



# County of Fresno

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Fresno, California  
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## Legislation Text

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**File #:** 16-0952, **Version:** 1

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**DATE:** August 23, 2016

**TO:** Board of Supervisors

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

**SUBJECT:** Agreement with the City of Fowler for the Fowler ADA Improvements - Curb Ramps & Municipal Center Doors, Community Development Block Grant (CDBG) Project No. 16231

### RECOMMENDED ACTION:

**Approve and authorize Chairman to execute Agreement with the City of Fowler for the Fowler ADA Improvements - Curb Ramps & Municipal Center Doors, Community Development Block Grant Project No. 16231 (\$142,427).**

The Agreement provides Community Development Block Grant (CDBG) funding for the Fowler ADA Improvements - Curb Ramps & Municipal Center Doors Project, which is included in the County's 2016-17 Action Plan as approved by the Board on April 26, 2016. The \$142,427 agreement amount is available from the City's 2016-17 allocation of CDBG funds as listed in the Action Plan.

### ALTERNATIVE ACTION:

The Board may direct the City to propose a different eligible use for its CDBG funds. A different use would require an amendment to the Action Plan.

### FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The total estimated project cost is \$156,303. CDBG funds for the Fowler ADA Improvements - Curb Ramps & Municipal Center Doors Project, in the amount of \$142,427, are included in the Department's Community Development Block Grant Org 7205 Adopted Budget for FY 2016-17. The City will provide all sums of money in excess of the CDBG funds that may be necessary to complete the project.

### DISCUSSION:

The U.S. Department of Housing and Urban Development 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 Fowler ADA Improvements - Curb Ramps & Municipal Center Doors Project, which was approved by the

Board of Supervisors for inclusion in the 2016-17 Action Plan, will construct Americans with Disabilities Act (ADA) compliant curb ramps at the intersections of Fifth & Vine and Fifth & Fresno in Fowler, and install ADA-compliant door openers at the Fowler Municipal Center. The improvements will provide improved accessibility to those with impaired mobility.

In addition to providing funds for the project on a reimbursement basis, the Agreement requires the City of Fowler to prepare the design plans and specifications in conformance with Federal and State regulations governing Federally-funded projects. The City will be responsible for the 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 regulations prior to the City advertising the project for bid. The City will be responsible for maintaining the improvements after the project is completed.

Initial Study/Environmental Assessment No. 7139 was completed for Fowler ADA Improvements - Curb Ramps & Municipal Center Doors 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(a) exemption consists of interior and exterior alterations. 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. It has also been determined that the project is exempt per Section 58.34 (a)(12) of the NEPA Guidelines because the project meets the requirements for a categorical exclusion under Section 58.35 (a).

OTHER REVIEWING AGENCIES:

The Agreement has been reviewed and approved by the City of Fowler.

REFERENCE MATERIAL:

BAI #16, April 26, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

Map  
On file with Clerk - Agreement with City of Fowler

CAO ANALYST:

John Hays