

AVILA BEACH COUNTY WATER DISTRICT

RESOLUTION NO. 91-9

RESOLUTION ACCEPTING NEGOTIATED EXCHANGE OF
PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT
FROM THE COUNTY OF SAN LUIS OBISPO
TO THE AVILA BEACH COUNTY WATER DISTRICT

The following resolution is hereby offered and read:

WHEREAS, in the case of a 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(b) 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 and the Board of Supervisors for the County; and

WHEREAS, when a special district is involved, the negotiations are conducted by the Board of Supervisors of the County on behalf of the district or districts, unless otherwise requested by said district or districts pursuant to Revenue and Taxation Code Section 99.1(3); and

WHEREAS, Revenue and Taxation Code Section 99(b) 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 and 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

Avila Beach County Water District

pursuant to Section 99(b) for the jurisdictional change designated as LAFCO File No. 4-R-91: Annexation to the Avila Beach County Water Dist.; and (Avila Beach Road)

WHEREAS, the negotiating parties, to wit: Paul Hood, Principal Administrative Analyst, County of San Luis Obispo and Avila Beach County Water District

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 Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth above are true, correct and valid.
2. That the County of San Luis Obispo agrees to accept the following negotiated exchange of property tax revenues and annual tax increment:
 - a. Property tax revenues in the amount of \$ 0 shall be transferred from County of San Luis Obispo to the Avila Beach County Water District in the fiscal year 1992-93.
 - b. Annual tax increment in an amount to be determined by the County Auditor, based upon the following percentage agreed to by the negotiating parties, 24.78659 percent, shall be transferred from the County of San Luis Obispo to the Avila Beach County Water District in the fiscal year 1992-93 and each fiscal year thereafter.
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 increment as set forth above.
4. That the County Clerk is authorized and directed to transmit a certified copy of this resolution to the Executive Officer of the San Luis Obispo Local Agency Formation Commission, who shall then distribute copies thereof in the manner prescribed by law.

Upon motion of Director _____, seconded by Director _____,

and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:

The foregoing resolution is hereby adopted. this 6th day of September, 1991.

Chairperson of the Board

ATTEST:

Secretary