



Legislation Details (With Text)

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Title: Actions pertaining to the sale of six buildable vacant properties on Peach Avenue (Council District 5 and County of Fresno):

1. Adopt a finding of no possibility of significant effect on the environment, per staff determination, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA); and
2. Resolution - Granting authority to the Public Works Director or his designee to enter into and sign purchase and sale agreements for six buildable vacant properties on Peach Avenue through a sealed bid auction.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. ResolutionPeachAvenue.pdf, 2. Vicinity Map Belmont to Tulare.pdf, 3. Vicinity Map Tulare to Kings Canyon Parcels.pdf

Date	Ver.	Action By	Action	Result
1/26/2017	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

January 26, 2017

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SUBJECT

Actions pertaining to the sale of six buildable vacant properties on Peach Avenue (Council District 5 and County of Fresno):

1. Adopt a finding of no possibility of significant effect on the environment, per staff

determination, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA); and

2. Resolution - Granting authority to the Public Works Director or his designee to enter into and sign purchase and sale agreements for six buildable vacant properties on Peach Avenue through a sealed bid auction.

RECOMMENDATION

Staff recommends the Council adopt a CEQA finding of no possibility of significant effect on the environment, and approve the sale of six buildable vacant properties on Peach Avenue through a sealed bid auction and authorize the Public Works Director, or designee, to sign all documents necessary to complete the transaction.

EXECUTIVE SUMMARY

In June 2009, the City and the Fresno County Transportation Authority (FCTA) entered into Measure “C” Cooperative Project Agreement (Cooperative Agreement) authorizing funding for right-of-way acquisitions on the Peach Avenue Widening Project (Project). As part of the Cooperative Agreement and upon construction completion, all excess funds are to be returned to FCTA. The City must now sell the six remaining properties and return all sale proceeds to FCTA as required under the Cooperative Agreement.

BACKGROUND

The Project consisted of widening Peach Avenue from a two-lane to a four-lane arterial roadway between Kings Canyon Road and Belmont Avenue, including a landscaped median island and traffic signal improvements. The Project required full and partial acquisition of approximately forty-two parcels, of which six parcels required full acquisition due to proximity damage.

In 2014 the Project was completed and the four-lane road opened to traffic. The goal at this time is to sell off the six remaining properties through a sealed bid auction sale with the proceeds generated from the sale returned to FCTA as part of the Cooperative Agreement.

The sealed bid auction will occur on Tuesday, February 14, 2017, from 9:00 a.m. to 1:00 p.m. with the following rules in place:

- (1) All sales of property shall be “as is”;
- (2) The minimum bids will begin at seventy-five percent of each property’s appraised value;
- (3) The auction will be an all-cash sale with ten percent of the bid price (via a cashier’s check) due on the day of the auction with all losing bid deposits refunded;
- (4) A condition of any bid is acceptance of the terms contained in the City’s purchase and sale Agreement and the ability to close in thirty days; and
- (5) In the event of duplicate bids by multiple bidders, a live bid will resolve the tie.

The purchase and sale Agreements under this resolution would only apply to the following six parcels: APN 462-084-11 (423 N. Peach); APN 462-152-05 (383 N. Peach); APN 462-152-11 (361 N. Peach); APN 462-153-05 (5194 E. Washington); APN 463-090-28 (144 S. Peach); and APN 463-100-17t (145 S. Peach).

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment of this project and, pursuant to CEQA Guidelines, Section 150 61(b)(3), has determined with certainty that there is no possibility this project may have a significant effect on the environment. This is because the Agreements involve the sale of property only. Therefore, this project is not subject to CEQA.

LOCAL PREFERENCE

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

FISCAL IMPACT

The project was funded by Measure "C" Tier 1 regional funds and the proceeds from the sales of the property will be returned to FCTA with no impact to the General Fund.

Attachments:

Resolution

Vicinity maps