



Board Agenda Item 61

DATE: September 25, 2018

TO: Board of Supervisors

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

SUBJECT: Agreement with the City of Kerman

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute Agreement with the City of Kerman for the Kerman Stanislaus Avenue Park Development, Community Development Block Grant Project No. 17371 (\$450,000).

Approval of the recommended action will provide Community Development Block Grant (CDBG) funding (\$419,292) for the Kerman Stanislaus Avenue Park Development Project (Project), included in the County's 2017-18 and 2018-19 Action Plans approved by your Board on August 8, 2017 and June 5, 2018, respectively. The project is estimated at \$450,000. The City of Kerman (City) will provide a local financial contribution of approximately \$30,708 to complete the Project. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

Your Board may reject the Project and direct the City to propose a different eligible use for its CDBG funds. However, a different use would require amendments to both Action Plans, 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).

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The total estimated Project cost is \$450,000. CDBG funds in the amount of \$419,292 are included in the FY 2018-19 Department of Public Works and Planning - Community Development Block Grant Org 7205 Recommended Budget. The recommended agreement amount is available from the City's 2017-18 and 2018-19 allocation of CDBG funds, as listed in the 2017-18 and 2018-19 Action Plans. The funds are provided on a reimbursement basis. The City will provide a local financial contribution in excess of the CDBG funds, estimated at approximately \$30,708 that may be necessary to complete the Project by December 6, 2019.

DISCUSSION:

HUD annually allocates CDBG funding 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 recommended agreement contains a mutual indemnity clause consistent with the JPA.

The Project, which was approved by your Board for inclusion in the 2017-18 Action Plan on August 8, 2017 and the 2018-19 Action Plan on June 5, 2018, consists of the development of the Kerman Stanislaus Avenue Park on approximately two acres of vacant land in the City. Development includes rough grading, installation of an irrigation system, landscaping, installation of site lighting, construction of concrete improvements, installation of playground equipment and park amenities, and appurtenant utility infrastructure. The Project is located on the south side of West Stanislaus Avenue, approximately 700 feet east of its intersection with South Goldenrod Avenue in the City, and is expected to be completed by December 6, 2019.

In addition to providing funds for the Project on a reimbursement basis, the recommended agreement requires the City to prepare the design plans and specifications for the Project in conformance with Federal and State regulations governing Federally funded projects. The recommended agreement also provides that the City will be responsible for the advertising and awarding of the Project to the lowest responsible bidder and for completion of the necessary construction engineering. The County agrees to review and approve the plans and specifications for compliance with Federal regulations prior to the City advertising the Project for bid. The City agrees to maintain the improvements after the Project is completed.

Environmental Assessment No. 7361 was completed for the Project under the provision of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The Project was determined to be categorically exempt from the provisions of CEQA under Section 15332, Class 32 - In-fill Development. Class 32 exemptions apply to projects which are consistent with the general plan designation, meet all zoning designations and regulations, and will not result in significant impacts to local traffic. In addition, the project site must be within city limits on a parcel no larger than five acres, contain no habitat for endangered, rare, or threatened species and can be served by all required utilities and public services. The Environmental Assessment was prepared under the provisions of NEPA and based on that environmental review, a Finding of No Significant Impact (FONSI) per 24 Code of Federal Regulations, Section 58.36 of the HUD NEPA Guidelines was made for the project and a Combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds was published on July 2, 2018.

With your Board's approval, the Kerman Stanislaus Avenue Park Development Project listed in the County's 2017-18 and 2018-19 Action Plans will be completed by December 2019.

OTHER REVIEWING AGENCIES:

The recommended agreement has been reviewed and approved by the City of Kerman.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Map
On file with Clerk - Agreement with City of Kerman

REFERENCE MATERIAL:

BAI #13, June 5, 2018
BAI #10, August 8, 2017

CAO ANALYST:

Sonia M. De La Rosa