



Board Agenda Item 34

DATE: May 14, 2019

TO: Board of Supervisors

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

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

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute the Third Amendment to the Amended and Restated Memorandum of Understanding between the County of Fresno and City of Fresno regarding tax sharing, annexation and land use extending the term by one year from June 30, 2019 to June 30, 2020, and authorize the County Administrative Officer to execute future one-year extensions to the Memorandum of Understanding for a period not to exceed five years.**
2. **Determine that the approval and authorization of the Chairman to execute the Third Amendment to the Amended and Restated Memorandum of Understanding between the County of Fresno and City of Fresno is exempt from the requirements of the California Environmental Quality Act, Public Resources Code, section 2100, et seq., and direct Department of Public Works and Planning 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 Fresno (City) a year, and authorize the County Administrative Officer (CAO) to execute future one-year extensions for a period not to exceed five years. On June 5, 2018, your Board approved a Second Amendment to the MOU that extended the expiration date from June 30, 2018 to June 30, 2019. Additional time is necessary in order to provide adequate opportunity for both parties to negotiate a longer-term extension. This item pertains to locations in all five districts.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended actions are not approved, the MOU will expire on June 30, 2019, without sufficient time to review, discuss, and address various provisions.

FISCAL IMPACT:

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

DISCUSSION:

On January 6, 2003, the Board approved and executed an Amended and Restated MOU with the City of Fresno (Agt. No. 03-001) addressing land use and revenue sharing, with an expiration date of December 31, 2017. On December 5, 2017, your Board approved a First Amendment to the MOU (Agt. No. 17-625) that extended the expiration date to June 30, 2018. On June 5, 2018, your Board approved a Second Amendment to the MOU (Agt. No. 18-0612) that extended the expiration date to June 30, 2019. Since the extension, staff from the City and County have met several times to discuss various provisions of the MOU including the need to developed a coordinated approach to land use, transportation and water resource management issues within the City's Sphere of Influence.

With your Board's approval of the recommended actions, City and County staff will have additional time to review, discuss, and address various provisions, as well as negotiate a longer-term extension.

OTHER REVIEWING AGENCIES:

The Third Amendment to the MOU between the County of Fresno and City was prepared and coordinated between City and County staff. The Fresno City Council approved the amendment at a public hearing on April 24, 2019.

REFERENCE MATERIAL:

BAI #65, June 5, 2018
BAI #53, December 5, 2017
BAI #2, January 6, 2003

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - MOU Amendment with City of Fresno

CAO ANALYST:

Sonia M. De La Rosa