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Title: Approve the sale of a portion of property at 5510 W. Barstow Avenue (APN 508-020-03ST) in the amount of \$1,000 to the State of California, High Speed Rail Authority (Council District 2)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 18-1037 Vicinity Map.pdf, 2. 18-1037 Subject Parcel.pdf, 3. 18-1037 Purchase and Sale Agreement.pdf

Date	Ver.	Action By	Action	Result
9/20/2018	1	City Council	approved	

REPORT TO THE CITY COUNCIL

September 20, 2018

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SUBJECT

Approve the sale of a portion of property at 5510 W. Barstow Avenue (APN 508-020-03ST) in the amount of \$1,000 to the State of California, High Speed Rail Authority (Council District 2)

RECOMMENDATION

Staff recommends the City Council approve the sale of 24 square feet of property along with a 240 square foot temporary construction easement at 5510 W. Barstow Avenue to the State of California, High Speed Rail Authority (CHSRA) and authorize the City Manager or designee to execute a deed of easement and a temporary construction easement.

EXECUTIVE SUMMARY

The existing well site property at 5510 W. Barstow was purchased by the City of Fresno, Department of Public Utilities Water Division for use as a City well site in 1970. The parcel consists of 0.03 acres or 1,307 square feet. The dimensions consist of approximately 26 feet of frontage on Barstow Avenue and a depth of approximately 50 feet. CHSRA needs to purchase a 24 square foot easement off the frontage, which is less than two-percent of the overall property. In addition, CHSRA needs to occupy an additional 240 square feet for approximately two months in the form of a temporary construction easement. Staff from all impacted agencies, along with the CHSRA appraiser, met onsite and determined there would be no impacts to the well once the transaction is approved and the work completed. Language on the temporary construction easement (TCE) states: "At the expiration of this TCE Grantee (CHSR) shall restore such property to a condition as near as practical to the condition that existed immediately prior to Grantee's operations. Grantee shall not be required to restore vegetation to the pre-existing condition."

BACKGROUND

CHSRA is rerouting a portion of Golden State Boulevard by moving the alignment several hundred feet west from just south of Barstow Avenue, running north to just south of Herndon Avenue. Many of the industrial businesses that presently front the existing Golden State Boulevard will be spared demolition as part of this change in alignment. A City owned parcel containing a water well is one of several impacted parcels. The fair market value was determined via an appraisal by Randy L. Seale, MAI who is under contract by CHSRA. City staff reviewed the offer and determined the one-thousand dollars being offered was fair for the easement and the two-month temporary construction easement.

ENVIRONMENTAL FINDINGS

The acquisition was previously environmentally assessed by the CHSRA as part of the Fresno to Bakersfield section of the California High Speed Rail project. As lead agency, CHSRA prepared an Environmental Impact Report/Environmental Impact Statement and Section 4(f), Evaluation and Draft General Conformity Statement, for the Fresno to Bakersfield section of the California High Speed Rail Project (SCH No. 2009091126), which was certified on May 7, 2014. The EIR included acquisition of the subject parcel in its project description and as such, the impact of such acquisition was considered as a part of the overall analysis in the EIR. As the responsible agency defined in CEQA Guidelines Section 15381, the City of Fresno is responsible for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to approve. After conducting a review of the adequacy of the EIR in conjunction with CHSRA's request to purchase the subject parcels, and after considering the environmental effects of those parts of the project which the City is agreeing to carry out, staff recommends the City Council find that a supplemental or subsequent EIR or Negative Declaration is not required pursuant to CEQA Guidelines Sections 15162 or 15163 because:

1. No substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects due to the proposed action. In this case, there are no changes to the project as a result of the proposed action.
2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously

identified significant effects due to the proposed action. In this case, there are no changes to the project as a result of this proposed action.

3. There is no new information which was not known and could not have been known at the time of the previous EIR that the project will have significant effect not discussed in the EIR related to the proposed action.

Furthermore, it has been determined that none of the mitigation measures and alternatives previously determined to be infeasible are now feasible as they relate to this proposed action. In addition, no new mitigation measures or alternatives that would substantially reduce one or more significant effects on the environment resulting from this proposed action have been identified.

Further, the City Council directs staff to file a Notice of Determination with the Fresno County Recorder pursuant to CEQA Guidelines Section 15096(i).

LOCAL PREFERENCE

Local preference is not implicated because this item does not involve public contracting or bidding with the City of Fresno.

FISCAL IMPACT

The City of Fresno will net \$1,000 from the sale of the property. Staff recommends those funds be deposited into the City of Fresno's Water Enterprise Fund, as repayment to the fund for the original purchase of the property.

Attachments:

- Vicinity Map
- Subject Parcel
- Purchase and Sale Agreement