

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

A RESOLUTION OF THE SAN BENITO ) Resolution No. \_\_\_\_\_  
COUNTY BOARD OF SUPERVISORS )  
CALLING FOR A MAIL BALLOT ELECTION )  
ON APRIL 30, 2021, FOR VOTER-APPROVAL )  
OF PROPERTY-RELATED FEES IN COUNTY )  
SERVICE AREA, 50 ALSO KNOWN AS )  
DUNNEVILLE ESTATES )

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WHEREAS, pursuant to the County Service Area Law (Gov't Code Sec. 25210 *et seq*) (the "Law"), the Board of Supervisors has created the County Service Areas listed in Exhibit A of this Resolution (the "CSA'S") for the purpose of providing extended county services to properties located within the CSA; and

WHEREAS, Section 25215.5 of the Law authorizes the Board to impose property-related fee that will supplement/augment the existing parcel charge for five years (FY 2021/22 through FY 2025/2026). This fee will not change or modify the existing CSA fees. After five years, this new fee will terminate, and only the currently existing fees will remain.

WHEREAS, fees upon real property located within each CSA identified herein imposed to fund extended county services are subject to the requirements of Article XIID, Section 6 of the California Constitution ("Proposition 218") and Government Code Section 53755 (the "Implementation Act"); and

WHEREAS, by its Resolution No. 2020-87, adopted on Tuesday, November 17<sup>th</sup>, 2020, the Board of Supervisors confirmed the proposed imposition of a property-related fee in County Service Area No. 50 (Dunneville) for extended county services related to landscaping and gate installation service; and

WHEREAS, by that same Resolution, the Board of Supervisors set for January 12<sup>th</sup>, 2021 at 9:00 AM in the Board Chambers a public hearing on these proposed property-related fees and directed that notice of such hearing be given in the manner required by Proposition 218 and the Implementation Act; and

WHEREAS, at the appointed time and pursuant to properly-mailed notice, the Board of Supervisors held a full and fair public hearing on the proposed property-related fees.

WHEREAS, at the scheduled protest hearing, no protests were received.

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

1. Recitals: The above recitals are all true and correct.
2. Election Called: There is hereby called for **April 30, 2021**, within each of the CSA's listed in Exhibit "A" for which a majority protest has not been found to exist, a special all mailed ballot election for the purpose of obtaining voter approval pursuant to Article XIID, Section 6(c) of the California Constitution for the proposed fees. The election shall be held by mail ballot, and the election shall be conducted pursuant to procedures

established by the Board of Supervisors by Resolution on March 9, 2021. Each individual submitting a ballot shall be required to certify, under penalty of perjury, that he or she is the record owner or is authorized to submit a ballot on behalf of the record owner. Absent a challenge supported by contrary evidence, the elections official shall be entitled to rely on such certification without further verification. Ballots shall be accepted by the elections official, or his designee ("collectively hereafter referred to as "elections official") at his office, or a place otherwise designated by the elections official, until **5:00 PM** on the day of the election. The elections official shall be reimbursed by the CSA for the cost of administering the election. Parcels exempt from the fee shall not be allocated a vote. The elections official may adopt such regulations as are necessary to conduct the election. The question to be submitted in each election shall be as set forth in "Exhibit B" to this Resolution. Passage of each measure requires a majority vote of the ballots cast.

3. Notice of Election: Notice of the election called pursuant to Section 2 of this Resolution is hereby given and the elections official is hereby authorized to give additional notice of said election as required by law and to make such expenditures and preparations as are required for the conduct of the election.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO THIS 9th OF MARCH, 2021 BY THE FOLLOWING VOTE:

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

By: \_\_\_\_\_  
Mark Medina, Chair

**ATTEST:**  
Jennifer Frechette  
Clerk of the Board of Supervisors

**APPROVED AS TO LEGAL FORM:**  
Barbara Thompson  
San Benito County Counsel

By: \_\_\_\_\_

By: \_\_\_\_\_  
Barbara Thompson, County Counsel

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## **EXHIBIT A**

1. CSA No. 50

**EXHIBIT B**

**COUNTY SERVICE AREA  
BALLOT MEASURE**

County Service Area No. 50 (Dunneville)

Shall a property-related fee be imposed at the rate of \$640.00/Equivalent Dwelling Unit for five years, raising \$19,200/annually, for construction of a gate, landscaping, fencing, and related expenses (water and electrical connection), with any excess funds dedicated to existing CSA budget, to (1) reduce PG&E expenses and (2) increase CSA 50 reserves for the operation and maintenance of the water system, utilities, gate and road, be adopted?	<b>YES</b>	
	<b>NO</b>	

