



Board Agenda Item 62

DATE: July 9, 2024

TO: Board of Supervisors

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

SUBJECT: Acceptance of Parking and Access Easement - Clovis Regional Library

RECOMMENDED ACTION(S):

- 1. Adopt Resolution accepting Grant of Parking and Access Easement, dated March 5, 2024, from the City of Clovis, which will ensure perpetual parking and pedestrian access over the City-owned common areas at the new Clovis Regional Library to the County and all Library users; and**
- 2. Approve and authorize the Chairman to execute the Certificate of Acceptance for the interest in real property conveyed by the Grant of Parking and Access Easement.**

The County and City of Clovis agreed to enter into a Cooperative Agreement and Agreement for the Exchange of Real Property for the Clovis Regional Library, which was approved by the Board of Supervisors on March 5, 2024, in accordance with Gov. Code § 25365, for the exchange of the existing Regional Library Property and City's Parcel B in the Landmark Square development. The Exchange Agreement includes a Grant of Parking and Access Easement, to ensure perpetual parking and pedestrian access over the City-owned common areas to the County and all Library users. This item pertains to a location and library service area located in Districts 2 and 5.

ALTERNATIVE ACTION(S):

Should your Board choose not to adopt the Resolution or Certificate of Acceptance, the Parking and Access Easement approved by your Board on March 5, 2024 cannot be recorded by the Fresno County Recorder's Office.

FISCAL IMPACT:

There is No Net County Cost associated with the recommended actions.

DISCUSSION:

On June 2, 2015, the Board of Supervisors directed staff to work with the City to facilitate acquisition and construction of a new Clovis Regional Library on City-owned land located at 735 N. Third Street, Clovis, California. Since then, County staff (Library, Public Works and Planning, Internal Services, County Administrative Office, and County Counsel) has worked with the City to facilitate acquisition of a 1.15-acre parcel for the new Regional Library, in exchange for conveying the existing Regional Library site to the City, which the City represents will be used for City offices.

On March 5, 2024, the Board of Supervisors adopted a resolution (Resolution No. 24-064) determining that certain County-owned real property located at 1155 Fifth Street, Clovis, CA (existing Clovis Regional Library property, APN: 492-131-23ST), is exempt surplus land and is not required for County use, and that certain City-owned real property (APN:492-131-11ST, proposed new Clovis Regional Library) owned by the City of Clovis to be acquired by exchange is required for County use in accordance with Government Code sections 54221(f)(1)(C) and 25365.

Your Board also authorized the Chairman to execute a Cooperative Agreement and Agreement for the Exchange of Real Property (Agreement) (Agreement No. A-24-064) with the City of Clovis to exchange the existing County-owned Clovis Regional Library property for a parcel of City-owned real property (APN: 492-131-11ST) to construct a new Clovis Regional Library with no exchange of monies.

Included in that Agreement was an Exhibit (Exhibit F) ensuring a perpetual Parking and Access Easement for ingress, egress, and parking for the Clovis Regional Library with the City of Clovis. This easement will ensure that the County and all Library users will be able to enter, walk, and park in the common areas (owned by the City) of the Landmark Square development where the new Clovis Regional Library is located.

This item is necessary to finalize the recordation of the Parking and Access Easement. Government Code section 27281 requires that the County consent to this grant of easement through a certificate of acceptance before the easement may be recorded.

OTHER REVIEWING AGENCIES:

The agreement referenced in this BAI was approved on March 5, 2024 by the Board of Supervisors and prior to that was approved by the Clovis City Council on January 16, 2024.

REFERENCE MATERIAL:

BAI #44, March 5, 2024
BAI #4, June 2, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution Accepting Grant of Parking and Access Easement
On file with Clerk - Certificate of Acceptance

CAO ANALYST:

Salvador Espino