

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**AN AMENDMENT TO RESOLUTION No. 2011-03 OF THE TOWN OF APPLE VALLEY, CALIFORNIA, DETERMINING THE AMOUNT OF PROPERTY TAX REVENUES TO BE TRANSFERRED AS A RESULT OF THE PENDING REORGANIZATION TO INCLUDE THE ANNEXATION TO THE TOWN OF APPLE VALLEY FROM COUNTY SERVICE AREA 70 AS DESCRIBED IN LAFCO NO. 3163**

**Summary Statement:**

On February 8, 2011, the Town Council adopted Resolution No. 2011-03 pertaining to the exchange of property tax revenues from the County of San Bernardino to the Town of Apple Valley resulting from the pending application for Annexation No. 2008-002. This application was submitted to LAFCO and consists of 805.1 acres located in the Town's Sphere of Influence, immediately east of existing Town limits. The annexation area is located south of Quarry Road and east of Central Avenue. As a prerequisite to LAFCO consideration, both the County and the Town must adopt property tax transfer resolutions.

Resolution No. 2011-03, approved by the Town Council, mistakenly referred to the dissolution of County Service Area (CSA) 70, rather than the detachment from CSA 70, located in the first "Whereas" paragraph. Also, the exhibit which identifies the agreed upon breakdown of the property tax monies to be transferred, was inadvertently left out.

Attachment: February 8, 2011 Town Council Staff Report

**Recommended Action:**

Approve Amended Resolution No. 2011-03 of the Town of Apple Valley determining the amount of property tax revenues to be transferred as a result of the pending reorganization to include the annexation to the Town of Apple Valley from County Service Area 70 as described in LAFCO No. 3163.

**Proposed by:** Planning Division **Item Number** \_\_\_\_\_

**Town Manager Approval:** \_\_\_\_\_ **Budgeted Item**  Yes  No  N/A

**RESOLUTION NO. 2011-03**

**AMENDMENT NO. 1**

**A RESOLUTION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, DETERMINING THE AMOUNT OF PROPERTY TAX REVENUES TO BE EXCHANGED BETWEEN AND AMONG COUNTY SERVICE AREA NO. 70 AND THE TOWN OF APPLE VALLEY, RESULTING FROM THE JURISDICTIONAL CHANGE DESCRIBED BY LAFCO NO. 3163.**

**WHEREAS**, the Board of Supervisors of the County of San Bernardino (“COUNTY”) has made application to the Local Agency Formation Commission to consider detachment of County Service Area No. 70 (“CSA 70”)

**SECTION 1.** The Town of Apple Valley (“TOWN”) and the Board of Supervisors of the County of San Bernardino agree and the Town Council of the Town of Apple Valley hereby finds and determines that:

A. Pursuant to Section 99 of the Revenue and Taxation Code, prior to the issuance of a Certificate of Filing by the Local Agency Formation Commission Executive Officer, the governing bodies of all local agencies whose service area or service responsibilities will be altered by a proposed jurisdictional change shall negotiate and determine by resolution of the amount of property tax revenues to be exchanged between and among such local agencies.

B. Except as provided in Section 99.1 of the Revenue and Taxation Code, in the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the Board of Supervisors shall, on behalf of the district or districts, negotiate an exchange of property tax revenues.

C. The Board of Supervisors of the County of San Bernardino acting on behalf of CSA 70 and the Town of Apple Valley have determined that all property tax revenues of CSA 70 shall be transferred to the Town of Apple Valley as a result of the following jurisdictional change(s):

**LAFCO NO. 3163 – REORGANIZATION TO INCLUDE ANNEXATION TO THE TOWN OF APPLE VALLEY AND DETACHMENT FROM COUNTY SERVICE AREA 70 (ANNEXATION NO. 2008-002)**

**SECTION 2.** The Town of Apple Valley and the Board of Supervisors of the County of San Bernardino agree and the Town Council of the Town of Apple Valley hereby resolves and orders that:

A. The negotiated exchange of property tax revenue, which is currently estimated at approximately \$10,858 per year, between CSA 70 and the Town of Apple Valley resulting from the above described jurisdictional change(s), is approved and accepted.

B. The annual tax increment generated in the area subject to the jurisdictional change and attributable to the local agencies whose service area or service responsibilities will be altered by the proposed jurisdictional change shall be allocated in future years pursuant to the provisions of Section 98 of the Revenue and Taxation Code

**SECTION 3.** The Clerk of the Town of Apple Valley is hereby directed to certify passage of this resolution and to cause a certified copy to be sent to the Executive Officer of the Local Agency Formation Commission of the County of San Bernardino.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of February, 2011.

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Scott Nassif, Mayor

ATTEST:

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La Vonda M-Pearson, Town Clerk

LAFCO No. 3163  
Annexation to the Town of Apple Valley and Detachment from CSA 70

EXHIBIT A

Town of Apple Valley Percent of TRA 9.437668%

TRA	54109	54140	Total
ASSESSED VALUE	\$ 13,551,092	\$ 1,960,427	\$ 15,511,519
TAX REVENUE	\$ 135,511	\$ 19,604	\$ 155,115
	<u>CHANGE IN BASE YEAR 2010-11</u>	<u>CHANGE IN BASE YEAR 2010-11</u>	
<u>TRANSFER FROM</u>			
County:			
County General Fund	\$ (9,486)	\$ (1,372)	\$ (10,858)
Flood Control Zone 4	\$ -	\$ -	\$ -
Flood Control Admin 3-6	\$ -	\$ -	\$ -
County Free Library	\$ -	\$ -	\$ -
Total County	<u>\$ (9,486)</u>	<u>\$ (1,372)</u>	<u>\$ (10,858)</u>
Other Affected Agencies:			
CSA 70	\$ -	\$ -	\$ -
Total Other Affected Agencies	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
TOTAL TRANSFERS FROM	<u>\$ (9,486)</u>	<u>\$ (1,372)</u>	<u>\$ (10,858)</u>
	<u>TRANSFER TO</u>		
Town of Apple Valley	<u>\$ 9,486</u>	<u>\$ 1,372</u>	<u>\$ 10,858</u>
TOTAL TRANSFER TO	<u>\$ 9,486</u>	<u>\$ 1,372</u>	<u>\$ 10,858</u>

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**A RESOLUTION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, DETERMINING THE AMOUNT OF PROPERTY TAX REVENUES TO BE TRANSFERRED AS A RESULT OF THE PENDING REORGANIZATION TO INCLUDE THE ANNEXATION TO THE TOWN OF APPLE VALLEY FROM COUNTY SERVICE AREA 70 AS DESCRIBED IN LAFCO NO. 3163**

**Summary Statement:**

On August 11, 2009, the Town Council adopted Resolution No. 2009-30, including the recommended environmental findings, mitigation and monitoring program, Statement of Overriding Consideration and certifying the Environmental Impact Report (SCH #200891077) for General Plan Amendment No. 2008-001, Annexation No. 2008-001 and Annexation No. 2008-002. At the same meeting, the Council directed staff to develop application material in preparation for Annexation No. 2008-002. Annexation No. 2008-002 consists of 805.1 acres located in the Town's Sphere of Influence, immediately east of existing Town limits. The annexation area is located south of Quarry Road and east of Central Avenue.

On September 28, 2010 the Town Council adopted Resolution No.2010-46 requesting that the Local Agency Formation Commission (LAFCO) process the application for annexation of this area into the Town of Apple Valley. On October 18, 2010 the Town submitted to LAFCO the annexation request, which also includes detachment from County Service Area 70. As a prerequisite to LAFCO consideration, both the County and the Town must adopt property tax transfer resolutions. The resolution required of the Town is attached to this staff report and is submitted for Council consideration. Staff respectfully requests that the Town Council consider such a resolution in order to proceed with Annexation 2008-002. The County Board of Supervisors is expected to adopt a similar resolution at its first regular meeting in February 2011.

In summary, the attached resolution will provide a \$10,858 annual transfer from the County General Fund to the Town of Apple Valley as a result of the reorganization. This is approximately 7% of the annual property tax revenue collected from the annexed areas. Based upon the foregoing, staff recommends adoption of the attached resolution.

**Recommended Action:**

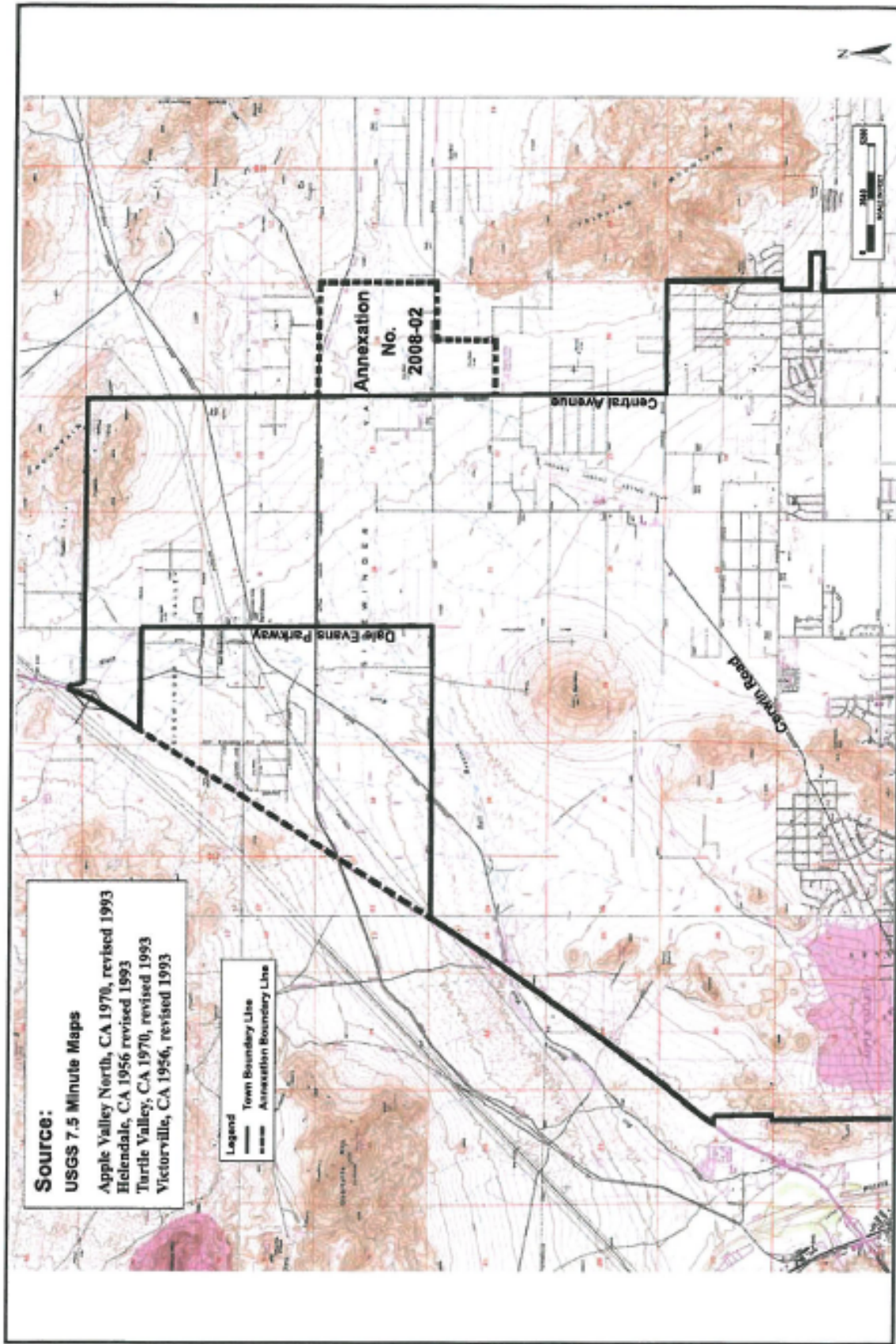
Approve Resolution No. 2011-\_\_\_ of the Town of Apple Valley determining the amount of property tax revenues to be transferred as a result of the pending reorganization to include the annexation to the Town of Apple Valley from County Service Area 70 as described in LAFCO No. 3163.

**Proposed by:** Planning Division **Item Number** \_\_\_\_\_

**Town Manager Approval:** \_\_\_\_\_ **Budgeted Item**  Yes  No  N/A

Town Council Meeting: February 8, 2011

Town Council Meeting: 2/22/11



**Source:**  
 USGS 7.5 Minute Maps  
 Apple Valley North, CA 1970, revised 1993  
 Helendale, CA 1956 revised 1993  
 Turtle Valley, CA 1970, revised 1993  
 Victorville, CA 1956, revised 1993

**Legend**  
 ——— Town Boundary Line  
 - - - - - Annexation Boundary Line

Exhibit

2

Apple Valley Annexation No. 2008-002  
 Annexation Boundary Map  
 Apple Valley, California

**TERRA NOVA®**  
 Planning & Research, Inc.

**RESOLUTION No. 2011-03**

**A RESOLUTION OF THE TOWN OF APPLE VALLEY, CALIFORNIA,  
DETERMINING THE AMOUNT OF PROPERTY TAX REVENUES TO BE  
EXCHANGED BETWEEN AND AMONG COUNTY SERVICE AREA NO. 70  
AND THE TOWN OF APPLE VALLEY, RESULTING FROM THE  
JURISDICTIONAL CHANGE DESCRIBED BY LAFCO NO. 3163.**

**WHEREAS**, the Board of Supervisors of the County of San Bernardino ("COUNTY") has made application to the Local Agency Formation Commission to consider dissolution of County Service Area No. 70 ("CSA 70")

**SECTION 1.** The Town of Apple Valley ("TOWN") and the Board of Supervisors of the County of San Bernardino agree and the Town Council of the Town of Apple Valley hereby finds and determines that:

A. Pursuant to Section 99 of the Revenue and Taxation Code, prior to the issuance of a Certificate of Filing by the Local Agency Formation Commission Executive Officer, the governing bodies of all local agencies whose service area or service responsibilities will be altered by a proposed jurisdictional change shall negotiate and determine by resolution of the amount of property tax revenues to be exchanged between and among such local agencies.

B. Except as provided in Section 99.1 of the Revenue and Taxation Code, in the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the Board of Supervisors shall, on behalf of the district or districts, negotiate an exchange of property tax revenues.

C. The Board of Supervisors of the County of San Bernardino acting on behalf of CSA 70 and the Town of Apple Valley have determined that all property tax revenues of CSA 70 shall be transferred to the Town of Apple Valley as a result of the following jurisdictional change(s):

**LAFCO NO. 3163 – REORGANIZATION TO INCLUDE  
ANNEXATION TO THE TOWN OF APPLE VALLEY AND  
DETACHMENT FROM COUNTY SERVICE AREA 7-  
(ANNEXATION NO. 2008-002)**

**SECTION 2.** The Town of Apple Valley and the Board of Supervisors of the County of San Bernardino agree and the Town Council of the Town of Apple Valley hereby resolves and orders that:

A. The negotiated exchange of property tax revenue, which is currently estimated at approximately \$10,858 per year, between CSA 70 and the Town of Apple Valley resulting from the above described jurisdictional change(s), is approved and accepted.

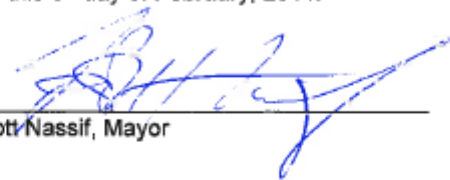
B. The annual tax increment generated in the area subject to the jurisdictional change and attributable to the local agencies whose service area or service responsibilities will

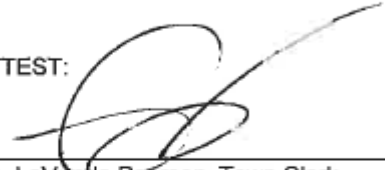
Town Council Mtg: 2/8/11

be altered by the proposed jurisdictional change shall be allocated in future years pursuant to the provisions of Section 98 of the Revenue and Taxation Code

**SECTION 3.** The Clerk of the Town of Apple Valley is hereby directed to certify passage of this resolution and to cause a certified copy to be sent to the Executive Officer of the Local Agency Formation Commission of the County of San Bernardino.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of February, 2011.

  
\_\_\_\_\_  
Scott Nassif, Mayor

ATTEST:   
\_\_\_\_\_  
Ms. LaVonda Pearson, Town Clerk

Town Council Mtg: 2/8/11



Town of Apple Valley  
Resolution No. 2011-03

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF APPLE VALLEY

I, LA VONDA M-PEARSON, Town Clerk for the Town of Apple Valley, Apple Valley, California, do hereby certify that Resolution No. 2011-03 duly and regularly adopted by the Town Council at a meeting thereof held on the 8th day of February, 2011 by the following vote:

AYES: Council Members Coleman, Emick, Roelle, Mayor Pro Tem Stanton, Mayor Nassif

NOES: None.

ABSTAIN: None.

ABSENT: None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Apple Valley, California, this 9<sup>th</sup> day of February 2011.

LA VONDA M-PEARSON, CMC  
TOWN CLERK

By: *Patty Hevle*  
Patty Hevle, Deputy

SEAL