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Agenda Items: ID#20-00855 (4 - B)

2020 JUN 24 P 1:26

Date: 6/25/2020

CITY OF FRESNO
CITY CLERK'S OFFICE

FRESNO CITY COUNCIL



Additional Information

Agenda Related Item(s) – ID#20-00855 (4 - B)

Item(s)

RESOLUTION – Not to support any further annexation into the City unless and until a fair tax sharing agreement is in place.

Contents: Resolution

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.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, NOT TO SUPPORT ANY
FURTHER ANNEXATION INTO THE CITY UNLESS AND
UNTIL A FAIR TAX SHARING AGREEMENT IS IN PLACE

WHEREAS, the City of Fresno (City) and County of Fresno (County) entered into the 2003 Tax Sharing Agreement (the Agreement) which, among other matters, (1) governs the City and County portions of property tax upon annexation, (2) discusses applicable annexation procedures, (3) requires the County to apply certain development standards to development within the City's sphere of influence or within one-half mile of the City limit (whichever is closer), and (4) addresses new growth areas and water management; and

WHEREAS, the original term of the Agreement was to expire on June 30, 2017, but has been extended by mutual agreement on four occasions, with the current expiration being August 29, 2020; and

WHEREAS, the City Administration has been engaged in negotiating a new property tax sharing agreement with the County during the extension period, which efforts have thus far been fruitless; and

WHEREAS, as a result of not being able to gain County support for more equitable division of property tax share, the Administration has independently engaged a consultant to provide an analysis of City and County services costs and tax sharing; and

WHEREAS the consultant has provided a draft report, attached hereto as Exhibit A, and determined that the City's costs of providing services vastly outweigh the current

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

tax share proportion provided by the Agreement (with the City providing approximately 62% of services in newly annexed areas, but receiving only 38% of the property tax share); and

WHEREAS, not having an equitable tax sharing arrangement with the County has had and will continue to have a detrimental impact on the City's financial wellbeing and ability to provide services to City residents; and

WHEREAS, the County has continually indicated its disagreement to equitably increasing the City's property tax share.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City Council expresses its intent under the current circumstances to not agree to any further extension of the 2003 Tax Sharing Agreement.
2. The 2003 Tax Sharing Agreement shall apply to all annexations approved by the City Council prior to the expiration of the agreement.
3. Following expiration of the 2003 Tax Sharing Agreement, the City Council expresses its intent to not support any subsequent annexation into the City, without an equitable tax sharing arrangement with the County.
4. The City Council hereby directs that the consultant report attached hereto as Exhibit A be made public.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2020.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2020
Mayor Approval/No Return: _____, 2020
Mayor Veto: _____, 2020
Council Override Vote: _____, 2020

YVONNE SPENCE, MMC CRM
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Raj Singh Badhesha Date
Supervising Deputy City Attorney

Attachment: Exhibit A