



Legislation Details (With Text)

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**Title:** Approve a Cooperative Agreement in the amount of \$108,457 with the Fresno County Transportation Authority (FCTA) for the Met Block Project Off-Site Improvements under Round 4 of the 2014 funding cycle for the Measure "C" Transit Oriented Development (TOD) Program. (Council District 3)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. attachment MET TOD COOPERATIVE AGREEMENT .pdf

Date	Ver.	Action By	Action	Result
9/24/2015	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**September 24, 2015**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**THROUGH:** ANDREW J. BENELLI, PE, City Engineer/Assistant Director  
Public Works Department, Traffic and Engineering Services Division

**BY:** DAVID CISNEROS, Projects Administrator  
Public Works Department, Traffic and Engineering Services Division

**SUBJECT**

Approve a Cooperative Agreement in the amount of \$108,457 with the Fresno County Transportation Authority (FCTA) for the Met Block Project Off-Site Improvements under Round 4 of the 2014 funding cycle for the Measure "C" Transit Oriented Development (TOD) Program. (Council District 3)

**RECOMMENDATION**

Staff recommends that the Council approve a Cooperative Agreement in substantially the form attached for the Met Block Project Off-site Improvements

**EXECUTIVE SUMMARY**

On February 27, 2014, the Council adopted Resolution No. 2014-37, authorizing submission of an application for grant funds under the TOD program. The Resolution included the off-site improvements for the Met Block Development in the amount of \$229,799. The project scope for the Met Block Project will include the construction of off-site improvements along the abutting frontages of the project site, such as curbs, gutters, sidewalks and paving on Stanislaus Street, Fulton Street and Calaveras Street. The FCTA Board has approved the allocation of TOD funds for the project and the attached Cooperative Agreement will allow for the City to be reimbursed for eligible project costs by the FCTA. Council approval of the Cooperative Agreement is necessary at this time in order to allow for FCTA Board approval on October 28, 2015, and to avoid any project delays.

## **BACKGROUND**

The Measure "C" Extension (2007-2027) approved by the voters of Fresno County has a number of subprograms including regional street and highway projects, airport funding, transit ,flexible funding, street maintenance, bicycle lanes, trails and environmental enhancements, as well as several others. Under the Environmental Enhancement Allocation Program, the Measure "C" Expenditure Plan includes the TOD Program, the purpose of which was to provide funding to support planning, incentives and infrastructure related to infill, higher-density TOD types of development.

The Council adopted Resolution No. 2014-37, which included the Met Block Project off-site Improvements, in the amount of \$229,799. However, FCTA only had available funds in the amount of \$121,342. Cycle 4 funding became available on June 10, 2015 at which time the balance of the project funding \$108,457 was made available for drawdown.

In order to complete the project and allow for reimbursement of project costs from the Measure "C" TOD funds, the City and FCTA must enter into a new Cooperative Agreement for Phase 2 costs of \$108,457. Staff recommends the Council approve this agreement in substantially the form attached. Upon approval by the Council the agreement will be executed on behalf of the City by the Public Works Director, in accordance with the City Manager's delegation of the signing authority. The FCTA Board is scheduled to consider and approve this Cooperative Agreement on October 14, 2015. The City Attorney's Office has approved the new Cooperative Agreement as to form.

Staff will be negotiating a new reimbursement agreement for this project with FFDA Properties LLC, a branch of Granville Homes Inc. Staff will return to Council within 30 days to request approval of a developer reimbursement agreement. On December 11, 2014 staff presented the project-related Environmental Findings in conjunction with Council's consideration of the developer reimbursement agreement, which will enable the actual project construction.

## **ENVIRONMENTAL FINDINGS**

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378 this item does not qualify as a "project" for the purposes of CEQA.

## **LOCAL PREFERENCE**

Not applicable because this is not a competitive bid. This is a funding mechanism only.

## **FISCAL IMPACT**

The \$108,457 project cost to construct off-site improvements abutting frontages of the project, is being fully funded by Measure "C" TOD dollars. There will be no impact to the General Fund.

Attachment:  
Cooperative Agreement