

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisors Jeffries and Benoit

SUBMITTAL DATE:
June 18, 2013

SUBJECT: Introduction of Ordinance No. 920 Adopting the Provisions of California Constitution, Article XIII A, Section 2 Relating to the Assessed Valuation of Replacement Property and Authorize a Fee

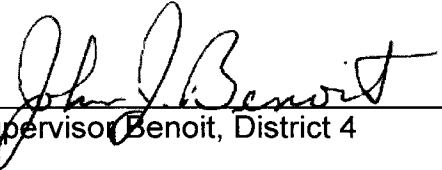
RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and set for public hearing Ordinance No. 920 Adopting the Provisions of California Constitution, Article XIII A, Section 2 Relating to the Assessed Valuation of Replacement Property within Riverside County and authorize a fee for processing of rescission of a claim;
2. Direct the Clerk of the Board to set a public hearing for July 30, 2013, to consult with local affected agencies and give notice of the public hearing to each affected taxing agency and pursuant to Government Code §6062a; and

(continues on page 2)



Supervisor Jeffries, District 1



Supervisor Benoit, District 4

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:
	Annual Net County Cost:	\$ 0	For Fiscal Year:

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

County Executive Office Signature

Consent Policy
 Consent Policy

Dept' Recomm.:
 Per Exec. Ofc.:

Departmental Concurrence

3. Upon close of the public hearing, bring back on a successive week for final adoption.

BACKGROUND:

On April 23, 2013, Agenda Item 3.2, the Board approved an order to initiate a new ordinance to adopt and implement the provisions of Proposition 90 in Riverside County and authorize a fee for processing any requests for rescission of a claim. This ordinance would allow for the transfer, by any person over the age of 55 years (Proposition 90) or who is severely or permanently disabled (Proposition 110), of the established base year value of original property located in another county of this State to a replacement dwelling located within the County of Riverside. Such an ordinance was previously in effect in Riverside County (Ordinance 670) but was repealed effective July 1, 1995.

The current action will introduce a new ordinance to again implement the benefits afforded to qualified homeowners under Propositions 90 and 110 within the county. Because Revenue and Taxation Code Section 69.5 requires consultation between the Board of Supervisors and all local affected agencies, a notice public hearing concerning the adoption of this proposed ordinance is being scheduled to fulfill that requirement.

In addition, the Ordinance contains a proposed fee for processing a rescission of claim as authorized by Revenue and Taxation Code Section 69.5(i)(3). That fee is only charged after a claimant, who has submitted a claim for relief under the ordinance, chooses to submit a request to rescind the claim in accordance with the statutory requirements.

The adoption of Ordinance No. 920 is not a project under the California Environmental Quality Act because this activity will not cause a direct physical change or reasonably foreseeable indirect change in the environment. It is the adoption of a general policy and procedure by the Board of Supervisors and it does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. It merely allows a base year assessed value of a residential property to be preserved and transferred to a replacement property within this county.

1 b. All base valuations of original property located in another county and
2 determined by its assessor shall be accepted in connection with the granting of
3 claims for transfer of base year value.

4 Section 6. OPERATIVE PERIOD. This ordinance shall remain operative for a period of not
5 less than five (5) years following the Effective Date of its adoption, and continue in effect thereafter until
6 specifically repealed, or otherwise modified as authorized by law.

7 Section 7. OPERATIVE DATE. The provisions of this ordinance are applicable to any
8 otherwise qualified replacement dwelling which is purchased or newly constructed in the County of
9 Riverside on and after the Effective Date of this ordinance.

10 Section 8. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance
11 or the application thereof to any person or circumstances shall be held to be invalid, such invalidity shall
12 not affect the other provisions of this ordinance which can be given effect without the invalid provision or
13 application, and to this end, the provisions of this ordinance are hereby deemed to be severable.

14 Section 9. EFFECTIVE DATE. This ordinance shall take effect 30 days after the date of its
15 adoption.

16 BOARD OF SUPERVISORS OF THE
17 COUNT OF RIVERSIDE, STATE OF CALIFORNIA

18 By: _____
19 Chairman, Board of Supervisors

20 ATTEST:
21 Kecia Harper-Ihem
22 Clerk of the Board

23 By: _____
24 Deputy

25 APPROVED AS TO FORM
26 June ____, 2013

27 By: _____
28 MARSHA L. VICTOR
Principal Deputy County Counsel