

RESOLUTION NO. 2019 - 04

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALWA RECREATION AND PARK DISTRICT APPROVING SWIMMING POOL PROJECT, AUTHORIZING STAFF TO MOVE FORWARD WITH IMPLEMENTATION, AND FINDING CATEGORICAL EXEMPTIONS UNDER CEQA APPLICABLE TO THE PROJECT

WHEREAS, the Calwa Park and Recreation District ("District") has been working on a Swimming Pool Project ("Pool Project") for over a year; and

WHEREAS, the Board of Directors and District Administrator Felix Ortiz have worked closely with Supervisor Sal Quintero of the Fresno County Board of Supervisors and Supervisor Quintero's staff Steve Rapada and Ari Martinez.

WHEREAS, Supervisor Quintero, Steve Rapada, and Ari Martinez ("Volunteer Team") have spent the last year championing the Pool Project and have secured tens of thousands of dollars in contributions, in-kind contributions, and volunteer work;

WHEREAS, various progress reports have been made to the Board of Directors by the Volunteer Team and staff during the planning stage; and

WHEREAS, an environmental assessment of the Pool Project has been made and it has been determined that it falls within the Categorical Exemption set forth in CEQA Guidelines Section 15301, which exempts repairs, maintenance, or minor alteration of existing public structures or facilities involving negligible or no expansion of existing or former use. This exemption is applicable because the alterations are part of the existing park namely the swimming pool, restrooms, and showers.

WHEREAS, the Pool Project proposes a remodeled swimming pool, bathrooms, and showers which will result in negligible or no expansion of use and which will restore those portions of the existing Park to use.

WHEREAS, the Pool Project also falls within the Categorical Exemption set forth in CEQA Guidelines 15302, which exempts replacement or reconstruction of existing structures and facilities. This exemption is applicable as both the newly remodeled swimming pool and the newly remodeled bathrooms and showers will be located on the same park site as the existing structures or facilities they are replacing, and they will have substantially the same purpose and capacity as they previously had. Finally, Staff has determined that none of the exceptions to Categorical Exemptions set forth in Section 15300.2 of the CEQA Guidelines apply to this Project

WHEREAS, at a duly noticed regular meeting of the Board of Directors, the Board considered the Calwa Recreation and Park District Swimming Pool Project Report attached hereto as Exhibit A and incorporated by reference, received a report from the Volunteer Team and staff, considered public input, and deliberated.

NOW THEREFORE the Board of Directors of the Calwa Recreation and Park District hereby resolves as follows:

Section 1. The foregoing recitals are true and correct and are incorporated by reference as if fully set forth.

Section 2. Based on the foregoing recitals, the Board adopts a finding of a Categorical Exemption set forth in CEQA Guidelines section 15301, which exempts repairs, maintenance, or minor alteration of existing public structures or facilities involving negligible or no expansion of existing or former use. Additionally, the Board adopts a finding of a Categorical Exemption set forth in CEQA Guidelines section 15302, which exempts replacement or reconstruction of existing structures and facilities. Finally, the Board finds that none of the exceptions to Categorical Exemptions set form in Section 15300.2 of the CEQA Guidelines apply to this Project.

Section 3. The Board approves the Swimming Pool Project as described in the Calwa Recreation and Park District Swimming Pool Project Report attached hereto as Exhibit "A."

Section 4. District Staff is directed to work with the Volunteer Team and to implement the Pool Project as described in the Report.

Section 5. This resolution shall be effective upon its adoption.

* * * * *

CERTIFICATION

The foregoing Resolution No. 2019-04 was adopted on August 20, 2019, by the following vote:

AYES:

4 - Mary L. Rosales, Jose Luis Sanchez, Esmeralda Zamora, Gabriela Manes

NOES:

0

ABSTENTIONS:

0

ABSENCES:

1 - Raul Guterra

Felix Ortiz
Felix Ortiz
Secretary of the Board of Directors

CALWA RECREATION AND PARK DISTRICT SWIMMING POOL PROJECT REPORT

August 20, 2019

The Calwa Recreation and Park District ("District") has been working on a Swimming Pool Project ("Pool Project") for the last year. The District boundaries lie within both the City of Fresno and the County of Fresno. Calwa Park is located within the boundaries of the City of Fresno.

The Board of Directors and District Administrator Felix Ortiz worked closely with Supervisor Sal Quintero of the Fresno County Board of Supervisors and Supervisor Quintero's staff Steve Rapada and Ari Martinez. Supervisor Quintero, Steve Rapada, and Ari Martinez ("Volunteer Team") have spent the last year championing the Pool Project and have secured tens of thousands of dollars in contributions, in-kind contributions, and volunteer work.

A. The Swimming Pool Project.

The existing 1950's pool at Calwa Park has been closed for many years due to serious health and safety problems. Through the efforts of the Volunteer Team, the existing pool will be remodeled, rebuilt, and brought up to existing building code requirements.

The original plan was to build a new pool in an adjacent area. However, after considerable analysis, re-examination, and deliberation, it was decided to build a new pool on the existing site. A strong factor was the District's development of a Park Master Plan. The Master Plan will help to define the future use and amenities in Calwa Park.

The Volunteer Team determined that rebuilding the original pool in its original foot print would be the best fit in the new Master Plan, as a new pool location would take away from an existing play area and leave an abandoned pool that would be costly to deal with in the future.

The Pool Project also includes renovations of the existing restrooms and showers as those have also been closed due to health and safety concerns.

The existing swimming pool originally was estimated to cost \$500,000 to renovate; however the Volunteer Team reevaluated the budget and reviewed materials and equipment pricing at reduced rates that make it a more viable project at an estimated \$190,852.20, which includes a 5% contingency. When in kind donations are included, (\$95,101.25) the total project budget will be approximately \$285,953.45.

In rebuilding the existing pool, the area that is at a 10 foot depth is planned to be filled in and abandoned. The existing main section of the existing pool that measures 44 x 88 feet, which is larger than the previously proposed 30 x 70 foot pool first recommended to be built in an area adjacent to the existing pool site. Additionally in rebuilding the main portion of the existing pool, it will be fitted with a state of the art filtration system and equipment. A rendition of the Pool Project is attached as Attachment A.

B. Competitive Bidding, Volunteers, and Prevailing Wages.

Public Contract Code Section 20181.5 provides that all contracts for new construction estimated to exceed \$25,000 and all contracts for alterations, maintenance, or repairs estimated to exceed \$25,000 “shall be let to the lowest responsible bidder after competitive bidding.” The Project does involve new construction estimated to exceed \$25,000; therefore, this language is applicable. However, because all the labor is being donated (performed with volunteers), competitive bidding is not required.

Public Contract Code Section 20815.1 (c) requires that the purchase of “materials and supplies not related to new construction, alterations, maintenance, or repairs estimated to cost in excess of \$25,000 shall be let to the lowest responsible bidder after competitive bidding.” (emphasis added) This Project involves the purchase of materials and supplies which exceed \$25,000 and is related to new construction.” Therefore, competitive procurement is required for materials, supplies, and equipment. The District Administrator will be responsible for this.

Labor Code Section 1771 requires that all workers on public works projects over \$1,000 must receive prevailing wages. Labor Code § 1720.4 provides that it does not apply to any work performed by a volunteer.

C. Funding.

The Pool Project will be funded from contributions and donations from private entities and volunteer labor. The goal is to raise \$285,953.45 which is the budget total. The detailed budget is attached as Attachment B.

Once the pool is constructed, the District will be responsible for maintenance and operations such as lifeguards, chemicals, and cleaning. There may be an opportunity for some program funding through the Department of Public Health that would include the lifeguards and swimming lesson programs. Monthly chemical and cleaning maintenance is estimated at \$800 to \$1,000 per month.

The following grants and contributions have been secured or pledged to date:

• Kaiser	\$80,000
• Maricopa Orchards	\$20,000
• Donaghy	\$10,000
• Chevron	\$ 5,000
• Housing Authority	\$ 5,000
• City of Fresno Council D5	\$ 5,000
• Fresno Housing Authority	\$ 5,000
• County of Fresno District 3	\$ 5,000
• American Ambulance	\$ 5,000
• Ed Kashian	\$ 5,000
• The Penstar Group	\$ 5,000

- Mid Valley Distributors \$ 500
- Dirk Poeschel \$ 500
- Hope Encounters \$ 500

Fundraising continues toward a goal of \$200,000 or more to construct the pool as described and assist with ongoing maintenance costs.

In kind contributions have been committed as follows:

- Mr. Mike Kludjian along with Mr. Lou Brossi of C-III Construction Inc. has committed to perform the construction work for the pool at no cost to the District. Mr. Kludjian would also serve as project manager. The value of that contribution is estimated at \$44,681.25.
- CMG Inc. has committed to remodel the existing restrooms and showers. The value of that contribution is estimated at \$28,000.
- Pentair Corporation has committed to donate pool equipment (motor, filter, and start up chemicals). The equipment is valued at \$16,420.

D. Budget.

The estimated budget is \$285,953.45. The budget will be used for the following:

- Materials \$ 162,852.20 (see attached budget)
- Equipment (in kind donation) \$ 16,240.00 (see attached budget)
- Restroom/Shower (in kind donation) \$ 28,000.00 (see attached budget)
- 5% Contingency for unforeseen problems. \$ 9,088.20 (see attached budget)
- Engineering (in kind donation) \$ 6,000.00 (see attached budget)
- General Conditions, Administration, Permits \$ 44,681.25 (see attached budget)
- Steel & Pipe Removal \$ 17,000.00
- Tile Gunitite Removal \$ 11,000.00
- Insurances (in kind donation)

E. Permits.

- City of Fresno for general permits.
- County Environmental Health for Pool Use Permit.

F. Plans & Specifications.

C-III Construction Inc. will provide engineering and will prepare and donate the plans and specifications. The Plans will be presented to the Board at its September 2019 meeting.

G. Timeline.

The timeline for completion of the new swimming pool is May of 2020.

H. Construction.

Mike Kludjian and Lou Brosi will cause construction of the Pool and serve as Project Managers (volunteer). They will interface with the City of Fresno and County of Fresno.

I. CEQA.

An environmental assessment of the Pool Project has been made and it has been determined that it falls within the Categorical Exemption set forth in CEQA Guidelines Section 15301, which exempts repairs, maintenance, or minor alteration of existing public structures or facilities involving negligible or no expansion of existing or former use. This exemption is applicable because the alterations are part of the existing park namely the swimming pool, restrooms, and showers.

The Pool Project proposes a remodeled swimming pool, bathrooms, and showers which will result in negligible or no expansion of use and which will restore those portions of the existing Park to use.

Additionally, this Project also falls within the Categorical Exemption set forth in CEQA Guidelines 15302, which exempts replacement or reconstruction of existing structures and facilities. This exemption is applicable as both the newly remodeled swimming pool and the newly remodeled bathrooms and showers will be located on the same park site as the existing structures or facilities they are replacing, and they will have substantially the same purpose and capacity as they previously had. Finally, Staff has determined that none of the exceptions to Categorical Exemptions set form in Section 15300.2 of the CEQA Guidelines apply to this Project.