

AGREEMENT FOR TRANSFER OF APPROPRIATIONS LIMIT

This Agreement, dated October ___, 2019 (“Effective Date”), is by and between the Sonoma County Fire District (“District”), and the County of Sonoma, a political subdivision of the State of California (“County”).

RECITALS

1. On February 6, 2019, the Sonoma County Local Agency Formation Commission (“LAFCO”) adopted LAFCO Resolution No. 2700 approving: (i) a reorganization of territory designated as the Windsor Fire Protection District consisting of dissolution of the Bennet Valley Fire Protection District and the Rincon Valley Fire Protection District, detachment of the service area of the Mountain Volunteer Fire Company and Integrated Response Plan Areas from County Service Area No. 40 (Fire Services), and annexation of those territories to the Windsor Fire Protection District (the “Reorganized District”) and (ii) the “Sonoma County Fire District” as the official name of the Reorganized District.
2. As a prerequisite to LAFCO’s action, on January 29, 2019, the County Board of Supervisors approved a Property Tax Allocation Agreement with the District’s predecessor agencies—the Windsor Fire Protection District, the Rincon Valley Fire Protection District, the Bennett Valley Fire Protection District, and the Mountain Volunteer Fire Company in County Service Area No. 40—and expressly included transfer of property tax revenues from the County to the District.
3. On November 6, 1979, California voters approved an initiative that added Article XIII B to the State Constitution, subsequently amended by Proposition 98 in 1988 and Proposition 111 in 1990. The provisions of this article place limits on the amount of revenue that can be appropriated by all entities of government (“Appropriations Limit”). Each entity’s Appropriations Limit is based on actual appropriations during the 1978-1979 fiscal year (or its first full year of operation, if later), and is increased each year using specified population and inflationary growth factors. California Government Code section 56811 and Government Code section 7902.7 establishes the process to transfer appropriations limits between governmental entities.
4. Pursuant to Article XIII B, if responsibility for a governmental service is transferred from one entity to another, the Appropriations Limits of each affected entity must be adjusted to reflect that transfer. The adjustment is to be in such reasonable amount as the entities mutually agree.
5. As the provision of fire services in the Mountain Volunteer Fire Company and Integrated Response Plan Areas has transferred from County Service Area No. 40

(Fire Services) to the District, such an agreement is necessary to transfer appropriations limit from the County Service Area #40 to the District.

A G R E E M E N T

THE PARTIES hereto agree as follows:

1. As directed by the California Constitution, Article XIII B section 3, the District and County agree that \$63,703 represents the value of the current Appropriations Limit to transfer to the District for fiscal year 2019/2020 with the fire services to be transferred to the District.

2. County agrees to reduce the Appropriations Limit for County Service Area #40 by \$63,703 for fiscal year 2019/2020, and continuing thereafter, to reflect the transfer of limit to the District.

3. District agrees to reflect this increase of limit in its calculation of District's Appropriations Limit beginning in fiscal year 2019/2020 and continuing thereafter.

4. Both parties agree to take such administrative steps as may be necessary to implement this Agreement.

5. This Agreement may only be amended by mutual consent expressed in writing of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the Effective Date.

SONOMA COUNTY FIRE DISTRICT COUNTY OF SONOMA:

By: _____
Chair, Board of Directors

By: _____
Chair, Board of Supervisors

ATTEST:

ATTEST:

By: _____

By: _____
Clerk of the Board

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
District Counsel

By: _____
County Counsel