



RESOLUTION NO. 2023-174

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF PUBLIC UTILITIES OR DESIGNEE TO ACCEPT FUNDS AND EXECUTE THE FINANCIAL ASSISTANCE AGREEMENT AND ANY AMENDMENTS THERETO WITH THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD ON BEHALF OF THE CITY OF FRESNO FOR A WATER CONNECTION TO SERVE THREE PALMS MOBILE HOME PARK

WHEREAS, the residential community of Three Palms Mobile Home Park (MHP), located within existing city limits, is identified as a small Disadvantaged Community (DAC) per State Water Resources Control Board (SWRCB) Division of Financial Assistance criteria; and

WHEREAS, Three Palms MHP is currently served by a single well and is not connected to the City of Fresno (City) drinking water distribution system; and

WHEREAS, in March 2018, Three Palms MHP was issued a compliance order by the SWRCB for exceedance of the 1,2,3-Trichloropropane (1,2,3-TCP) Maximum Contaminant Level (MCL) in the raw well water; and

WHEREAS, concentrations of 1,2,3-TCP in raw well water samples collected between February 2018 and November 2020 have been nine (9) to twenty-four (24) times greater than the MCL allowed in drinking water; and

WHEREAS, continued exceedance of a drinking water MCL presents a persistent health risk to Three Palms MHP residents; and



WHEREAS, connection of the Three Palms MHP to the City's distribution system would represent a consolidation of two water systems and provide access of the City's water supply to Three Palms MHP residents; and

WHEREAS, in the Drinking Water State Revolving Fund (DWSRF) Intended Use Plan for Fiscal Year 2020-21, the SWRCB promotes consolidation, where appropriate and feasible, especially among small community water systems serving DACs; and

WHEREAS, the City submitted a grant application to the SWRCB for DWSRF funds for a water connection to Three Palms MHP as authorized by Resolution No. 2021- 110; and

WHEREAS, Resolution No. 2021-110 authorized the DPU Director, or designee(s) to represent the City in carrying out the City's responsibilities under the financing agreements, including certifying disbursement requests on behalf of the City and compliance with applicable state and federal laws; and

WHEREAS, the SWRCB requires that the governing body of the applicant designate an Authorized Representative to execute the financial assistance agreement and any amendments thereto on behalf of the City.

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

1. The Council of the City of Fresno, California, authorizes this resolution.
2. The Director of the Department of Public Utilities or designee is hereby authorized and directed to accept funds and execute the financial assistance agreement and any amendments thereto with the State Water Resources Control Board on behalf of



the City of Fresno for a water connection to serve Three Palms Mobile Home Park, subject to approval as to form by the City Attorney's Office.

3. This resolution shall be effective upon final approval.

* * * * *

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

I, TODD STERMER, 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 8th day of June 2023.

AYES : Perea, Karbassi, Arias, Chavez, Bredefeld, Esparza
NOES : None
ABSENT : Maxwell
ABSTAIN : None

Mayor Approval:	<u>June 14</u>	2023
Mayor Approval/No Return:	<u>N/A</u>	2023
Mayor Veto:	<u>N/A</u>	2023
Council Override Vote:	<u>N/A</u>	2023

TODD STERMER, CMC
City Clerk

By: Brian Perea 6/19/2023
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: Jennifer M. Quintanilla 6/14/23
Jennifer M. Quintanilla Date
Senior Deputy City Attorney



June 9, 2023

Council Adoption: 06/08/2023

Mayor Approval:

Mayor Veto:

Override Request:

TO: MAYOR JERRY DYER

FROM:  TODD STERMER, CMC
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the City Council meeting of June 8, 2023, Council adopted the attached Resolution No. 2023-174 *****RESOLUTION - Authorizing the Director of the Department of Public Utilities or designee to accept funds and execute the financial assistance agreement and any amendments thereto with the California State Water Resources Control Board on behalf of the City of Fresno for a water connection to serve Three Palms Mobile Home Park. (Subject to Mayor's Veto)** Item 1-G, File ID 23-851, by the following vote:

Ayes : Perea, Karbassi, Arias, Chavez, Bredefeld, Esparza
Noes : None
Absent : Maxwell
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before June 19, 2023. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

APPROVED /NO RETURN: _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)



Jerry Dyer, Mayor

COUNCIL OVERRIDE ACTION:

Ayes :
Noes :
Absent :
Abstain :

Date: 6/13/23

Date: _____

RECEIVED