

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.

Resolution of the Monterey County Board of)
Supervisors Approving a Property Tax)
Transfer for the Proposed Carmel Highlands)
Fire Protection District 2013.....)

WHEREAS, the Monterey County Local Agency Formation Commission (LAFCO) is in receipt of a proposal to annex approximately 1975 acres to the Carmel Highlands Fire Protection District ensure the provision of fire protection, emergency medical service, rescue, hazardous material response, fire prevention, and public education to the area;

WHEREAS, the proposed annexation includes all the approximately 1975 acres within the District’s existing Sphere of Influence which are not currently within the boundaries of a fire protection district, with the areas to be annexed consisting of the following three areas:

- **Area 1 - Point Lobos Ranch Area** (1,563± acres): Consisting of 11 parcels, and portions of four additional parcels. The area contains State parklands and privately-held lands east of Highway 1 and the Point Lobos State Natural Reserve. The land is substantially undeveloped and is designated on County zoning maps for “Watershed and Scenic Conservation.” (Assessor’s Parcel Numbers: 243-091-001, 243-112-019 [part], 243-113-005 [part], 243-113-006 [part], 243-113-007, 416-011-002, 416-011-003, 416-011-012 [part], 416-011-014, 416-011-015, 416-011-016, 416-011-018, 416-011-019, and 417-011-001),
- **Area 2 - Carmel Meadows Area** (4± acres): Consisting of three developed single-family parcels and a portion of Highway 1. The area is west of Highway 1, north of Carmel Meadows and along the District’s northern border. (Assessor’s Parcel Numbers: 243-021-005, 243-021-008, and 243-021-009), and
- **Area 3 – Point Lobos State Natural Reserve Area** (448± acres): Consisting of two parcels and a portion of one additional parcel. The area contains the Point Lobos State Natural Reserve and adjacent State-owned beach lands to the west of Highway 1. (Assessor’s Parcel Numbers: 243-011-001[part], 243-111-002, and 243-121-001).

WHEREAS, Revenue and Taxation Code Section 99 requires a county and special district to negotiate an appropriate property tax transfer for all jurisdictional changes of organization occurring within a county which could affect the service responsibility of any special district;

WHEREAS, pursuant to Revenue and Taxation Code Section 99(b)(6), the Executive Officer of LAFCO shall not issue a Certificate of Filing (Government Code Section 56828) for a change of organization until an exchange of property tax revenue is negotiated and the county Board of Supervisors adopts a resolution agreeing to accept the exchange of property tax revenues;

WHEREAS, the Monterey County Board of Supervisors approved and adopted a formula and policies for determining property tax transfer resulting from jurisdictional changes involving special districts (Resolution No. 80-249) and adjustments to the formula have been made to account for reduction in County property tax revenue due to state law;

WHEREAS, the County of Monterey and the Carmel Highlands Fire Protection District have negotiated and agree to the fair share distribution of property tax increment as set forth in this resolution;

WHEREAS, this allocation of property tax increment is not a project under the California Environmental Quality Act (CEQA) because it is a governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant environmental impact; additionally, annexation to an existing special district of existing facilities and lots is categorically exempt under CEQA. (CEQA Guidelines sections 15319, 15378(b)(4).)

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby resolve that no base property tax will be transferred for this jurisdictional change and does further hereby agree to the following formula for property tax increment distribution after change of organization/annexation:

DISTRIBUTION OF PROPERTY TAX INCREMENT:

Property tax increment is the property tax that is available after a change of organization / annexation.

For purposes of this agreement only, the County of Monterey and the Carmel Highlands Fire Protection District agree to use the average tax increment factor of Tax Rate Areas (TRA's) affected by the annexation areas in particular.

1. Carmel Highlands Annexation Area #1:

Based on the existing TRA(s) 060-004, Monterey County's share of property tax is 43.3470%, reduced by 40% is equal to 26.0082% (the adjustment for the reduction is 17.3388%). The total property tax available for distribution in the proposed area is equal to 26.0082%.

After Change of Organization / Annexation
(New TRA to Be Assigned)

26.0082% - Property Tax Available for Distribution

1. Carmel Highlands Fire Protection District's Share of Total Property Taxes Collected:

26.0082%	-	Property Tax Available for Distribution
X 44.1300%	-	Carmel Highlands FPD Current Ratio
= 11.48%		

plus

2. Monterey County's Share of Total Property Taxes Collected

26.0082%	-	Property Tax Available for Distribution
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$$\begin{aligned} & X \ 55.87\% & - & \text{Monterey County's Current Ratio} \\ & = \ 14.54\% \end{aligned}$$

plus

$$\begin{aligned} & \ 17.3388\% & - & \text{the adjustment for State Tax Shift} \\ & = \ 43.3470\% \end{aligned}$$

Formula for property tax increment allocation to the Carmel Highlands Fire Protection District from Tax Rate Area(s) 060-004 after change of organization / annexation.

$$\begin{aligned} & \text{Carmel Highlands Fire Protection District's Property Tax Revenue} = \\ & \text{Total Property Taxes Collected} \times \mathbf{11.48\%} \times \\ & \text{Full months remaining in Tax Year divided by 12.} \end{aligned}$$

2. Carmel Highlands Annexation Area #2:

Based on the existing TRA(s) 060-004, Monterey County's share of property tax is 43.3470%, reduced by 40% is equal to 26.0082% (the adjustment for the reduction is 17.3388%). The total property tax available for distribution in the proposed area is equal to 26.0082%.

After Change of Organization / Annexation
(New TRA to Be Assigned)

26.0082% - Property Tax Available for Distribution

$$\begin{aligned} 3. \text{ Carmel Highlands Fire Protection District's Share of Total Property Taxes Collected:} \\ & \ 26.0082\% & - & \text{Property Tax Available for Distribution} \\ & X \ 44.1300\% & - & \text{Carmel Highlands FPD Current Ratio} \\ & = \ 11.48\% \end{aligned}$$

plus

4. Monterey County's Share of Total Property Taxes Collected

$$\begin{aligned} & \ 26.0082\% & - & \text{Property Tax Available for Distribution} \\ & X \ 55.87\% & - & \text{Monterey County's Current Ratio} \\ & = \ 14.54\% \end{aligned}$$

plus

$$\begin{aligned} & \ 17.3388\% & - & \text{the adjustment for State Tax Shift} \\ & = \ 43.3470\% \end{aligned}$$

Formula for property tax increment allocation to the Carmel Highlands Fire Protection District from Tax Rate Area(s) 060-004 after change of organization / annexation.

$$\begin{aligned} & \text{Carmel Highlands Fire Protection District's Property Tax Revenue} = \\ & \text{Total Property Taxes Collected} \times \mathbf{11.48\%} \times \\ & \text{Full months remaining in Tax Year divided by 12.} \end{aligned}$$

3. Carmel Highlands Annexation Area #3:

Based on the existing TRA(s) 060-004, Monterey County's share of property tax is 43.3470%, reduced by 40% is equal to 26.0082% (the adjustment for the reduction is 17.3388%). The total property tax available for distribution in the proposed area is equal to 26.0082%.

After Change of Organization / Annexation
(New TRA to Be Assigned)

26.0082% - Property Tax Available for Distribution

5. Carmel Highlands Fire Protection District's Share of Total Property Taxes Collected:

26.0082% - Property Tax Available for Distribution
X 44.1300% - Carmel Highlands FPD Current Ratio
= 11.48%

plus

6. Monterey County's Share of Total Property Taxes Collected

26.0082% - Property Tax Available for Distribution
X 55.87% - Monterey County's Current Ratio
= 14.54%

plus

17.3388% - the adjustment for State Tax Shift
= 43.3470%

Formula for property tax increment allocation to the Carmel Highlands Fire Protection District from Tax Rate Area(s) 060-004 after change of organization / annexation.

Carmel Highlands Fire Protection District's Property Tax Revenue =
Total Property Taxes Collected X **11.48%** X
Full months remaining in Tax Year divided by 12.

PASSED AND ADOPTED on this 19th day of March, 2013 by the following vote, to-wit:

AYES:
NOES:
ABSENT:

I, Gail Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book___ for the meeting on _____.

Dated:

Gail Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

