



County of Fresno

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Legislation Details (With Text)

File #: 19-1284 **Name:** Amendment to Agreement with Biola CSD

In control: Public Works & Planning

On agenda: 1/21/2020 **Final action:** 1/21/2020

Enactment date: **Enactment #:** Agreement No. 18-187-1

Title: Approve Amendment to FY 2018-19 Action Plan, deleting the Biola 5th Street Sidewalk and Storm Drain, Phase II, Community Development Block Grant Project No. 18031 (\$250,000); and approve and authorize Chairman to execute Amendment I to Agreement No. 18-187 with the Biola Community Services District for the Biola 5th Street Sidewalk and Storm Drain, Community Development Block Grant Project No. 17031, effective upon execution to September 30, 2020 and increasing the maximum by \$250,000 to a total of \$550,000

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Location Map, 3. Amended Action Plan, 4. Agreement A-18-187-1 with Biola Community Services Dist.

Date	Ver.	Action By	Action	Result
1/21/2020	1	Board of Supervisors	Conducted Hearings	Pass

DATE: January 21, 2020

TO: Board of Supervisors

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

SUBJECT: Amendment I to Agreement with Biola Community Services District (CDBG 17031)

RECOMMENDED ACTION(S):

- 1. Approve Amendment to the FY 2018-19 Action Plan, deleting the Biola 5th Street Sidewalk and Storm Drain, Phase II, Community Development Block Grant Project No. 18031 (\$250,000); and**
- 2. Approve and authorize Chairman to execute Amendment I to Agreement No. 18-187 with the Biola Community Services District for the Biola 5th Street Sidewalk and Storm Drain, Community Development Block Grant Project No. 17031, effective upon execution to September 30, 2020 and increasing the maximum by \$250,000 to a total of \$550,000.**

Approval of the first recommended action will amend the County's 2018-19 Action Plan, approved by your Board on June 5, 2018, cancelling the Biola 5th Street Sidewalk and Storm Drain, Phase II, project at the request of the Biola Community Services District's (District). The Action Plan, which is submitted to the U.S. Department of Housing and Urban Development (HUD) annually, identifies all planned activities to be undertaken by the County and its partner cities in that Community Development Block Grant (CDBG) program year using County entitlement funds.

Approval of the second recommended action will provide an additional \$250,000 in Community Development Block Grant (CDBG) funds to the Biola 5th Street Sidewalk and Storm Drain Improvements Project (Project)

included in the FY 2017-18 Action Plan, increasing the CDBG funds for increased construction costs related to a modified scope of work. The total Project cost is estimated at \$550,000. The District's local contribution in the amount of \$50,000 will remain unchanged to complete the Project. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

Your Board may choose to keep the Project on the FY 2018-19 Action Plan; however, deletion of Phase II is requested because the funds will be used for the original project instead. Additionally, your Board may choose not to approve the recommended amendment, which may result in the District needing to reduce the scope of work of the Project to complete the Project without significantly exceeding the expected Project cost.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The total estimated Project cost will increase from \$250,000 to \$550,000 due to increased construction costs related to a modified scope of work. The recommended amendment will increase CDBG funding from \$250,000 to \$500,000. The additional CDBG funds are included in the Department of Public Works and Planning - Community Development Block Grant Org 7205 FY 2019-20 Adopted Budget. CDBG funds are provided on a reimbursement basis. The District's local financial contribution remains unchanged at \$50,000, which is necessary to complete the Project.

DISCUSSION:

On August 8, 2017, your Board approved the 2017-18 Unincorporated Area Projects list as part of the Annual Action Plan, which included the Biola 5th Street Sidewalk and Storm Drain Project (Project) on the Back-Up list should funding become available. Due to year-end cost savings from other CDBG activities, in April 2018, there were sufficient funds available for the Project.

On April 17, 2018, the Board approved Agreement No. 18-187 for the Project, then estimated at \$300,000. The agreement provided \$250,000 in CDBG funds to the District, on a reimbursement basis, to install sidewalk, curb, gutter, and curb ramps along 5th Street from F Street to G Street, extend the storm drain along F Street from Biola Avenue to 5th Street, and install storm drain inlets and connecting lines at the intersection of 5th and F Streets, within the public right-of-way. The District was to provide a local financial contribution of \$50,000 for costs beyond the \$250,000 CDBG allocation.

The District applied for funding for a second phase of the Project, which was designated in the 2018-2019 Annual Action Plan, to be prioritized as the fourth unincorporated public facility and infrastructure project to receive available funding. Prior to the completion of the 2018-2019 program year, sufficient funds were available to fund the second phase of the Project from the back-up list. Because the District had not yet begun to solicit bids for the construction of the first phase of the Project, combining funding for the two phases of the Project to reduce overall project costs was possible.

On August 27, 2019, the Department Director approved a scope modification proposed by the District, as permitted under Section I(G) of the Agreement, changing the Project location to also include sidewalk, curb, gutter and curb ramps along 5th Street, from E Street to F Street, extension of the storm drain main along 5th Street from E Street to F Street, and the installation of storm drain inlets and connecting lines at the intersection of 5th and E Streets.

Environmental Review (ER) No. 7688 (Re-Evaluation of ER No. 7395) was completed for the revised project scope under the provisions of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), and included all phases planned for the Project. Based on the ER, the Project is categorically exempt from the provisions of CEQA Guidelines under Section 15303(d) - New

Construction or Conversion of Small Structures. Section 15303(d) exempts the new construction or conversion of small structures, and specifically includes water mains and other utility extensions, including street improvements. An environmental assessment of the Project was completed, per NEPA Guidelines, which resulted in a Finding of No Significance. The re-evaluation did not find any additional impacts.

The Project cost increased due to additional work involved with the modified scope and location. The recommended amendment will increase the total CDBG funds allocated to the Project to offset increases in construction costs. All remaining provisions of the agreement will remain in full force and effect.

OTHER REVIEWING AGENCIES:

Amendment I to the Agreement No. 18-187 has been reviewed and approved by the Biola Community Services District.

REFERENCE MATERIAL:

BAI #13, June 5, 2018
BAI #42, April 17, 2018
BAI #10, August 8, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map
On file with Clerk - Amended Action Plan (Amended 2018-19 Unincorporated Area Project List)
On file with Clerk - Amendment I to Agreement No. 18-187 with Biola CSD

CAO ANALYST:

Sonia M. De La Rosa