



# Board Agenda Item 53

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DATE: February 22, 2022

TO: Board of Supervisors

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

SUBJECT: Second Amendment to Amended and Restated Memorandum of Understanding between County of Fresno and City of Selma

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute Second Amendment to the Amended and Restated Memorandum of Understanding (MOU) between the County of Fresno and City of Selma extending the term of the MOU from February 27, 2022, to February 27, 2023; and**
- 2. Determine that the approval and authorization of the Chairman to execute Second Amendment to the Amended and Restated Memorandum of Understanding between the County of Fresno and City of Selma is exempt from the requirements of the California Environmental Quality Act, Public Resources Code 2100, et seq., and direct staff to file a Notice of Exemption with the Office of the Fresno County Clerk.**

Approval of the recommended actions would extend the Amended and Restated Memorandum of Understanding (MOU) between the County of Fresno and City of Selma from February 27, 2022 to February 27, 2023. The MOU was originally approved in 2007, and addresses land use matters and revenue (property and sales tax) sharing for lands annexed by the City of Selma. This item pertains to areas located in District 4.

ALTERNATIVE ACTION(S):

If the Recommended Actions are not approved, the MOU will expire on February 27, 2022.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. Approval of the MOU does not modify existing property or sales tax sharing provisions contained in the existing MOU between the County and the City of Selma.

DISCUSSION:

On February 27, 2007, the Board of Supervisors approved and executed an MOU with the City of Selma addressing land use and revenue sharing (Agreement No. 07-070). The agreement provides for the sharing of property tax and local sales and use tax revenue between the City of Selma and the County of Fresno from revenues generated in the City of Selma. The agreement was amended on May 16, 2017 (Agreement No. 17-208) to address future growth areas.

The MOU expires on February 27, 2022, and both parties would like to continue to negotiate a long-term extension. In anticipation of the forthcoming negotiations for a long-term extension, City and County staff have agreed upon a one-year extension to provide the parties adequate time to negotiate a long-term extension.

**California Environmental Quality Act**

The proposed amendment to the MOU is exempt under Section 15061, subdivision (b)(3) of the California Environmental Quality Act (CEQA) Guidelines, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. In addition, under CEQA Guidelines section 15378, subdivisions (b)(2), (b)(4), and (b)(5), the activity does not meet the definition of a "project."

OTHER REVIEWING AGENCIES:

The Second Amendment to the MOU between the County of Fresno and City of Selma was prepared and coordinated between City and County staff. The Selma City Council approved the Amendment at a public hearing on January 18, 2022.

REFERENCE MATERIAL:

BAI # 54, May 16, 2017  
BAI #09, February 27, 2007  
BAI #43, November 30, 2004  
BAI #22, April 17, 1990

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Second Amendment to MOU with City of Selma

CAO ANALYST:

Ron Alexander