



STAFF REPORT

MEETING DATE: February 26, 2025

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Contingent Acceptance of Irrevocable Offers of Dedication from Kerman Unified School District (KUSD) to the City of Kerman, Relating to the KUSD Harvest Elementary School Project (JG)

RECOMMENDATION: Council by motion adopt a resolution:

1. Agreeing to accept Irrevocable Offers of Dedication from KUSD to the City for public utility and street right-of-way purposes pertaining to APNS 020-120-32ST, 26ST, and 27ST and 020-120-28S, upon completion of specified improvements related to the KUSD Harvest Elementary School Project.

EXECUTIVE SUMMARY:

Kerman Unified School District (KUSD) recently constructed Harvest Elementary (School) which went into operation at the start of the 2024-25 school year. In addition to the construction of the School, KUSD is required to construct street and utility infrastructure that will ultimately be dedicated to the City for public use. City acceptance of the improvements and the corresponding land rights is contingent upon the improvements 1) being constructed to City standards and 2) being in operation. The planned infrastructure is currently on KUSD-controlled property.

At present time the improvements are incomplete, with remaining work consisting of revisions to pedestrian crossing improvements, installation of streetlights and the electrification of said streetlights and a sewer lift station. Following substantial KUSD coordination with Pacific, Gas and Electric (PG&E) for scheduling the electrification work, the process reached a sudden stop. PG&E notified KUSD that it cannot schedule the necessary work until the City has accepted the land rights in areas in which its infrastructure will be located. The City in turn informed KUSD and PG&E it cannot accept KUSD's improvements prior to being in operation consistent with City policy regarding liability and other issues.

City Staff worked closely with KUSD and PG&E to resolve this issue and move the electrification work forward. The proposed resolution would be to have KUSD approve an Irrevocable Offers of Dedication (Offers of Dedication) to the City, with the City agreeing to accept the dedication after the completion of improvements. KUSD would then be able to receive electrification from PG&E so that the improvements can be confirmed completed, after which the City will confirm the acceptance of the dedication. In essences, the Offers of Dedication by KUSD will provide

PG&E a level of assurance that the City will ultimately receive land rights while at the same protecting the City against the risk and liability of accepting incomplete improvements.

The KUSD Board of Supervisors has approved the Offers of Dedication. This matter is now before the City to take the next step in the process. The proposed resolution establishes that the City will approve the acceptance of Offers of Dedication pertaining to APNS 020-120-26ST, 27ST and 32ST, and 020-120-28S upon the completion of specified public improvements. Once the improvements are completed as contemplated by the resolution, this matter will be brought back to the Council for a resolution confirming final acceptance of the offers of dedications. In the interim, the conditional intent of Acceptance of Offers of Dedication before the Council at this time will enable PG&E to electrify streetlights and the sewer lift station in turn allowing the City to accept the improvements and corresponding land rights.

FISCAL IMPACT:

The intent to accept Irrevocable Offers of Dedication contingent upon the completion of specified improvements by KUSD, at its own cost, does not result in an expense to the City.

ATTACHMENTS:

A. Resolution w/Exhibit