



COUNCIL RESOLUTION NO. 2009-148
REDEVELOPMENT AGENCY RESOLUTION NO. 1744

A JOINT RESOLUTION OF THE COUNCIL AND THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO MAKING CERTAIN FINDINGS PURSUANT TO SECTION 33445 OF THE COMMUNITY REDEVELOPMENT LAW, AND AUTHORIZING THE AGENCY'S EXPENDITURE OF TAX INCREMENT TO INSTALL STREET LIGHTS FROM CEDAR TO CHESTNUT AVENUES, AS PUBLIC IMPROVEMENTS WITHIN THE CENTRAL CITY COMMERCIAL REVITALIZATION REDEVELOPMENT PROJECT AREA

WHEREAS, August 24, 1999, the Council of the City of Fresno (the "Council") considered and approved a Council Override Vote of Ordinance No. 99-46 by Mayor Patterson on July 29, 1999, . B-49 - Ordinance No. 99-46 - Approving and Adopting the Redevelopment Plan (the "Plan") for the Central City Commercial Revitalization Redevelopment Project (the "Project Area"); and

WHEREAS, June 29, 1999, the Council adopted Ordinance No. 99-46, approving and adopting 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 "Law"); and

WHEREAS, the Plan includes a list of public improvements including, without limitation, street system improvements, traffic signal and safety lighting system improvements, utility system installations, and streetscape improvements of major streets (including without limitation, Belmont Avenue); and

WHEREAS, the Redevelopment Agency of the City of Fresno (the "Agency") is engaged in

Adopted 6/25/09
Approved 6/25/09
Effective 6/25/09

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activities necessary to carry out the Plan; and

WHEREAS, on June 29, 1999, the Council and the Agency Board jointly adopted Council Resolution No. 99-195/Agency Resolution No. 1545, certifying the Final Program Environmental Impact Report (EIR) 98-01, prepared for the formation of the Project Area, and three other project areas; and

WHEREAS, the EIR addressed, among other things, the development of new public improvements pursuant to the Plan, and demolition of existing improvements; and

WHEREAS, January 11, 2004, the Agency Board adopted Resolution No. 1657 approving Five-Year Implementation Plans for four redevelopment project areas, including the Project Area (the "Implementation Plan"); and

WHEREAS, the Implementation Plan, to help eliminate physical and economic blighting influences and establish a positive visual image, includes a program to make selected public improvements in the Project Area as revenue permits including, without limitation, street improvements, utility improvements, and streetscape improvements, all associated with implementing the Plan; and

WHEREAS, the proposed street light installation on Belmont Avenue from Cedar to Chestnut Avenues (the "Project"), will improve the appearance of the street corridor, improve traffic flow, and increase public safety by providing increased light; and

WHEREAS, the Project will encourage and support the retention and expansion of existing businesses and the attraction and development of new businesses within the Project Area; and



WHEREAS, the inability of the City of Fresno (the "City") to undertake this Project without the involvement of the Agency relates to the limited funding ability of the City's General Fund, to the City's budget constraints interrelated with the State budget constraints, and scarce City funds directed toward the "No Neighborhood Left Behind" initiative ("NNLB"); and

WHEREAS, NNLB focuses on constructing and repairing critical infrastructure in 71 neighborhoods where little or no infrastructure currently exists, and in some places has never existed; and

WHEREAS, pursuant to Section 33445 of the Redevelopment Law the Agency, with the consent of the Council and upon certain Council determinations, may pay for the costs to install and construct publicly owned improvements within and outside the Project Area; and

WHEREAS, May 27, 2009, in a regularly noticed meeting, the Housing and Community Development Commission (HCDC) considered this resolution and the proposed findings relating to the Project and funding, and voted to recommend that the Council and Agency Board adopt this resolution, and that the Agency award the construction contract for the Project to the lowest responsive bidder; and

WHEREAS, the Agency has appropriated the necessary funds for the project within FY 08-09, without limitation, the construction contract, engineering costs, and construction management; and

WHEREAS, the Agency and the Council, after due consideration, believe that the Agency's expenditure of tax increment to pay for the Project: (a) are in the best interests of the City and health, safety, (b) are in the best interests of the employees, businesses, property, and visitors to the Project Area, (c) are consistent with the public purposes and provisions of applicable state and local laws, (d) will improve the quality of life for residents, visitors to, and businesses and properties within the Project Area, and (e) are consistent with the Plan;



NOW, THEREFORE, BE IT RESOLVED by the Council and the Agency of the City as follows:

1. Based upon substantial evidence provided in the record before it, the Council and the Agency find and determine the following:

Finding No. 1.1: The Project will help improve visual and physical quality and public safety in the Project Area in and near the proposed Project; the Project is necessary to achieve redevelopment goals and objectives of the Plan to improve the visual and physical quality of the Project Area, is consistent with the Plan, and will benefit the Project Area.

Finding No. 1.2: The streetlight installation will help eliminate blight within the immediate vicinity of the Project, and the overall Project Area, by improving the public and traffic safety, enhancing the area for private investment, and upgrading and improving the image of the Project Area.

Finding No. 1.3: The Project is consistent with the Implementation Plan.

Finding No. 1.4: Using tax increment for the Project is essential and necessary, as no other reasonable means of financing the Project are available to the City.

2. The Council consents to the Agency expending tax increment to install and construct the Project, and consents to the Agency award of a contract for the Project to the lowest responsive bidder.

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CLERK'S CERTIFICATION

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

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, and Ex-Officio Clerk of the Redevelopment Agency of the City of Fresno, certify that the Council and the Redevelopment Agency of the City of Fresno, California, adopted the foregoing resolution at a joint public meeting held on the 25 day of June, 2009, and that the same was passed by the following vote:

AYES: Borgeas, Brand, Dages, Perea, Westerlund, Xiong, Sterling
NOES: None
ABSENT: None
ABSTAIN: None

REBECCA E. KLISCH
City Clerk and Ex-Officio Clerk
of the Agency

By Rebecca E. Klisch
~~Deputy~~

APPROVED AS TO FORM:
JAMES C. SANCHEZ
City Attorney and Ex-Officio Attorney
to the Agency

By James C. Sanchez
~~City~~ Deputy

EVALUATION OF BID PROPOSALS
REDEVELOPMENT AGENCY

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FOR: BELMONT AVENUE STREET LIGHT INSTALLATIONS FROM CEDAR TO CHESTNUT AVENUES

Bid File No. 2942
Bid Opening: June 11, 2009

<u>BIDDER'S</u>	<u>TOTAL AMOUNT</u>
1. Browning Contractors, Inc. 5410 E Home Ave Fresno, CA 93727	\$396,300.00
2. Roadway Electrical Works, Inc. 715 Laurel Ave Modesto, CA 95351	\$442,278.00
3. Madco Electric, Inc. 2135 East Front St Selma, CA 93662	\$444,000.00
4. MCH Electric, Inc. 31084 S Highway 33 Tracy, CA 95304	\$450,990.00
5. AC Electric, Co. 1835 E Lamona Fresno, CA 93703	\$457,700.00
6. Richard A. Heaps 8909 Florin Road Sacramento, CA 95829	\$466,600.00
7. Terno Electrical Contractors 15701 Heron Ave La Mirada, CA 90638	\$520,600.00
8. Tennyson Electric, Inc. 7275 National Dr, Ste A-2 Livermore, CA 94550	\$536,750.00
9. Electric Motor Shop 253 Fulton Fresno, CA 93721	\$584,000.00
10. Seal Rite Paving & Grading 959 Clovis Ave Clovis, CA 93612	\$1,042,264.62

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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, July 8, 2009, 5:00 P.M.

The Engineer's Estimate/Budget Allocation for this expenditure is \$635,000. The contract price is 38% below 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):

Beginning in November of 2005, several community meetings for the business and property owners on Belmont Avenue were held to address neighborhood concerns. A major issue raised was the lack of proper lighting in the area. The remaining original street lights are on older wooden poles and are spaced too far apart to appropriately service Belmont Avenue's property and business owners, and the adjacent residential neighborhoods.

The new street light design introduces metal poles at shorter intervals which improves visibility for drivers and pedestrians at night, while also providing an increased sense of safety.

In June 2007 the Council and Agency Board awarded the first phase of the street light installation to a local contractor. That first phase—from Freeway 41 to Cedar Avenue—was completed in March 2008 and has since received praises from the local community.

This is the second phase of a two-phased street light project that will upgrade Cedar to Chestnut Avenues. Once completed, the two phases will have updated almost a mile and a half of the Belmont Avenue commercial corridor.

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AVENUES

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DEPARTMENT CONCLUSIONS AND RECOMMENDATION:

Award a contract in the amount of \$396,300.00 to Browning Contractors
as the lowest responsive and responsible bidder.

Remarks:

Reject all bids. Reason:

Redevelopment Project Manager Date

Funds for this expenditure:

- (X) are available and appropriated in the REDEVELOPMENT SUPPORT FUND
- () are not available nor appropriated;
- () will be available after adoption of resolution/AT.

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FOR: BELMONT AVENUE STREET LIGHT INSTALLATIONS FROM CEDAR TO CHESTNUT AVENUES

Bid File No. 2942
Bid Opening: June 11, 2009

Finance Officer, Redevelopment Agency Date

Approve Dept. Recommendation Approve Purchasing Recommendation

Disapprove Disapprove

See Attachment

Purchasing Manager Date

Executive Director
Redevelopment Agency Date

EVALUATION OF BID PROPOSALS
REDEVELOPMENT AGENCY



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FISCAL IMPACT STATEMENT

PROGRAM:

<u>RECOMMENDATION</u>	<u>TOTAL OR CURRENT</u>	<u>ANNUALIZED COST</u>
Direct Cost	_____	_____
Indirect Cost	_____	_____
TOTAL COST	_____	_____
Additional Revenue or Savings Generated	_____	_____
Net City Cost	_____	_____
Amount Budgeted (If none budgeted, identify source)	_____	_____