

AGENDA ITEM NO.

COUNCIL MEETING

APPROVED BY



DEPARTMENT DIRECTOR

CITY MANAGER

February 24, 2009

FROM: PATRICK N. WIEMILLER, Director 
Public Works Department

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

SUBJECT: ADOPT A RESOLUTION GRANTING AUTHORITY TO THE PUBLIC WORKS DIRECTOR OR HIS DESIGNEE TO SIGN MINOR AND ROUTINE AGREEMENTS WITH THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

KEY RESULT AREA

Public Safety and Customer Service

RECOMMENDATION

Staff recommends the Council adopt the attached resolution granting authority to the Public Works Director Or His Designee to Sign Minor Or Routine Agreements with the Fresno Metropolitan Flood Control District (FMFCD).

EXECUTIVE SUMMARY

From time to time, in the course of the City's business, the Public Works Department has found it necessary to enter into minor or routine agreements with the Fresno Metropolitan Flood Control District. The agreements are usually associated with other much larger projects, either approved or funded in the annual capital improvement budget or by some prior City Council action.

Authorizing the Public Works Director to enter into these types of agreements will expedite projects and improve overall staff efficiency.

KEY OBJECTIVE BALANCE

The recommendation's emphasis is on Public Safety. Through a working relationship with the Fresno Metropolitan Flood District, the City of Fresno has improved safety by the coordinated installation of storm drainage facilities with street and highway improvement projects. Customer Satisfaction is reflected in the City's ability to quickly process minor or

routine agreements with FMFCD which in turn expedites the installation of the needed street drainage improvements. This will improve driving conditions during rain storms.

BACKGROUND

Whenever the City has a budgeted project that includes the installation of storm drainage improvements, an agreement with the FMFCD is required. This required step usually results in the need for at least one minor and routine agreement with the District.

As stated above, the agreements are usually routine and can be more efficiently processed if authority is given to the Public Works Director. This will save time and eliminate the need of having to bring each and every agreement to the City Council for consideration and approval.

A few examples of the types of agreements are: (1) reimbursement agreements where the City installs master planned drainage facilities for the District in conjunction with a City street improvement project; (2) when the City is resurfacing a paved street where storm drain manholes require adjustment to the new elevation; (3) public right of way easement dedications.

FISCAL IMPACT

Granting authority, to the Public Works Director, to enter into and sign minor and routine agreements with Fresno Metropolitan Flood Control District will not impact the General Fund. All projects requiring these types of agreements will have to either have been funded through the Capital Improvement Budget or funded by a prior City Council action.

All agreements will be reviewed and approved, as to form, before being presented to the Public Works Director for signature.

PNW/SLM/DC/eam
Adopt Reso Grant Auth PW Dir Sign Agr FMFCD 2-24-09

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,
CALIFORNIA, GRANTING AUTHORITY TO THE PUBLIC WORKS
DIRECTOR OR HIS DESIGNEE TO SIGN ROUTINE
AGREEMENTS WITH THE FRESNO METROPOLITAN FLOOD
CONTROL DISTRICT

WHEREAS, from time to time in the course of the City's' business, the Public Works Department finds it necessary to enter into agreements with the Fresno Metropolitan Flood Control District; and

WHEREAS, the purpose of this resolution is to obtain City Council approval to enter into agreements of a routine nature where funding is not at issue, but where projects have been previously approved and funded either through the adopted fiscal budget or by separate prior City Council approval; and

WHEREAS, examples of projects that would fall under this resolution are: (1), reimbursement agreements where the City installs master planned drainage facilities for the District in conjunction with a City street improvement project; (2) when the City is resurfacing a paved street where storm drain manholes require adjustment to the new elevation; (3) public right of way easements.

NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO AS FOLLOWS:

The Council of the City of Fresno authorizes the Public Works Director or his designee to enter into various agreements, of a routine or minor nature, with the Fresno Metropolitan Flood Control District and where funding for the proposed work is available or has been previously approved by prior action of the Council.

All agreements shall be reviewed and approved by the City Attorney's Office prior to signature.

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, at a regular meeting held on the _____ day of _____, 2009.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2009

Mayor Approval/ No Return _____, 2009

Mayor Veto: _____, 2009

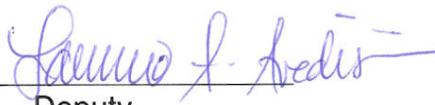
Council Override Veto: _____, 2009

REBECCA E. KLISCH
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM

JAMES SANCHEZ
CITY ATTORNEY

BY: 
Deputy