



Board Agenda Item 83

DATE: December 14, 2021

TO: Board of Supervisors

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

SUBJECT: Conveyance of Right-of-Way to the City of Fresno

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute Quitclaim Deeds conveying segments of Right-of-Way to the City of Fresno, as required by the Standalone Tax Sharing Agreement between the City of Fresno and the County of Fresno for the Dakota-Hayes No. 4 Annexation/Reorganization proposal, in the area generally bounded by W. Ashlan Avenue, N. Polk Avenue, W. Shields Avenue, and N. Bryan Avenue (\$0).

On August 10, 2021, your Board approved the Standalone Tax Sharing Agreement between the City of Fresno and the County of Fresno for the Dakota-Hayes No. 4 Reorganization, with the condition the City of Fresno accept conveyances from the County for, or otherwise acquire, all road rights-of-way along N. Bryan Avenue (between W. Ashlan Avenue and W. Shields Avenue), N. Hayes Avenue (between W. Ashlan Avenue and W. Shields Avenue) and W. Ashlan Avenue (between N. Bryan Avenue and N. Polk Avenue), located outside of the proposed Dakota-Hayes No. 4 Reorganization. As stated in the Agenda Report for the Standalone Tax Sharing Agreement, these road rights-of-way will be conveyed to the City of Fresno at no cost. The recommended Board action approves these conveyances of road rights-of-way, and authorizes the Chairman to execute the conveyance of the County road rights-of-way to the City of Fresno via Quitclaim Deeds (Attachment A). 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 Dakota-Hayes No. 4 Annexation.

FISCAL IMPACT:

There is no Net County Cost associated with this item.

DISCUSSION:

A condition of the Standalone Tax Sharing Agreement between the City of Fresno and the County of Fresno for the Dakota-Hayes No. 4 Reorganization requires that, prior to LAFCo's completion of the Dakota-Hayes No. 4 Reorganization, the City shall accept conveyance from the County for or otherwise acquire all road rights-of-way along N. Bryan Avenue, N. Hayes Avenue, and W. Ashlan Avenue.

These segments of right-of-way will be conveyed at no cost to the City of Fresno pursuant to Government Code section 25365(a), which provides that the Board of Supervisors may, 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, if 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(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 Quitclaim Deeds (Attachment A) for the County's portion of the rights-of-way have been prepared for your Board's approval and execution by the Chairman. Staff recommends approval of the conveyance of these portions of County rights-of-way to the City of Fresno pursuant to Government Code section 25365(a).

OTHER REVIEWING AGENCIES:

This item was coordinated with the City of Fresno in conjunction with the approval of the Standalone Tax Sharing Agreement for the Dakota-Hayes No. 4 Annexation/Reorganization proposal.

REFERENCE MATERIAL:

BAI #4, August 10, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A - Quitclaim Deeds

CAO ANALYST:

Ron Alexander