

AGENDA ITEM NO. 1 E
COUNCIL MEETING 10/6/11
APPROVED BY



DEPARTMENT DIRECTOR

CITY MANAGER

October 6, 2011

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

BY: SCOTT L. MOZIER, PE, City Engineer / Assistant Director
Public Works Department



SUBJECT: A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO ADOPTING THE 11TH AMENDMENT TO THE ANNUAL APPROPRIATION RESOLUTION NO. 2011-133, APPROPRIATING \$350,000 FOR THE DESIGN PHASE OF THE CLOVIS UNIFIED SCHOOL DISTRICT METROPOLITAN AREA NETWORK (MAN) PHASE III PROJECT (COUNCIL DISTRICTS 2, 4, 5, AND 6)

RECOMMENDATION

Staff recommends that City Council adopt the 11th Amendment to the Annual Appropriation Resolution No. 2011-133, appropriating \$350,000 for the design phase of the Clovis Unified School District Metropolitan Area Network (MAN) Phase III Project.

EXECUTIVE SUMMARY

On September 22, 2011, City Council adopted findings pursuant to guidelines 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines that there is no possibility this project may have a significant effect on the environment; and findings of categorical exemption pursuant to sections 15301, 15302, and 15304 of the CEQA Guidelines. Council also authorized the Public Works Director to sign Addendum No. 2 to the May 20, 2003 Agreement Regarding Installation And Use Of High Speed Fiber Optic Cable And Related Infrastructure between the City of Fresno and Clovis Unified School District. Council was unable to approve the related AAR, which is the subject of this item, as only four Councilmembers were present at the September 22, 2011 meeting.

District will provide an estimated \$3.6 million for the MAN Phase III Project, and the District will be responsible for all actual (not estimated) expenditures. During fiscal year 2012, the District will provide \$350,000 which includes \$100,000 for fiber design consultant services and \$250,000 for City design services, including all overhead expenses for the design phase. And, District will provide an additional \$250,000 for construction inspection and engineering services, including all overhead expenses to be used for the construction phase in 2013. During fiscal year 2013, the District will provide \$3,000,000, in nine (9) equal monthly payments after City awards MAN Phase III Project construction contract, which includes \$2,425,000 to construct last-mile conduit/fiber infrastructure to 14 elementary schools, and \$575,000 to construct City traffic signal conduit infrastructure.

Staff recommends that Council adopt the 11th Amendment to the Annual Appropriation Resolution No. 2011-133, appropriating \$350,000 for the design phase of the Clovis Unified School District Metropolitan Area Network (MAN) Phase III Project.

BACKGROUND

On September 22, 2011, City Council adopted findings pursuant to guidelines 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines that there is no possibility this project may have a significant effect on the environment; and findings of categorical exemption pursuant to sections 15301, 15302, and 15304 of the CEQA Guidelines. Council also authorized the Public Works Director to sign Addendum No. 2 to the May 20, 2003 Agreement Regarding Installation And Use Of High Speed Fiber Optic Cable And Related Infrastructure between the City of Fresno and Clovis Unified School District. Addendum No. 2 represents Clovis Unified School District's Metropolitan Area Network (MAN) Phase III Project which will provide state-of-the-art fiber connectivity to several future school sites and 14 existing elementary schools, serving over 8,700 students living in the City of Fresno. Council was unable to approve the related AAR, which is the subject of this item, as only four Councilmembers were present at the September 22, 2011 meeting.

District will provide an estimated \$3.6 million for the MAN Phase III Project, and the District will be responsible for all actual (not estimated) expenditures. During fiscal year 2012, the District will provide \$350,000 which includes \$100,000 for fiber design consultant services and \$250,000 for City design services, including all overhead expenses for the design phase. And, District will provide an additional \$250,000 for construction inspection and engineering services, including all overhead expenses for the construction phase. During fiscal year 2013, the District will provide \$3,000,000, in nine (9) equal monthly payments after City awards MAN Phase III Project construction contract, which includes \$2,425,000 to construct last-mile conduit/fiber infrastructure to various future school sites and 14 elementary schools, and \$575,000 to construct City traffic signal conduit infrastructure which will be reimbursable to District through City's Traffic Signal Mitigation Fee Program through June 28, 2028.

MAN Phase III Project Estimate

District Fiber Design Consultants	\$ 100,000
City Design Services	\$ 250,000
City Inspection & Construction Engineering Services	\$ 250,000
Construction Contract - City Traffic Signal Infrastructure	\$ 575,000
Construction Contract - District Schools Infrastructure	<u>\$2,425,000</u>
Total MAN Phase III Project Estimate	<u>\$3,600,000</u>

Staff recommends that Council adopt the 11th Amendment to the Annual Appropriation Resolution No. 2011-133, appropriating \$350,000 for the design phase of the Clovis Unified School District Metropolitan Area Network (MAN) Phase III Project. The City's fiscal year 2013 Budget will include Staff's appropriation request of \$3,250,000 for the project's construction phase.

FISCAL IMPACT

There is no fiscal impact to the General Fund. Clovis Unified School District will provide funding for City design services and construction engineering and inspection costs, including overhead, all actual construction costs, and subsequent maintenance costs. The MAN Phase III Project will construct segments of traffic signal conduit infrastructure eligible costs of which will be reimbursable to District through City's Traffic Signal Mitigation Fee Program through June 28, 2028.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO
ADOPTING THE 11th AMENDMENT TO THE ANNUAL APPROPRIATION
RESOLUTION NO. 2011-133 APPROPRIATING \$350,000 FOR THE
DESIGN PHASE OF THE CLOVIS UNIFIED SCHOOL DISTRICT
METROPOLITAN AREA NETWORK (MAN) PHASE 3 PROJECT

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO:

THAT PART III of the Annual Appropriation Resolution No. 2011-133 be and is hereby amended
as follows:

	<u>Increase/(Decrease)</u>
TO: PUBLIC WORKS DEPARTMENT	
Lcal Agency Prj Fndng-Pub Works	\$ 350,000

THAT account titles and numbers requiring adjustment by this Resolution are as follows:

Lcal Agency Prj Fndng-Pub Works

Revenues:

Account: 33810 Clovis Unified School District	\$ <u>350,000</u>
Fund: 30144	
Org Unit: 189901	

Total Revenues	\$ <u>350,000</u>
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Appropriations:

Account: 51101 Permanent Salaries	\$ 119,300
51104 Perm Fringe-Health&Welfare	17,900
53302 Prof Svcs/Consulting - Outside	100,000
55501 Printing & Binding--O/S Vendor	5,000
58026 Capital Project Permits & Fees	5,000
59102 City Attorney Charges	10,000
59105 Purchasing - Variable Charge	10,500
59117 Overhead	<u>82,300</u>

 Fund: **30144**
 Org Unit: **189901**
 Project ID: **PW00641**

Total Appropriations	\$ <u>350,000</u>
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THAT the purpose is to appropriate \$350,000 for the design phase of the Clovis Unified School District Metropolitan Area Network (MAN) Phase 3 project.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF FRESNO } ss.
CITY OF FRESNO }

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the _____ Day of _____, 2011

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2011
Mayor Approval/No Return: _____, 2011
Mayor Veto: _____, 2011
Council Override Veto: _____, 2011

REBECCA E. KLISCH
City Clerk