



Legislation Details (With Text)

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**File created:** 7/3/2019    **In control:** City Council  
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**Title:** Actions pertaining to the property located on the southeast corner of Broadway and Elizabeth APN 452-114-34T (Property):  
1. \*\*\*RESOLUTION - approving the Application of Lowell Community Development Corporation for Statewide Park Development and Community Revitalization Program Grant funds and stating intention to accept project and contract obligations upon successful completion of project and State's approval of the transfer should the Grant be awarded (Subject to Mayor's Veto)  
2. Approve Memorandum of Understanding (MOU) between the City of Fresno and Lowell Community Development Corporation for operations and maintenance of the park upon completion  
3. Authorize the City Manager to take all actions and execute all documents necessary to facilitate the Proposition 68 application and associated park development consistent with the MOU

**Sponsors:** Office of Mayor & City Manager, Miguel Angel Arias, Parks, After School, Recreation and Community Serv

**Indexes:**

**Code sections:**

**Attachments:** 1. RESOLUTION - Lowell.pdf, 2. Notice of Exemption Cat Ex and Vicinity Map.pdf, 3. MOU - Lowell CDC partially-signed 7.22.19.pdf, 4. Late Submission - Lowell MOU.pdf

Date	Ver.	Action By	Action	Result
7/25/2019	1	City Council		adopted

**REPORT TO THE CITY COUNCIL**

**July 25, 2019**

**FROM:** WILMA QUAN, City Manager  
Office of the Mayor & City Manager  
  
MIGUEL ANGEL ARIAS, Vice President  
City Council Offices

**THROUGH:** JIM SCHAAD, Assistant City Manager  
Office of the Mayor & City Manager

**BY:** TJ MILLER, Interim PARCS Director  
Parks, After School, Recreation and Community Services Department

**SUBJECT**

Actions pertaining to the property located on the southeast corner of Broadway and Elizabeth APN

452-114-34T (Property):

1. \*\*\*RESOLUTION - approving the Application of Lowell Community Development Corporation for Statewide Park Development and Community Revitalization Program Grant funds and stating intention to accept project and contract obligations upon successful completion of project and State's approval of the transfer should the Grant be awarded (Subject to Mayor's Veto)
2. Approve Memorandum of Understanding (MOU) between the City of Fresno and Lowell Community Development Corporation for operations and maintenance of the park upon completion
3. Authorize the City Manager to take all actions and execute all documents necessary to facilitate the Proposition 68 application and associated park development consistent with the MOU

## RECOMMENDATIONS

Staff recommends that Council adopt a resolution to support Lowell Community Development Corporation's (Lowell CDC) Proposition 68 application for funds to construct a park on the Property and approve an agreement for the City to operate and maintain the park upon completion as required per Proposition 68 application guidelines.

## EXECUTIVE SUMMARY

The City owns ±0.55 acres of vacant property at the southeast corner of Broadway and Elizabeth. The State of California's Proposition 68 Statewide Park Development and Community Revitalization Program (SPP) offers opportunity to fund the design and construction of the park. The Lowell CDC, a nonprofit community development corporations wishes to submit an application for SPP funding to construct a park on the property. City staff has determined that the construction of this park would benefit the community with minimal ongoing financial impact. If a grant award is awarded, the Lowell CDC would serve as the agent to design and construct the park and the City PARCS Department would operate and maintain the park after construction completion. The ongoing cost to operate is estimated at \$20,000 annually. The SPP grant requires that public entities provide a Council resolution and turnkey agreement which details the City's acceptance of the obligations for future maintenance and operations for a minimum of 30 years upon the Lowell CDC's successful completion of construction and the approval of the transfer by the California Department of Parks and Recreation (DPR).

## BACKGROUND

In June 2018, California voters approved Proposition 68, a general obligation bond, authorizing \$4.1 billion for creation and rehabilitation of state and local parks, natural resources protection projects, climate adaptation projects, water quality and supply projects, and flood protection projects. The release of funds occurs in cycles and with specific project specifications and criteria. Proposition 68 required that between 15 and 20 percent of the bond funds, depending on the type of project, be dedicated to projects in communities with median household incomes less than 60 percent of the statewide average; that 60 percent threshold amounted to about \$39,980 in 2016. The largest amount of bond revenue-\$725 million-was earmarked for neighborhood parks in park-poor neighborhoods in accordance with the Statewide Park Development and Community Revitalization Act of 2008's competitive grant program. Under the current round of funding \$254,942,000 is available.

The current Statewide Park Program (SPP) has a total of \$254 million allocated for grant funding. This competitive program focuses on the creation of new parks and new recreation opportunities in underserved communities across California. The project scope allows for a minimum of \$200K per project with a maximum of \$8.5M per project with no match requirement and no limit on the number of grants submitted. The performance period of the current round requires applications to be submitted by August 5, 2019 and projects must be completed by March 2022.

In January 2018, the City Council adopted the Parks Master Plan Update. The adoption celebrated the culmination of nearly 18 months of community outreach, stakeholder engagement, staff analysis, and a comprehensive evaluation of parks and amenities. The Plan serves as the visionary guide for improving Fresno's parks, open space and recreational services. The Plan also provides recommendations and strategies and highlights the community's priorities for improvements. The overwhelming common goal identifies a focus on making substantial improvements to the city's existing park system and to seek out alternative funding for new park development.

The City owns ±0.55 acres of vacant property at the southeast corner of Broadway and Elizabeth, APN 452-114-34T. The State of California's Proposition 68 Statewide Park Development and Community Revitalization Program (SPP) offers opportunity to fund the design and construction of the park. The Lowell CDC, a nonprofit community development corporations wishes to submit an application for SPP funding to construct a park on the property. City staff has determined that the construction of this Park is in alignment with the Parks Master Plan and would benefit the community with minimal financial impact to ongoing operations. The SPP program presents an attractive means of funding design and construction of the park. If a grant award is awarded to the Lowell CDC, the City PARCS department would will operate and maintain the park in compliance with the terms of the grant upon completion of the project by the Lowell CDC.

The SPP grant requires that public entities provide a Council resolution and turnkey agreement which details the City's acceptance of the obligations for future maintenance and operations for a minimum of 30 years upon the Lowell CDC's successful completion of construction and the approval of the transfer by the California Department of Parks and Recreation (DPR).

The attached Council resolution and agreement are the desired methods to provide these assurances.

The City Attorney's Office has reviewed and approved the resolution as to form.

## **ENVIRONMENTAL FINDINGS**

The project has been previously assessed under CEQA and found to be categorically exempt under Section 15332/Class 32 (urban infill) of the California Environmental Quality Act (CEQA) Guidelines.

A notice of exemption will be filed on July 25, 2019.

## **LOCAL PREFERENCE**

Local preference is not included because this resolution does not include a City bid or award of a construction or services contract.

## **FISCAL IMPACT**

This resolution will have minimal immediate impact on the General Fund. General fund dollars already appropriated will be used to support CEQA analysis, which is estimated at no more than \$20,000. If the grant is formally awarded to the Lowell CDC, It is expected that the project will be completed with Proposition 68 funding and no local match funds for the project will be required. Upon completion of the project, ongoing maintenance and operations will be identified through Annual Appropriations Resolution process. The ongoing cost to maintain and operate is estimated at \$20,000 annually.

### Attachments:

Resolution

Memorandum of Understanding

Environmental Assessment No. EA-19-03316