BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

Τ	DEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO			
2	A RESOLUTION OF THE SAN BENITO COUNTY) Resolution No. 2016 BOARD OF SUPERVISORS APPROVING) FORMATION OF THE SAN BENITO GEOLOGIC)			
4	HAZARD ABATEMENT DISTRICT AND) APPOINTING THE BOARD OF SUPERVISORS)			
5	OF THE COUNTY TO SERVE AS THE GHAD BOARD) OF DIRECTORS			
6	——————————————————————————————————————			
7 8	WHEREAS, pursuant to the provisions of Section 26550 of the California Public Resource Code, the Board of Supervisors on April 12, 2016 adopted Resolution No. 2016-23 declaring that the County of San Benito is subject to the provisions of Division 17 (Section 26500 et seq.) of the Public Resources Code ("GHAD Laws"), and forwarded a copy of Resolution No. 2016-23 to the State Controller; and			
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11 12	WHEREAS, on April 12, 2016, the Board of Supervisors considered and adopted Resolution No. 2016-24 accepting the Petition for Formation of the San Benito GHAD and set a hearing on the formation for May 10, 2016 at 9:00 a.m.; and			
13	WHEREAS, notice of the hearing on the formation of the GHAD was given in accordance with the provisions of Public Resources Code Sections 26558 and 26561-63; and			
15 16	WHEREAS, a public hearing before the Board of Supervisors on the formation of the GHAD was held on May 10, 2016 at 9:00 a.m.; and			
17 18	WHEREAS, at the time set for the hearing no owner of real property within the proposed GHAD made an objection to its formation in accordance with the provisions of Public Resources Code Section 26564; and			
19	WHEREAS, at the May 10, 2016 hearing, the owners of more than 50 percent of the assessed valuation of the real property within the proposed GHAD did not object to the GHAD's formation and the Board of Supervisors closed the hearing; and			
21	WHEREAS, upon adoption of this Resolution, the GHAD shall be immediately formed as a			
22 23	governmental district, a political subdivision of the State of California, governed in accordance with Public Resources Code Sections 26500, et seq., and a legal entity entirely distinct an separate from the County of San Benito and the County Board of Supervisors.			
24	NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Sar			
25	Benito hereby approves and orders the formation of the San Benito GHAD as described in the Petition submitted to the Clerk of the Board on March 7, 2016 and in the draft Plan of Controdated February 5, 2016.			
27	BE IT FURTHER RESOLVED that in accordance with Public Resources Code Section 26567,			
28	the Board of Supervisors appoints itself as the Board of Directors for the San Benito GHAD.			

BE IT FURTHER RESOLVED that in addition to all other legal requirements, the GHAD will be responsible for hiring its own staff (or contracting with parties to perform such staff services),

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1 2 3	including all workers who will undertake operation, maintenance, replacement, repair, and oth activities of the GHAD, and no County employees shall perform such services for GHAD facility and improvements unless the GHAD and the County enter into an agreement that makes clear the County employees are acting as GHAD employees when providing services for the GHAD.			
4 5	BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption and the GHAD shall become operational only as defined in the Plan of Control.			
6 7	BE IT FURTHER RESOLVED that the GHAD Board will adopt a separate Resolution to initiate the establishment and authorization of an assessment on the real property included in the GHAD.			
8 9 10	BE IT FURTHER RESOLVED that the Board of Supervisors finds that the formation of the GHAD is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with Public Resources Code Sections 21080(b)(4) and directs staff to file a notice of Exemption with the San Benito County Clerk.			
11 12 13	BE IT FURTHER RESOLVED that the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the Board of Supervisors' decision is based are respectively the Clerk of the Board at 481 Fourth Street, Hollister, CA 95023.			
14 15	BE IT FURTHER RESOLVED that the recitals contained in this Resolution are true and correct and are an integral part of the Board of Supervisors' decision.			
16 17 18	This Resolution shall become effective immediately upon its passage and adoption. PASSED AND ADOPTED by the San Benito County Board of Supervisors, State of California, at the meeting of said Board held on the 10th day of May, 2016.			
19 20 21	Ayes: Supervisor Noes: Supervisor Absent: Supervisor Abstain: Supervisor	r(s): r(s):		
22			By:Robert Rivas, Chair	
24 25	ATTEST: Louie Valdez, Clerk of the	ne Board	APPROVED AS TO LEGAL FORM: San Benito County Counsel's Office	
262728	By:		By: Shirley L. Murphy, Deputy County Counsel Date: April 29 2016	
∠8	Attachment 1 – GHAD 1			

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