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**Title:** Actions pertaining to 49-acres of City-controlled property at 2155 S. Peach Avenue  
 1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301 of the California Environmental Quality Act (CEQA) guidelines;  
 2. Approve a Memorandum of Understanding with Southeast Fresno Community Economic Development Association (SEFCEDA) regarding ongoing maintenance and proposed development

**Sponsors:** Office of Mayor & City Manager

**Indexes:**

**Code sections:**

**Attachments:** 1. SEFCEDA MOU\_Final 8.4.20 signed by J. Barraza & CAO 8.7.20

Date	Ver.	Action By	Action	Result
8/20/2020	1	City Council	approved	

**REPORT TO THE CITY COUNCIL**

**August 20, 2020**

**FROM:** TJ MILLER, Director  
Parks, After School, Recreation and Community Services Department

**SUBJECT**  
 Actions pertaining to 49-acres of City-controlled property at 2155 S. Peach Avenue

1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301 of the California Environmental Quality Act (CEQA) guidelines;
2. Approve a Memorandum of Understanding with Southeast Fresno Community Economic Development Association (SEFCEDA) regarding ongoing maintenance and proposed development

**RECOMMENDATION**

Staff recommends that the Council adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) guidelines, approve a Memorandum of Understanding (MOU) with Southeast Fresno Community Economic Development Association (SEFCEDA) regarding ongoing maintenance and proposed development of a 49-acre City-controlled property at 2155 S. Peach Avenue and authorize the Director of PARCS, or designee, to sign the agreement on behalf of the City of Fresno.

## EXECUTIVE SUMMARY

Staff is recommending approval of a MOU between the City of Fresno (City) and Southeast Fresno Community Economic Development Association (SEFCEDA) related to maintenance and development of 49 acres of City-controlled property located at 2025 and 2021 S. Peach Avenue (Property). The MOU will replace an expired Adopt-a-Park agreement, allow SEFCEDA to continue maintaining improvements they have made to the Property and provide \$24,500 in funding to complete the preliminary engineering, site work and grant writing that will facilitate SEFCEDA's proposed State of California Proposition 68 Statewide Parks Program (SPP) grant application.

## BACKGROUND

In 2006, the Federal Government, through the National Parks Service deeded the Property to the City. The City's intent at that time was to develop the Property into parks and recreational space. The cost to develop the park as conceptualized in 2006 was approximately \$21 million. This significant investment, combined with limited funding to develop, maintain and operate such a facility has caused minimal progress to be made in developing the site. In December of 2017, SEFCEDA proposed to raise funding with the intent of developing the Property into a regional sports and recreation venue. The City entered into an Adopt-a-Park agreement with SEFCEDA on February 15, 2018, to allow the organization to maintain the Property as well as complete limited improvements, while concurrently raising funding. SEFCEDA has continued to maintain the Property and has added most improvements specified in the original Adopt-a-Park agreement (planting 120 trees and associated drip irrigation). The Adopt-a-Park agreement expired on June 30, 2019.

SEFCEDA has continued to express interest in developing the Property and wishes to apply for a State of California Proposition 68 Statewide Parks Program (SPP) grant. Environmental analysis (CEQA), concept drawings, cost analysis and other items are a required as part of the application process. On June 16, 2020, the City Council approved a motion to utilize \$90,000 of Urban Growth Mitigation (UGM) funds to assist SEFCEDA with the application for Proposition 68 funds for development of the Property. This included funding for SEFCEDA to perform preliminary engineering, site analysis and grant writing activities.

The proposed MOU replaces the Adopt-a-Park agreement, allowing SEFCEDA to continue to maintain the Property and perform City-approved improvements as funding becomes available. The MOU also formalizes the provision of water and solid waste services by the City to support the improvements SEFCEDA has completed. Lastly, the MOU provides \$24,500 of funding to allow SEFCEDA to perform preliminary engineering, site evaluation and grant writing in support of SEFCEDA's Proposition 68 grant proposal (the balance of the \$90,000 funding will be used for environmental studies performed by consultants and managed by City staff).

## ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment of this project and has determined it falls within the Class 1 Categorical Exemptions as set forth in CEQA Guidelines Section 15301 which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, including negligible or no expansion of use beyond that existing at the time of determination. This approval meets the requirements of this exemption because the MOU provides for the continued

maintenance of existing trees and irrigation on the Property. Furthermore, Staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project.

### **LOCAL PREFERENCE**

Local preference was not considered because this MOU does not include a bid or award of a construction or service contract.

### **FISCAL IMPACT**

The proposed action utilizes \$24,500 in UGM funding already approved by Council in FY2021 budget deliberations. Ongoing water and solid waste utility costs are estimated to be between \$500 and \$1,000 annually and will be addressed within the PARCS Department's general fund budget appropriations.

Attachment: SEFCEDA Memorandum of Understanding