

(R-86-2473)

RESOLUTION NUMBER R- 265938

ADOPTED ON JUN 10 1986

WHEREAS, Revenue and Taxation Code Section 99 requires the negotiation of any exchange of property tax revenues occasioned by jurisdictional changes between agencies affected; and

WHEREAS, the proposed "Otay Valley/Palm Reorganization," has been filed with the Local Agency Formation Commission consisting of the detachment of territory from The City of San Diego and its annexation to the City of Chula Vista; and

WHEREAS, The City of San Diego and the City of Chula Vista have negotiated to determine an equitable exchange of property tax revenues applicable to the proposed jurisdictional changes; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it hereby agrees with the City of Chula Vista on the apportionment of property tax revenues for the "Otay Valley/Palm Avenue Reorganization" as shown in Exhibit A attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, that the City of Chula Vista and The City of San Diego have mutually agreed to the following matters:

1. The City of Chula Vista agrees to hold harmless and to indemnify The City of San Diego by annually reimbursing, in full, the City of San Diego for any and all taxes which accrue on segments of the Coronado and South San Diego water pipelines and the Otay Valley Trunk Sewer that lie within the territories to be reorganized.

2. The City of Chula Vista will obtain agreement of the owners of the properties within the territories to be reorganized to fully participate in the funding of the improvements referenced in The City of San Diego's Otay Mesa Public Facilities Financing Plan.

3. The City of San Diego Water Utilities Department shall retain unrestricted rights of access for purposes of maintenance, repair, or replacement of those segments of the Coronado and South San Diego water pipelines and the Otay Valley Trunk Sewer that line within the territories to be reorganized.

BE IT FURTHER RESOLVED, that these agreed upon matters are not intended to be terms and conditions of the reorganization but it is understood that the City of Chula Vista and The City of San Diego will enter into a written agreement which provides for such terms and conditions.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to enter into a written agreement with the City of Chula Vista consistent with the terms and conditions found herein.

BE IT FURTHER RESOLVED, that should the foregoing written agreement not be executed by the City of Chula Vista and The City of San Diego prior to the hearing by the conducting authority, or prior to the conducting authority considering the adoption of a resolution ordering this reorganization should no hearing be required, that The City of San Diego hereby objects to this proposed reorganization and hereby rescinds any prior approval, ab initio, of this reorganization.

APPROVED: JOHN W. WITT, City Attorney

By Thomas F. Steinke  
Thomas F. Steinke  
Deputy City Attorney

TFS:ta:670  
06/05/86  
Or.Dept:Plan.  
R-86-2473  
Form=r.none

EXHIBIT "A"

NEGOTIATED PROPERTY TAX DISTRIBUTION

LAFCO Proposal: Otay Valley/Palm Avenue Reorganization  
LAFCO Number: R085-23

<u>Local Agencies</u>	<u>Current Base Distribution</u>	<u>Current Annual Tax Increment</u>	<u>Proposed Base Distribution</u>	<u>Proposed Annual Tax Increment</u>
County General	\$11,769	.25841621	\$11,769	.25841621
San Diego Unified Port District	-0-	.00000000	-0-	.00000000
City of San Diego (Detach)	9,417	.20678675	-0-	.00000000
City of Chula Vista (Annex)	-0-	.00000000	9,417	.20678675
All Other Taxing Agencies	<u>24,355</u>	<u>.53479704</u>	<u>24,355</u>	<u>.53479704</u>
	\$45,541	1.00000000	\$45,541	1.00000000

Basis for Exchange: The current base taxes received by the detaching City are being reallocated to the annexing City. The annual tax increment formerly received by the detaching City is being reallocated to the annexing City of Chula Vista.

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R- 265938

#5500 (4)  
(a-b)

JUN 10 1986

Passed and adopted by the Council of The City of San Diego on .....  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA  
Deputy Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-265938** JUN 10 1986  
Number ..... Adopted .....

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CITY CLERK'S OFFICE

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