

EXHIBIT M

RESOLUTION NO. 11-143

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING TRANSFER OF PROPERTY TAX AND OTHER REVENUES BETWEEN THE CITY OF EL CENTRO AND THE COUNTY OF IMPERIAL FOR ANNEXATION NO. EC 08-04 (MILLER BURSON/LA VIDA ANNEXATION)

WHEREAS, California Revenue and Taxation Code Section 99 requires the governing bodies of all agencies whose service areas or service responsibilities will change as a result of an annexation, to negotiate and agree on the amount of property tax revenues to be exchanged between such affected agencies prior to the effective date of such annexation; and

WHEREAS, the City of El Centro, California (hereinafter referred to as "City") and the County of Imperial, California (hereinafter referred to as "County") entered into a Master Tax Agreement, dated August 2, 2006, for the purpose of establishing the basic rate of exchange of property tax revenues; and

WHEREAS, California Revenue and Taxation Code Section 99 requires that any negotiated agreement between the governing bodies of agencies whose service areas or service responsibilities are altered by such jurisdictional change be approved by resolution of the governing body; and

WHEREAS, the County has undertaken an Impact Fee Study prepared by TischlerBise dated March 3, 2006, in order to offset the "negative impacts" to the County and City; and

WHEREAS, numerous fiscal impact analyses have been prepared to determine the "negative impacts" to the County and City upon annexation of projects; and

WHEREAS, the compensation for the discounted negative impacts for the 20 years of this project, fees pursuant to Exhibit "A" Schedule of Fiscal Impact Fees Per Unit (residential) and Per Square Foot (nonresidential) will be paid to the County.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL CENTRO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above foregoing is true, correct and adopted.
2. That the terms of the transfer of property tax revenues to the City of El Centro for Annexation EC 08-04 (Miller Burson\La Vida) based on the assessed value shall be as follows:
  - A. The City and the County are the agencies whose area of responsibility for the services will be affected by annexation.

- B. The exchange of property tax revenues as set forth herein below shall apply to Annexation EC 08-04 (Miller Burson\La Vida).
- C. Such exchange will become effective on the July 1 following the effective date of the annexation.
- D. The amount of property tax revenues to be exchanged between the County and the City is as follows:
  - 1. The County shall transfer forty percent (40%) base year property tax revenue generated within the territory to be annexed under the ad valorem tax rate established by Article XIII A of the California Constitution.
  - 2. The City shall receive one hundred percent (100%) of that portion of the property tax revenues generated within the territory to be annexed as structural fire protection tax.
  - 3. The City shall receive one hundred percent (100%) of the portion of the property tax revenues generated within the territory to be annexed that is presently collected by the County for the provision for library services.
  - 4. County shall receive fifty percent (50%) of the tax increment.
  - 5. City shall receive fifty percent (50%) of the tax increment.
  - 6. In return for the above referenced transfer of taxes, the City shall, upon annexation, assume responsibility for all general municipal services to the area annexed as are required by law or presently provided throughout the City.
  - 7. The County Auditor shall convey the above established percentage figures into actual dollar figures and thereafter allocate such property tax revenues in accordance with the provisions of Section 95 et seq. the Revenue and Taxation Code.
  - 8. The City shall collect an amount pursuant to Exhibit "A", attached hereto and made a part hereof, as in effect at time of payment from the developer at time of annexation or approval of final map or by written agreement with the issuance of each building permit.


3. That the City Clerk is hereby directed to provide a certified copy of this Resolution to the Clerk of the Board of the County of Imperial.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of El Centro, California held on the 1st day of Nov. , 2011.

CITY OF EL CENTRO


By   
Efrain Silva, Mayor

ATTEST:

By   
L. Diane Caldwell, City Clerk

APPROVED AS TO FORM:


Office of the City Attorney

By   
Luis F. Hernandez, City Attorney

STATE OF CALIFORNIA     )  
COUNTY OF IMPERIAL    ) ss  
CITY OF EL CENTRO       )

I, L. Diane Caldwell, City Clerk of the City of El Centro, California, do hereby certify that the foregoing Resolution No. 11- 143 was duly and regularly adopted at a regular meeting of the City Council of the City of El Centro, California, held on the 1st day of Nov. , 2011, by the following vote:

AYES:           Viegas-Walker, Sanders, Solomon  
NOES:           None  
ABSENT:        Edney, Silva  
ABSTAINED:   None

By   
L. Diane Caldwell, City Clerk

## Exhibit A

<b>Schedule of Fiscal Impact Fees Per Unit (residential) and per Square Foot (nonresidential) – Countywide</b>				
<b>Residential</b>	<b>Impact Per</b>	<b>Per Fiscal Impact Studies</b>	<b>Surcharge for developable land</b>	<b>Total</b>
<b>Housing Unit</b>				
Single Family	\$2,731	\$ 225.00	\$ 81.9300	\$3,038
Multi-Family	\$2,138	\$ 276.00	\$ 64.1400	\$2,478
Mobile Home	\$1,834		\$ 55.0200	\$1,889
<b>Nonresidential</b>				
<b>Per Square Foot</b>				
820 Com / Shop Ctr 50,000 SF or less	\$0.84	\$ 0.08	\$ 0.0110	\$0.931
820 Com / Shop Ctr 50,001-100,000 SF	\$0.74	\$ 0.08	\$ 0.0110	\$0.831
820 Com / Shop Ctr 100,001-200,000 SF	\$0.64	\$ 0.08	\$ 0.0110	\$0.731
820 Com / Shop Ctr over 200,000 SF	\$0.57	\$ 0.08	\$ 0.0110	\$0.661
710 Office / Inst 25,000 SF or less	\$0.74	\$ 0.08	\$ 0.0110	\$0.831
710 Office / Inst 25,001-50,000 SF	\$0.68	\$ 0.08	\$ 0.0110	\$0.771
710 Office / Inst 50,001-100,000 SF	\$0.63	\$ 0.08	\$ 0.0110	\$0.721
720 Medical-Dental Office	\$0.91	\$ 0.08	\$ 0.0110	\$1.001
610 Hospital	\$0.63	\$ 0.08	\$ 0.0110	\$0.721
770 Business Park	\$0.55	\$ 0.08	\$ 0.0095	\$0.640
110 Light Industrial	\$0.38	\$ 0.08	\$ 0.0089	\$0.469
140 Manufacturing	\$0.28	\$ 0.08	\$ 0.0066	\$0.367
150 Warehousing	\$0.22	\$ 0.08	\$ 0.0066	\$0.307
520 Elementary School	\$0.27	\$ 0.08	\$ 0.0081	\$0.358
<b>Other Nonresidential</b>				
<b>Per Square Foot</b>				
320 Lodging (per room)	\$0.12		\$ 0.0036	\$0.124
565 Day Care (per student)	\$0.07		\$ 0.0021	\$0.072
620 Nursing Home (per bed)	\$0.07		\$ 0.0021	\$0.072

STATE OF CALIFORNIA)  
COUNTY OF IMPERIAL )§  
CITY OF EL CENTRO )

I, L. Diane Caldwell, City Clerk of the City of El Centro, California do hereby certify that the foregoing is a true and correct copy of Resolution No. 11-143 which was duly and regularly adopted at a regular meeting of the City Council of the City of El Centro held on November 1, 2011, by the following vote:

YES:	Viegas-Walker, Sanders, Solomon
NOES:	None
ABSENT:	Edney, Silva
ABSTAINED:	None

(SEAL)

  
\_\_\_\_\_  
L. DIANE CALDWELL  
EL CENTRO CITY CLERK