



Item No. 12 Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT AGENDA

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: LISA COSTA SANDERS, TOWN PLANNER

DATE: DECEMBER 20, 2017

SUBJECT: ADOPTION OF A RESOLUTION MAKING A DETERMINATION OF PROPERTY TAX EXCHANGE PURSUANT TO REVENUE AND TAXATION CODE SECTION 99 FOR DETACHMENT OF A PORTION OF 501 PALMER FROM THE TOWN OF ATHERTON

RECOMMENDATION

Adopt the attached Resolution providing for zero property tax transfer associated with the detachment of a portion of 501 Palmer from the Town of Atherton.

BACKGROUND

The subject site at 501 Palmer is approximately 34,500 square feet in area, consists of one Assessor Parcel (060-162-130) and is split by the Town boundary with the County of San Mateo. A majority of the parcel is located in the County. The property owner requests the portion of the property located within Atherton be detached to the County of San Mateo.



ANALYSIS

The property at 501 Palmer is a through lot with frontage on both Palmer Avenue and Santiago Avenue. The property discussed several options with Staff to develop the site including the possibility of annex all of the property into the Town of Atherton and develop the property in compliance with the Town's regulations. The property owner prefers to develop the property under the County of San Mateo regulations and requests the portion of property located within Atherton be detached from the Town and fall under County jurisdiction. This would clear up any issues with one property being served by two different jurisdictions.

Any property tax from the parcel (split by the County/Town boundary) currently goes to the County of San Mateo. Because there is no current property tax distributed to the Town, there is no fiscal impact of the transfer. While the Town does not have to approve or deny the actual detachment, the State Revenue and Tax Code requires the adoption of a Resolution establishing the property tax exchange rate prior to any action on annexation or detachment.

POLICY ISSUES

The request detachment from the Town and zero property tax exchange should be considered specific for this unique property and is not precedent setting.

FISCAL IMPACT

None.

ENVIRONMENTAL IMPACT

The project has been determined to be exempt from further analysis pursuant to the California Environmental Quality Act (CEQA) analysis pursuant to CEQA section 15305; Minor alteration in land use limitation.

PUBLIC NOTICE

Public notification was achieved by posting the City Council agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power and sewer), and regional elected officials.

ATTACHMENT

Resolution

RESOLUTION 17-_____
A RESOLUTION OF CITY COUNCIL OF THE TOWN OF ATHERTON
MAKING A DETERMINATION OF PROPERTY TAX EXCHANGE
PURSUANT TO REVENUE AND TAXATION CODE SECTION 99 FOR
DETACHMENT OF A PORTION OF 501 PALMER FROM THE TOWN OF ATHERTON

RESOLVED, by the City Council of the Town of Atherton, State of California, that

WHEREAS, state law requires that the County of San Mateo and the Town of Atherton negotiate a property tax exchange relating to the proposed detachment of a portion of 501 Palmer from the Town of Atherton; and

WHEREAS, as an assessor's parcel split by the Town/County boundary, all property tax for the parcel is distributed to the County of San Mateo and it is therefore necessary to adopt resolutions of zero property tax transfer; and

WHEREAS, the subject determination has been made prior to and as a condition precedent to the Executive Officer of the Local Agency Formation Commission issuing the Certificate of Filing on said proposal; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ATHERTON AS FOLLOWS:

The property tax incremental factor to be transferred from the Town of Atherton to the County shall be zero.

In accordance with Section 3a of Article XIII B of the State Constitution, the appropriation limit of the Town shall be not change based on this agreement.

DULY AND REGULARLY ADOPTED this 20th day of December, 2017.

AYES: Councilmembers:
NOES: Councilmembers:
ABSTAIN: Councilmembers:
ABSENT: Councilmembers:

Michael Lempres, Mayor
Town of Atherton

ATTEST:

Theresa N. DellaSanta, City Clerk

APPROVED AS TO FORM:

William B. Conners, City Attorney