

RESOLUTION NO. 2538

RESOLUTION ACCEPTING NEGOTIATED EXCHANGE OF  
PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT  
FROM THE COUNTY OF SAN LUIS OBISPO TO  
THE CITY OF EL PASO DE ROBLES  
(BREIDEN/THUNDERBIRD ANNEXATION NO. 45)

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, 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 increments 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 El Paso de Robles pursuant to Section 99(b) for the jurisdictional change designated as Annexation No. 45 (Breiden/Thunderbird) to the City of El Paso de Robles; and

WHEREAS, the negotiating parties, to-wit: Kerry Harms, Principal Administrative Analyst for the County of San Luis Obispo and Donald B. Keefer, City Manager/Clerk for the City of El Paso de 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 El Paso de Robles 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 the County of San Luis Obispo and such amount shall be transferred to the City of El Paso de Robles in the fiscal year 1982-83.
  - b. Annual tax increment in the amount to be determined by the County Auditor, based upon the following percentage agreed to by the negotiating parties, 24.49147 percent, shall be transferred from the County of San Luis Obispo, and such amount shall be transferred to the City of El Paso de Robles, in the fiscal year 1982-83 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 hereby authorized and directed to transmit a certified copy of this resolution to the Executive Officer of the San Luis Obispo County Local Agency Formation Commission, who shall then distribute copies thereof as required by law.

Upon motion of Councilman Minshull, seconded by Councilman Stemper, and on the following roll call vote, to-wit:

AYES: Councilmen Minshull, Monroe, Parish, Stemper and Schwartz

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted this 17th day of February, 1981.

Barney Schwartz  
MAYOR BARNEY SCHWARTZ

ATTEST:

Sidney J. Godsey  
DEPUTY CITY CLERK, SIDNEY J. GODSEY