

RESOLUTION NO. _____

A RESOLUTION OF THE SAN BENITO COUNTY BOARD OF SUPERVISORS

**A RESOLUTION OF INTENTION TO CONTINUE ASSESSMENTS FOR FISCAL YEAR 2016-17,
PRELIMINARILY APPROVING ENGINEER'S REPORT
AND PROVIDING FOR NOTICE OF HEARING
FOR THE SAN BENITO COUNTY MOSQUITO ABATEMENT PROGRAM,
MOSQUITO AND DISEASE CONTROL ASSESSMENT**

WHEREAS, on July 24, 2007 by its Resolution No. 2007-65, the San Benito County Board of Supervisors (the "Board") authorized the levy of assessments for the Mosquito and Disease Control Assessment (the "Assessment") pursuant to the provisions of the Health and Safety Code section 2080 et seq. and Article XIID of the California Constitution; and

WHEREAS, the San Benito County Mosquito Abatement Program ("Program") was established in 2007 as a department within the San Benito County Agricultural Commissioner's Office by the San Benito County Board of Supervisors to provide mosquito and disease control services; and

WHEREAS, the purpose of the Assessment is to fund the Program's mosquito and disease control services, which includes a system of public projects, programs, public improvements and services intended to provide for the surveillance, prevention, abatement and control of mosquitoes and the diseases they carry throughout the Program's boundaries ("Services"); and

WHEREAS, such mosquito and disease control services provide tangible health benefits, reduced nuisance benefits and other direct and special benefits to certain real properties in the northwest area of San Benito County (the "Service Area"); and

WHEREAS, the mission of the Program is to reduce the risk of disease transmission by mosquitoes and nuisance caused by these vectors in the northwest portion of San Benito County; and

WHEREAS, the first Engineer's Report for Fiscal Year 2007-08 described how the assessment district would be established, determined the uses of the assessment funds, established the methodology by which the assessments would be applied to properties in the Program, established that the assessment is subject to an annual adjustment tied to the annual change in the Consumer Price Index for the San Francisco Bay Area, and stated that the assessment would continue year-to-year until terminated by the San Benito County Board of Supervisors; and

WHEREAS, although the methodology by which the assessments are applied to properties in the District does not change from year to year, a new Engineer's Report is prepared each year in order to establish the CPI adjustment for that year; the new maximum authorized assessment rate for that year; the budget for that year; and the amount to be charged to each parcel in the Program that year, subject to that year's assessment rate and any changes in the attributes of the properties in the Program,

including but not limited to use changes, parcel subdivisions, and/or parcel consolidations; and

WHEREAS, San Benito County is authorized, pursuant to the authority provided in Health and Safety Code Section 2082 and Article XIID of the California Constitution, to levy assessments for mosquito and disease control services; and

WHEREAS, the Assessment was authorized by an assessment ballot proceeding conducted in 2007 and approved by 62.88% of the weighted ballots returned by property owners, and such assessments were first levied by the San Benito County Board of Supervisors by Resolution No. 2007-65 passed on July 24, 2007;

NOW, THEREFORE, BE IT RESOLVED by the San Benito County Board of Supervisors that:

1. SCI Consulting Group, a registered professional engineer (the Engineer of Work), has prepared an engineer's report in accordance with Article XIID of the California Constitution and the California Government and Health and Safety Codes (the "Report"). The Report has been made, filed with the Clerk of the Board and duly considered by the Board and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.
2. This Board intends to continue to levy and collect assessments for the Mosquito and Disease Control Assessment for fiscal year 2016-17 for the proposed projects and services set forth in the Report. Within the San Benito County Mosquito Abatement Program service area, the proposed projects and services are generally described as mosquito and disease control services such as surveillance, source reduction, identification and elimination of removable breeding locations, identification and treatment of breeding and source locations, application of materials to eliminate larvae, disease surveillance and monitoring, public education, reporting, accountability, research and interagency cooperative activities (the "Services").
3. Reference is hereby made to the Engineer's Report for a full and detailed description of the proposed projects and services and the proposed fiscal year 2016-17 continued assessments upon assessable lots and parcels of land.
4. The estimated fiscal year 2016-17 Mosquito Abatement Budget to provide the services is \$205,472. This cost results in a proposed assessment rate of ELEVEN DOLLARS AND TWENTY TWO CENTS (\$11.22) per single-family equivalent benefit unit for fiscal year 2016-17. The Assessments include an annual increase equal to the change in the San Francisco Bay Area Consumer Price Index ("CPI"), not to exceed 3% (three percent) per year without a further vote or balloting process. The change in the CPI in 2015 was 3.17% therefore, the maximum authorized assessment rate for Fiscal Year 2016-17 has been increased from \$11.74 to \$12.10 per Single Family Equivalent Benefit unit (SFE). However, the assessment rate proposed to be levied for fiscal year 2016-17 is \$11.22, which is less than the maximum authorized rate.
5. Notice is hereby given that on July 26, 2016, at the hour of 10:00 a.m. at the meeting chamber of the San Benito County Board of Supervisors located at the County Administrative Building,

481 4th Street, 1st Floor, Hollister, CA 95023, the Board will hold a public hearing to consider the ordering of the Services, and the levy of the assessments for fiscal year 2016-17.

6. The Clerk of the Board shall cause a notice of the hearing to be given by publishing a notice, at least ten (10) days prior to the date of the hearing above specified, in a newspaper circulated in the Program's Service Area.

PASSED and ADOPTED by the San Benito County Board of Supervisors at a regular meeting thereof held on June 14, 2016 by the following vote:

AYES: Supervisor(s)

NOES: Supervisor(s)

ABSENT: Supervisor(s)

ABSTAIN: Supervisor(s)

By: _____
Robert Rivas, Chair

ATTEST:

Louie Valdez, Clerk of the Board

APPROVED AS TO LEGAL FORM

Matthew W. Granger, County Counsel

By: _____

By: _____

Date: _____

Date: _____