



Board Agenda Item 49

DATE: January 23, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

Kelley Worman-Landano, County Librarian
Robert W. Bash, Director of Internal Services/Chief Information Officer

SUBJECT: Millerton New Town Library Property Line Adjustment

RECOMMENDED ACTION(S):

1. **Make the following findings under Government Code section 25365, subdivision (b) for an exchange of real properties (4/5 vote required):**
 - a. **The real property (approximately 0.25 acre, 877 feet southwest of the intersection of Millerton Road and Marina Drive), owned by the County of Fresno (County), is not required for use by the County. (Property is depicted in Exhibit A);**
 - b. **The real property (approximately 0.25 acre, 852 feet southwest of the intersection of Millerton Road and Marina Drive) owned by the Clarksfield Company, Inc. (Clarksfield), is required for use by the County as a site of a County library to be designed and constructed at an undetermined future date (Property is depicted in Exhibit B); and**
 - c. **The real properties described above and depicted in Exhibit A and Exhibit B, respectively, are of equal value.**
2. **Authorize the Director of Internal Services (Director) to execute a Lot Line Adjustment Application to the Department of Public Works and Planning, which, if approved, will permit (4/5 vote required):**
 - a. **The real property depicted in Exhibit A to be made part of the approximately 12.13 acre adjoining parcel owned by Clarksfield; and**
 - b. **The real property depicted in Exhibit B to be made part of the approximately 1.95 acre adjoining parcel owned by the County.**
 - c. **Approval of adjusted parcels as identified in Exhibit C.**
3. **Authorize the Director to execute a grant deed transferring ownership of the real property depicted in Exhibit A from the County to Clarksfield (4/5 vote required), resulting in adjusted parcels identified in Exhibit C.**

4. **Authorize the Director to accept a grant deed transferring ownership of the real property depicted in Exhibit "B" from Clarksfield to the County (4/5 vote required), resulting in adjusted parcels identified in Exhibit C.**
5. **Authorize the Director, or his designee, to take any actions he deems necessary or appropriate such as the following, all of which shall be consistent with the exchange of real properties between the County and Clarksfield (4/5 vote required):**

Review, approve, execute and/or deliver any and all agreements, documents, certificates, notices, and instruments, and any amendments to any of the foregoing (subject to prior review and approval thereof as to legal form by County Counsel, and, if applicable, as to accounting form by the County Auditor-Controller/Treasurer-Tax Collector), and to take any other actions to initiate, carry out, and finalize the exchange of the real properties between the County and Clarksfield.

6. **Determine that the approval of Recommended Actions 1-5, above, is exempt from the requirements of the California Environmental Quality Act, Public Resources Code 21000, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk.**

These actions are recommended to accommodate JPJ, Inc.'s construction of Lakeridge Drive in Millerton New Town and to authorize the Director of Internal Services or his designee to execute all documents described above necessary to perform the property line adjustment. This property line adjustment is a step toward resolving an issue regarding the lack of public road frontage for the existing County site by ultimately being provided access to the newly constructed Lakeridge Drive.

ALTERNATIVE ACTION(S):

There is no viable alternative action. The real properties to be exchanged between the County and Clarksfield Company, Inc. (the "Property Exchange"), are necessary to provide for JPJ, Inc.'s construction of Lakeridge Drive in the Millerton New Town area, which construction is a condition of approval of Tentative Tract Map No. 4968.

FISCAL IMPACT:

There is no fiscal impact as the real properties to be exchanged between the County and Clarksfield Company, Inc. are of equivalent value.

DISCUSSION:

Existing Conditions

JPJ, Inc., owner of Tentative Tract Map Number 4968 (the "TTM No. 4968"), is in the process of satisfying conditions of approval placed on TTM No. 4968, in preparation for seeking the County's final approval of the subdivision map.

One of the conditions of approval on TTM No. 4968 is the construction of Lakeridge Drive, the design of which is depicted in Exhibit D, attached to this item. The preferred design route of Lakeridge Drive crosses a part of a parcel owned by the County for the benefit of the Library. The parcel, identified as Assessor's Parcel Number 300-340-27ST, is depicted in Exhibit E (the "Existing Library Parcel").

The Existing Library Parcel lacks public road frontage, as it did when the County acquired the parcel in 2002. A lack of public road frontage poses a significant challenge to any future development of the Existing Library Parcel. The proposed Property Exchange would resolve this challenge by providing access to the newly constructed Lakeridge Drive.

Proposed Property Exchange

In order to accommodate the preferred design route of Lakeridge Drive, the County would need to shift the boundaries of the Existing Library Parcel to the northeast.

A single property owner, the Clarksfield Company, Inc. ("Clarksfield") owns the real property adjacent to the Existing Library Parcel to the west, north, and east. Clarksfield has informed County staff that it is willing to exchange 0.25± acres / 10,890± square feet of real property that it owns adjacent to the Existing Library Parcel with the County for 0.25± acres / 10,890± square feet of the Existing Library Parcel to accommodate the reconfiguration of the Existing Library Parcel and the preferred design route of Lakeridge Drive. The resulting parcel is depicted in Exhibit C (hereinafter referred to as the "New Library Parcel"). The New Library Parcel would have a more natural boundary that adapts better to neighboring properties.

The creation of the New Library Parcel would be accomplished in four (4) steps:

1. **Recommended Action Number 1:** The Board would need to make the following findings, pursuant to Government Code section 25365, subdivision (b):
 - a. The real property (approximately 0.25 acre, 877 feet southwest of the intersection of Millerton Road and Marina Drive), owned by the County of Fresno (County), is not required for use by the County. (Property is depicted in Exhibit A)
 - b. The real property (approximately 0.25 acre, 852 feet southwest of the intersection of Millerton Road and Marina Drive) owned by the Clarksfield Company, Inc. (Clarksfield), is required for use by the County as a site of a County library to be designed and constructed at an undetermined future date. (Property is depicted in Exhibit B)
 - c. The real properties described above and depicted in Exhibit A and Exhibit B, respectively, are of equal value.
2. **Recommended Action Number 2:** Authorize the Director of Internal Services (Director) to execute a Lot Line Adjustment Application to the Department of Public Works and Planning, which, if approved, would permit the creation of the New Library Parcel and the reconfigured Clarksfield parcel.
3. **Recommended Action Numbers 3-4:** Authorize the Director to execute a grant deed transferring ownership the real property from the County to Clarksfield, and accept the grant deed transferring ownership of the real property described from Clarksfield to the County, resulting in adjusted parcels identified in Exhibit C.
4. **Recommended Action Number 5:** Authorize the Director, or his designee, to take any actions he deems necessary or appropriate such as those described above in Recommended Action Number 5 to complete the proposed Property Exchange.

Next Steps

If the Board approves all of the recommended actions, Staff will work with Clarksfield to accomplish the

Property Exchange; the first step in that action would be opening escrow.

Recommended Actions 1-5 Are Exempt from California Environmental Quality Act (CEQA)

Staff has determined that approval of Recommended Actions 1-5 are exempt from the requirements of CEQA on two grounds. First, the Property Exchange would result in a minor adjustment of property boundaries and no change in improvements on the properties involved, and is therefore within the Class 5 Exemption to CEQA (Guideline sections 15061(b)(2), 15305(b)). Moreover, because the Property Exchange will only result in a change in ownership and lot lines, staff has determined that it can be seen with certainty that there is no possibility that the Property Exchange may have a significant effect on the environment, and is therefore not subject to CEQA (Guideline section 15061(b)(3)).

Publication

Today's action was published in the Fresno Business Journal on January 12, 2018, and such notice meets the requirements of Government Code section 25365, subdivision (b).

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A - E

CAO ANALYST:

John Hays