

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JILL SCOTT, REAL ESTATE MANAGER
SUBJECT: MAKE FINDINGS PURSUANT TO CALIFORNIA
ENVIRONMENTAL QUALITY ACT (“CEQA”) GUIDELINES,
ADOPTION OF THE CEQA CHECKLIST, ADOPTION OF THE
RELOCATION PLAN AND APPROVAL OF THE ACQUISITION OF
976 HEARN AVENUE, 980 HEARN AVENUE, AND 1004 HEARN
AVENUE

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Fire Department, Transportation and Public Works Department and Real Estate Services that Council, by resolution: 1) make findings pursuant to State CEQA Guidelines sections 15162 and 15168 that the acquisition of 976 Hearn Avenue, APN 043-191-018; 980 Hearn Avenue, APN 043-191-019; and 1004 Hearn Avenue, APN 043-191-020 (collectively the “Subject Properties”) is within the scope of the previously certified 2016 Program EIR for the Roseland Area/Sebastopol Road and Roseland Area Annexation Projects Specific Plan and that no further environmental review is required at this time; 2) adopt the CEQA checklist; 3) adopt the Relocation Plan; 4) approve the acquisition of the Subject Properties subject to all contract contingencies and approve the demolition of the structures located thereon; and 5) authorize the Assistant City Manager or designee to execute all documents necessary to complete the acquisitions, subject to approval as to form by the City Attorney.

EXECUTIVE SUMMARY

The City seeks to acquire the Properties for the planned future extension of Dutton Avenue and the Colgan Creek Multi- Use Path, and for one or more public uses, potentially including the relocation of Santa Rosa Fire Station 8, a new library facility, a community center and pool, a recreation center, and/or a neighborhood park. Staff seeks Council action to make findings pursuant to State CEQA Guidelines, adopt the CEQA Checklist for the acquisition project, adopt the Relocation Plan to provide relocation assistance to impacted occupants, approve the acquisitions of 976 Hearn Avenue, APN 043-191-018; 980 Hearn Avenue, APN 043-191-019; and 1004 Hearn Avenue, APN 043-191-020 and approve the demolition of the structures located

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thereon, and authorize the Assistant City Manager or designee to execute all documents necessary to complete the transactions.

BACKGROUND

On July 13, December 7 and 21, 2021 in closed session, Council gave direction to staff on price and terms to negotiate the purchase of the Properties for the planned future extension of Dutton Avenue and the Colgan Creek Multi- Use Path, and for one or more public uses, potentially including the relocation of Santa Rosa Fire Station 8, a new library facility, a community center and pool, a recreation center, and/or a neighborhood park.

The structures located on the Properties to be acquired are recommended for demolition because the structures are mostly in poor condition, are not needed for any City use and it is in the best interest of the City to demolish and remove the structures for space that will be needed for future public amenities. Demolition activities will be performed under a standalone contract following acquisition approval.

In July 2021 the City hired the consultant GHD to perform the environmental review and prepare the CEQA documents for the acquisition project. The City has now prepared a CEQA Checklist, attached to the Resolution as Exhibit A, which demonstrates that the acquisition elements are within the scope of the 2016 Program EIR prepared for the Roseland Area/Sebastopol Road and Roseland Area Annexation Projects Specific Plan (linked as Attachment 1) pursuant to State CEQA Guidelines section 15168 and that no further CEQA review is required for the acquisitions, pursuant to State CEQA Guidelines section 15162.

The City is required to prepare and adopt a Relocation Impact Study and Last Resort Housing Plan (the "Relocation Plan") in connection with the acquisition which documents how the City is planning to provide relocation assistance to impacted occupants who will be displaced. The Relocation Plan sets forth the required relocation analysis and level of assistance that the City will make available.

PRIOR CITY COUNCIL REVIEW

On July 13, December 7 and 21, 2021 in closed session, Council gave direction to staff on price and terms to negotiate the purchase of the Properties.

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ANALYSIS

Acquisitions

On July 13, December 7 and 21, 2021 in closed session, Council gave direction to staff on price and terms to negotiate the purchase of the Properties. As part of the acquisition process, Staff has issued the following notices to property owners:

976 Hearn Avenue:

Notice of Decision to Appraise and Information Booklet for the Acquisition of Property by a Public Agency	9/3/2021
Conditional offer letter	9/21/2021
Updated Offer letter	11/4/2021

980 Hearn Avenue

Notice of Decision to Appraise Property and Information Booklet for the Acquisition of Property by a Public Agency	7/15/2021
Conditional offer letter	9/15/2021
Conditional offer letter	11/18/2021
Updated Conditional offer letter	12/7/2021

1004 Hearn Avenue

Notice of Decision to Appraise and Information Booklet for the Acquisition of Property by a Public Agency	7/15/2021
Conditional Offer letter	9/15/2021

Property owners and Staff have negotiated, and Staff has secured acquisition agreements in line with the price and term parameters provided by the Council in closed session for each of the Properties and now seeks final approval of the acquisitions.

GHD engaged TreanorHL's assistance in evaluating the Properties for their eligibility as historic resources. The Properties have not been identified on any national, state, or local historic resources inventory. The Properties do not appear to be eligible for listing in the national, state, or local historic inventories, as they do not appear to be eligible under any of the established criteria.

This action will authorize the demolition of the structures located at the Properties. As a cost saving measure the City may choose to bundle all demolition project sites into a single construction contract, to be awarded under a different item.

CEQA

As noted above, the City retained GHD to conduct the required environmental review for the acquisition project. GHD prepared the attached CEQA Checklist as part of its analysis and determined that this acquisition is within the scope of the previously approved Specific Plan and the potential public uses on the property to be acquired are within the scope of the previously certified 2016 Program EIR for the Roseland Area/Sebastopol Road and Roseland Area Annexation Projects Specific Plan, and therefore no further environmental review is required in connection with these acquisitions. The proposed resolution includes detailed findings supported by substantial evidence in the record related to the acquisitions demonstrating why no further environmental review is required at this time.

Relocation Plan

The City is planning the acquisition project in a manner that minimizes the number of properties to be potentially acquired and limits the number of businesses and residences to be potentially displaced. It is presently anticipated that two (2) households will be impacted.

Under State law, the City Council is required to adopt a Relocation Impact Study and Last Resort Housing Plan (the "Relocation Plan") which documents how the City is planning to provide relocation assistance to impacted occupants. To ensure that the acquisition project proceeds in a timely manner and meets critical timelines, it is important that the Council timely consider and adopt a Final Relocation Plan as provided in Attachment 2.

Eligible displaced persons have received a Notice of Eligibility that informs them of the relocation assistance that is available to them. Occupants will not be required to vacate the property until at least 90 days after a Notice to Vacate is issued. The City will attempt to schedule its acquisition project activities in a manner that will allow occupants substantially more than 90 days to relocate after the Notice is issued, if feasible, given timelines. Advanced planning by means of a Relocation Plan plays an important role in ensuring that occupants can successfully relocate in a timely manner.

The City has contracted with Associated Right of Way Services, Inc. (AR/WS) to meet with occupants to describe the acquisition project and available assistance and to develop the Relocation Plan. AR/WS staff attempted to meet with each household. Two households agreed to meet with AR/WS during the planning phase, and one household has met with and is actively working with AR/WS on relocation. AR/WS also conducted market research to ascertain the availability of comparable housing in the area and the cost of that housing.

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As a result of this research, AR/WS developed a Draft Relocation Plan that includes the following:

- A summary of the acquisition project scope and schedule;
- A commitment that the City will have funds available to provide full assistance in compliance with applicable laws and regulations;
- A summary of impact to occupants that may be affected by the acquisition project;
- An analysis of properties that may serve as replacement sites; and
- An explanation of the City's Relocation Assistance Program, how that Program will provide advisory and monetary assistance to affected occupants, and a commitment to comply with State relocation laws and regulations, including California Government Code 7260 *et seq.*, and California Code of Regulations, Title 25, Chapter 6.

The Relocation Plan recognizes that persons potentially impacted may have several questions concerning the Relocation Assistance Program and may need assistance in both planning their relocation and understanding the benefits to which they are entitled. AR/WS worked with the City to develop a Residential Relocation Assistance brochure (included in the Relocation Plan) for this purpose. The brochure describes the relocation assistance available to all eligible households and storage tenants displaced as a result of the acquisition project. The Relocation Plan also identifies the City's commitment to ensure that a Relocation Advisor be available to explain and answer questions and to assist eligible displaced persons in achieving successful relocations. Displaced persons are encouraged to make full use of this benefit. A summary of the available benefits is set forth below.

Impacted Households

The Relocation Assistance Program will provide eligible residential occupants with the following benefits:

- Advisory Services to assist each household in identifying available rental properties in the community, understanding available benefits under the Relocation Assistance Program, and filing claims for payment.
- Moving Payment Assistance to reimburse each household for the cost to move personal property to a replacement site.

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- Replacement Housing Payments to help each household with increased housing costs for comparable housing for 42 months up to a maximum of \$7,200. Occupants may be eligible for a greater level of assistance so that they are not required to pay more than 30% of household income toward rent for 42 months. Each household may choose to use the funds from the Replacement Housing Payment to either rent or purchase replacement housing.

Impacted Property Owners Not Occupying the Property

There may be three property owners who own but do not occupy the Properties. Persons who lease property to others may be eligible to receive the following assistance under the Relocation Program:

- Advisory Services to assist with understanding available benefits under the Relocation Assistance Program and with filing claims for payment.
- Moving Payment Assistance to reimburse for the cost to move personal property to a replacement storage site.
- Reestablishment Payments to assist with the cost to reestablish their business.

Draft Plan Circulation and Comment Period

The Draft Relocation Plan was circulated for the statutorily required 30-day review and comment period. Potentially displaced occupants were provided with a copy of the Draft Relocation Plan and were notified of their right to review the Draft Plan and provide comments. The Draft Relocation Plan was also available for public review at City offices and the City website. As a result of this process, City staff hoped to acquire a better understanding of any potential concerns the public may have, including those persons that may be impacted by the acquisition project. Any comments to the Draft Relocation Plan presented to AR/WS or the City during the public comment period will be addressed in the Final Relocation Plan.

Adoption of Relocation Assistance Laws and Regulations

The acquisition project is currently funded locally but may in the future secure federal funds. As a result, the Relocation Plan presents a Relocation Assistance Program that adheres to both State and federal relocation laws:

- the California Relocation Assistance Law (California Government Code Sections 7260-7266 Chapter 16) and the California regulations (25 CCR sections 6000 et. seq.), and such amendments that may follow, as its own rules and regulations for

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purposes of implementing relocation benefits and administering relocation assistance for locally funded projects, and

- the Uniform Relocation Assistance Act, as amended (42 USC Ch. 61 and P.L. 112-141) (URA) and federal regulations (49 CFR 24), and such amendments that may follow, as its own rules and regulations for federally funded projects as its own rules and regulations for purposes of implementing relocation benefits and administering relocation assistance for federally funded projects.

FISCAL IMPACT

The Purchase will be funded by JL Key P05094, which was approved and funded previously through the budget process.

ENVIRONMENTAL IMPACT

Compliance with the California Environmental Quality Act has been satisfied. Specifically, the Council has evaluated the proposed action to determine whether it will have a significant effect on the environment. The Council has found, pursuant to State CEQA Guidelines sections 15162 and 15168, that the acquisition is within the scope of the previously certified 2016 Program EIR for the Roseland Area/Sebastopol Road and Roseland Area Annexation Projects Specific Plan and that no further environmental review is required at this time. These findings are based on all the evidence in the administrative record, including but not limited to the 2016 Program EIR and the subsequently prepared CEQA Checklist attached hereto.

Approval to demolish all structures on the Properties is Categorically Exempt pursuant to CEQA Guidelines (Section 15301(I)), which exempts demolition and removal of individual small structures such as single-family residences, small commercial structures and accessory structures from CEQA provisions.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable

NOTIFICATION

On December 1, 2021, the General Information Notice (GIN) was sent out to all three property owners and occupants informing them of the City's interest in purchasing the property and eligibility to receive relocation assistance under applicable laws and regulations

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The Draft Relocation Plan was circulated on December 9, 2021, for the statutorily required 30-day review and comment period. Potentially displaced occupants were provided with a copy of the Draft Relocation Plan and were notified of their right to review the Draft Plan and provide comments. The Draft Relocation Plan was also available for public review at City offices and the City website. As a result of this process, City staff hoped to acquire a better understanding of any potential concerns the public may have, including those persons that may be impacted by the acquisition project. Any comments to the Draft Relocation Plan presented to AR/WS or the City during the public comment period will be addressed in the Final Relocation Plan.

ATTACHMENTS

- Attachment 1 – Program EIR <https://www.srcity.org/2437/Roseland-Area-Projects-Environmental-Imp>
- Attachment 2 – Relocation Plan
- Attachment 2 – REVISED Relocation Plan
- Resolution / Exhibit A – CEQA Checklist

CONTACT

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