



# Board Agenda Item 77

DATE: December 17, 2024

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Amendment of CDBG Action Plans and Agreement with Fresno County Fire Protection District for the Water Tender 96 Refurbish (CDBG 24731)

RECOMMENDED ACTION(S):

- 1. Amend FY 2022-23 Action Plan to delete the Laton Wastewater Treatment Plant Pond, Community Development Block Grant Project No. 22411 (\$250,000);**
- 2. Amend FY 2024-25 Action Plan to delete the Biola Fire Hydrant Replacement, Community Development Block Grant Project No. 24031 (\$300,000);**
- 3. Amend FY 2024-25 Action Plan to delete the Caruthers Well 7 Standby Generator, Community Development Block Grant Project No. 24111 (\$300,000);**
- 4. Approve and authorize Chairman to execute an Agreement with the Fresno County Fire Protection District for the Water Tender 96 Refurbish, Community Development Block Grant Project No. 24731, which consists of the refurbishment of an existing water tender at Fire Station 96 in the City of Mendota, effective upon execution through December 1, 2025, total Community Development Block Grant funding amount not to exceed \$300,000; and**
- 5. Approve and authorize Director of Public Works and Planning to evaluate and grant timeline extensions and scope modifications for completion of the Project as requested by the Fresno County Fire Protection District, in compliance with the Federal Community Development Block Grant Regulations, and so long as the modifications do not change the fundamental nature of the Project.**

Approval of the first recommended action amends the County's FY 2022-23 Action Plan, approved by the Board on May 3, 2022, to delete the Laton Wastewater Treatment Plant Pond project. The Laton Community Services District service area of benefit for this project no longer meets a National Objective required by the Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) program.

Approval of the second recommended action amends the County's FY 2024-25 Action Plan, approved by the Board on June 18, 2024, to delete the Biola Fire Hydrant Replacement project. The Biola Community Services District service area of benefit for this project no longer meets a National Objective required by HUD for the CDBG program.

Approval of the third recommended action amends the County's FY 2024-25 Action Plan, approved by the Board on June 18, 2024, to delete the Caruthers Well 7 Standby Generator project. The Caruthers Community Services District service area of benefit for this project no longer meets a National Objective required by HUD for the CDBG program.

Approval of the fourth and fifth recommended actions will provide CDBG funding for the Water Tender 96

Refurbish (Project), included in the County's FY 2024-25 Annual Action Plan approved by your Board on June 18, 2024. The Project cost is estimated at \$342,000. The Fresno County Fire Protection District (District) will provide a local financial contribution of \$42,000 for Project costs in excess of the CDBG funds to complete the Project by December 1, 2025. This item pertains to locations in District 1.

While Recommended Actions No's. 1-3 would remove projects from the FY 2022-23 Action Plan, Development staff will be initiating special income surveys February 2025, for the three communities impacted by the revised data, following HUD's required protocols with completion and subsequent approval by HUD anticipated by May 2025. For any of the communities for which results of this special survey meet the required threshold for the National Objective, those communities would be eligible to apply for CBDG funding in June 2025, when the funding application period opens for the 2026-2027 program year.

ALTERNATIVE ACTION(S):

The first three recommended actions do not have any viable alternative actions, as the identified projects do not currently meet CDBG program requirements. Your Board may choose not to approve the fourth recommended action, and direct Department of Public Works and Planning (Department) staff to identify a project from the 2024-25 Back-Up list for consideration. However, rejection of the fourth recommended action may impact the County's ability to meet its CDBG expenditure timelines set by the U.S. Department of Housing and Urban Development (HUD). It should be noted that if the fourth recommended action is rejected, there are not enough additional projects remaining on the Back-Up list to utilize all funds previously set aside for the three projects no longer meeting CDBG requirements. Your Board may also elect not to approve the fifth recommended action, in which event any modifications to the timeline or scope would need to come to your Board for approval, resulting in delays to the Project. In such an event, the recommended agreement would need to be modified to delete those provisions.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The total estimated Project cost is \$342,000. CDBG funds in the amount of \$300,000 are included in the Department of Public Works and Planning - Community Development Block Grant Org 7205, FY 2024-25 Adopted Budget. CDBG funds are provided on a reimbursement basis. The District will provide a local financial contribution of \$42,000 in excess of the CDBG funds necessary to complete the Project.

DISCUSSION:

Every year, HUD releases a dataset from the American Community Survey (ACS) consisting of a five-year rolling average of low- and moderate-income (LMI) household percentages by Census Block Group and also by Census Designated Place (CDP). LMI is determined by calculating the percentage of residents in an area that live in a household at or below 80% of the area median income, based on household size. Residents are counted as either above or below the threshold, regardless of how far above or below. Every five years, this dataset is used to determine whether CDBG projects will meet a National Objective of benefiting LMI residents, with the overall service area of a project needing to have at least 51.0% of the population identified as LMI. The dataset is locked in for a five-year period to reduce the impacts that annual changes in the data would have on the planning and execution of CBDG projects, which typically have a multi-year life from application to completion. It should be noted that although median household income is frequently used by other programs, it is not a factor used by the CDBG program for either determining a project's eligibility, or for funding allocation purposes.

The last dataset, released in February 2019, used ACS data from 2011-2015, and was for use for the five-year period starting April 1, 2019, until the next dataset became effective. The dataset released in June 2024 used ACS data from 2016-2020 and was required for use on all projects not already under agreement by August 1, 2024.

The Census Block Group data, as well as the CDP data, was reviewed for all projects in the CDBG pipeline that had been previously identified for funding but were not yet under agreement, as well as all projects identified in the 2024-25 Action Plan, including the Back-Up list for the unincorporated area. The service area for the Laton project intersected two Block Groups, which has a combined 50.9% LMI, and the Laton CDP has a 49.6% LMI. The service area for the Biola project was contained in one Block Group, which has a 45.2% LMI, and the Biola CDP has a 45.8% LMI. The service area for the Caruthers project was contained in one Block Group, which has a 43.9% LMI, and the Caruthers CDP has a 44.1% LMI. Therefore, these three projects do not meet a National Objective of benefiting at least 51.0% LMI individuals.

On June 18, 2024, the Board approved the 2024-25 Unincorporated Area Public Facility and Infrastructure Improvement Projects list as part of the 2024-25 Annual Action Plan, which included the Project on the Back-Up list.

Located in the community of Mendota, the Project consists of the procurement to refurbish an existing water tender, stationed at Fire Station 96 in the City of Mendota. The water tender provides a mobile water source and will primarily be used to assist with fire suppression in the unincorporated areas surrounding the City of Mendota where municipal water system and fire hydrants do not exist.

The recommended agreement requires the District to prepare procurement documents that conform to Federal and State regulations governing Federally-assisted projects. The District will also be responsible for advertising and awarding the Project to the lowest responsible bidder. The County agrees to review and approve the procurement documents for compliance with Federal and State regulations prior to the District advertising the Project for bid. The District agrees to maintain the Project after Project completion.

The Project is expected to be completed by December 1, 2025. In the event the District requires additional time to complete the Project for a reason beyond the control of either party to the agreement, your Board's approval of the agreement authorizes the Director of the Department of Public Works and Planning to grant such an extension. In the event the District requests to modify the scope of the Project, your Board's approval of the agreement and recommended actions authorizes the Director of the Department to grant such a modification, so long as the modification complies with the Federal CDBG regulations and does not change the fundamental nature of the Project.

While Recommended Actions No's. 1-3 would remove projects from the FY 2022-23 Action Plan, Development staff will be initiating special income surveys February 2025, for the three communities impacted by the revised data, following HUD's required protocols with completion and subsequent approval by HUD anticipated by May 2025. For any of the communities for which results of this special survey meet the required threshold for the National Objective, those communities would be eligible to apply for CDBG funding in June 2025, when the funding application period opens for the 2026-2027 program year.

The County, through preparation of Environmental Review CD24731, has determined that the Project is exempt from the provisions of the California Environmental Quality Act, and is Categorically Excluded Not Subject to Section 58.5 of the National Environmental Protection Act.

REFERENCE MATERIAL:

BAI #8, June 18, 2024  
BAI #11, June 21, 2022

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map  
On file with Clerk - Agreement with Fresno County Fire Protection District (CDBG 24731)

CAO ANALYST:

Salvador Espino