



# Board Agenda Item 47

DATE: April 23, 2024

TO: Board of Supervisors

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

SUBJECT: Request by City of Fresno for Conveyance of Right-of-Way

RECOMMENDED ACTION(S):

**Approve and authorize Chairman to execute Quitclaim Deeds conveying the County's current interest in Public Street right-of-way (portions of APNs 511-220-25s, 26s, 27s, and 28s) to the City of Fresno, located on the south side of W. Dakota Avenue, at and near the intersection of N. Milburn Avenue, in the area generally bounded by N. Cornelia and N. Blythe Avenues, adjacent to the Fresno city limits to the north. (\$0)**

Approval of the recommended action authorizes Chairman to execute the conveyance of the County's interest in road right-of-way (ROW) to the City of Fresno (City) via the proposed Quitclaim Deeds. This agenda item follows Board Agenda Item no. 57 from April 9, 2024, in which your Board approved the request by the City to acquire ROW in the area described above, excluding by eminent domain. This agenda item is for the balance of that ROW. This item pertains to locations in District 1.

ALTERNATIVE ACTION(S):

Your Board may determine not to approve the recommended conveyance of road rights-of-way to the City, which will delay the street and intersection improvements.

FISCAL IMPACT:

There is no Net County Cost associated with this item. The City will acquire the County's existing interest in the road ROW from the County for no payment (\$0). The City will be responsible for ensuring it has adequate rights to utilize the existing ROW and additional adjacent property from the property owners, and will construct the street and intersection improvements with no cost to the County. Construction management of the work will be performed by the City and the Department of Public Works and Planning staff will provide oversight inspection of the improvements through application of an encroachment permit for the work in County areas. The City of Fresno will be responsible for continued maintenance of the improvements, as the City specified in its written request and as the owner of the ROW.

DISCUSSION:

The City plans to make street and intersection improvements on W. Dakota Avenue in connection with the development of a City park, known as Dolores Huerta Park, on the northeast corner of W. Dakota Avenue and N. Milburn Avenue. West Dakota Avenue is designated as a "Collector" in the County General Plan and is included in the County's network of maintained mileage. Collectors provide for internal traffic movement within communities, and connect local roads to arterials, super arterials, and expressways. Direct access

to abutting private property is generally permitted along Collectors.

The County's interest in four segments of Dakota Road ROW will be conveyed at no cost to the City. Government Code section 25365, subd. (a) allows your Board to, by a four-fifths vote, grant, convey, quitclaim, assign, or otherwise transfer to several certain types of public agencies, including a city, or exchange with those public agencies, any real or personal property, or interest therein belonging to the County, upon the terms and conditions as are agreed upon, and without complying with any other provisions of the Government Code, provided that the property or interest therein to be granted and conveyed or quitclaimed is not required for County use.

In accordance with the requirements of Government Code section 25365, subd. (c), staff has published a notice of this intended action one time, at least one week prior to this action, in a newspaper of general circulation published in the County.

The proposed Quitclaim Deeds for the County's portion of the ROW have been prepared for your Board's approval and execution by the Chairman. Staff recommends approval of the conveyance of these portions of County ROW to the City of Fresno pursuant to Government Code section 25365(a).

Your Board, during its April 9, 2024, meeting authorized the City to acquire ROW from adjacent parcels to complete the street improvements. This approval did not include authority to undertake eminent domain proceedings. The proposed ROW conveyance is consistent with the need for street improvements per the plans provided by the City. Department staff has reviewed the street improvement plans, and any work within the County ROW will be processed through an encroachment permit.

OTHER REVIEWING AGENCIES:

This item was coordinated with the City of Fresno.

REFERENCE MATERIAL:

BIA# 57, April 9, 2024

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A - City of Fresno Request  
Attachment B - Map  
On file with Clerk - Quitclaim Deeds

CAO ANALYST:

Salvador Espino