



## Legislation Details (With Text)

**File #:** ID 20-00685    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Agenda Ready  
**File created:** 5/26/2020    **In control:** City Council  
**On agenda:** 6/11/2020    **Final action:** 6/11/2020  
**Title:** \*\*\*RESOLUTION - Adopting the 30th Amendment to the Annual Appropriation Resolution No. 2019-133 to appropriate \$410,300 for the Belmont Avenue Widening Project in the Public Works Department (Council District 5) (Subject to Mayor's veto) (Requires 5 votes)  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 20-00685 30th Amendment to the Annual Appropriation Resolution No. 2019-133

Date	Ver.	Action By	Action	Result
6/11/2020	1	City Council	adopted	

### REPORT TO THE CITY COUNCIL

**June 11, 2020**

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

**BY:** RANDALL MORRISON, P.E., Assistant Director  
Public Works Department, Engineering Division

### SUBJECT

\*\*\*RESOLUTION - Adopting the 30<sup>th</sup> Amendment to the Annual Appropriation Resolution No. 2019-133 to appropriate \$410,300 for the Belmont Avenue Widening Project in the Public Works Department (Council District 5) (Subject to Mayor's veto) (Requires 5 votes)

### RECOMMENDATIONS

Staff recommends that the City Council adopt the 30<sup>th</sup> Amendment to the Annual Appropriation Resolution No. 2019-133 to appropriate \$410,300 for the Belmont Avenue Widening Project in the Public Works Department.

### EXECUTIVE SUMMARY

Staff recommends the Council adopt a resolution approving the rebudget of appropriations for the previously approved Belmont Avenue Widening Project, originally approved by Council as part of the Annual Appropriations Resolution No. 2019-133. The recommended resolution will appropriate

\$410,300 in carryover funding from FY 2019 to the current fiscal budget year, in order to provide appropriations to cover expenditures for the Belmont Avenue Widening Project as previously approved by the Council.

## **BACKGROUND**

On September 20, 2018, the Council awarded a construction contract in the amount of \$2,087,284 for the widening of Belmont Avenue between Clovis and Fowler Avenues. Construction is nearing completion and has involved extensive coordination with PG&E. The project is funded by proceeds from a previously approved settlement agreement with a developer, along with New Growth Area Major Street Impact Fees.

The project fund included in the AAR is for the funds received due to a settlement agreement with Pulte Group, related to the widening of Belmont Avenue between Clovis Avenue and Fowler Avenue. The recommended resolution would amend the appropriations within the Belmont Widening Project to allow for the completion of work this fiscal year and to fully utilize the settlement agreement funds. To meet the projected funding requirements, \$410,300 in carryover funding must be appropriated.

On May 17, 2005, the City Council approved Rezone R-04-14 with Fancher Creek Properties on properties generally located between Belmont and Fowler Avenues and Belmont Avenue and Kings Canyon Road. This rezone had various Public Works Improvements to construct including the westbound lanes of Belmont Avenue between Clovis and Fowler Avenues. The future Tract Map No. 5232 was part of this Rezone.

On May 15, 2007, Centex Homes, who later became part of the Pulte Group, entered into a Subdivision Agreement with the City of Fresno for Tract Map No. 5232. With this tract, the developer furnished the City with a Performance Bond No. 929423691 in the amount of \$13,773,000.00 for the improvements as outlined in the Rezone documents and Subdivision Agreements. The improvements to Fowler Avenue, Kings Canyon and internal streets have all been completed by the developer, leaving the widening of Belmont Avenue and the installation of a traffic signal at Belmont and Sunnyside as the remaining work. The Council authorized the Public Works Director to enter into a settlement agreement in the amount of \$1,958,000.

The project remains within budget, but settlement agreement proceeds previously appropriated by the Council in FY19 need to be carried over to FY20 for proper accounting on the project.

## **ENVIRONMENTAL FINDINGS**

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this item does not qualify as a project as defined by the California Environmental Quality Act.

## **LOCAL PREFERENCE**

Local preference does not apply to this action item as this is a rebudget item only.

## **FISCAL IMPACT**

There is no new net fiscal impact to the General Fund. All proposed costs will be paid for from existing revenue sources. See attached Resolution for specific funds and associated costs.

Attachment:

30<sup>th</sup> Amendment to the Annual Appropriation Resolution No. 2019-133