



**REPORT TO THE CITY OF FRESNO
AS THE SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY OF THE
THE CITY OF FRESNO AND THE FRESNO
REVITALIZATION CORPORATION**

MEETING: 10/18/12
AGENDA ITEM: 1:30 pm #2A
APPROVED BY
EXECUTIVE DIRECTOR 

DATE: October 18, 2012

FROM: MARLENE MURPHEY, Executive Director

SUBJECT: Successor Agency Board, City Council and Fresno Revitalization Corporation Board consider approving:

1. Findings of Categorical Exemption pursuant to Sections 15301 (Existing Facilities), item (c) of the CEQA Guidelines, related to the construction of publically owned improvements in the area generally described as the intersection of North Abby and East Hedges Avenues. (Successor Agency Board Action)
2. A Joint Resolution of the City of Fresno and the City of Fresno as the Successor Agency to the Redevelopment Agency of the City of Fresno making the necessary findings under section 33445 of the community redevelopment law, authorizing the Agency's installation of public improvements within the Central City Commercial redevelopment project area for street improvements including curb, gutter, storm drain and sidewalks at the intersection of North Abby and East Hedges Avenues. (City Council & Successor Agency Board Action)
3. Award of construction contract to Bill Nelson G.E.C., Inc. in the amount of \$89,317.00 for the construction of publically owned improvements in the area generally described as the intersection of North Abby and East Hedges Avenues. (Successor Agency Board Action)

EXECUTIVE SUMMARY

This project will install concrete improvements and flood control facilities at the intersection of North Abby and East Hedges Avenues. Improvements will include curb, gutter, sidewalk and storm drain pipe, inlet and manhole. The project will cost \$89,317.00 as bid by Bill Nelson G.E.C., Inc. the lowest responsive and responsible bidder. Funding for this project has been budgeted in the July-Dec. 2012 ROPS.

These improvements will enhance both traffic and pedestrian safety on North Abby and East Hedges Avenues. Construction drawings for the second phase of public improvements in this area are currently being designed. Once completed, these additional improvements will be competitively bid and constructed as well.

BACKGROUND

In 2011, the Redevelopment Agency Board approved an MOU with Apple Valley Farms and adopted a resolution authorizing the Agency to budget funds totaling \$385,000 to install all appropriate public improvements to increase safety and enhanced commercial traffic circulation in the Abby/Hedges commercial area including curbs, gutters, street lights, paving, and storm drains.

Pursuant to Redevelopment Law Section 33445 and the Council adopted Ordinance No. 99-46 and Resolution 1657 that addressed the development of public improvements pursuant to the Redevelopment Plan for the Central City Commercial Redevelopment Area, the Agency has made findings that constructing the Project will improve both public and traffic safety through the construction of concrete curb, gutter, sidewalks and storm drain facilities. It will provide safe pedestrian path of travel and direct storm water to a new storm drain inlet at the corner of Abby and Hedges. The Project will also alleviate difficulties large trucks face when entering and leaving this area due to the sharpness of the Abby/Hedges corner.

This project has been found to be an enforceable obligation by the Successor Agency Oversight Board and the Department of Finance. Funding for this phase of improvements has been budgeted in the July-Dec. 2012 ROPS period. Remaining improvements will be budgeted in future ROPS.

Successor Redevelopment Agency Staff recommends that the Successor Agency Board and the Fresno Revitalization Corporation approve the attached Joint Resolution and award a construction contract to Bill Nelson G.E.C., Inc. in the amount of \$89,317.00 for the construction of publically owned improvements.

CEQA FINDING

Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Class 1 Categorical Exemption set forth in CEQA Guidelines, section 15301 as this contract is for the repair/replacement of existing public infrastructure on North Abby and East Hedges Avenues. Furthermore, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

Attachments: Joint Resolution
 Bid Evaluation

COUNCIL RESOLUTION NO. _____

SUCCESSOR AGENCY RESOLUTION NO. _____

A JOINT RESOLUTION OF THE CITY OF FRESNO AND THE CITY OF FRESNO AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MAKING CERTAIN FINDINGS PURSUANT TO SECTION CEQA GUIDELINES 15300 AND 15301, AND SECTION 33445 OF THE COMMUNITY REDEVELOPMENT LAW, AUTHORIZING THE AGENCY'S INSTALLATION OF PUBLIC IMPROVEMENTS WITHIN THE CENTRAL CITY COMMERCIAL REDEVELOPMENT PROJECT AREA FOR STREET IMPROVEMENTS INCLUDING CURB, GUTTER, STORM DRAIN AND SIDEWALKS AT THE INTERSECTION OF NORTH ABBY AND EAST HEDGES AVENUES AND AWARDING THE PROJECT.

WHEREAS, on July 19, 1999, the Council of the City of Fresno (the "Council") by Ordinance No. 99-46, adopted the redevelopment plan (the "Plan") for the Central City Commercial Revitalization Redevelopment Project (the "Project Area"), pursuant to the Community Redevelopment Law of California (Health & Safety Code Sections 33000 *et. seq.*) (the "CRL"); and

WHEREAS, on March 3, 2011, the Redevelopment Agency of the City of Fresno (the "Agency") adopted Resolution 1776, approving the Five-Year Implementation Plan for the Project Area (the "Implementation Plan"); and

WHEREAS, on January 26, 2012, the Council adopted Resolution 2012-12, electing to have the City of Fresno serve as the Successor Agency to the Agency upon the dissolution of the Agency; and

WHEREAS, the Successor Agency is engaged in activities necessary to carry out the Plan, and the Plan authorizes the Agency, and by extension the Successor Agency, to: (i) install,

1 of 5

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Council No. _____

Successor Agency Resolution No. _____

Abby & Hedges Street Improvements, Phase I
Central City Commercial Redevelopment Area

construct or reconstruct public improvements or facilities to eliminate blight, (ii) cause or provide for installing or constructing utilities and other public improvements necessary to carry out the Plan, and (iii) specifically includes street improvements associated with plan implementation; and

WHEREAS, to help eliminate physical and economic blighting influences, the Implementation Plan includes a redevelopment program to facilitate private reinvestment in the Project Area by installing public facilities and infrastructure, and improving the traffic flow and public safety in this area which falls within the Project Area; and

WHEREAS, on June 29, 1999, by Council Resolution No. 99-45 and Agency Resolution No. 1657, the Council adopted a Program Environmental Impact Report that addressed, among other things, the development of new public improvements pursuant to the Plan, and demolition of existing improvements; and

WHEREAS, the existing conditions of Abby and Hedges Avenues hinder traffic circulation; and

WHEREAS, the Project improvements will alleviate these hindrances that have plagued this area, improve traffic flow and increase public safety on Abby and Hedges (the "Project"); and

WHEREAS, the Successor Agency has performed a preliminary environmental assessment of this project and determined that it falls within the Class 1 Categorical Exemption set forth in CEQA Guidelines, section 15301 as this project involves the repair and replacement of existing curbs, sidewalks, storm drains, and gutters located on at the intersection of North Abby and East Hedges Avenues; furthermore, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project; and

WHEREAS, the inability of the City to undertake this Project without the involvement of the Successor Agency relates to the limited funding ability of the City's General Fund; and

WHEREAS, pursuant to Section 33445 of the CRL, with the consent of the Council and upon certain Council determinations, the Successor Agency may pay for the cost to install and construct publicly owned improvements within and contiguous to the Project Area; and

WHEREAS, the Successor Agency and the Council, after due consideration, believe that the Successor Agency's costs, estimated at \$89,317, to construct the Project: (i) are in the best interests of the City and health, safety, and welfare of employees, businesses, property, and visitors to the Project Area; (ii) are consistent with the public purposes and provisions of applicable state and local laws; and (iii) will improve the quality of life for residents, visitors to, and businesses and properties within the Project Area, consistent with the Plan; and

WHEREAS, the Successor Agency adopted has appropriated funds for the Project for the period July 2012 to December 2012 and those funds are currently available, up to \$142,000, and

NOW, THEREFORE, BE IT RESOLVED jointly that the Council and Successor Agency, based upon substantial evidence provided in the record, find and determine as follows:

1. The above recitals are true and correct and are incorporated as findings and determinations herein.
2. The Successor Agency and the Council adopt a finding of a Class 1 Categorical Exemption per CEQA Guidelines, section 15301.
3. The Successor Agency and Council find and determine:
 - a. Installing the Project that will help eliminate blight in the immediate within the Project Area and within the vicinity of the Project by increasing efficient traffic flow,

improving traffic safety, enhancing the area for private investment, and by improving the image of the Area.

b. The Project is consistent with the Implementation Plan.

c. Subject to the foregoing, funding is appropriated for the Project from tax increment; using tax increment for the Project is essential and necessary, as no other reasonable means of financing the Project are available to the community; and Council consents to the Successor Agency expending tax increment to install and construct the Project.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk, hereby certify that the City of Fresno as the Successor Agency to the Redevelopment Agency of the City of Fresno and the Fresno Revitalization Corporation, adopted the foregoing resolution at a joint public meeting held on the _____ day of October, 2012, and that the same was passed by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

YVONNE SPENCE
City Clerk and Ex-Officio Clerk
of the Agency

By _____
Deputy

APPROVED AS TO FORM:
James Sanchez
City Attorney and Ex-Officio Attorney
to the Agency

By _____
Raj Singh Badhesha, Deputy

RSB:ns [60110ns/RSB]- 10/10/12

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**EVALUATION OF BID PROPOSALS SUCCESSOR
AGENCY (SAR) TO THE REDEVELOPMENT AGENCY
OF THE CITY OF FRESNO**

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FOR: ABBY AND HEDGES AVENUE STREET IMPROVEMENTS

Bid File No. 3196
Bid Opening: 9/20/12

<u>BIDDER'S</u>	<u>TOTAL AMOUNT</u>
1. Bill Nelson, G.E. C., Inc. 2741E. Malaga Avenue Fresno, Ca. 93725	\$89,317.00
2. Cooks and Son Inc. 4134 Odie Lane Santa Maria, Ca. 93455	\$91,000.00
3. Serna Construction Inc. 5019 E. Nevada Fresno, CA 93727	\$93,600.66
4. Witbro Inc., dba Seal Rite Paving & Grading 959 Clovis Avenue Clovis, Ca. 93612	\$103,223.00
5. American Paving Co. P.O. Box 4348 Fresno, Ca. 93744	\$108,310.90

Each bidder has agreed to allow the City ninety (90) days from date bids are opened to accept or reject their bid proposal. Purchasing requests that you complete the following sections and return this bid evaluation to the Purchasing Division at the latest by Wednesday, October 17, 2012, 5:00 P.M.

The Engineer's Estimate/Budget Allocation for this expenditure is \$ 83,500.00 . The contract price is 6.97% above the Engineer's Estimate/Budget Allocation. If the overage is greater than 10% or only one bid was received, give explanation:

BACKGROUND OF PROJECT (To be completed by Evaluating Department/
Division. Explain need for project/equipment):

