



Legislation Details (With Text)

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Title: Actions pertaining to Sanger Unified School District Projects at Armstrong, Jensen, and Fowler Avenues (Council District 5):
1. Approval of Improvement and Reimbursement Agreement for Phase 2 of Sanger Unified School District Middle and High School Campus Project at Fowler and Jensen Avenues and authorize the Public Works Director, or designee, to execute the agreement on behalf of the City.
2. Approval of Improvement and Reimbursement Agreement for Sanger Unified School District Educational Campus Projects at Armstrong and Fowler and Jensen Avenues and authorize City Manager, or designee, to execute the agreement on behalf of the City.

Sponsors: Public Works Department, Department of Public Utilities

Indexes:

Code sections:

Attachments: 1. 18-0626 Agreement Improvement and Reimbursement Agreement for Sanger Unified School District Educational Campus Projects.pdf, 2. 18-0626 Improvement and Reimbursement Agreement for Phase 2 of Sanger Unified School District Middle and High School.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 5/24/2018 | 1 | City Council | approved | Pass |

REPORT TO THE CITY COUNCIL

May 24, 2018

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

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SUBJECT

Actions pertaining to Sanger Unified School District Projects at Armstrong, Jensen, and Fowler Avenues (Council District 5):

1. Approval of Improvement and Reimbursement Agreement for Phase 2 of Sanger Unified School District Middle and High School Campus Project at Fowler and Jensen Avenues and authorize the Public Works Director, or designee, to execute the agreement on behalf of the City.
2. Approval of Improvement and Reimbursement Agreement for Sanger Unified School District

Educational Campus Projects at Armstrong and Fowler and Jensen Avenues and authorize City Manager, or designee, to execute the agreement on behalf of the City.

RECOMMENDATIONS

Staff recommends that the Council authorize the Public Works Director and the City Manager to execute the following agreements with Sanger Unified School District (“Sanger Unified” or the “District”).

1. Improvement and Reimbursement Agreement for Phase 2 of Sanger Unified School District Middle and High School Campus Project at Fowler and Jensen Avenues - Department of Public Works.
2. Improvement and Reimbursement Agreement for Sanger Unified School District Educational Campus Projects at Armstrong and Fowler and Jensen Avenues - Department of Public Utilities.

EXECUTIVE SUMMARY

Sanger Unified plans to develop an educational complex, including elementary, middle, and high school facilities, in the vicinity of Armstrong, Fowler, Church, and Jensen Avenues (the “Project”). The attached agreements set out the District’s public improvement and development impact fee obligations to the City related to the Project. One agreement governs the Public Works and Development Impact Fee requirements, while the other governs Public Utility infrastructure obligations.

BACKGROUND

As noted, Sanger Unified’s Project includes elementary, middle, and high school facilities in the vicinity of Armstrong, Fowler, Church, and Jensen Avenues. In 2011, the District built Sequoia Elementary School on Armstrong Avenue between Jensen and Church Avenues. At the time, the District’s site was outside of the Fresno city limits. At the District’s request, the City agreed to provide water and sewer service to the site via an Extra-Territorial Service and Offsite Infrastructure Agreement, dated July 28, 2011 (the “Extraterritorial Agreement”). The District now wishes to move forward with Phase 2 of the Project and construct middle and high school facilities across the street from Sequoia Elementary School. The District has processed an annexation application with Fresno LAFCo, whereby the Project is now within the limits of the City of Fresno.

The City has requested and the District has agreed that the District will participate in the City’s fee program and construct all City infrastructure needed to mitigate the impacts of the District’s Project, and to provide utilities to the new facilities. The parties seek to memorialize this understanding in two agreements as follows.

1. **Public Works Improvements and Impact Fees.** The first agreement, “Improvement and Reimbursement Agreement for Phase 2 of Sanger Unified School District Middle and High School Campus Project at Fowler and Jensen Avenues,” primarily addresses street and traffic signal work that will be completed around the new school campus. Sanger Unified will be widening Fowler Avenue, installing curb, gutter and trail on Jensen Avenue, installing left-turn phasing at the Jensen and Fowler Avenue traffic signal, and installing a new traffic signal at Jensen and Armstrong Avenues before occupancy of the school (anticipated August, 2019). The District will

also install a new traffic signal at Armstrong and Church Avenues, which will be completed by August 1, 2021. This agreement also memorializes that the District will pay all impact fees associated with the development of the site. Part of the improvements to be constructed by Sanger Unified will be eligible for reimbursement through the City's development impact fee program.

- 2. Public Utilities Improvements.** The second agreement, "Improvement and Reimbursement Agreement for Sanger Unified School District Educational Campus Projects at Armstrong and Fowler and Jensen Avenues," addresses water and sewer services to the new educational campus and addresses outstanding items from the 2011 Extraterritorial Agreement. Pursuant to this agreement, Sanger Unified will install new water mains in Armstrong, Fowler, and Jensen Avenues. Due to the funding mechanism for the Project, the City will pay for the installation of mains along Jensen Avenue and Armstrong Avenue (to complete a looped system), which will be reimbursed in Phase 3 of the Project, prior to plan approval. Also addressed in this agreement are outstanding water quality fees and water capacity fees for the existing Sequoia Elementary School site.

The above-mentioned agreements have been approved as to form by the City Attorney's Office and have been approved by the Sanger Unified Board of Directors.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this item does not qualify as a "project" as it is an administrative action that will not result in direct or indirect changes to the environment.

LOCAL PREFERENCE

Not applicable because this is not a competitive bid.

FISCAL IMPACT

The General Fund will not be negatively impacted by the agreements. Sanger Unified has agreed to participate in the City's development impact fee program. Funds collected pursuant to the program will be placed in appropriate accounts. Funding to pay for the water main improvements will be provided from the Water Enterprise Fund with reimbursement provided by the District prior to Phase 3 of the Project.

Attachments:

1. Agreement - Improvement and Reimbursement Agreement for Phase 2 of Sanger Unified School District Middle and High School Campus Project at Fowler and Jensen Avenues.
2. Agreement - Improvement and Reimbursement Agreement for Sanger Unified School District Educational Campus Projects at Armstrong and Fowler and Jensen Avenues.