



Legislation Details (With Text)

File #: ID16-1335 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 11/7/2016 **In control:** City Council

On agenda: 12/1/2016 **Final action:** 12/1/2016

Title: Actions pertaining to the Met Block Project Off-site improvements:
1. *** RESOLUTION - 30th amendment to the Annual Appropriations Resolution (AAR) No. 2016-118 appropriating \$90,500 for expenses related to the Met Block Project Off-site Improvements (Requires 5 affirmative votes); and,
2. Approve a Second Amendment to the Cooperative Agreement in the amount of \$225,527 with Fresno County Transportation Authority (FCTA) for the Met Block Project Off-Site Improvements under Round Five (5) of the 2015 funding cycle for the Measure "C" Transit Oriented Development (TOD) Program. (Council District 3)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. Met Reso for \$90,500.pdf, 2. Amendment No. 2 to the Met TOD Coop Agmt.pdf

Date	Ver.	Action By	Action	Result
12/1/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

December 1, 2016

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

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SUBJECT

Actions pertaining to the Met Block Project Off-site improvements:
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Development (TOD) Program. (Council District 3)

RECOMMENDATION

It is recommended the Council adopt the 30th Amendment to the Annual Appropriations Resolution No. 2016-118 appropriating \$90,500 for the Met Block Project Off-site Improvements and authorize the Public Works Director to amend the Cooperative Agreement in an amount not to exceed \$225,527.

EXECUTIVE SUMMARY

On February 25, 2016, the Council adopted Resolution No. 2016-30, 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 \$225,527. The project scope for the Met Block Project includes 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 Second Amendment to the Cooperative Agreement will allow the City to be reimbursed for eligible project costs by the FCTA. Council approval of the Second Amendment to the Cooperative Agreement is necessary at this time in order to allow for FCTA Board approval on December 7, 2016, and 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.

On February 27, 2014, Council adopted Resolution No. 2014-37, authorizing submission of an application for grant funds under the TOD Program. This resolution included the Met Block Project off-site improvements in the amount of \$229,799. However, only \$121,342 was available during the third round of funding.

The Council adopted Resolution No. 2016-30, for the Met Block Project off-site Improvements, in the amount of \$225,527. However, FCTA only had available funds in the amount of \$108,457. The City entered into a Cooperative Reimbursement for the \$108,457 which was treated as a First Amendment. Round Five (5) funding became available on June 10, 2016, at which time additional funding for the project 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 Second Amendment for Phase Two (2) costs of \$225,527. Staff recommends the Council approve this Amendment in the form attached. Upon approval by the Council the Amendment 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 Amendment on December 7, 2016. The City Attorney's

Office has approved this Second Amendment 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 thirty days (30) 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

Local preference does not apply because this is not a competitive bid. This is a funding mechanism only.

FISCAL IMPACT

This \$333,984 project in District 3 to construct off-site improvements abutting frontages of the development is fully funded by Measure "C" TOD dollars. There will be no impact to the General Fund. The budget resolution of \$90,500 will recognize the available revenue through the Measure "C" TOD program as needed to fully fund the project to completion.

Attachment:
Resolution
Second Amendment to Cooperative Agreement