



County of Fresno

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Legislation Text

File #: 20-0669, **Version:** 1

DATE: September 1, 2020

TO: Board of Supervisors

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

SUBJECT: Agreement with City of Selma

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute an Agreement with the City of Selma for the Selma Sidewalk ADA Improvements, Community Development Block Grant Project No. 20651, effective upon execution through December 10, 2021 (\$204,791).

Approval of the recommended action will provide Community Development Block Grant (CDBG) funding for the Selma Sidewalk ADA Improvements (Project), included in the County's FY 2020-21 Action Plan approved by your Board on April 28, 2020. The Project consists of funding the replacement or modification of curb ramps, sidewalk, and brick pavers that have been damaged by tree roots or otherwise do not meet Americans with Disabilities (ADA) standards at various locations within an area generally bounded by North Street, Grant Street, McCall Avenue, Third Street, and Front Street in the City of Selma (City). The Project will primarily benefit disabled and mobility-impaired residents of Selma. The County will provide \$204,791 in CDBG funds for the Project, and the City will provide a local financial contribution of \$326,209 in excess of the CDBG funds necessary to complete the Project by December 10, 2021. This item pertains to locations in District 4.

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 County's FY 2020-21 Action Plan for CDBG funds.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The Project's total estimated cost is \$531,000, which includes construction; design and construction engineering; and contingency, permits, and miscellaneous. CDBG funds in the amount of \$204,791 are included in the Department's - CDBG Org 7205 FY 2020-21 Proposed Budget. The funds are provided on a reimbursement basis. The City will provide a local financial contribution (\$326,209) in excess of the CDBG funds necessary to complete the Project by December 10, 2021.

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 recommended agreement contains a mutual indemnity clause consistent with the JPA.

The Project was approved by the Board for inclusion in the FY 2020-21 Action Plan and will fund the replacement or modification of curb ramps, sidewalk, and brick pavers that have been damaged by tree roots or otherwise do not meet ADA standards. The project will also include the restoration of irrigation and electrical systems damaged by tree removal operations. The improvements will provide ADA-compliant pedestrian travelling surfaces that will be usable by all residents. The Project is expected to be completed by December 10, 2021.

If necessary, in addition to providing local funds in excess of the CDBG funds 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 regulations prior to the City advertising the Project for bid. The City agrees to maintain the Project, using non-CDBG resources, after completion.

Environmental Review No. 7640 was completed for the Project under the provisions of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), and includes all phases planned for the Project. 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. 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)(1).

With your Board's approval, the recommended CDBG allocation of \$204,791 will be made to the City for the Project, which was listed in the County's FY 2020-21 Action Plan.

OTHER REVIEWING AGENCIES:

The City of Selma has reviewed and approved the recommended agreement on July 6, 2020.

REFERENCE MATERIAL:

BAI #5, April 28, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

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

CAO ANALYST:

Debbie Paolinelli