

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

Resolution # _____

Approve Property Tax Transfer for the proposed)
“Mission Linen Reorganization” involving)
annexation of 2.9 acres to the City of Pacific Grove)
and detachment from the Monterey County)
Resource Conservation District; subject property is)
Located at 801 Sunset Dt, Assessor’s Parcel)
Number 007-101-0036)

WHEREAS, the Revenue and Taxation Code Section 99 (Assembly Bill 8, Chapter 282) Statutes 1979, as amended by Senate Bill 180 (Chapter 801) provides for the Monterey County Board of Supervisors to determine an appropriate tax transfer for all jurisdictional changes of organization occurring within Monterey County and for the city council of any affected City to concur on the transfer prior to the proposal being considered by the Local Agency Formation Commission (LAFCO); and

WHEREAS, the City of Pacific Grove has submitted an application to LAFCO for the “Mission Linen Reorganization” involving annexation of 2.99 acres to the City and detachment from the Pebble Beach Community Services District (PBCSD); and

WHEREAS, the City and PBCSD have negotiated a Memorandum of Understanding whereby PBCSD will retain wastewater services for the property and shall accordingly retain a portion (0.02 %) of the County tax allocation; solid waste and fire protection services currently provided to the property by PBCSD would, upon annexation, be provided by the city which shall retain 0.18% of the County tax allocation currently allocated to PBCSD; and

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

WHEREAS, the Monterey County Board of Supervisors adopted as policy a set of formulas to be used for all jurisdictional changes of organization on April 29, 1980 (Resolution #80-249); and

WHEREAS, the current distribution of property taxes within tax rate area 102-003 is as follows:

23.11%	-	Monterey County’s Share
0.21%	-	Affected District’s Share
<u>76.68%</u>	-	Non-affected Districts’ Share
100.00%	-	Total; and

WHEREAS, the Revenue and Taxation Code Section 99 (Senate Bill 180, Chapter 801) requires that non-affected local agencies percentage share will remain constant; and

WHEREAS, the County of Monterey and the City of Pacific Grove wish to agree to a fair share distribution of remaining property tax revenues; and

WHEREAS, the County of Monterey has realized a 41% reduction and the City has realized a 19% reduction in property tax revenue imposed by the State under Senate Bill 617, Chapter 699, Statutes 1992; and

WHEREAS, each year thereafter both the County and the City continue to shift revenues to the Education Revenue Augmentation Fund (ERAF);

NOW, THEREFORE, BE IT RESOLVED that the Monterey County Board of Supervisors does hereby agree to the following formulas for property tax base and increment distribution within Tax Rate Area 102-003 after change of organization/reorganization.

A. DISTRIBUTION OF PROPERTY TAX BASE:

Property tax base is the property tax revenue that is available prior to change of organization/reorganization.

Prior to Change or Organization/Reorganization:

(City of Pacific Grove, Tax Rate Area 004-000)

		<u>Current Ratio</u>
City of Pacific Grove -	19.76%	45.52%
Monterey County -	23.65%	54.48%

Within Tax Rate Area 102-003, Monterey County’s share of property tax reduced by 41%, an amount equal to 9.48%. After this reduction, the total property tax available for distribution in the proposal area is equal to 13.63%.

After Change of Organization/Reorganization:

(New Tax Rate Area – To Be Assigned)

13.63 % - Property Tax Available for Distribution

1. City of Pacific Grove’s Share of Total Property Taxes Collected:

	13.63%	-	Property Tax Available for Distribution
X	45.52%	-	City of Pacific Grove’s Current Ratio
=	6.20%		
+	0.18%	-	Pebble Beach Community Services District Share to City of Pacific Grove
=	6.38		

2. Monterey County’s Share of Total Property Taxes Collected:

	13.63%	-	Property Tax Available for Distribution
X	54.48%	-	Monterey County’s Current Ratio
=	7.43%		

plus

9.48% - The Adjustment for State Tax Shift

= 16.91% Total County share of property tax base

Formula for property tax base allocation to the City of Pacific Grove

City of Pacific Grove’s Property Tax Revenue =

Total Property Taxes Collected X 6.38% X
Full Months Remaining in Tax Year Divided by 12.

B. DISTRIBUTION OF PROPERTY TAX INCREMENT:

Property tax increment is the increase in property tax revenue above the base resulting from the increase in assessed value of property after the change in organization/reorganization.

The formula recognizes that all future growth will be subject to a shift to ERAF in the amount of 41% for the County and 19% for the City of Pacific Grove. After the shift, the County and the City will be in the same relative position as before dividing the remainder.

Prior to Change of Organization/Reorganization:

(City of Pacific Grove, Tax Rate Area 004-000)

	Current Rate	÷	ERAF Adjustment	=	Resulting Rate	Resulting Ratio
Pacific Grove	19.76%		81.0%		23.51%	41.5%
Monterey County	23.65%		59.0%		33.13%	58.5%

Based on existing Tax Rate Area 102-003, Monterey County’s share of property tax is 23.11% The total property tax available for distribution in the proposal area is 23.11%. The new Resulting Ratios calculated above are applied to the increment.

After Change of Organization/Reorganization

(New Tax Rate Area to be Assigned)

23.11% = Property Tax Available for Distribution

1. City of Pacific Grove’s Share of Property Tax Increment:

	23.11%	-	Property Tax Available for Distribution
X	41.5%	-	City of Pacific Grove’s New Resulting Ratio
=	9.59%		
+	0.18%	-	Pebble Beach Community Services District Share
=	9.77%		

2. Monterey County’s Share of Property Tax Increment:

$$\begin{array}{rcl}
 & 23.11\% & - \quad \text{Property Tax Available for Distribution} \\
 \text{X} & 58.5\% & - \quad \text{Monterey County's New Resulting Ratio} \\
 = & 13.52\% &
 \end{array}$$

Formula for property tax increment to the City of Pacific Grove from Tax Rate Area 004-000 after change of organization/reorganization:

$$\begin{array}{rcl}
 \text{City of Pacific Grove's Property Tax Increment} & = & \\
 \text{Total Property Tax Increment Collected} & \times & 9.77\% \times \\
 \text{Full Months Remaining in Tax Year} & \text{Dividend by} & 12.
 \end{array}$$

PASSED AND ADOPTED this _____ day of _____, 2021, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph, 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 at page _____ of Minute Book _____, on _____.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors, County of Monterey, State of California

By _____
Deputy