



Legislation Details (With Text)

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Title: Actions pertaining to Clovis Hills Community Church of Clovis to add a preschool to its location without breaching the allocated water supply stipulated in the extra-territorial service agreement (Fresno County):

1. Adopt findings of Categorical Exemption under California Environmental Quality Act Guidelines Section 15301/Class 1
2. Approve the First Amendment to the Extra-Territorial Emergency Service and Offsite Infrastructure Agreement with Clovis Hills Community Church of Clovis, a California Corporation
3. Authorize the Director of Public Utilities, or designee, to sign the amendment on behalf of the City of Fresno

Sponsors: Department of Public Utilities

Indexes:

Code sections:

Attachments: 1. Attachment 1 - Categorical Exemption P19-02745.pdf, 2. Attachment 2 - First Amendment to the Extra-Territorial Emergency Service and Offsite Infrastructure Agreement.pdf, 3. Attachment 3 - Extra-Territorial Emergency Service and Offsite Infrastructure Agreement.pdf, 4. Attachment 4 - Vicinity Map.pdf

Date	Ver.	Action By	Action	Result
10/24/2019	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

October 24, 2019

FROM: MICHAEL CARBAJAL, Director
Department of Public Utilities

THROUGH: BROCK D. BUCHE, PE, PLS, Assistant Director - UP&E
Department of Public Utilities - Utilities Planning & Engineering

BY: ROBERT A. DIAZ, Supervising Engineering Technician
Department of Public Utilities - Utilities Planning & Engineering

SUBJECT

Actions pertaining to Clovis Hills Community Church of Clovis to add a preschool to its location without breaching the allocated water supply stipulated in the extra-territorial service agreement (Fresno County):

1. Adopt findings of Categorical Exemption under California Environmental Quality Act Guidelines Section 15301/Class 1

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RECOMMENDATIONS

Staff recommends that City Council adopt findings of Categorical Exemption; approve the First Amendment to the Extra-Territorial Emergency Service and Offsite Infrastructure Agreement with Clovis Hills Community Church of Clovis (Clovis Hills); and authorize the Director of Public Utilities, or designee, to sign the amendment on behalf of the City of Fresno (City).

EXECUTIVE SUMMARY

The Clovis Hills Community Church desires to build a preschool at the property, which currently is supplied water by the City of Fresno Department of Public Utilities, Water Division. The existing extra-territorial service agreement restricts expansion, as Clovis Hills has a limited surface water supply available for transfer to the City of Fresno to offset associated potable water demands. Approval of the First Amendment to the Extra-Territorial Emergency Service and Offsite Infrastructure Agreement with Clovis Hills permits building a preschool without breaching the stipulated allocated water supply.

BACKGROUND

On August 26, 2010, the City and Clovis Hills entered into an Extra-Territorial Emergency Service and Offsite Infrastructure Agreement (Agreement) to provide Clovis Hills a temporary emergency source of water. The purpose of this agreement was to provide water to Clovis Hills as their onsite water well was failing. A condition of the extra-territorial service agreement is no further expansion or property improvements are to be constructed. The City of Clovis consented to this Agreement until such time they are able to construct permanent water facilities to serve the property. Clovis Hills is proposing to construct a preschool and desires to amend the Agreement to avoid breaching the terms and conditions of said agreement. The Department of Public Utilities, Water Division, has reviewed Clovis Hills' water usage and has determined it to be on average about sixty-two percent of the water demand estimated for the service Agreement and that the demand increase associated to the preschool will remain within the overall exchanged amount of 23 acre-feet of surface water. As such, the Department of Public Utilities is amicable to amending the Agreement so Clovis Hills may build the preschool.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment of this Project and has determined that the Project qualifies for California Environmental Quality Act (CEQA) Categorical Exemption under Section 15301, Class 1. Section 15301/Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

Additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.

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 does not apply to this action because this is an amendment to an existing agreement.

FISCAL IMPACT

This Amendment has no impact to the General Fund or any other City Funds.

Attachments:

Attachment 1 - Categorical Exemption

Attachment 2 - First Amendment to the Extra-Territorial Emergency Service and Offsite Infrastructure Agreement

Attachment 3 - Extra-Territorial Emergency Service and Offsite Infrastructure Agreement

Attachment 4 - Vicinity Map