



# Board Agenda Item 66

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DATE: June 22, 2021

TO: Board of Supervisors

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

SUBJECT: Request by the City of Fresno to Obtain Right-of-Way in the Unincorporated Area of Fresno County

RECOMMENDED ACTION(S):

**Approve request by the City of Fresno to acquire right-of-way, excluding eminent domain condemnation actions, from parcels adjacent to existing County right-of-way in an identified unincorporated area of the County as needed in conjunction with the City's development of street and intersection improvements at E. McKinley Avenue and N. Temperance Avenue, and E. Belmont and N. Temperance Avenue.**

Approval of the recommended action will authorize the City of Fresno (City) (Attachment A) to acquire additional right-of-way (ROW) in the unincorporated area, at E. McKinley Avenue and N. Temperance Avenue (Attachment B) and at E. Belmont Avenue and N. Temperance Avenue (Attachment C), to provide street and intersection improvements. The City has been advised that your Board's approval of the recommended action does not include approval to undertake eminent domain proceedings. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

If your Board does not approve the action, the City will be unable to acquire right-of way and construct street and intersection improvements at E. McKinley Avenue and N. Temperance Avenue nor at E. Belmont Avenue and N. Temperance Avenue.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The City will acquire the road ROW from property owners and will construct the street and intersection improvements with no fiscal impact 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, per Attachment A.

DISCUSSION:

The City plans to make street and intersection improvements at E. McKinley Avenue and N. Temperance Avenue (Attachment B), and at E. Belmont Avenue and N. Temperance Avenue (Attachment C) to accommodate increased traffic from urbanization. East McKinley Avenue and E. Belmont Avenue are designated as Arterial roads in the County General Plan. Arterials provide for mobility within the county and

its cities, carrying through traffic on continuous routes and joining major traffic generators, freeways, expressways, super arterials, and other arterials. Access to abutting private property and intersecting local streets is generally restricted.

North Temperance Avenue is designated as an Expressway in the County General Plan. Expressways provide for rapid through-traffic movement on continuous routes which connect the cities and communities within the county with each other, with freeways and other expressways, and with communities in adjoining counties. Expressways provide a high degree of access control. The proposed street and intersection improvements will improve traffic safety at the E. McKinley Avenue and N. Temperance Avenue, and the E. Belmont Avenue and E. Temperance intersections to accommodate increasing traffic demands caused by urbanization within the city limits.

Section 1810 of the Streets and Highways Code allows the Board of Supervisors to consent to the acquisition of a road easement by a city outside of its city limits when necessary to connect or widen the existing streets of the acquiring city. If your Board consents to the acquisition of ROW by the City, the acquired ROW becomes a city street for all purposes. The proposed ROW acquisition 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 road ROW will be processed through an encroachment permit. The City will hold title to the ROW and per the City's letter (Attachment A) they will maintain the improvements installed within the area.

OTHER REVIEWING AGENCIES:

The recommended action was initiated at the request of the City of Fresno.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachments A - C

CAO ANALYST:

Ron Alexander