



**FINAL
RESOLUTION NO. 2021-02**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
APPROVING A ZERO PROPERTY TAX TRANSFER FOR THE PROPOSAL TO SEEK
AUTHORIZATION TO ACTIVATE LATENT DISTRICT POWERS
AND TO ADOPT A SPHERE OF INFLUENCE AMENDMENT AND ANNEXATION**

The Board of Directors of the Monterey Peninsula Water Management District, hereby adopts the following Resolution:

WHEREAS, The Monterey Peninsula Water Management District (“District”) is organized and exists under the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977, and published at Water Code Appendix, Section 118-1, et seq.) (“District Law”).

WHEREAS, Pursuant to Section 325 of the District Law, and except as otherwise limited by the District Law, the District has the power to do any and every lawful act necessary in order that sufficient water may be available for any present or future beneficial use or uses of the lands or inhabitants within the District, including, but not limited to, irrigation, domestic, fire protection, municipal, commercial, industrial, recreational, and all other beneficial uses and purposes.

WHEREAS, Pursuant to Section 328 of the District Law, the District has the power, among other things, (a) to acquire public or private water systems necessary or proper to carry out the purposes of the District Law; (b) to store water in surface or underground reservoirs within or outside of the District for the common benefit of the District; (c) To conserve and reclaim water for present and future use within the District; (d) To appropriate and acquire water and water rights, and import water into the District and to conserve and utilize, within or outside of the District, water for any purpose useful to the District.

WHEREAS, the Monterey County Local Agency Formation Commission (LAFCO) has received a proposal involving a sphere of influence amendment and annexation of various parcels to the Monterey Peninsula Water Management District.

WHEREAS, Revenue and Taxation Code Section 99 requires a county Board of Supervisors to determine an appropriate tax transfer for all jurisdictional changes of organization occurring within a county which could affect the service responsibility of any special district.

WHEREAS, pursuant to Revenue and Taxation Code Section 99(b)(6), the Executive Officer of LAFCO shall not issue a Certificate of Filing (Government Code Section 56828) for a change of organization until an exchange of property tax revenue is negotiated; and

WHEREAS, the Monterey County Board of Supervisors approved and adopted a formula and policies for determining property tax transfer resulting from jurisdictional changes involving special districts (Resolution No. 80-249).

NOW, THEREFORE, BE IT RESOLVED, as follows: The Board of the District does hereby resolve, determine, and order a Zero Property Tax Transfer involving the proposed sphere of influence amendment and annexation of various parcels to the Monterey Peninsula Water Management District in accordance with District Resolution No. 2020-12.

PASSED AND ADOPTED on this 15th day of March, 2021 on a motion by Director Karen Paull and second by Director Mary L. Adams, by the following vote, to wit:

AYES: Director Edwards, Riley, Malek, Paull, Anderson, Roberson and Adams

NAYS: None

ABSENT: None

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 15th day of March 2021.

Witness my hand and seal of the Board of Directors this 15th day of March 2021.



David J. Stoldt,
Secretary to the Board