

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 04/12/2016 by the following vote:

		John Gioia
		Candace Andersen
AYE:	<input checked="" type="checkbox"/>	Mary N. Piepho
		Karen Mitchoff
		Federal D. Glover
NO:	<input type="checkbox"/>	
ABSENT:	<input type="checkbox"/>	
ABSTAIN:	<input type="checkbox"/>	
RECUSE:	<input type="checkbox"/>	



Resolution No. 2016/318

RESOLUTION AUTHORIZING AMENDMENTS TO PROPERTY TAX TRANSFERS FROM WEST CONTRA COSTA HEALTH CARE DISTRICT TO CONTRA COSTA COUNTY

WHEREAS, the West Contra Costa Healthcare District, a California local health care district (the "District"), previously operated Doctors Medical Center – San Pablo, a licensed general acute care hospital located in San Pablo, California;

WHEREAS, Section 99.02 of the California Revenue and Taxation Code (the "R&T Code") authorizes the District and Contra Costa County (the "County") to modify the allocation of property tax revenues between them, provided the modification does not violate the conditions set forth in R&T Code Section 99.02 and does not affect the tax revenue allocation for any other public entity;

WHEREAS, the County and the District previously entered into two agreements that authorize the County Auditor to transfer and allocate to County ad valorem property tax revenues that otherwise would be allocated to the District — the Amended And Restated Second Agreement For Property Tax Transfer From West Contra Costa Healthcare District To Contra Costa County, dated July 16, 2013 (the "Second Agreement"), and the Third Agreement for Property Tax Transfer from West Contra Costa Healthcare District to Contra Costa County, dated July 1, 2014 (the "Third Agreement");

WHEREAS, the County and the District entered into an amendment to the Second Agreement, effective December 3, 2014, which directed the County Auditor Controller to allocate and transfer to the District \$3,000,000 in District ad valorem property taxes that would otherwise be transferred to the County under the Second Agreement;

WHEREAS, a total \$13,277,804 in ad valorem property tax revenue remains to be transferred to the County pursuant to the Second Agreement, and a total of \$8,200,000 in ad valorem property tax revenue remains to be transferred to the County pursuant to the Third Agreement, for a total combined sum of \$21,477,804 that remains due and owing to the County;

WHEREAS, in April, 2015, District announced that it would close Doctors Medical Center – San Pablo due to funding shortfalls;

WHEREAS, the District has requested that the County agree to forego \$1,000,000 of the District's ad valorem property tax allocation that would otherwise be transferred to the County on an annual basis under the Second Agreement and under the Third Agreement for the purpose of assisting the District in winding down its affairs;

WHEREAS, in consideration of County's agreement to forego \$1,000,000 in ad valorem property taxes that would otherwise be transferred to it under the Second Agreement and under the Third Agreement, and the resulting extension of time in which the County will receive the ad valorem property taxes under the Second Agreement and the Third Agreement, the District has agreed to authorize the County Auditor to make a final transfer of District ad valorem property taxes to the County in the amount of \$645,000, to be transferred after \$8,200,000 in District ad valorem property taxes have been transferred under the Third Agreement.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Contra Costa County that:

1. The foregoing recitals are incorporated herein by reference.
2. The County Administrator is directed to execute an amendment to the Second Agreement that directs the County Auditor

to transmit to the District, instead of to the County, \$1,000,000 of the District's ad valorem property tax allocation beginning in fiscal year 2015-16, and continuing until all amounts to be transferred to the County under the Second Agreement have been transferred. The amendment to the Second Agreement will not alter the total amount of property taxes that the County Auditor is required to transfer to the County under the Second Agreement.

3. The County Administrator is directed to execute an amendment to the Third Agreement that (a) directs the County Auditor to transmit to the District, instead of to the County, \$1,000,000 of the District's ad valorem property tax allocation beginning in fiscal year 2015-16, and continuing until all amounts to be transferred to the County under the Third Agreement have been transferred, and (b) directs the County Auditor to make a final transfer of District ad valorem property taxes to the County in the amount of \$645,000, to be transferred after \$8,200,000 in District ad valorem property taxes have been transferred under the Third Agreement. The amendment to the Third Agreement will not alter the total amount of property taxes that the County Auditor is required to transfer to the County under the Third Agreement.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Supervisor John Gioia (510)
374-3231**

ATTESTED: April 12, 2016

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

cc: Robert Campbell, County Auditor-Controller, WCCHCD Board (via District I Office), Colin Coffey