



Legislation Details (With Text)

**File #:** ID 23-912      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Agenda Ready

**File created:** 5/26/2023      **In control:** City Council

**On agenda:** 6/8/2023      **Final action:**

**Title:** Approve a grant agreement with Bakman Water Company allocating up to \$2,700,000 in American Rescue Plan Act (ARPA) funding for the construction of water infrastructure necessary to meet safety standards and fire suppression requirements for the development of affordable housing at the Fancher Creek Town Center development.

**Sponsors:** Finance Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Environmental Assessment for Development Permit No. P21-02251

Date	Ver.	Action By	Action	Result
6/8/2023	1	City Council	TABLED	

**REPORT TO THE CITY COUNCIL**

**FROM:** SANTINO DANISI, MBA, City Controller/Finance Director

**BY:** COURTNEY ESPINOZA, Business Manager  
Finance Department, Grants Management Unit

**SUBJECT**

Approve a grant agreement with Bakman Water Company allocating up to \$2,700,000 in American Rescue Plan Act (ARPA) funding for the construction of water infrastructure necessary to meet safety standards and fire suppression requirements for the development of affordable housing at the Fancher Creek Town Center development.

**RECOMMENDATION**

Staff recommends Council approve an agreement with Bakman Water Company allocating \$2,700,000 in ARPA funding to fund water infrastructure to meet fire suppression requirements related to the Fancher Creek Town Center (FCTC) development; and authorize the City Manager to execute agreements, amendments and modifications pertaining to this grant program.

**EXECUTIVE SUMMARY**

Staff recommends Council approve an agreement with Bakman Water Company allocating \$2,700,000 in ARPA funding for water infrastructure to meet fire suppression requirements related to the Fancher Creek Town Center development that was previously approved by Council on April 27, 2023. Bakman Water Company shall utilize the funding to construct water infrastructure to meet safety standards for the affordable housing and commercial developments.

## BACKGROUND

In 2021, the City of Fresno was awarded American Rescue Plan Act funding in the amount of \$170,808,029. Of this funding \$2,700,000 was identified in a resolution passed by Council on April 27, 2023 to provide funding for water infrastructure within the Fancher Creek Town Center development. This site currently does not have the necessary infrastructure in place to meet fire suppression standards for the two affordable housing developments currently under construction.

Bakman Water Company will utilize this funding to complete water infrastructure construction for the two affordable housing complexes located on site and will begin to provide much needed affordable housing for residents in Southeast Fresno. The water infrastructure project will consist of the construction of a 600,000-gallon, ground level steel storage tank on a vacant lot with a booster pump station.

The contribution contemplated herein shall be utilized exclusively for the fulfillment of the mentioned health and safety related condition of approval in the best interests of the citizens of the City, to protect the public health, safety and welfare and would be exempted from the Better Business Act (Council Resolution No. 2009-118).

Pursuant to Fresno City Resolution No. 2023-112, a condition precedent to any distribution of funds by the City to Bakman Water Company requires that the Developer, Fancher Creek Town Center Senior, LP, must annex the FCTC project into the appropriate Community Facilities District to fund the maintenance and other eligible services pertaining the landscaping, streets, and other public infrastructure.

## ENVIRONMENTAL FINDING

Staff performed an Environmental Assessment for Development Permit No. P21-02251, dated December 9, 2021, a determination that the proposed water infrastructure project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332/Class 32 (In-fill Development Projects). Pursuant to Section 15332, staff determined that:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value, as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

Further, it was determined that none of the exceptions to the exemptions set forth in CEQA Guidelines section 15300.2 apply to this project. The EA prepared for this project was adopted in conjunction with the Planning Director's approval of Development Permit No. P21-02251. An NOE was filed with the Fresno County Clerk on September 1, 2022.

The proposed discretionary action, approval of a grant agreement with Bakman Water Company allocating \$2,700,000 in ARPA funding for the construction of water infrastructure necessary to meet safety standards and fire suppression requirements, is to provide funding for the water infrastructure

project previously approved with the issuance of Development Permit No. P21-02251.

The proposed water infrastructure project has not changed since the prior approval and as such no further assessment under CEQA is required at this time.

### **LOCAL PREFERENCE**

This organization has been previously approved by Council.

### **FISCAL IMPACT**

This program will be funded through American Rescue Plan Act funding and will not impact the general fund.

#### **Attachments:**

ARPA Agreement with Bakman Water Company

Environmental Assessment for Development Permit No. P21-02251