to California Environmental Quality Act (CEQA) Guidelines, section 15061(b) (3), has determined with certainty that there is no possibility that this action may have a significant effect on the environment, because it is merely a change of ownership. Furthermore, this is exempt pursuant to CEQA Guidelines Section 15312 (Class 12 Categorical Exemption), regarding the sale of surplus government property, and none of the exceptions to Categorical Exemptions set forth in CEQA Guidelines Section 15300.2 are applicable.

## **LOCAL PREFERENCE**

Local preference was not considered because the City's sale of property does not include a bid or award of a construction or services contract.

### **FISCAL IMPACT**

There will be no General Fund dollars required to sell this property. The property owner has deposited \$12,200.00 with the City of Fresno which will also cover staff costs and County recording fees.

Attachment:

APN Vicinity Map for APN 447-061-23t  
Signed Purchase and Sales Agreement