



STAFF REPORT

MEETING DATE: June 11, 2025

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Approval of Common Use of Easement with Fresno Irrigation District for Vesting Tentative Tract No. 6447 (JG)

RECOMMENDATION: Council by motion adopt resolution approving the Common Use of Easement Agreement with Fresno Irrigation District for Tract No. 6447 and authorizing the City Manager to sign the agreements.

EXECUTIVE SUMMARY:

Joseph Crown Construction and Development, Inc. (Crown), submitted Vesting Tentative Tract Map No. 6447 (TM 6447), proposing to subdivide approximately 29 acres located on the north side of Kearney Boulevard, approximately 1,000 feet west of Siskiyou Avenue. TM 6447 consists of one hundred and sixty-three (163) single-family residential lots and one (1) outlet for future development of a domestic water well. TM 6447 was approved by the Planning Commission on July 15, 2024 and City Council on September 25, 2024.

In the time since approval of TM 6447, Crown has submitted Final Map No. 6447 (FM 6447) improvement plans, and required technical documents for the subdivision as well as has undergone the Fresno Local Agency Formation Commission's annexation process for expanding the City limits to encompass the development. The final map and plans are currently undergoing a review process after which, Staff will bring before Council the final map approval and acceptance of dedications for public use as a future item.

Fresno Irrigation District (FID) owns, operates, and maintains existing 42" diameter Siskiyou Lateral No. 146 pipeline within an existing easement along the north side of Kearney Boulevard, at the southern boundary of FM 6447. As a Condition of Approval imposed by FID, the subdivision is limited to sidewalk, landscape and irrigation improvements and a one-foot streetlight foundations encroachment within FID's easement. In order for FID to allow these improvements, the City must enter into an Agreement for Common Use of Easement (CUA) with FID. The CUA is applicable to the land area that will be of "common use" to both the City and FID, as described and shown on **Exhibits 'A' and 'B'** of the CUA, **Exhibit '1'**. The primary purpose of the CUA is to establish the responsibilities and liabilities of each party for the common use area. The CUA will allow the developer to construct the pedestrian sidewalks/pathways, landscaping, irrigation and streetlight facilities within the common use area, as required by the City. In accordance with the CUA, upon City acceptance of the improvements, the City assumes responsibility for repair to any damage caused to the FID pipeline.

Approval of the CUA will allow FID to approve the improvement plans prior to the City's FM approval and acceptance of dedications thereby eliminating future delays affecting the recordation of necessary development documents.

FISCAL IMPACT:

There is no fiscal impact resulting from execution of the Agreement for Common Use of Easement.

ATTACHMENTS:

A. Resolution