TO: JAMES L. APP, CITY MANAGER

FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PROPERTY TAX NEGOTIATION, ANNEXATION #88 (LINNE ROAD ANNEXATION AREA)

DATE: JANUARY 18, 2005

Needs: For the City Council to consider a negotiated exchange of property tax revenue for the Linne Road Annexation Area (Annexation #88). The subject property is approximately 31 acres along the City's easterly boundary, located north of Linne Road, and generally east of a northward extension of Airport Road. A location map is attached as a part of the County Staff Report.

Facts: 1. Properties which are subject to a jurisdictional change, i.e., annexation, alter service area responsibilities for the affected jurisdictions.

- 2. Changes to a jurisdiction's service area responsibilities may impact operating expense and/or income.
- 3. As a prerequisite to any jurisdictional change, Revenue & Taxation Code Section 99 requires the affected jurisdictions to negotiate an exchange of property tax revenue.
- 4. The County of San Luis Obispo has negotiated a master property tax exchange formula with some cities in the County.
- 5. The City of Paso Robles is not party to the master agreement as the exchange rates were not deemed appropriate to, or sufficient to provide for, property based/related services for newly annexed properties.
- 6. The County asserts that their operating costs do not necessarily diminish as a consequence of any particular annexation, therefore continuation of their pre-annexation share of property tax revenue income is required.
- 7. A negotiation period between the City and County of San Luis Obispo has been initiated and is scheduled to extend 60 days from January 4, 2005. A copy of the Notice to Commence Negotiations is attached.
- 8. The subject property is proposed to be residentially zoned. The terms of the County's proposed agreement are that the City will receive 11.3647 percent of annual tax increment revenues and none of the current tax base.

Analysis and Conclusion:	
Conclusion.	When a property is annexed into the City, the responsibility and costs for provision of property based services shifts to the City. Property taxes should be used to offset the cost to provide those property based services. On average, the City receives 17 percent of each property tax dollar for properties already within its jurisdiction. These revenues partially offset the cost of property based services.
	Based on the residential zoning of the subject property, the terms of a proposed agreement are that there will be no shift of the base and that the City would receive about 11 percent of the future property tax increment. Should the City and County fail to reach a property tax agreement, the Local Agency Formation Commission (LAFCO) may not continue annexation proceedings.
	Attached is a copy of the County's transmittal and staff memo to the Board.
Policy Reference:	Revenue & Taxation Code Section 99.
Fiscal Impact:	The agreement as presented by the County would provide no transfer of property tax base revenues and additionally 11.3647 percent of the future property tax increment.
Options:	a. Adopt Resolution No. 05-xx accepting Negotiated Exchange of Property Tax Revenue and Annual Tax Increment between the County of San Luis Obispo and the City.
	b. Reject Proposed Exchange Rate and Appoint an Ad Hoc Council Committee to re-negotiate.
	c. Amend, modify, or reject options above.
Attachment:	Resolution Accepting Negotiated Exchange of Property Tax Revenue

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RESOLUTION NO. 05-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT BETWEEN THE COUNTY OF SAN LUIS OBISPO AND THE CITY OF PASO ROBLES ANNEXATION NO. 88 (LINNE ROAD ANNEXATION AREA)

WHEREAS, in the case of jurisdictional change other than a city incorporation or district formation which will alter the service area or responsibility of a local agency, Revenue and Taxation Code Section 99(a)(1) requires that the amount of property tax revenue to be exchanged, if any, and the amount of annual tax increment to be exchanged among the affected local agencies shall be determined by negotiation; and

WHEREAS, when a city is involved, the negotiations are conducted between the City Council and the Board of Supervisors of the County; and

WHEREAS, Revenue and Taxation Code Section 99(b)(6) requires that each local agency, upon completion of negotiations, adopt resolutions whereby said local agencies agree to accept the negotiated exchange of property tax revenues, if any, and annual tax increment and requires that each local agency transmit a copy of each such resolution to the Executive Officer of the Local Agency Formation Commission; and

WHEREAS, no later than the date on which the certificate of completion of the jurisdictional change is recorded with the County Recorder, the Executive Officer shall notify the County Auditor of the exchange of property tax revenues by transmitting a copy of said resolutions to him and the County Auditor shall thereafter make the appropriate adjustments as required by law; and

WHEREAS, the negotiations have taken place concerning the transfer of property tax revenues and annual tax increment between the County of San Luis Obispo and the City of Paso Robles pursuant to Section 99(a)(1) for the jurisdictional change designated as Annexation No. 88 to the City of Paso Robles (Olsen); and

WHEREAS, the negotiating party, to wit: Terese Toomey, Administrative Analyst, County of San Luis Obispo, on behalf of the County and James L. App, City Manager, on behalf of the City of Paso Robles have negotiated the exchange of property tax revenue and annual tax increment between such entities as hereinafter set forth; and

WHEREAS, it is in the public interest that such negotiated exchange of property tax revenues and annual tax increment be consummated.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of El Paso de Robles, State of California, as follows:

- 1. That the recitals set forth above are true, correct and valid.
- 2. That the City of Paso Robles agrees to accept the following negotiated exchange of base property tax revenues and annual tax increment: No base and 11.3647 percent of the incremental property tax revenue shall be transferred from the County of San Luis Obispo to the City of Paso Robles.

- 3. Upon receipt of a certified copy of this resolution and a copy of the recorded certificate of completion, the County Auditor shall make the appropriate adjustments to property tax revenues and annual tax increments as set forth above.
- 4. That the City Clerk is authorized and directed to transmit a certified copy of the resolution to the Executive Officer of the San Luis Obispo Local Agency Formation Commission who shall then distribute copies in the manner prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18thth day of January 2005 by the following vote:

AYES: NOES: ABSTAIN: ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS AGENDA ITEM TRANSMITTAL

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RECEIVED

(1) DEPARTMENT Administrative Office	⁽²⁾ MEETING DATE January 4, 2005	⁽³⁾ CONTACT/PHONE Jim Grant, Deputy C (805) 781-5011	County Adhamiet距2005
(4) SUBJECT			CITY OF PASO ROBLES
Submittal of a notice to c annual tax increment for	ommence negotiations for Annexation No. 88 to the	or the exchange of pro e City of Paso Robles (north tox rowanies and
(5) SUMMARY OF REQUEST	· · · · · · · · · · · · · · · · · · ·		······································
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respective agencies and p	present a resolution for a	dontion within the 60-c	lav timo framo
(6) RECOMMENDED ACTION Approve commencement No. 88 to the City of Paso	of negotiations for the ex		
(7) FUNDING SOURCE(S)	(8) CURRENT YEAR COST	(9) ANNUAL COST	(10) BUDGETED?
N/A	N/A	N/A	
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(12) WILL REQUEST REQUIRE ADDIT		How Many? nporary Help	
(13) SUPERVISOR DISTRICT(S) 1st, Ind. 3rd. 4th, 5th, All		(14) LOCATION MAP Attached □ N/A	
(15) AGENDA PLACEMENT S Consent D Hearin Presentation D Board	g (Time Est) Business (Time Est)	(16) EXECUTED DOCUMENTS ☐ Resolutions (Orig + 4 copies) ☐ Ordinances (Orig + 4 copies)	
(17) NEED EXTRA EXECUTED COPIE		(18) APPROPRIATION TRANS	FER REQUIRED? Required
(19) ADMINISTRATIVE OFFICE REVIE	W		\
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County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. 370 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



TO: BOARD OF SUPERVISORS

FROM: JIM GRANT, DEPUTY COUNTY ADMINISTRATOR

DATE: JANUARY 4, 2005

SUBJECT: SUBMITTAL OF A NOTICE TO COMMENCE NEGOTIATIONS FOR THE EXCHANGE OF PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT FOR ANNEXATION NO. 88 TO THE CITY OF PASO ROBLES (LINNE ROAD)

Recommendation

Approve commencement of negotiations for the exchange of property tax revenue for Annexation No. 88 to the City of Paso Robles (Linne Road).

Discussion

This request relates to the annexation of approximately 31.3 acres to the City of Paso Robles currently zoned Agriculture/Residential. The property is located on Linne Road, adjacent to Airport Road, southeast of Chandler Ranch, east of the City of Paso Robles. The purpose of the annexation is to obtain City services in order to facilitate future residential and commercial development of the property. Jurisdictional changes such as this can change service area responsibilities and/or impact operating expenses and revenues. The law requires affected jurisdictions (in this case, the County and the City of Paso Robles) to negotiate an exchange of property tax revenue prior to the Local Agency Formation Commission's approval of the proposed change. A 60-day negotiation period will commence on upon approval of this notice. The notice contains information concerning the amount of revenue generated in the annexation area. The County Administrative Office and the City of Paso Robles will negotiate on behalf of their respective agencies and present a resolution for adoption within the 60-day time frame.

Other Agency Involvement/Impact

The Local Agency Formation Commission has the authority to oversee annexation of property. The property is proposed to be annexed into the City of Paso Robles, therefore, as one of the affected agencies, the City of Paso Robles will participate in the tax exchange negotiations. The Auditor's Office provided the financial analysis.

DAVID EDGE COUNTY ADMINISTRATOR

BOARD OF SUPERVISORS January 4, 2005 Page 2

Financial Considerations

If negotiations are successful, the County will transfer 11.3647 percent of property tax increment, before the Educational Revenue Augmentation Fund (ERA) calculation to the City of Paso Robles. There will not be a transfer of base property taxes and all base and annual tax increments for the County Road Fund and the County Library Fund shall remain with the County. The attached notice contains information concerning the amount of revenue generated in the annexation area.

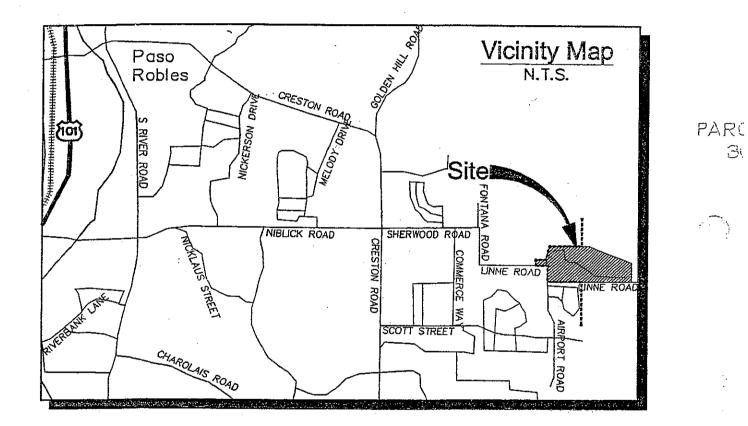
Results

To agree to a fair and equitable exchange of property tax revenue as a result of annexation of property.

Attachments

Notice to Commence Negotiations Map of proposed annexation

c - Jim App, City of Paso Robles
 Marsha Stallman, Auditor-Controller's Office
 Paul Hood, LAFCO



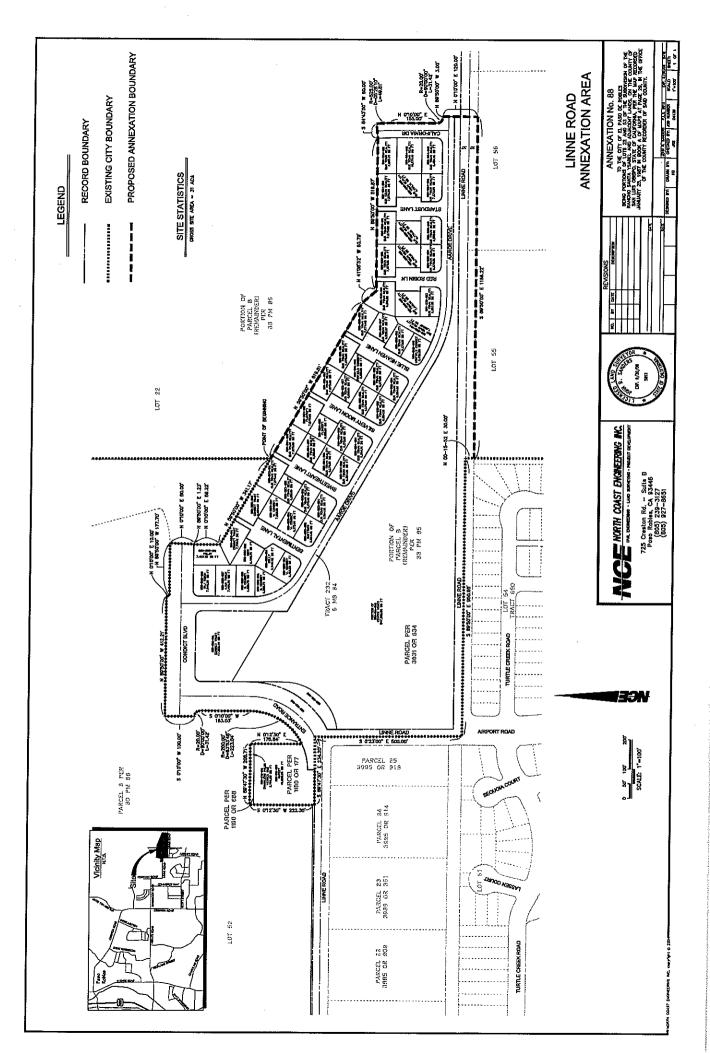
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LOCAL AGENCY FORMATION COMMISSION NOTICE TO COMMENCE NEGOTIATION FOR TRANSFER OF PROPERTY TAX REVENUE

Proposed Jurisdictional Change:

Annexation No. 88 to City of Paso Robles (Linne Road)

LAFCO File No: 9-R-04

Purpose of proposal: To annex land into the City of Paso Robles. The land is to be used for residential and neighborhood commercial uses. (Scenario 2)

Negotiating Agencies:

Agenda Date for Start of Negotiations

County of San Luis Obispo City of Paso Robles

January 4, 2005

Subject Property:

<u>Tax Code Area</u>	Parcel Nos.	<u>Valuation</u>
104-001	See attached	2,451,035

Estimated property tax revenue generated within subject property: \$ 24,510

GENERAL FUND	6,430
AIR POLLUTION CONTROL	17
SPECIAL ROADS # 1	137
COUNTY LIBRARY	458
SLO CO FLOOD CONTROL	65
NACIMIENTO WATER CONS	70
PASO ROBLES CEMETERY	226
PASO ROBLES ELEM	0
PASO ROBLES UNIFIED	12,138
SAN LUIS OBISPO COMM COLL	11,770
COUNTY SCHOOL SERVICE	1,049
ERAF	2,150
TOTALS	24,510

Percentage of annual tax increment to be exchanged: 11.364700% (before ERAF)

Negotiation Period: January 4, 2005 - March 8, 2005

Property Tax Exchange effective fiscal year: 2006-2007

By: Hood, Executive Officer Paul L.

Date:

Note: At close of negotiations, each agency shall immediately transmit to the LAFCO Executive Officer a <u>certified</u> copy of the resolution setting forth the amount of property tax revenue to be transferred. For dependent districts, the Clerk of the Board of Supervisors shall transmit a certified copy of the Board's resolution adopted on behalf of both parties. This will allow LAFCO to commence processing of the jurisdictional change.



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