



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	18-802	Name:	MCWD zero tax transfer
Type:	General Agenda Item	Status:	Consent Agenda
File created:	8/1/2018	In control:	Board of Supervisors
On agenda:	8/28/2018	Final action:	
Title:	Adopt a Resolution to Approve a Zero Property Tax Transfer for the Proposed Sphere of Influence Amendment and Annexation of the Ord Community and environs to the Marina Coast Water District.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Board Report, 2. Maps of Proposed sphere of influence and annexation areas, 3. Resolution Zero Property Tax Transfer for Annexation of ORD Comm to MCWD 7-20-18, 4. 47. Completed Board Order, Resolution and Maps		

Date	Ver.	Action By	Action	Result
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Adopt a Resolution to Approve a Zero Property Tax Transfer for the Proposed Sphere of Influence Amendment and Annexation of the Ord Community and environs to the Marina Coast Water District.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to approve a zero-property tax transfer for the proposed sphere of influence amendment and annexation of the Ord Community and environs to the Marina Coast Water District.

SUMMARY:

The Monterey County Local Agency Formation Commission (LAFCO) has received a proposal for a sphere of influence amendment and annexation of the Ord Community and environs to the Marina Coast Water District. The recommended zero property tax transfer must be approved prior to the LAFCO hearing on the annexation. Attached for the Board's consideration is the recommended zero property tax transfer resolution and a map showing the location of the subject properties.

DISCUSSION:

The Monterey County LAFCO has received a proposal involving a sphere of influence amendment and annexation of various properties into the Marina Coast Water District. Revenue and Taxation Code Section 99 requires a county Board of Supervisors to negotiate an appropriate tax transfer for all jurisdictional changes of organization occurring within the county which could affect the service responsibility of any special district. 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.

On April 29, 1980, 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). These policies provide that no property tax transfers are to occur for annexations to fee based service and utility-type districts such as the Marina Coast Water District involved in this sphere of influence

amendment and annexation. As such, the Board is being asked to approve a “zero” tax transfer resolution.

The District’s proposal includes the following:

1. Annexation of areas within the Ord Community currently served by MCWD into their sphere of influence and service area
2. Annexation of parcels within the existing MCWD sphere of influence located in Marina and containing the Ione Olson Elementary School and United Methodist Church, into the MCWD service area
3. Annexation of one parcel located in Seaside, containing Seaside High School which is currently served by MCWD, into their service area and sphere of influence.
4. The areas listed above are shown on maps provided by the District and attached to this staff report.

OTHER AGENCY INVOLVEMENT:

The tax transfer resolution has been approved as to form by County Counsel.

FINANCING:

The proposed zero property tax transfer will not result in a transfer of property tax from any agency to the district involved in this annexation

Prepared by:

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Date: August 7, 2018

Attachment: Map of Proposed sphere of influence and annexation areas
Draft Board of Supervisors resolution