



## Legislation Details (With Text)

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<b>Type:</b>	Action Item	<b>Status:</b>		Passed	
<b>File created:</b>	7/21/2022	<b>In control:</b>		City Council	
<b>On agenda:</b>	7/25/2022	<b>Final action:</b>		7/25/2022	
<b>Title:</b>	<p>Actions pertaining to the property acquisition for the proposed senior center facility (Council District 4)</p> <ol style="list-style-type: none"><li>1. Adopt the Mitigated Negative Declaration for Proposed Acquisition for Senior Center and Housing Project pursuant to the California Environmental Quality Act (CEQA) guidelines</li><li>2. ***RESOLUTION - Adopt the 2nd amendment of the Annual Appropriation Resolution No. 2022-154 appropriating \$4,993,300 in Community Development Block Grant (CDBG) funds for the acquisition of 4343 North Blackstone Avenue (APN 426-253-17) and 4323-4333 North Blackstone Avenue (APN 426-253-19) (Subject to Mayor's veto) (Requires 5 affirmative votes)</li><li>3. Approve the Agreement for Purchase and Sale of two parcels totaling 5.51 acres located at 4343 North Blackstone Avenue (APN 426-253-17) and 4323-4333 North Blackstone Avenue (APN 426-253-19) for \$6,460,000 with Robert M. Mochizuki, M.D. and Susan M. Mochizuki, Co-Trustees of The Mochizuki Family Trust, Dated November 20, 2000; Gregory G. Miyake and Patricia S. Miyake, Co-Trustees of The Miyake Family Trust, dated February 6, 2009; Kenneth (Douglas) Miyake; Harry Miya and Nancy Miya, Trustees of the Harry Miya and Nancy Miya Family Revocable Trust of May 19, 1992; Michael K. Miya, Trustee of the Miya Family Revocable Trust dated August 7, 2007; Melynda K. Miya, Trustee of the Melynda K. Miya Revocable Trust dated February 11, 2008; and Mark K. Miya, Trustee of the Mark K. Miya Revocable Trust dated February 28, 2008, collectively referred to as "Sellers"</li></ol>				
<b>Sponsors:</b>	Office of Mayor & City Manager, Public Works Department, Planning and Development Department, Parks, After School, Recreation and Community Serv				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 22-1177 Mitigated Negative Declaration for Proposed Acquisition for Senior Center and Housing Project, 2. 22-1177 2nd Amendment to Annual Appropriation Resolution No. 2022-154, 3. 22-1177 Purchase and Sale Agreement, 4. 22-1177 Location Map, 5. 22-1177 Vicinity Map				

Date	Ver.	Action By	Action	Result
7/25/2022	1	City Council	ADOPTED	Pass

## REPORT TO THE CITY COUNCIL

**FROM:** TJ MILLER, Assistant City Manager  
Office of Mayor & City Manager

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

AARON AGUIRRE, Director  
Department of Parks, Recreation and Community Services

JENNIFER CLARK, Director of Development  
Planning and Development Department

## **SUBJECT**

Actions pertaining to the property acquisition for the proposed senior center facility (Council District 4)

1. Adopt the Mitigated Negative Declaration for Proposed Acquisition for Senior Center and Housing Project pursuant to the California Environmental Quality Act (CEQA) guidelines
2. \*\*\*RESOLUTION - Adopt the 2nd amendment of the Annual Appropriation Resolution No. 2022-154 appropriating \$4,993,300 in Community Development Block Grant (CDBG) funds for the acquisition of 4343 North Blackstone Avenue (APN 426-253-17) and 4323-4333 North Blackstone Avenue (APN 426-253-19) (Subject to Mayor's veto) (Requires 5 affirmative votes)
3. Approve the Agreement for Purchase and Sale of two parcels totaling 5.51 acres located at 4343 North Blackstone Avenue (APN 426-253-17) and 4323-4333 North Blackstone Avenue (APN 426-253-19) for \$6,460,000 with Robert M. Mochizuki, M.D. and Susan M. Mochizuki, Co-Trustees of The Mochizuki Family Trust, Dated November 20, 2000; Gregory G. Miyake and Patricia S. Miyake, Co-Trustees of The Miyake Family Trust, dated February 6, 2009; Kenneth (Douglas) Miyake; Harry Miya and Nancy Miya, Trustees of the Harry Miya and Nancy Miya Family Revocable Trust of May 19, 1992; Michael K. Miya, Trustee of the Miya Family Revocable Trust dated August 7, 2007; Melynda K. Miya, Trustee of the Melynda K. Miya Revocable Trust dated February 11, 2008; and Mark K. Miya, Trustee of the Mark K. Miya Revocable Trust dated February 28, 2008, collectively referred to as "Sellers"

## **RECOMMENDATIONS**

Staff recommends the City Council (1) adopt the Mitigated Negative Declaration for Proposed Acquisition for Senior Center and Housing Project pursuant to the California Environmental Quality Act (CEQA) guidelines, (2) adopt the 2nd amendment of the Annual Appropriation Resolution No. 2022-154 appropriating \$4,993,300 in Community Development Block Grant (CDBG) for the acquisition of 4343 North Blackstone Avenue (APN 426-253-17) and 4323-4333 North Blackstone Avenue (APN 426-253-19) and (3) approve the Agreement for Purchase and Sale to acquire 5.51 acres located at 4343 North Blackstone Avenue (APN 426-253-17) and 4323-4333 North Blackstone Avenue (APN 426-253-19), together and herein referred to as the Subject Property, from the Sellers for \$6,460,000; and authorize the City Manager or her designee to sign all documents necessary to complete the subject acquisition.

## **EXECUTIVE SUMMARY**

A 5.51-acre site located at 4343 North Blackstone Avenue (APN 426-253-17) and 4323-4333 North Blackstone Avenue (APN 426-253-19) was identified as a potential location for a senior center facility. The subject parcels are situated at the southwest corner of East Holland Avenue and North Blackstone Avenue. 4343 North Blackstone Avenue (APN 426-253-17) includes the vacant former Vons building and the adjacent parcel at 4323-4333 North Blackstone Avenue (APN 426-253-19) includes a strip mall in which four of the six spaces are leased to operating businesses, as follows: O'Reilly Auto Parts, Central Sierra Insurance, San Joaquin Veterinary Hospital and The Camp Fitness Transformation Center. The Sellers have agreed to accept \$6,460,000 in compensation for the parcels and the improvements. Approval of this agreement will allow the for the development of a senior center facility that will serve residents across the community. The subject acquisition will be paid for using CDBG and Measure P funds and the attached Amendment to the Annual Appropriations Resolution will appropriate the necessary dollars to complete the transaction.

## **BACKGROUND**

On July 29, 2021, and January 13, 2022, City Council approved Substantial Amendment 2020-01 and 2020-03, respectively, to the 2020-2021 Annual Action Plan. Combined, the two substantial amendments reprogrammed a total of \$4,993,211.79 in CDBG funds from prior year projects savings and repayments to the acquisition of property for a public facility to be run as a senior center. To expend the \$4,993,211.79 in CDBG funds on the acquisition of the senior center, staff is recommending City Council approve the 2nd amendment to the Annual Appropriations Resolution. The CDBG funding in conjunction with Measure P funding will allow the City to purchase the parcels for the development of a citywide senior center facility. Measure P expenditure category two is made available to improve Fresno's park system by investing in new park development and recreational facilities. The total acquisition cost of \$6,460,000 will be paid for with the \$4,993,211.79 in CDBG funds, and \$1,466,788.21 in Measure P revenue

The City currently serves seniors at six City-owned community centers throughout Fresno including Pinedale, Inspiration, Lafayette, Ted C. Wills, Mosqueda, and Mary Ella Brown. The City also provides senior programming at the Senior Citizens Village. The City's senior program provides an opportunity for seniors to socialize and participate in a variety of recreation activities. Popular activities include bingo, tai chi, arts and crafts, physical fitness, and ceramics. The PARCS Department serves over 400 unique seniors across the seven sites providing approximately 60,000 engagements with seniors each year.

The PARCS Department recently restructured to provide a dedicated Program Manager to promote and enhance senior programming. Under their leadership, the development of a new citywide senior center facility will allow the City to expand services to the community by connecting seniors to vital resources that have been requested, including but not limited to: the senior hot meals program, health and fitness programs, wellness programs, transportation services, volunteer opportunities, educational and arts programs, and technology programs. Acquisition of this property by the City would facilitate the demolition of the grocery store in order to develop the 29,000 square foot senior center. The community center will include outdoor amenities such as green space for activities and leisure, fitness equipment, a space for gardening, walking trails, and trees. Additionally, the community center will be served by public transportation, which will reduce the barriers of access for seniors throughout the community. The City Attorney's Office has reviewed and approved as to form.

## **ENVIRONMENTAL FINDINGS**

### NEPA

Pursuant to the National Environmental Policy Act (NEPA) guidelines, a Phase I Environmental Site Assessment was completed and summarized in a report dated January 27, 2022. The NEPA review concluded a Finding of No Significant Impact. The Housing and Community Development Division received authorization to use grant funds from the U.S. Department of Housing and Urban Development on May 27, 2022.

### CEQA

The City of Fresno has prepared an Initial Study of the above-described project and proposes to adopt a Mitigated Negative Declaration. The environmental analysis contained in the Initial Study is tiered from the PEIR State Clearinghouse No. 2019050005 prepared for the Fresno General Plan pursuant to CEQA Guidelines§ 15152 and incorporates the PEIR by reference pursuant to CEQA Guidelines§ 15150.

Pursuant to the California Public Resources Code (PRC) §§ 21093 and 21094 and California

Environmental Quality Act (CEQA) Guidelines §§ 15070 to 15075, 15150, and 15152, this project has been evaluated with respect to each item on the attached Appendix G/Initial Study Checklist to determine whether this project may cause any additional significant effect on the environment, which was not previously examined in the PEIR. After conducting a review of the adequacy of the PEIR pursuant to PRC § 21157 .6(b )(1) and CEQA Guidelines §§ 15151 and 15179(b ), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete, has become available. The completed Appendix G/Initial Study Checklist, its associated narrative, technical studies and mitigation measures reflect applicable comments of responsible and trustee agencies and research and analyses conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, Initial Study narrative, and any attachments thereto, combine to form a record indicating that an Initial Study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

With mitigation imposed under the PEIR and project specific mitigation, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the PEIR. The Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete has become available.

Therefore, the City proposes to adopt the Mitigated Negative Declaration for Proposed Acquisition for Senior Center and Housing Project.

## **LOCAL PREFERENCE**

Local preference does not apply because approval of the Purchase and Sale Agreement does not include a bid or award of a construction or service contract

## **FISCAL IMPACT**

The total acquisition cost of \$6,460,000 for the two parcels will be paid for with a combination of funding including \$4,993,211.79 in CDBG funds, and \$1,466,788.21 in Measure P revenue currently appropriated in the Fiscal Year 2022 PARCS Department budget. Adoption of the attached AAR amendment resolution will appropriate the necessary CDBG funding to encumber the funds necessary for the proposed acquisition in the current fiscal year.

Attachments:

Mitigated Negative Declaration for Proposed Acquisition for Senior Center and Housing Project

2nd Amendment to Annual Appropriation Resolution No. 2022-154  
Purchase and Sale Agreement  
Location Map  
Vicinity Map