



Legislation Details (With Text)

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**Title:** Actions pertaining to agreement between the City of Fresno and Omni Financial, LLC:  
 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) guidelines.  
 2. Approve an agreement between the City of Fresno and Omni Financial, LLC, a California limited partnership, for parking and common area maintenance at North Cedar Avenue between East Hampton Way and Dakota Avenue.

**Sponsors:** Office of Mayor & City Manager

**Indexes:**

**Code sections:**

**Attachments:** 1. Omni Agreement

Date	Ver.	Action By	Action	Result
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**REPORT TO THE CITY COUNCIL**

**November 19, 2020**

**FROM:** WILMA QUAN, City Manager  
City Manager’s Office

**BY:** ALDI RAMIREZ, Deputy City Manager  
City Manager’s Office

**SUBJECT**

Actions pertaining to agreement between the City of Fresno and Omni Financial, LLC:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) guidelines.
2. Approve an agreement between the City of Fresno and Omni Financial, LLC, a California limited partnership, for parking and common area maintenance at North Cedar Avenue between East Hampton Way and Dakota Avenue.

**RECOMMENDATION**

Staff recommends the City Council approve an agreement with Omni Financial, LLC (Omni) for parking and common area maintenance at at North Cedar Avenue between East Hampton Way and

Dakota Avenue.

## **EXECUTIVE SUMMARY**

Granite Park re-opened its doors following a ground lease dated December 7, 2015 between the City of Fresno (City) and the Central Valley Community Sports Foundation (CVCSF), a local nonprofit which desired to operate the facility. Granite Park is situated adjacent to a commercial/retail and parking component owned by Omni. The proposed agreement would memorialize the arrangement between the City and Omni, with Omni to provide Granite Park with on-site parking rights and the City to pay Omni its share of the Common Area Maintenance (CAM) fees.

## **BACKGROUND**

Prior to entering into the ground lease with CVCSF, the City paid the costs associated with Granite Park operations and upkeep, including parking and common area maintenance. City staff proposes to enter into an agreement with Omni for parking and common area access, which would essentially memorialize the City's current practice. Pursuant to the attached proposed agreement, the City (and its lessee CVCSF) will have access to parking and the common areas on Omni's adjacent parcels in exchange for payment to Omni of the City's share of CAM charges. The term of the agreement runs through 2090, but includes a termination clause that allows the City to terminate the agreement, at any time, in the public interest, by giving prior written notice; however, such termination shall not relieve the City of any obligations which accrued under the agreement prior to the date of termination.

The City's CAM share to be paid to Omni under the agreement is set at 11.42% of the overall common area maintenance costs, which represents the City's negotiated portion of the overall maintenance. The City has been paying a CAM share since taking over Granite Park so this expense would not add any new burden on the City. The CAM share has varied from 2009 to 2020, ranging from approximately \$11,000 to \$29,000 per year. The justification for the variance in costs over the years is attributable to factors such as the parking lot being sealed and striped, an increase in security, electrical repairs due to vandalism and wire theft.

## **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Categorical Exemption set forth in 15301/Class 1 (no change or expansion of existing use), because this facility will continue to be a parking lot. Furthermore, staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to the project.

## **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's CAM share to be paid to Omni under the agreement is set at 11.42% of the overall common area maintenance costs. The City has been paying a CAM share since taking over Granite

Park so this expense would not add any new burden on the City.

Attachment:  
Omni Agreement