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RESOLUTION NO. R-23-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON TO AMEND THE FISCAL YEAR 2015-2016 BUDGET TO INCREASE REVENUES AND EXPENDITURES REGARDING THE ACQUISITION OF A ROAD RIGHT-OF-WAY EASEMENT AND UTILITY EASEMENT BY EMINENT DOMAIN FOR THE CITY'S INSTALLATION OF PUBLIC ACCESS IMPROVEMENTS

WHEREAS, the City of Colton ("City") proposes to acquire a Road Right-of-Way Easement and Utility Easement ("Easements") in a portion of certain real property; more particularly described as Assessor Parcel No. 0161-221-21, currently owned by Union Pacific Rail Road ("UPRR"), for the City's installation of public access improvements (the "Project"), pursuant to the authority granted to it by Section 37350.5 of the California Government Code; and

WHEREAS, pursuant to the City's appraisal of said Easements conducted by a licensed appraiser, Smothers Appraisal Services, the appraised just compensation is \$19,300 (the "Purchase Price"); and

WHEREAS, UPRR is preparing their own appraisal and is requesting for reimbursement of their appraisal up to \$5,000 per Code of Civil Procedures section 1263.025; and

WHEREAS, the City will be receiving a portion of a deposit in the amount of \$24,300 held in escrow relative to the sale of certain real property generally located at the northwest corner of Colton Avenue and Mt. Vernon Avenue in the City (APN 0161-221-03-0000); and

WHEREAS, a budget appropriation/expenditure for the purchase of the Easements, not listed in the 2015-16 Fiscal Year budget, is required and must be approved by resolution of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON RESOLVES AS FOLLOWS:

SECTION I. INCORPORATION OF RECITALS. The recitals set forth above are true and correct and are hereby incorporated into this Resolution.

SECTION II. INCREASE IN CITY REVENUES. The City Council authorizes this amendment, and adjustment to the Fiscal Year 2015-16 budget, increasing revenues in the amount of \$24,300 from the release of a portion of monies on deposit relative to the sale of the City Parcel to Account Number 100-7804-000.

SECTION III. APPROPRIATION OF EXPENDITURES. The City Council authorizes this amendment, and adjustment to the Fiscal Year 2015-2016 budget, for an appropriation of \$24,300 as follows:

- Increase Economic Development Division's Professional Services Expenditure Account Number 100-6300-9050-2350 in the amount of \$24,300 for associated costs relative to the Easements.

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SECTION IV. CERTIFICATION. The City Clerk shall certify to the adoption of this Resolution.

SECTION V. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 15th day of March, 2016.



Isaac T. Suchil, Mayor Pro Tempore

ATTEST:



Carolina R. Padilla, City Clerk

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF COLTON)

4 CERTIFICATION

5 I, **CAROLINA R. PADILLA**, City Clerk of the City of Colton, California, do hereby
6 certify that the foregoing is a full, true and correct copy of **RESOLUTION NO. R-23-16**,
7 duly adopted by the City Council of said City, and approved by the Mayor of said City, at its
8 Regular Meeting of said City Council held on the **15th day of March, 2016**, and that it was
9 adopted by the following vote, to wit:

10 AYES: COUNCILMEMBER Toro, Jorin, Navarro, González, Suchil
11 Bennett
12 NOES: COUNCILMEMBER None
13 ABSTAIN: COUNCILMEMBER None
14 ABSENT: COUNCILMEMBER Mayor DeLaRosa
15

16 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal
17 of the City of Colton, California, this _____ day of _____, 20__.

18
19
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21 _____
22 CAROLINA R. PADILLA
23 City Clerk
24 City of Colton

25
26
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28 (SEAL)