



Board Agenda Item 63

DATE: April 7, 2026

TO: Board of Supervisors

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

SUBJECT: Agreement with FCTA for Measure C Funding for Pedestrian Improvements within the Community of Cantua Creek

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to sign a Conflict Waiver for County Counsel to represent the County, including but not limited to the Department of Public Works and Planning (PWP), and the Fresno County Transportation Authority (FCTA) in reviewing an Agreement with the FCTA to Establish Eligibility and Funding Requirements for Measure C Safe Routes to School (MCSRTS) Funding for the Cantua Creek Elementary Pedestrian Pathway (\$822,263).**
- 2. Adopt and authorize the Chairman to execute an Agreement with the FCTA to Establish Program Eligibility and Funding Requirements for MCSRTS Funding for the Cantua Creek Elementary Pedestrian Pathway (\$822,263).**

Approval of the first recommended action would allow two different Deputy County Counsel attorneys to represent PWP, and the FCTA in this matter. Approval of the second recommended action will allow PWP to fund the pedestrian improvements on the north side of Clarkson Avenue from Santa Clara Avenue to 0.30 miles west of San Mateo Avenue (Project). This item pertains to District 1.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended action, the County and FCTA would need to seek legal services elsewhere. If the second recommended action is not approved, PWP will withdraw from the MCSRTS program grant and agreement. If that should be the case, the County's proposed Project will no longer be constructed.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The Pedestrian Improvements on Clarkson Avenue from Santa Clara Avenue to 0.30 miles west of San Mateo Avenue is estimated to cost \$913,625, of which \$822,263 will be covered through the MCSRTS program with a local match of \$91,362. Sufficient revenues and expenditures are included in the Department of Public Works and Planning - Roads Org 4510 FY 2025-26 Adopted Budget.

DISCUSSION:

Cantua Creek has been an unincorporated community in Fresno County since 1888, with a current population of 500. Cantua Elementary is mainly connected to the community of Cantua Creek using

Clarkson Avenue, a road with unpaved shoulders bordered by agricultural land. To access the schools via bicycle or walking, the approximately 75-90 schoolchildren living west of the school and other community members must travel via dirt shoulder or on the roadway to access the school.

On June 18, 2025, the FCTA Board approved Amendment No. 9 to the 2006 Measure C Expenditure Plan to establish the MCSRTS program through a one-time transfer of \$6 million from the Senior Scrip, carpool/vanpool and agricultural vanpool programs for eligible projects on a competitive basis requiring a call for projects.

On October 14, 2025, the Department submitted a grant application to the MCSRTS program, which was retroactively approved by your Board on November 18, 2025, for Cantua Creek Elementary Pedestrian Parkway.

This Project will create new sidewalks in public areas where none currently exist, and repair broken sidewalks to make active transportation a more viable option to residents. A walkway will be constructed on the north side of Clarkson Avenue from Santa Clara Avenue to 0.30 west of San Mateo Avenue. Two high visibility crosswalks will be included at the intersection of Clarkson and San Mateo to connect the pathway. Solar lighting will also be provided along the pathway on Clarkson to improve nighttime visibility.

In regard to the first recommended action, Deputy County Counsel attorneys who represent PWP and the FCTA all work in the office of County Counsel and have been asked to represent PWP and the FCTA in this matter. County Counsel already provides legal representation to PWP and the FCTA Board, and there is at least a potential conflict in reviewing the agreement which both entities will execute. Therefore, in the interests of full disclosure, this request for a written waiver of conflict is made. The recommended agreement differs from the County's model contract in that it contains a mutual hold harmless clause. This has the effect of making each party responsible for losses arising from their own negligent or wrongful performance, or failure to perform.

OTHER REVIEWING AGENCIES:

The FCTA approved funding the project at their December 10, 2025 Board meeting, and FCTA staff subsequently prepared the Agreement.

REFERENCE MATERIAL:

BAI #51, November 18, 2025

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Conflict Waiver
On file with Clerk - Agreement with FCTA

CAO ANALYST:

Maria Valencia