



# Monterey County

## Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

Upon motion of Supervisor Salinas, seconded by Supervisor Parker, and carried by those members present, the Board of Supervisors hereby:

Adopted Resolutions approving property tax transfers for the proposed annexation of property to the Cypress Fire Protection District (Resolution No.: 13-091) and the Carmel Highlands Fire Protection District (Resolution No. 13-092) respectively.

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

AYES: Supervisors Armenta, Salinas, Parker, and Potter

NOES: None

ABSENT: Supervisor Calcagno

I, Gail T. 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 76 for the meeting on March 19, 2013.

Dated: March 22, 2013  
File Number: 13-0194

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

By *Denise Hancock*  
Deputy

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

**Resolution No. 13-091**

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

WHEREAS, the Monterey County Local Agency Formation Commission (LAFCO) is in receipt of a proposal to annex approximately 2610 acres to the Cypress Fire Protection District to 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 2610 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 six areas:

- **Area 1 - Jacks Peak Park Area** (1,273± acres): This area includes the County park, eleven undeveloped adjacent parcels which are zoned for rural density housing, and all - or portions of - Aquajito, Monhollan, Olmstead, and Jack’s Peak Roads. (Assessor’s Parcel Numbers: 101-091-016, 103-071-005, 103-071-013, 103-071-018, 103-071-019, 103-071-022, 103-071-023, 103-071-024, 103-081-005, 259-011-049, 259-011-050, 259-011-053, and 259-011-056);
- **Area 2 - Swim Ranch** (568± acres): This area contains substantially undeveloped land north of Carmel Valley Road, one mile east of Highway 1, which is zoned for low and rural density housing. (Assessor’s Parcel Numbers: 015-161-001, 015-161-024, and 103-171-007 [part]);
- **Area 3 - Hatton Canyon Area** (113± acres): This area contains State parkland, six small adjacent parcels, and portions of Highways 1 and 68. (Assessor’s Parcel Numbers: 008-141-024, 008-141-025, 015-071-029, 015-071-030, and 015-071-031);
- **Area 4 - Carmel River Lagoon/Rancho Cañada Area** (637± acres): These 31 parcels are an area of mixed land uses on both sides of Highway 1 along the District’s southern boundary from Monterey Bay eastward along the Carmel River approximately 2.6 miles to and including the Rancho Cañada Golf Club. This area includes a portion of Highway 1. (Assessor’s Parcel Numbers: 009-472-001, 009-481-004, 009-491-001, 009-511-006, 009-511-007, 009-511-009, 009-511-010, 009-511-011, 009-521-001, 009-521-002, 009-521-004, 009-541-021, 015-021-029, 015-162-009, 015-162-017, 015-162-019, 015-162-020, 015-162-025, 015-162-026, 015-162-038, 015-162-039, 015-162-040, 015-162-043, 015-162-045, 015-162-047, 157-181-004, 243-021-007, 243-071-003, 243-071-004, 243-071-005, and 243-071-006);
- **Area 5 - Olmsted Road Area** (18± acres): This area includes one undeveloped parcel on the southwest corner of Highway 68 and Olmsted Road, which is designated on the

County General Plan for affordable housing, The area also includes Circulo de Escuela (road) and a portion of Olmstead Road. (Assessor's Parcel Number: 259-011-064); and.

- **Area 6 - Quail Meadows Area** (2± acres): This area is a single developed residential parcel in Quail Meadows that is partially surrounded by District boundaries. (Assessor's Parcel Number: 157-121-007).

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 Cypress 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 Cypress 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. Cypress Annexation Area #1:**

Based on the existing TRA(s) 096-003, Monterey County's share of property tax is 30.3514%, reduced by 40% is equal to 18.2134% (the adjustment for the reduction is 12.1406%). The total property tax available for distribution in the proposed area is equal to 18.2134%.

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

18.2134% - Property Tax Available for Distribution

1. Cypress Fire Protection District's Share of Total Property Taxes Collected:
  - 18.2134% - Property Tax Available for Distribution
  - X 32.3904% - Cypress FPD Current Ratio
  - = 5.8994%

**plus**

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

- 18.2134% - Property Tax Available for Distribution
- X 67.6096% - Monterey County's Current Ratio
- = 12.3140%

**plus**

- 12.1406% - the adjustment for State Tax Shift
- = 30.3514%

Formula for property tax increment allocation to the Cypress Fire Protection District from Tax Rate Area(s) 096-003 after change of organization / annexation.

Cypress Fire Protection District's Property Tax Revenue =  
Total Property Taxes Collected X **5.8994%** X  
Full months remaining in Tax Year divided by 12.

**2. Cypress Annexation Area #2:**

Based on the existing TRA(s) 060-003, 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

3. Cypress Fire Protection District's Share of Total Property Taxes Collected:
  - 26.0082% - Property Tax Available for Distribution
  - X 31.6391% - Cypress FPD Current Ratio
  - = 8.2288%

**plus**

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

$$\begin{array}{rcl}
26.0082\% & - & \text{Property Tax Available for Distribution} \\
X \ 68.3609\% & - & \text{Monterey County’s Current Ratio} \\
= & & 17.7794\%
\end{array}$$

plus

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

Formula for property tax increment allocation to the Cypress Fire Protection District from Tax Rate Area(s) 060-003 after change of organization / annexation.

Cypress Fire Protection District’s Property Tax Revenue =  
Total Property Taxes Collected X **8.2288%** X  
Full months remaining in Tax Year divided by 12.

3. Cypress Annexation Area #3:

Based on the existing TRA(s) 060-002, Monterey County’s share of property tax is 41.1308%, reduced by 40% is equal to 24.6785% (the adjustment for the reduction is 16.4523%). The total property tax available for distribution in the proposed area is equal to 24.6785%.

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

24.6785% - Property Tax Available for Distribution

5. Cypress Fire Protection District’s Share of Total Property Taxes Collected:

$$\begin{array}{rcl}
24.6785\% & - & \text{Property Tax Available for Distribution} \\
X \ 31.4752\% & - & \text{Cypress FPD Current Ratio} \\
= & & 7.7676\%
\end{array}$$

plus

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

$$\begin{array}{rcl}
24.6785\% & - & \text{Property Tax Available for Distribution} \\
X \ 68.5248\% & - & \text{Monterey County’s Current Ratio} \\
= & & 16.9109\%
\end{array}$$

plus

$$\begin{array}{rcl}
16.4523\% & - & \text{the adjustment for State Tax Shift} \\
= & & 41.1308\%
\end{array}$$

Formula for property tax increment allocation to the Cypress Fire Protection District from Tax Rate Area(s) 060-002 after change of organization / annexation.



Cypress Fire Protection District's Property Tax Revenue =  
Total Property Taxes Collected X 7.7676% X  
Full months remaining in Tax Year divided by 12.

**4. Cypress Annexation Area #4:**

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

7. Cypress Fire Protection District's Share of Total Property Taxes Collected:  
26.0082% - Property Tax Available for Distribution  
X 31.2623% - Cypress FPD Current Ratio  
= 8.1308%

plus

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

26.0082% - Property Tax Available for Distribution  
X 68.7377% - Monterey County's Current Ratio  
= 17.8774%

plus

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

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

Cypress Fire Protection District's Property Tax Revenue =  
Total Property Taxes Collected X 8.1308% X  
Full months remaining in Tax Year divided by 12.

**5. Cypress Annexation Area #5:**

Based on the existing TRA(s) 096-003, Monterey County's share of property tax is 30.3514%, reduced by 40% is equal to 18.2108% (the adjustment for the reduction is 12.1406 %). The total property tax available for distribution in the proposed area is equal to 18.4161%.

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

18.2108 % - Property Tax Available for Distribution

- 9. Cypress Fire Protection District's Share of Total Property Taxes Collected:
  - 18.2108% - Property Tax Available for Distribution
  - X 33.0391% - Cypress FPD Current Ratio
  - = 6.0167%

**plus**

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

- 18.2108% - Property Tax Available for Distribution
- X 66.9609% - Monterey County's Current Ratio
- = 12.1941%

**plus**

- 12.1406 % - the adjustment for State Tax Shift
- = 30.3514 %

Formula for property tax increment allocation to the Cypress Fire Protection District from Tax Rate Area(s) 096-003 after change of organization / annexation.

Cypress Fire Protection District's Property Tax Revenue =  
Total Property Taxes Collected X **6.0167%** X  
Full months remaining in Tax Year divided by 12.

**6. Cypress Annexation Area #6:**

Based on the existing TRA(s) 060-010, 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

- 11. Cypress Fire Protection District's Share of Total Property Taxes Collected:
  - 26.0082% - Property Tax Available for Distribution
  - X 31.2620% - Cypress FPD Current Ratio
  - = 8.13%

**plus**

## 12. Monterey County's Share of Total Property Taxes Collected

	26.0082%	-	Property Tax Available for Distribution
X	68.738%	-	Monterey County's Current Ratio
	= 17.8775%		

**plus**

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

Formula for property tax increment allocation to the Cypress Fire Protection District from Tax Rate Area(s) 060-010 after change of organization / annexation.

Cypress Fire Protection District's Property Tax Revenue =  
 Total Property Taxes Collected X 8.13% X  
 Full months remaining in Tax Year divided by 12.

**PASSED AND ADOPTED** upon motion of Supervisor Salinas, seconded by Supervisor Parker, and carried this 19th day of March 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Salinas, Parker and Potter

NOES: None

ABSENT: Supervisor Calcagno

I, Gail T. 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 76 for the meeting on March 19, 2013.

Dated: March 22, 2013  
 File Number: 13-0194

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

By *Denise Hancock*  
 Deputy



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

**Resolution No. 13-092**

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

$$\begin{array}{rcl} X & 55.87\% & - \quad \text{Monterey County's Current Ratio} \\ & = 14.54\% & \end{array}$$

**plus**

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

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.

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

**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

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

$$\begin{array}{rcl} & 26.0082\% & - \quad \text{Property Tax Available for Distribution} \\ X & 44.1300\% & - \quad \text{Carmel Highlands FPD Current Ratio} \\ & = 11.48\% & \end{array}$$

**plus**

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

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

**plus**

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

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.

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



**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** upon motion of Supervisor Salinas, seconded by Supervisor Parker, and carried this 19th day of March 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Salinas, Parker and Potter

NOES: None

ABSENT: Supervisor Calcagno

I, Gail T. 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 76 for the meeting on March 19, 2013.

Dated: March 22, 2013  
File Number: 13-0194

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

By Denise Hancock  
Deputy