



## Legislation Details (With Text)

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**Title:** Actions pertaining to a water connection to serve Three Palms Mobile Home Park (Council District 3)  
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines;  
2. \*\*\*RESOLUTION - Authorizing the Director of the Department of Public Utilities or designee to accept funds and execute the financial assistance agreement and any amendments thereto with the California State Water Resources Control Board on behalf of the City of Fresno for a water connection to serve Three Palms Mobile Home Park. (Subject to Mayor's Veto)

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Notice of Exemption.pdf, 2. Attachment 2 - Environmental Assessment.pdf, 3. Attachment 3 - Resolution.pdf, 4. Attachment 4 - Application Three Palms MHP.pdf, 5. Attachment 5 - Vicinity Map.pdf

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

## REPORT TO THE CITY COUNCIL

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## SUBJECT

Actions pertaining to a water connection to serve Three Palms Mobile Home Park (Council District 3)  
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines;  
2. \*\*\*RESOLUTION - Authorizing the Director of the Department of Public Utilities or designee to accept funds and execute the financial assistance agreement and any amendments thereto with the California State Water Resources Control Board on behalf of the City of Fresno for a water connection to serve Three Palms Mobile Home Park. (Subject to Mayor's Veto)

## RECOMMENDATION

Staff recommends that City Council adopt a finding of Categorical Exemption pursuant to Section

15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines; approve a resolution authorizing the Director of the Department of Public Utilities (DPU) or designee to execute the financial assistance agreement and any amendments thereto with the State Water Resources Control Board (SWRCB) on behalf of the City of Fresno (City) for a water connection to serve Three Palms Mobile Home Park (MHP) (Project).

## **EXECUTIVE SUMMARY**

The Three Palms MHP was issued a compliance order by the SWRCB for exceeding the 1,2,3-Trichloropropane (1,2,3 TCP) maximum contaminant level (MCL) in its private groundwater well. To come into compliance, Three Palms MHP desires to connect to the City's drinking water distribution system, the cost for which is eligible for 100 percent grant funding under the SWRCB's Drinking Water State Revolving Fund (DWSRF) program. The DWSRF program will also provide funds for a contractor to perform any necessary onsite work at the Three Palms MHP and destroy the existing private groundwater well. 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. DPU has submitted an application to the SWRCB to fund the Project. The next step to be awarded funding for the Project is the adoption of this resolution that will authorize the Director of DPU to accept funds and execute the financial assistance agreement on behalf of the City.

## **BACKGROUND**

The SWRCB administers the DWSRF program, which finances infrastructure improvements to mitigate drinking water risks and support the human right to water. The DWSRF's Intended Use Plan identifies financing programs that prioritize and assist disadvantaged communities (DACs) solve their drinking water problems.

The Three Palms MHP community, qualifies as a DAC per SWRCB Division of Financial Assistance criteria. The community of approximately 300 residents is located between North Golden State Boulevard and the State Route 99, north of West McKinley Avenue and south of West Clinton Avenue. The community is currently served by a single, private well and is not connected to the City's distribution system.

In March 2018, Three Palms MHP was issued a compliance order by the SWRCB for exceedance of the 1,2,3-TCP MCL in the domestic well water. Concentrations of 1,2,3-TCP in domestic well water samples collected between February 2018 and November 2020 have been 9 to 24 times greater than the MCL allowed in drinking water, representing a persistent health risk to Three Palms MHP residents. Connection to the City's water supply would mitigate the health risk to Three Palms MHP residents. A City main is located adjacent to the Three Palms MHP.

The Project will be funded by the SWRCB's DWSRF program. On April 28, 2021, the Fresno City Council approved Resolution 2021-110 authorizing DPU to submit a financial assistance agreement application to the SWRCB for a water connection to Three Palms MHP. The City subsequently submitted a grant application in the amount of \$344,696.

Resolution No. 2021-110 also authorized the DPU Director, or designee(s) to represent the City in carrying out the City's responsibilities under the financing agreements, including certifying disbursement requests on behalf of the City and compliance with applicable state and federal laws.

Prior to any potential award, the SWRCB requires that the governing body of the applicant submit a resolution that authorizes the Director of Public Utilities to accept funds and sign on behalf of the City to execute the financial assistance agreement and any amendments so that an award can be made. DPU has been working with SWRCB staff to prepare for the acceptance of the award. DPU is now requesting that City Council authorize the Director of DPU to accept funds and execute the financial assistance agreement for funding this Project. As the City is essentially at the close of the current fiscal year, DPU will return to City Council in Fiscal Year 2024 (FY 2024) with an amendment to the Annual Appropriation Resolution to permit expenditure of funds.

## **ENVIRONMENTAL FINDINGS**

Staff have performed an environmental assessment for this project in accordance with the requirements of the CEQA Guidelines and have determined it is consistent with Categorical Exemption Section 15301/Class 1, Existing Facilities. The Project involves the consolidation of the Three Palms Mobile Home Park's water system with the City of Fresno's water system accomplished through minor alterations to the Three Palms Mobile Home Parks existing water distribution system and the City of Fresno's existing infrastructure. These minor alterations represent a negligible expansion in use of the impacted facilities. Furthermore, none of the exceptions to the exemption apply.

## **LOCAL PREFERENCE**

Local preference was not implemented because this action does not include a bid or an award of a construction or services contract.

## **FISCAL IMPACT**

This Project has no impact on the General Fund. No matching funds are required under this financial assistance agreement. DPU will return to City Council in FY 2024 with an amendment to the Annual Appropriation Resolution to permit expenditure of funds.

### **Attachments:**

- Attachment 1 - Notice of Exemption
- Attachment 2 - Environmental Assessment
- Attachment 3 - Resolution
- Attachment 4 - Application Three Palms MHP
- Attachment 5 - Vicinity Map