



## Legislation Details (With Text)

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**File created:** 4/25/2020    **In control:** City Council

**On agenda:** 5/21/2020    **Final action:** 5/21/2020

**Title:** Actions pertaining to the Animal Control Facility Project: (Council District 4)

1. \*\*\*RESOLUTION - Declaring an urgent necessity for the preservation of life, health, property and authorizing the award of a construction contract without competitive bidding to Northstar General, Inc. (Subject to Mayor Veto)
2. Award a construction contract with Northstar General Inc., of Fresno, CA, for \$14,500,000
3. RESOLUTION - Declaring its official intent to reimburse certain expenditures from proceeds of indebtedness for expenses incurred related to the construction of the Animal Control Facility, in an amount not exceeding \$20 million (Requires 5 votes)
4. \*\*\*RESOLUTION - the 44th Amendment to Annual Appropriations Resolution No. 2019-133 appropriating \$15,029,800 for construction of the new Animal Control Facility Project (Subject to Mayor Veto's) (Requires 5 votes)
5. Approve Inter-fund Loan Agreement from the Water Enterprise Fund, for the Animal Control Facility Construction, pursuant to Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, providing a cumulative \$18,543,000 loan

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-00566 Construction Contract, 2. 20-00566 Resolution of Urgent Necessity, 3. 20-00566 Resolution – Intent to Reimbursement Expenditures, 4. 20-00566 ANNUAL APPROPRIATIONS RESOLUTION, 5. 20-00566 INTER-FUND LOAN AGREEMENT, 6. Supplement 1-C Presentation.pdf

Date	Ver.	Action By	Action	Result
5/21/2020	1	City Council	adopted	

## REPORT TO THE CITY COUNCIL

**May 21, 2020**

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

**THROUGH:** WILLIAM C. HERR, Assistant Director  
Public Works Department, Facilities and Construction Management Divisions

**BY:** L. NATHAN SANCHEZ, Supervising Engineering Technician  
Public Works Department, Facilities Division

## SUBJECT

Actions pertaining to the Animal Control Facility Project: (Council District 4)

1. \*\*\*RESOLUTION - Declaring an urgent necessity for the preservation of life, health, property

- and authorizing the award of a construction contract without competitive bidding to Northstar General, Inc. (Subject to Mayor Veto)
2. Award a construction contract with Northstar General Inc., of Fresno, CA, for \$14,500,000
  3. RESOLUTION - Declaring its official intent to reimburse certain expenditures from proceeds of indebtedness for expenses incurred related to the construction of the Animal Control Facility, in an amount not exceeding \$20 million (Requires 5 votes)
  4. \*\*\*RESOLUTION - the 44th Amendment to Annual Appropriations Resolution No. 2019-133 appropriating \$15,029,800 for construction of the new Animal Control Facility Project (Subject to Mayor Veto's) (Requires 5 votes)
  5. Approve Inter-fund Loan Agreement from the Water Enterprise Fund, for the Animal Control Facility Construction, pursuant to Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, providing a cumulative \$18,543,000 loan

## RECOMMENDATIONS

Staff recommends that City Council take the following actions:

1. ADOPT a finding of urgent necessity for the award of the construction contract without competitive bidding.
2. AWARD a construction contract with Northstar General Inc. for \$14,500,000 for the Animal Control Facility project and authorize the Public Works Director or designee to sign and execute the standardized contract on behalf of the City of Fresno.
3. ADOPT a Resolution of the City Council of the City of Fresno declaring its official intent to reimburse certain expenditures from proceeds of indebtedness for expenses incurred related to the construction of the Animal Control Facility, in an amount not exceeding \$20 million.
4. Adopt the 44<sup>th</sup> Amendment to Annual Appropriations Resolution No. 2019-133 appropriating \$15,029,800 for construction of the new Animal Control Facility Project
5. APPROVE the Inter-fund Loan Agreement from the Water Enterprise Fund, for the Animal Control Facility Construction, pursuant to Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, providing a cumulative \$18,543,000 loan

## EXECUTIVE SUMMARY

The City of Fresno has an urgent need to build a new animal control facility to serve the needs of the community. On June 20, 2019, the Council approved a Third Amendment to the Agreement entered between the City of Fresno and the Central California Society for the Prevention of Cruelty to Animals (CCSPCA), which included a one-year extension of services through June 30, 2020. The CCSPCA has verbally indicated their desire to discontinue services to the City as they transition to a new business model, thus driving the need to design and construct a City-owned animal control facility. Council approved a consultant services agreement for the first part of the design-build process on January 16, 2020, with Northstar General, Inc., including subconsultants IT Architecture and Lore Engineering, to develop the architectural and engineering drawings for the new complex of buildings. Staff negotiated and has come to an agreement with Northstar General Inc. for the second part of the design-build process, which will construct the complex of buildings totaling approximately 34,500 square feet including site improvements. Time is of the essence to award the construction contract,

as it is necessary to take these actions now so that the City could have a new facility ready to operate by July 2021.

## BACKGROUND

The CCSPCA has provided all animal control, pound master, veterinary, and animal sheltering services to the City of Fresno for several decades. However, the CCSPCA has indicated their intentions to discontinue services, thus creating a need for the City to expeditiously design and construct its own animal control facility. A traditional design-bid-build process would result in a new facility opening in June 2022, much too late given the current situation and the need to provide these essential services. Therefore Council approved the progressive design-build approach on January 16, 2020, where Northstar General Inc., with IT Architecture and Lore Engineering, was authorized to provide consultant services to developed construction drawings with guidance from City staff. The award of the construction contract will fulfill the second part of the design-build process with Northstar General Inc., so that the City could have a new facility ready to operate by July 2021.

The new Animal Control Facility will be located on the 5.1 acre property acquired from The Gap, Inc., in February 2020, with an address of 5277 E. Airways Blvd, Fresno, CA 93727. The facility will contain five buildings, ranging in sizes from approximately 3,800 to 13,250 sq. ft. The five buildings in the complex will consist of a main building for the administrative, operational, and customer service uses; a second building that will house the veterinarian services and isolation rooms for injured and recovering animals; and the remaining three buildings will provide animal housing.

The new facility will allow for the annual intake of approximately 10,000-15,000 animals, with about 8,000-12,000 of those being dogs and 1,000-3,000 being cats. Staff worked with experts in the field to ensure the new facility will be meet the needs of the City of Fresno residents and allow for the humane care and treatment of all animals while they are in the City's animal shelter. The facility will provide an adequate number of kennels and play yards for the animals, while also providing adequate space for personnel to intake animals and process adoptions. Additionally, the facility will include a medical suite for veterinarian services, including but not limited to, emergency care for injured animals, spay and neuter surgeries, and the delivery of vaccinations.

All five buildings will be constructed so that solar panels can easily be installed and incorporated into the electrical system. The Animal Shelter Project is being developed with a planned on-site solar component to offset the facility's energy with renewable power. The solar project will be a combination of rooftop solar and solar shade structures that will be sized to offset up to 100% of its expected energy needs. Staff is finalizing agreements with a vendor that has extensive experience developing projects of similar scope within Fresno County and throughout the state with other Public Agencies. This vendor has been working with the City of Fresno on additional solar opportunities and was vetted and selected by a Joint Powers Authority through a statewide piggyback RFP for solar + storage. The solar project will require zero capital outlay from the City and the contract will include favorable terms and conditions, including flat energy rates for the life of the project, City ownership of the project's renewable energy certificates (RECs), operations/maintenance included for the life of the project, to include an annual performance guarantee.

The Inter-fund Loan Agreement between the Water Enterprise Fund and the City of Fresno Animal Control Facility Fund, for the Animal Control Facility Construction, will provide a cumulative \$18,543,100 loan for the term of five years. The proposed amendment to the annual appropriations resolution will provide the necessary appropriations or spending authority for the FY2020 project

costs, including the architectural and engineering design, surveying, geotechnical investigations, project management and construction contract. The proposed FY2021 City budget will include appropriations for the construction management, inspections, material testing, PG&E new service connections, construction contingencies, fleet vehicles and equipment purchases.

## **ENVIRONMENTAL FINDINGS**

The project has been previously assessed under California Environmental Quality Act (CEQA) and found to be exempt under Section 15183 of the CEQA Guidelines.

## **LOCAL PREFERENCE**

Local preference was not implemented but, Northstar General Inc., is a local business.

## **FISCAL IMPACT**

All project costs will be paid for by appropriations from the Animal Control Facility fund. The reimbursement resolution will allow for these expenditures to be financed through bond proceeds. Ongoing operational expenses for the facility will be included in City budgets for FY2022 and beyond, in a similar manner as the historical budgetary approach with the CCSPCA contractual expenses.

### **Attachments:**

Construction Contract  
Resolution - Urgent Necessity  
Resolution - Intent to Reimbursement Expenditures  
Annual Appropriations Resolution  
Inter-fund Loan Agreement  
Presentation