

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF FRESNO

STATE OF CALIFORNIA

<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p>	<p>IN THE MATTER OF THE BALD MILL)</p> <p>CREEK ON JOSE BASIN ROAD BRIDGE)</p> <p>REPLACEMENT PROEJCT)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>RESOLUTION AUTHORIZING THE</p> <p>DIRECTOR OF THE DEPARTMENT OF</p> <p>PUBLIC WORKS AND PLANNING TO</p> <p>EXECUTE ALL DOCUMENTS AND TO</p> <p>NEGOTIATE AND PAY SUCH DAMAGE</p> <p>DEPOSIT AS MAY BE REQUIRED TO</p> <p>TO OBTAIN ACCESS TO LANDS HELD</p> <p>IN TRUST BY THE BUREAU OF INDIAN</p> <p>AFFAIRS TO THE EXTENT SUCH</p> <p>ACCESS IS REQUIRED FOR THE BALD</p> <p>MILL CREEK BRIDGE REPLACEMENT</p>
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WHEREAS, the Bald Mill Creek Bridge on Jose Basin Road (the Bridge) is maintained by the County of Fresno and is in need of replacement; and,

WHEREAS, the County of Fresno has received a Highway Bridge Program Grant from the Federal Highway Administration for a project to replace the Bridge; and

WHEREAS, the Bridge is located on land (trust land) which is held in trust for its owners by the United States Bureau of Indian Affairs (the BIA); and,

WHEREAS, pursuant to Title 25, Part 169 of the Code of Federal Regulations, approval from the BIA is required to access trust land; and,

WHEREAS, access to trust land is required to perform a land survey, various environmental and engineering studies, and to perform an appraisal; and,

WHEREAS, the BIA may require the deposit of funds with the BIA to cover potential damages associated with such access; and,

WHEREAS, the BIA requires that an individual be designated to execute various documents on behalf of the organization applying for access to trust land.

NOW, THEREFORE, BE IT RESOLVED:

1. The Fresno County Board of Supervisors hereby authorizes the Director of the Department of Public Works and Planning or his designee to execute all documents, correspondence, applications, agreements, certificates, affidavits and other instruments between the County and various individual property owners and between the County and the

1 BIA as necessary to obtain access to trust land where such access is required to perform a
2 land survey, various environmental and engineering studies, and to perform an appraisal for
3 the Bald Mill Creek on Jose Basin Road Bridge Replacement Project; provided, however, that
4 any documents, correspondence, applications, agreements, certificates, affidavits and other
5 instruments which require the County to indemnify another party will be reviewed and approved
6 by County Counsel prior to approval by the Director of the Department of Public Works and
7 Planning.

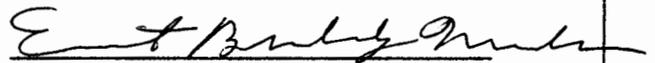
8 2. The Fresno County Board of Supervisors hereby authorizes the Director of the
9 Department of Public Works and Planning or his designee to negotiate and, upon approval by
10 the Auditor-Controller/Treasurer-Tax Collector cause payment to be made to the BIA in an
11 amount to be determined as a deposit for double the estimated damages associated with
12 access to trust land; provided, however, that the amount of such deposit shall not exceed
13 \$10,000 except pursuant to approval by the Board of Supervisors.

14 THE FOREGOING was passed and adopted by the following vote of the Board of
15 Supervisors of the County of Fresno this 9th day of August, 20 16 to wit:

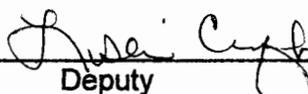
16 AYES: Supervisors Borgeas, Mendes, Pacheco, Perea, Poochigian

17 NOES: None

18 ABSENT None

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20 
21 Ernest Buddy Mendes, Chairman
Board of Supervisors

22 ATTEST:
23 Bernice E. Seidel, Clerk
Board of Supervisors

24
25 By 
26 Deputy