

1 **BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO**

2 A RESOLUTION OF THE SAN BENITO COUNTY) Resolution No. 2020-_____
3 BOARD OF SUPERVISORS AUTHORIZING THE)
4 LEVY OF SPECIAL TAXES FOR FISCAL YEAR)
5 2020/2021 WITHIN COMMUNITY FACILITIES)
6 DISTRICT NO. 2015-01 (SANTANA RANCH))

7 **WHEREAS**, the Board of Supervisors (the "Board") of San Benito County ("County"), previously
8 established Community Facilities District No. 2015-01 (Santana Ranch) ("CFD 2015-01") pursuant
9 to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended,
10 commencing with Government Code Section 53311 (the "Act"); and

11 **WHEREAS**, the Board, acting as the legislative body of CFD 2015-01, is authorized pursuant to
12 the Resolution of Formation and Ordinance No. 955, adopted by the Board, to levy a special tax
13 sufficient to pay certain costs of the Services and Incidental Expenses (as defined in the Resolution
14 of Formation); and

15 **WHEREAS**, it is now necessary and appropriate that this Board provide for the levy and collection
16 of the special taxes for Fiscal Year 2020/2021 for the purposes specified in the Resolution of
17 Formation and Ordinance, by the adoption of a resolution as specified by the Act and the
18 Ordinance.

19 **NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors for the County of San
20 Benito, that it hereby makes the following findings and determinations:

- 21 1. The above recitals are true and correct.
- 22 2. The special tax is imposed without regard to property valuation and is levied in compliance
23 with the Act and the Ordinance.
- 24 3. The special tax includes an annual increase equal to the change in the San Francisco-
25 Oakland-San Jose Area Consumer Price Index ("CPI") per year without a further vote or
26 balloting process. The change in the CPI in 2019 was 3.31% therefore, the maximum
27 authorized special tax rate for Fiscal Year 2020/2021 has been increased from \$662.58 to
28 \$684.51 per developed residential unit
- 29 4. In accordance with the Act and the Ordinance, there is hereby levied upon the developed
30 residential parcels within the CFD 2015-01 which are not otherwise exempt from taxation
31 under the Act or the Ordinance special taxes for the Fiscal Year 2020/2021 at the special tax
32 rate set at \$684.51 per developed residential unit, which special tax rate does not exceed the
33 maximum special tax rate set forth in the Ordinance. After adoption of this Resolution, the
34 CFD Levy Administrator, may make any necessary modifications to these special taxes to
35 correct any errors, omissions or inconsistencies in the listing or categorization of parcels to
36 be taxed or in the amount to be charged to any category of parcels; provided, however, that
37 any such modifications shall not result in an increase in the special tax applicable to any
38 category of parcels and is made prior to the submission of the tax rolls to the San Benito
39 County Auditor.

5. All of the collections of the special tax shall be used only as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed to accomplish the purposes described in the Resolution of Formation.
6. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes except as such procedure may be modified by law and by this Board.
7. The CFD Administrator is hereby authorized and directed to transmit a certified copy of this Resolution to the San Benito County Auditor, together with other supporting documentation as may be required to place said special taxes on the secured property tax roll for the Fiscal Year 2020/2021, and to perform all other acts which are required by the Act, the Ordinance, or by law in order to accomplish the purpose of this Resolution.
8. The levy of the special tax for fiscal year 2020/2021 does not constitute a project pursuant to the California Environmental Quality Act (CEQA), Guidelines section 15378(b)(4), because it involves government fiscal activities which do not involve the commitment to any project which may result in a potentially significant physical impact on the environment. The special tax only provides a funding mechanism for the purposes described in the Resolution of Formation. The levy of the special tax shall not constitute approval of, or commitment to, any specific project. The action of the Board on today's date is not intended to and shall not be construed to approve, even preliminarily or in concept, any specific project.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO THIS 18th DAY OF AUGUST, 2020 BY THE FOLLOWING VOTE:

Ayes: Supervisor(s):
 Noes: Supervisor(s):
 Absent: Supervisor(s):
 Abstain: Supervisor(s)

By: _____
 Jaime De La Cruz, Chair

ATTEST:
 Janet Slibsager, Clerk of the Board

APPROVED AS TO LEGAL FORM:
 San Benito County Counsel's Office

By: _____

By: Shirley L. Murphy
 Shirley L. Murphy, Deputy County Counsel

Date: _____

Date: Aug. 14, 2020