

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: November 6, 2018	TYPE OF AGENDA ITEM: <input type="checkbox"/> Regular <input checked="" type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Planning Dept. APPROVING PARTY: Tim H. Beals PHONE NUMBER: 530-289-3251
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AGENDA ITEM: Resolution approving a tax exchange between the County of Sierra and Sierra County Fire Protection District # 1 for annexation of certain property into the Fire District.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other

BACKGROUND INFORMATION: SCFPD#1 presented a project to Sierra LACFco for an annexation of properties in eastern Sierra County. The tax exchange is a required step in this process, and must be approved by the BOS for the project to continue.

FUNDING SOURCE: N/A
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED?

 Yes, -- --
 No

IS THIS ITEM ALLOCATED IN THE BUDGET? Yes No

IS A BUDGET TRANSFER REQUIRED? Yes No

SPACE BELOW FOR CLERK'S USE

<p>BOARD ACTION:</p> <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2018- _____ Agreement 2018- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD

DATE

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

RESOLUTION NO. _____

**RESOLUTION PERTAINING TO TAX REVENUE EXCHANGE BETWEEN THE
COUNTY OF SIERRA AND THE
SIERRA COUNTY FIRE PROTECTION DISTRICT #1**

WHEREAS, under the provisions of Proposition 13 adopted in 1978, the distribution of property taxes within each county became the responsibility of the County Board of Supervisors; and

WHEREAS, Proposition 13 failed to make any provision for the redistribution of these taxes, as a result of reorganization of the city and districts within the County; and

WHEREAS, Revenue and Taxation Code Section 99(b) designates the Sierra County Board of Supervisors as the agency responsible for deciding what property tax revenue exchanges should occur in the case of special district annexations and detachments; and

WHEREAS, Section 99 of the Revenue and Taxation Code requires, before the LAFCo Executive Officer issues a certificate of filing for a proposed jurisdictional change, that an exchange of property tax revenue be negotiated between the affected agencies; and

WHEREAS, a proposal has been filed with the Sierra LAFCo Executive Officer to annex certain unincorporated territory in eastern Sierra County to the Sierra County Fire Protection District #1 (LAFCo Project 2018-0001); and,

WHEREAS, the Sierra County Fire Protection District #1 currently receives property tax revenue; and,

WHEREAS, negotiations have been held between the County of Sierra and the Sierra County Fire Protection District #1.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Sierra as follows:

1. This resolution affects the following Tax Rate Areas; 052-002, 052-012, 052-013, 052-014, 052-016, 052-017, 052-026, 052-027, 052-028, 052,032, 052-033 & 053-034.
2. Definitions: unless the particular provisions or context otherwise requires, the definitions contained in this paragraph and in the Revenue and Taxation Code shall govern the construction, meaning, and application of words used in this Resolution.
 - a. “Base property tax revenue” means property tax revenues allocated by base tax equivalents to all taxing jurisdictions as to the geographic area

comprising a given tax rate area annexed in the fiscal year immediately preceding the tax year in which the property tax revenues are apportioned pursuant to this Agreement, including the amount of State of California reimbursement for the homeowners and business inventory exemptions.

- b. "Property tax increment" means revenue from the annual tax increment, as "annual tax increment" is defined in section 96.5 of the Revenue and Taxation Code, attributable to the tax rate area for the respective year.
- c. "Property tax revenue" means base property tax revenue, plus the property tax increment for a given tax rate area.

- 3. Upon finalization of the LAFCo Project 2018-0001, property tax revenues generated from within the subject area (the annexation territory) shall be governed by this resolution and shall be allocated as follows:

Base Property Tax:

The base property tax revenue currently allocated to local taxing agencies shall not be changed as a result of this reorganization excepting there shall be an exchange of \$86,045.14 of the County's (\$43,190.79) and County Service Areas 4 (\$4,932.76), 5(\$2,584.38), & 4A5A (\$35,337.21) Base to the Sierra County Fire Protection District #1.

Future Incremental Property Tax:

There shall be an exchange of .07894969 per cent of the increment with in the affected tax rat areas and divided between the County General Funds' and County Service Areas 4, 5, & 4A5A share of future property increment to the Sierra County Fire Protection District #1. See Schedule A for final increments. The future incremental property tax allocated to all other local taxing entities shall not be changed as a result of this annexation.

- 4. This transfer of property tax base and increment shall not be effective until
 - (a) the tax year following the calendar year in which the statement of boundary changes and the map or plat is filed with the County Assessor and the State Board of Equalization; and
 - (b) All the terms and conditions of this resolution are accepted by resolution of the Board of Directors of the District.
- 5. This determination is made without prejudice to any future jurisdictional changes and does not establish a precedent for making future determinations pursuant to Section 99 of the revenue and taxation code.

6. The Clerk is directed to file a certified copy of this resolution to the Sierra Local Agency Formation Commission, the Sierra County Auditor-Controller, and the Sierra County Fire Protection District #1.
7. Upon completion of the LAFCo proceedings, the Sierra County Auditor-Controller is hereby directed to distribute the property tax revenues for non-taxing agencies within the reorganization area in accordance with this resolution.

BE IT FURTHER RESOLVED the Sierra County Planning and Building Director, is hereby to authorized to sign any documents pertaining to implementation of this resolution and to act as the Board of Supervisors representative in above related property tax exchange matter.

The foregoing property tax revenue exchange resolution was passed and adopted at a Regular meeting of the Board of Supervisors of the County of Sierra held on the 6th day of November 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Scott Schlefstein, Chairperson
Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Heather Foster
Clerk of the Board of Supervisors

David Prentice
County Counsel

Schedule A

Final Adjusted AB8 Increments

SCFD		GF	CSA 4	CSA 5	CSA 5A
0.07894969	TRA 52-002	0.51227042		0.00915396	0.16564199
0.07894969	TRA 52-012	0.63169683	0.00000000		
0.07894969	TRA 52-013	0.60731345	0.00000000		
	TRA 52-014				
0.07894969	TRA 52-016	0.56913660			
0.07894969	TRA 52-017	0.58881040		0.02263954	
0.07894969	TRA 52-026	0.63029829	0.00139891		
0.07894969	TRA 52-027	0.56767680			
0.07894969	TRA 52-028	0.59767680			
0.07894969	TRA 52-032	0.58881040		0.02263954	
0.07894969	TRA 52-033	0.60731345	0.00000000		
0.07894969	TRA 52-034	0.59767680			