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**Title:** Authorize First Amendment to the November 9, 2017 Memorandum of Understanding between the City of Fresno and Fresno Building Healthy Communities regarding the BMX project at Mary Ella Brown Community Center Park approving project scope, timeline, and budget and authorizing an additional \$135,140 for city-initiated project augmentation (District 3)

**Sponsors:** Parks, After School, Recreation and Community Serv

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**Attachments:** 1. First Amendment to Agreement.pdf, 2. BMX MOU FULLY EXECUTED NOV2017.pdf, 3. ATTACHMENT A - SCOPE OF WORK.pdf, 4. ATTACHMENT B - PROJECT TIMELINE.pdf, 5. ATTACHMENT C - MARY ELLA BROWN BMX PARK PROJECT BUDGET.pdf

Date	Ver.	Action By	Action	Result
5/2/2019	1	City Council	approved	

**REPORT TO THE CITY COUNCIL**

**May 2, 2019**

**FROM:** TJ Miller, Interim Director  
PARCS Department

**BY:** David Smith, Projects Administrator  
PARCS Department

**SUBJECT**

Authorize First Amendment to the November 9, 2017 Memorandum of Understanding between the City of Fresno and Fresno Building Healthy Communities regarding the BMX project at Mary Ella Brown Community Center Park approving project scope, timeline, and budget and authorizing an additional \$135,140 for city-initiated project augmentation (District 3)

**RECOMMENDATION**

Staff recommends that the City Council: (1) approve the First Amendment to the Memorandum of Understanding (MOU) between the City of Fresno PARCS and Fresno Building Healthy Communities (BHC) approving project scope, timeline and budget for the construction of a BMX track at Mary Ella

Brown Community Center Park; (2) authorize an additional \$135,140 of city contribution, and (3) authorize the PARCS Interim Director or designee to sign all related documents.

## EXECUTIVE SUMMARY

On November 9, 2017, City Council approved an MOU with BHC and authorized a \$200,000 allocation from General Fund for the purpose of contributing toward the construction of a new BMX track at Mary Ella Brown. At the time the MOU was executed, the project was estimated at \$350,000. Section 3 of the MOU requires that a "Timeline, Scope, and Budget" be agreed upon and included as a separate amendment.

Over the last several months the BHC and city staff team have worked together to finalize the BMX track design, refine the project scope and identify the respective funding required to complete the project. During the scoping sessions, City staff had recommended additional amenities to be included with the construction, and street work requirements and project permitting fees have been identified, all together totaling an additional \$135,140 to complete the project. The updated total project cost is \$485,140. The City's contribution equates to \$335,140 and BHC's contribution remains at \$150,000.

## BACKGROUND

Mary Ella Brown Community Center Park (MEB) is located in District 3 at 1350 E. Annadale Ave., adjacent to West Fresno Middle School, West of State Highway 41 and South of State Highway 99. The City and BHC have partnered together, through a formal MOU, to fund the construction of a new BMX track within the backside of the parking lot and next to the existing Basketball courts at MEB. The MOU was approved by City Council on November 9, 2017 and described the estimated project scope and cost to be \$350,000 with the City of Fresno contributing \$200,000 from General Fund revenues and BHC contributing the additional \$150,000. The original project estimate included pre-construction costs (i.e., full design documents, site preparation), actual construction cost, and all related project review and permitting fees.

Upon design development plan reviews and coordination meetings between the City and BHC team, PARCS department staff identified opportunities to provide additional amenities to improve the overall use of the BMX track and those recommendations have been incorporated into the final design. These included: (1) installing concrete pavement around the BMX park in lieu of the originally proposed engineered wood fiber for an additional cost of \$38,400, (2) installing new potable water line to the BMX park to add a drinking fountain directly adjacent to the BMX track for an additional cost of \$13,600, (3) installing electrical conduit and pull boxes to provide future sports lighting for the BMX area for an additional cost of \$2,925. The total of these add-ons is \$54,925. It is staff's recommendation to include the added amenities as they will both improve the aesthetics and functionality of the facility as well as reduce long-term operation and maintenance costs associated with concrete versus wood fiber.

In addition to the added amenities the actual fees associated with the project have been confirmed as follows: (1) development permit fees of \$2,726, (2) supporting department review fees of \$1,031, (3) environmental review fees of \$1,181 and (4) miscellaneous other fees of \$277. The permitting fees total \$5,215.

In addition to the added amenities and fees associated with the project PARCS department staff in

conjunction with the Public Works department and the Fire Department staff have identified street improvements to include widening and re-paving of the public access road leading to the Mary Ella Brown parking lot. The addition of a cul-de-sac at the dead end condition of the driveway to assist with fire truck maneuverability and the repair of the sidewalk and the ADA ramp at the public right of way on the corner of Annadale Ave. and the Mary Ella Brown drive aisle have been identified as requirements not previously included in the project scope.

The planning for this project has spanned over multiple fiscal years and between seated Council Members. Both the previous Councilmember, Oliver Baines, and current Councilmember, Miguel Arias have confirmed use of District 3 Park Impact Fees to fund the additional expenses related to the project.

BHC will be responsible for funding any other project costs that may arise during construction, or as needed to complete the project.

## **ENVIRONMENTAL FINDINGS**

The original Report to City Council approved on November 9, 2017 adopted a Class 32 Categorical Exemption prepared for Environmental Assessment No. EA-17-030 dated October 12, 2017. The additional amenities, street improvements and related permitting have no further impact.

## **LOCAL PREFERENCE**

Local preference is not considered as this amendment is to an existing Memorandum of Understanding between the City of Fresno and Fresno Building Healthy Communities.

## **FISCAL IMPACT**

The additional \$135,140 will be funded through District 3 Park Impact Fee appropriations.

### **Attachments:**

First Amendment to Agreement

BMX MOU Fully-Executed Nov 2017

Attachment A - Scope of Work

Attachment B - Project Timeline

Attachment C - Mary Ella Brown BMX Park Project Budget