



## Legislation Details (With Text)

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**Title:** \*\*\*RESOLUTION - Authorizing the preparation and submission of financial assistance applications to the California State Water Resources Control Board for planning, design, and construction of sewer infrastructure for the Daleville residential community (Fresno County) (Subject to Mayor's veto)

**Sponsors:** Department of Public Utilities

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**Attachments:** 1. Attachment 1 - Authorizing Resolution.pdf, 2. Attachment 2 - Project Location Map & Sewer Plan.pdf, 3. Attachment 3 - LAFCo Resolution OS-21-02.pdf, 4. Updated Authorizing Resolution.pdf

Date	Ver.	Action By	Action	Result
4/28/2021	1	City Council	adopted as amended	Pass

## REPORT TO THE CITY COUNCIL

**April 28, 2021**

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## SUBJECT

\*\*\*RESOLUTION - Authorizing the preparation and submission of financial assistance applications to the California State Water Resources Control Board for planning, design, and construction of sewer infrastructure for the Daleville residential community (Fresno County) (Subject to Mayor's veto)

## RECOMMENDATION

Staff recommends that Council:

1. Adopt a resolution authorizing the preparation and submission of financial assistance applications to the California State Water Resources Control Board (Board), for the planning, design, and construction of sewer infrastructure for the Daleville residential community; and
2. Authorize the Director of Public Utilities, or designee, to execute all financial assistance

application documents on behalf of the City.

## **EXECUTIVE SUMMARY**

The Daleville residential community is currently served by aging residential septic systems that are currently or near the point of failing and contribute to elevated nitrate levels in nearby domestic wells. The community has been found eligible for grant or principal forgiveness funding under the Clean Water State Revolving Fund (CWSRF) Program for the planning, design, and construction of sewer infrastructure that will connect the community to the City's sewer collection system and remove the aging residential septic systems. The first step to applying for such programs is adoption of an Authorizing Resolution that will allow the City, on behalf of the Daleville community, to submit financial assistance applications to the Board.

## **BACKGROUND**

The Board administers the CWSRF program, which provides funding for projects associated with water quality protection. On July 1, 2008, the Board adopted Resolution No. 2008-0048 to assist in providing funding for disadvantaged and severely disadvantaged communities to address and remediate wastewater challenges, including failing septic systems that can lead to chemical and bacterial contamination of local groundwater supplies and degrade local aquatic environments.

The Daleville residential neighborhood, located outside City limits and within the City's Sphere of Influence, is designated as a disadvantaged community. This area is loosely bounded by North, Central, Cherry, and East Avenues. Residents and property owners have stated a strong desire to abandon their septic systems and connect to the City's sewer collection system. Some of the residential septic tanks are reported as failing. All are likely contributing to high nitrate levels in the groundwater as substantiated by 77% of domestic wells sampled indicating nitrate levels above the Maximum Contamination Level (MCL) for drinking water.

To address this condition, a new sewer main will be constructed on Daleville Avenue to tie the residential community into existing sewer mains on Cherry and Central Avenues. Thereafter, homes located on Central Avenue between Cherry and Mary Avenues, homes located on Daleville Avenue just east of Cherry Avenue, and homes located on Cherry Avenue between North and Central Avenues will be offered the opportunity to connect to the City's sewer collection system should they choose. If all property owners chose to participate, approximately 60 properties could connect to City's collection system. The CWSRF program will also provide funds for a contractor to remove residential septic systems and replumb sewer lines on each property. As onsite work is outside the purview of the City's responsibilities, the contractor's work will not be managed or supervised by the City.

The Project will be funded by the Board CWSRF program. To apply for CWSRF program funding, an Authorizing Resolution is required to be adopted by the City's governing body to allow the City, on behalf of the Daleville community, to submit a financial assistance application to the Board. Adoption by Council will initiate efforts necessary for the planning, design, and construction of sewer infrastructure on Daleville Avenue. Upon application review and approval by the Board, any potential future financial funding impacts will be brought before Council for consideration and approval.

On March 24, 2021, Fresno County Local Agency Formation Commission (LAFCo) adopted Resolution No. OS-21-02, authorizing the City to provide new or extended collection system services

to the Daleville residential community. An application was required because the Daleville residential community is located outside the City's jurisdictional boundaries but within its Sphere of Influence.

The Authorizing Resolution for preparation and submission of financial assistance applications to the California State Water Resources Control Board has been approved as to form by the City Attorney's Office.

## **ENVIRONMENTAL FINDINGS**

Authorization to submit an application for financial assistance is not a "project" for the purposes of California Environmental Quality Act (CEQA), as it is a funding mechanism or other government fiscal activity and does not involve commitment to any specific project that may result in a potentially significant physical impact on the environment as contemplated by CEQA Guidelines Section 15378 (b).

## **LOCAL PREFERENCE**

The local preference was not implemented because adoption of this resolution does not involve the bid or award of a construction or services agreement.

## **FISCAL IMPACT**

There is no impact to the General Fund or other City debt service obligations. Submission of these financial assistance applications is merely a mechanism to identify and initiate future planning, design and construction needs in the form of grants. Upon application review and approval by the Board, any potential future financial funding impacts will be brought before Council for consideration and approval.

### **Attachments:**

Attachment 1 - Authorizing Resolution

Attachment 2 - Project Location Map & Sewer Plan

Attachment 3 - LAFCO Resolution No. OS-21-02