



RESOLUTION NO. 2009-196

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA CERTIFYING PUBLIC USES  
UPON ACCEPTANCE OF SURPLUS CALIFORNIA  
DEPARTMENT OF TRANSPORTATION PROPERTIES

WHEREAS, the California Department of Transportation (Caltrans) has issued an offer to sell surplus state property to the City of Fresno, as described in Director's Deed DD# 84031-01-01 as delineated on the map(s) attached hereto, totaling approximately 31,826 square feet of vacant land ("Property"); and

WHEREAS, the proposed surplus property sale is categorically exempt from the provisions of CEQA, as not having a significant effect on the environment, pursuant to CEQA Guideline 15312 (Surplus Governmental Property Sales); and

WHEREAS, procedures established by Caltrans require that the City's governing body certify by Resolution City's intended public use of the property upon Council approved acceptance of the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRESNO THAT:

1. The above recitals are true and correct and incorporated herein; and
2. Upon Council approval of Property acquisition, the Property will be used for and restricted to Airport enterprise purposes and uses (the "Public Use") consistent with any and all applicable funding source requirements, subject to constitutional and local law requirements; and
3. City's acceptance of the Property will be for the above Public Use; and
4. Nothing herein binds the City to make any expenditure, incur any indebtedness, or proceed with the Property acquisition; and
5. The Director of Aviation and designee(s) thereof and each of them, as agents for the City of Fresno are hereby authorized to execute and submit any and all documents required hereunder, subject to prior approval as to form by the City Attorney's Office.

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Adopted \_\_\_\_\_  
Approved 9/11/09  
Effective \_\_\_\_\_

2009-196



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CLERK'S CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the 17<sup>th</sup> day of September, 2009.

AYES: Borgeas, Brand, Dages, Perea, Westerlund, Xiong, Sterling  
NOES: None  
ABSTAIN: None  
ABSENT: None

REBECCA E. KLISCH  
City Clerk

By: Rebecca E. Klisch  
Deputy

APPROVED AS TO FORM:  
JAMES SANCHEZ  
City Attorney

By: R 9-08-09  
ROBERT R. COYLE  
Senior Deputy City Attorney  
RRC:sn [50702sn/RESO] 9/8/09