



Board Agenda Item 56

DATE: November 16, 2021

TO: Board of Supervisors

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

SUBJECT: Fourth Amendment to Amended and Restated Memorandum of Understanding
between County of Fresno and City of Sanger

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a Fourth Amendment to the Amended and Restated Memorandum of Understanding (MOU) between the County of Fresno and City of Sanger extending the term of the MOU from December 13, 2021, to December 13, 2022; and**
- 2. Determine that the approval and authorization of the Chairman to execute Fourth Amendment to the Amended and Restated Memorandum of Understanding between the County of Fresno and City of Sanger 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 Sanger from December 13, 2021 to December 13, 2022. The MOU was originally approved in 2005, and addresses land use matters and revenue (property and sales tax) sharing for lands annexed by the City of Sanger. This item pertains to areas located in District 4.

ALTERNATIVE ACTION(S):

If the Recommended Actions are not approved, the MOU will expire on December 13, 2021.

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 Sanger.

DISCUSSION:

On December 13, 2005, the Board of Supervisors approved and executed an MOU with the City of Sanger addressing land use and revenue sharing (Agreement No. 05-604). The agreement provides for the sharing of property tax and local sales and use tax revenue between the City of Sanger and the County of Fresno from revenues generated in the City of Sanger. The agreement was amended on October 31, 2017 (Agreement No. 17-562) and again on April 23, 2019 (Agreement No. 19-185).

The MOU expires on December 13, 2021, 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 Fourth Amendment to the MOU between the County of Fresno and City of Sanger was prepared and coordinated between City and County staff. The Sanger City Council approved the Amendment at a public hearing on November 2, 2021.

REFERENCE MATERIAL:

- BAI # 38, November 3, 2020
- BAI #52, April 23, 2019
- BAI #52, October 31, 2017
- BAI #9, December 13, 2005

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Fourth Amendment to MOU with City of Sanger

CAO ANALYST:

Ron Alexander