



Board Agenda Item 24

DATE: January 7, 2025

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Agreement with the City of Kerman for the Kerman Plaza Veterans Park (CDBG 23371)

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute Agreement with the City of Kerman for the Kerman Plaza Veterans Park, Community Development Block Grant Project No. 23371, which consists of the demolition and removal of an existing non-functional restroom, installation of a prefabricated ADA accessible restroom, and related necessary site improvements in Plaza Veterans Park, an existing park space in Kerman, effective upon execution through May 26, 2026, total Community Development Block Grant funding amount not to exceed \$175,318.**
- 2. Approve and authorize the Director of Public Works and Planning to evaluate and grant timeline extensions and scope modifications for completion of the Project, as requested by the City of Kerman, in compliance with the Federal Community Development Block Grant regulations, and so long as the modifications do not change the fundamental nature of the project.**

Approval of the recommended action will provide CDBG funding for the Kerman Plaza Veterans Park (Project), included in the County's 2023-24 Annual Action Plan approved by your Board on May 9, 2023. The Project cost is estimated at \$187,200; the City of Kerman (City) will provide a local financial contribution of \$11,882. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

Your Board may direct the City to propose a different eligible use for its CDBG funds. However, a different use would require an amendment to the 2023-24 Annual Action Plan and may impact the County's ability to meet its CDBG expenditure timelines, set by the U.S. Department of Housing and Urban Development (HUD). Your Board may also elect not to approve action item 2, in which event any modifications to the timeline or scope would need to come to your Board for approval, resulting in delays to the project. In such an event, the recommended agreement would need to be modified to delete those provisions.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The total estimated Project cost is \$187,200. CDBG funds in the amount of \$175,318 are included in the Department of Public Works and Planning (Department) - CDBG Org 7205 FY 2024-25 Adopted Budget. The County provides the funds on a reimbursement basis. The City shall provide any and all local financial contribution in excess of the CDBG funds that may be necessary to complete the Project.

DISCUSSION:

The U.S. Department of Housing and Urban Development (HUD) annually allocates CDBG funding to the County using a formula based on census data for the County and its partner cities. Using the same formula, the County then reallocates a portion of the CDBG funds to its partner cities through a Joint Powers Agreement (JPA) for the purpose of carrying out housing and community development activities. The JPA permits the partner cities to select eligible projects for submission to the County for consideration. Under the JPA, the County is responsible for the overall administration of the CDBG Program and for the contract management of each project receiving CDBG funds. The agreement contains a mutual indemnity clause consistent with the JPA. The JPA governing this Project was approved by the Board on August 8, 2023.

This Project, which was approved by the Board of Supervisors for inclusion in the 2023-24 Annual Action Plan, consists of the demolition and removal of an existing non-functional restroom at the existing Kerman Plaza Veterans Park, and the installation of a prefabricated ADA accessible restroom and necessary concrete flatwork. Existing utility services and connections may be replaced or modified, as needed, to accommodate the new restroom. The Project is located at Plaza Veterans Park, an existing park space in Kerman in the median of Madera Avenue, just south of "B" Street.

In addition to providing local funds in excess of the CDBG funds should it be necessary for the Project, the recommended agreement requires the City to prepare design plans and specifications that conform to Federal and State regulations governing Federally-assisted projects. The City will also be responsible for advertising and awarding of the Project to the lowest responsible bidder, and completion of the necessary construction engineering. The County agrees to review and approve the plans and specifications for compliance with Federal and State regulations prior to the City advertising the Project for bid. The City agrees to maintain the Project after completion.

Environmental Review No. CD23371 was completed for the Kerman Plaza Veterans Park Project under the provisions of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Based on the environmental review, the project is categorically exempt from the provisions of the CEQA Guidelines under Section 15301, Class 1 - Existing Facilities. Under Section 15301, a Class 1(c) exemption consists of the operation, repair, maintenance or minor alteration of existing public facilities involving negligible or no expansion of use, including existing highways, streets, and sidewalks. Based on the environmental review, a Finding of No Significant Impact (FONSI) per 24 CFR Section 58.36 of the HUD NEPA Guidelines was made for the project, and the Authority to Use Grant Funds was approved by HUD on October 3, 2024.

The Project is expected to be completed by May 26, 2026. In the event the City requires additional time to complete the Project for a reason beyond the control of either party to the agreement, your Board's approval of the recommended agreement and action item two authorizes the Director of the Department to grant such an extension. In the event the City requests to modify the scope of the Project, your Board's approval of the agreement and recommended actions authorizes the Director of the Department to grant such a modification, so long as the modification complies with the Federal CDBG regulations and does not change the fundamental nature of the Project.

REFERENCE MATERIAL:

BAI #40, August 8, 2023
BAI #16, May 9, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map
On file with Clerk - Agreement with City of Kerman

CAO ANALYST:

Salvador Espino