



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING THE REALLOCATION OF PROPERTY TAX REVENUES FROM THE COUNTY OF NEVADA TO THE PENN VALLEY FIRE DISTRICT, HIGGINS FIRE DISTRICT, NEVADA COUNTY CONSOLIDATED FIRE DISTRICT AND TRUCKEE FIRE DISTRICT CONSISTENT WITH RESOLUTION 06-162

WHEREAS, the Penn Valley Fire District, Nevada County Consolidated Fire District, Higgins Fire District and Truckee Fire District have been identified as providing services to specific Tax Rate Areas (TRA) yet the districts are not receiving any portion of property tax revenue collected from those TRAs; and

WHEREAS, at the time of annexations in the 1980s, no property tax negotiations occurred between the Fire Districts and the County or other districts receiving property taxes from those areas;

WHEREAS, Revenue & Taxation Code Section 99.02 allows any local agency, by resolution of its governing body, to exchange any portion of its property tax revenues with another local agency within the same tax rate areas if it finds that (a) revenues are available for this purpose, (b) the transfer will not change the ratio of fees, charges or assessments in relation to other revenues of the County, (c) the transfer will not impair the local agency's ability to provide existing services, and (c) the transfer will not result in a reduction of property tax revenues to school entities; and,

WHEREAS, the Penn Valley Fire District formally requested the County to consider sharing a portion of the County's property tax from these areas although the County has no legal obligation to do so; and

WHEREAS, the Board of Supervisors passed Resolution 06-162 in 2006 determining tax increment formulas for property tax reallocation when a new special district provides services in new areas; and

WHEREAS, pursuant to Revenue & Taxation section 99.02 the County now desires to share a portion of its property tax allocation with the Penn Valley Fire District and other similarly situated fire districts within the County based on the tax allocation formula contained in Resolution 06-162; and,

WHEREAS, pursuant to Revenue & Taxation Code section 99.02(e), the Nevada County Board of Supervisors held a duly noticed public hearing on June 11, 2019 at which hearing the Board received and considered verbal and written comments regarding the effect of the proposed transfer on fees charges, assessments, taxes or other revenues; and,

WHEREAS, the impact on the General Fund revenue of reallocating property tax based on the formula in Resolution 06-162 is estimated to be \$1,633.48 in year one.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Nevada hereby finds and determines as follows:

1. The recitals above are true and correct.
2. Revenues are available from the County's General Fund for the purpose of said transfers.
3. The transfers will not result in any increase in the ratio between the amount of County revenues that are generated by regulatory licenses, use charges, user fees, or assessments and the amount of County revenues used to finance services provided by the County.
4. The transfers will not impair the County's ability to provide existing services.
5. The transfers will be made solely from the County's share of the property tax allocation and will not result in a reduction of property tax revenues to school entities or any other taxing entity.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves the transfer of a portion of the County's property tax increment to the Penn Valley Fire District, the Nevada County Consolidated Fire District, the Higgins Fire District and the Truckee Fire District in the tax rate areas shown in Exhibit A and using the methodology as established by Resolution 06-162, and the Auditor Controller is hereby authorized and directed to annually reallocate said property tax increment in accordance with this Resolution, commencing as of Fiscal Year 2019-20.