



## Legislation Details (With Text)

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**Title:** RESOLUTION - Allowing Deferral of Mandatory Sewer Connection for Seven Residential Parcels Located at North Temperance and East Clinton Avenues (Council District 4)  
**Sponsors:** Public Works Department, Department of Public Utilities  
**Indexes:**  
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**Attachments:** 1. 20-00173 Resolution

Date	Ver.	Action By	Action	Result
2/27/2020	1	City Council	continued	

## REPORT TO THE CITY COUNCIL

**February 27, 2020**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**BY:** ANDREW J. BENELLI, PE, City Engineer / Assistant Director  
Public Works Department

### SUBJECT

RESOLUTION - Allowing Deferral of Mandatory Sewer Connection for Seven Residential Parcels Located at North Temperance and East Clinton Avenues (Council District 4)

### RECOMMENDATIONS

Staff recommends the Council adopt a resolution allowing deferral of mandatory sewer connection for seven residential parcels located near the intersection of North Temperance and East Clinton Avenue.

### EXECUTIVE SUMMARY

On December 5, 2019, the Council took several actions to approve a proposed Tentative Map and initiate annexation proceedings to incorporate 69.15 acres on the east side of Temperance Avenue between Shields Avenue and Clinton Avenue (the Shields-Temperance Reorganization) into the City of Fresno. The proposed annexation includes seven existing homes near the northeast corner of

Clinton and Temperance Avenue. Approval of the attached Resolution would allow these seven properties to utilize their existing septic systems for up to fifteen years after annexation to the City.

## **BACKGROUND**

The Council approved a proposed annexation on December 15, 2019 for 69.15 acres on the east side of Temperance Avenue between Shields Avenue and Clinton Avenue. The majority of the annexation is open land that will be developed into with single family homes. To avoid creating a County island within the City limits, the boundary of the annexation, as approved by the Council, also includes seven existing homes on parcels that range in size from one acre to two and one-half acres. The Fresno Local Area Formation Commission (LAFCo) Board needs to approve the annexation and the boundary before the property is incorporated into the City of Fresno.

The owners of the seven residential properties have expressed opposition to being annexed into the City, primarily because of the City's mandatory sewer connection ordinance, citing the cost of abandoning their existing septic tanks and installing a new sewer pipe out to the street as being very expensive. The homeowners also want to avoid having to pay a monthly sewer bill.

LAFCo and Fresno County staff requested that the seven residential properties be included in the annexation to avoid creating a small county island.

In accordance with Fresno Municipal Code Section 6-303, parcels within the City must connect to the regional sewer system within three years of the system being available to them. Sewer system pipes were installed in both Clinton and Temperance several years ago and are designed to serve the seven parcels. As such, branch laterals to the homes have been installed for ease of connectivity when the time comes. Approval of the attached Resolution will provide the homeowners with 15 years (as opposed to only three years) after annexation to connect to the regional sewer system. The Resolution also prohibits new septic tanks and the addition of additional units upon any of the parcels until the septic systems are removed. There is no indication that the existing septic systems are contaminating the wells in the area.

## **ENVIRONMENTAL FINDINGS**

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this item is not a project for the purposes of CEQA.

## **LOCAL PREFERENCE**

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

## **FISCAL IMPACT**

There is no cost to the City by allowing the existing homes to remain on septic systems.

Attachment:  
Resolution