

Special Council Meeting

December 13, 2024

RECEIVED

2024 DEC 12 P 7:52

FRESNO CITY COUNCIL

CITY OF FRESNO
CITY CLERK'S OFFICE



Supplement Packet

ITEM(S)

ID 24-1699 Actions pertaining to a Memorandum of Understanding between the City of Fresno and the County of Fresno (Sphere of Influence):

[TITLE TRUNCATED FOR SUPPLEMENTAL PACKET COVER PAGE]

Contents of Supplement: California Environmental Quality Act (CEQA)
Memo

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

**CITY OF FRESNO
ENVIRONMENTAL FINDING OF NO POSSIBILITY OF SIGNIFICANT EFFECT**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO HAVE NO
SIGNIFICANT EFFECT ON THE ENVIRONMENT PURSUANT TO ARTICLE 20 OF THE
STATE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

APPLICANT: City of Fresno
Planning and Development Department,
2600 Fresno Street Room 3043
Fresno, California 93721

PROJECT TITLE: Memorandum of Understanding between the County of Fresno
and City of Fresno

PROJECT LOCATION: Areas within the jurisdiction of the City of Fresno and its Sphere
of Influence

PROJECT DESCRIPTION:

The City of Fresno contemplates entering into a Memorandum of Understanding (MOU or Project) with the County of Fresno for the purpose of defining the apportionment of property tax collected in relation to annexations to the City of Fresno, the collection of sales and use tax, the process and standards for annexation of unincorporated lands in the City's Sphere of Influence, and requirements for development within the City's Sphere of Influence.

This project is exempt under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

Staff has conducted a preliminary review of the Project and has determined that it is exempt from CEQA pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) under the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. CEQA Guidelines Section 15382 defines a "significant effect on the environment" as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."

The Project involves the adoption of policies and actions related to apportionment of property tax collected in relation to annexations to the City of Fresno, the collection of sales tax within the corporate boundaries of the City of Fresno and the rules therein. Pursuant to Revenue and Taxation Code Section 99(d), a county and any local agency within that county may develop and adopt a master property tax transfer agreement to govern the allocation of property taxes when jurisdictional changes occur. The tax apportionment and the policies and actions to be established would not have the potential to cause a significant physical effect on the

environment. As it can be seen with certainty that there is no possibility that the proposed project would have a significant effect on the environment, the proposed project is exempt from CEQA under the common sense exemption. Therefore, this action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

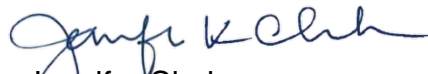
The proposed MOU contemplates a roughly proportional subdivision of real property tax and sales tax which will occur as a result of development in newly annexed areas of the City of Fresno. The MOU discusses under what circumstances annexations could occur and the process by which the parties agree to annex unincorporated territory from the City's Sphere of Influence into the City's corporate boundaries. In addition, the MOU discusses addressing projects under consideration in the City's Sphere of Influence.

There will be no physical change to the environment as a result of the adoption of this MOU. The MOU does not effectuate any approvals of annexations or development projects, and does not result in any changes in use or intensity or property with the City or the Sphere of Influence. While it does discuss the manner in which orderly development should proceed when annexations are proposed, and discusses development within the City's Sphere of Influence for as-yet unidentified future projects, it does not actually commit the City to seek annexation of any specific parcels, nor does it commit to any identified projects. Any future annexation or development applications will require consideration under the appropriate procedures at the time they are proposed. Therefore, it can be seen with certainty that there is no possibility that approval of this MOU will have a significant effect on the environment or a reasonably foreseeable indirect effect on the environment.

Therefore, the MOU is exempt from CEQA pursuant to the common sense exemption set forth in Section 15061(b)(3) of the CEQA Guidelines.

Date: December 12, 2024

Submitted By:



Jennifer Clark
City of Fresno
Planning and Development
Department