



# Board Agenda Item 68

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DATE: July 10, 2018

TO: Board of Supervisors

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

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

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute the First Amendment to the Amended and Restated Memorandum of Understanding between the County of Fresno and City of Clovis regarding Standards for Annexation.**
- 2. Determine that the approval and authorization of the Chairman to execute the First Amendment to the Amended and Restated Memorandum of Understanding between the County of Fresno and City of Clovis 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 facilitate accommodation of future projected growth within the City of Clovis Sphere of Influence by streamlining the current annexation process. The proposed amendment to the Memorandum of Understanding (MOU) is limited to the Standards for Annexation. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

Your Board may determine not to approve the First Amendment to the MOU, in which case the annexation standards would remain unchanged.

FISCAL IMPACT:

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

DISCUSSION:

On June 6, 2017, your Board approved and executed an Amended and Restated MOU with the City of Clovis (City) (Agt. No. 17-236) addressing land use and revenue sharing. On June 15, 2018, the City notified the County of its desire to modify the existing Standards for Annexation contained in the MOU (see Exhibit A).

In summary, the current Standards for Annexation require that an annexation boundary be logical, does not create a peninsula or island, be rezoned, and 50% of the area proposed for annexation be entitled with a subdivision map (residential use) or site plan review (commercial/industrial use). In this case, the City is requesting an amendment to address its unaccommodated Regional Housing Needs Allocation (RHNA) by eliminating the need for land entitlement approval (subdivision map), as well as provide for flexibility relating to annexation boundaries within the City's recently approved Dry Creek Preserve Master Plan. While working with City staff, there were additional areas of the Standards for Annexation where clarification and edits were recommended (see Exhibit B).

According to the City, amending the MOU is necessary to facilitate the annexation of lands necessary to address the City's unaccommodated RHNA allocation. Also, the recently approved Dry Creek Preserve Master Plan includes an annexation program to address development over the next 20 years. The annexation program is intended to permit development per the Master Plan and allow logical annexation boundaries confined as much as possible to the tract map boundaries. Additionally, the annexation program identifies a path to eventually annex the entire Dry Creek Preserve over an extended period of time. The policy is a result of collaboration between City staff, Dry Creek Preserve neighbors, and the County of Fresno.

#### **California Environmental Quality Act Determination**

The proposed amendment to the MOU is exempt under the provisions of the California Environmental Quality Act (CEQA).

#### **OTHER REVIEWING AGENCIES:**

The First Amendment to the MOU between the County of Fresno and City of Clovis was prepared and coordinated between City and County staff. The Clovis City Council discussed and approved the amended annexation standards at a public hearing on June 4, 2018.

#### **REFERENCE MATERIAL:**

BAI #50, June 6, 2017

#### **ATTACHMENTS INCLUDED AND/OR ON FILE:**

Exhibit A

Exhibit B

On file with Clerk - MOU Amendment with City of Clovis

#### **CAO ANALYST:**

Sonia M. De La Rosa