

BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

A RESOLUTION OF INTENTION OF THE SAN BENITO  
COUNTY BOARD OF SUPERVISORS, TO CONTINUE  
ASSESSMENTS FOR FISCAL YEAR 2018-19, PRELIMINARILY  
APPROVING ENGINEER'S REPORT AND PROVIDING FOR  
NOTICE OF HEARING FOR THE SAN BENITO COUNTY  
ABATEMENT PROGRAM, MOSQUITO AND DISEASE  
CONTROL ASSESSMENT

Resolution No. \_\_\_\_\_

**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

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

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

- 6 1. SCI Consulting Group, a registered professional engineer (the Engineer of Work), has prepared  
7 an engineer's report in accordance with Article XIID of the California Constitution and the  
8 California Government and Health and Safety Codes (the "Report"). The Report has been made,  
9 filed with the Clerk of the Board and duly considered by the Board and is hereby deemed sufficient  
10 and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent  
11 proceedings under and pursuant to the foregoing resolution.
- 12 2. This Board intends to continue to levy and collect assessments for the Mosquito and Disease  
13 Control Assessment for fiscal year 2018-19 for the proposed projects and services set forth in the  
14 Report. Within the San Benito County Mosquito Abatement Program service area, the proposed  
15 projects and services are generally described as mosquito and disease control services such as  
16 surveillance, source reduction, identification and elimination of removable breeding locations,  
17 identification and treatment of breeding and source locations, application of materials to eliminate  
18 larvae, disease surveillance and monitoring, public education, reporting, accountability, research  
19 and interagency cooperative activities (the "Services").
- 20 3. Reference is hereby made to the Engineer's Report for a full and detailed description of the  
21 proposed projects and services and the proposed fiscal year 2018-19 continued assessments  
22 upon assessable lots and parcels of land.
- 23 4. The estimated fiscal year 2018-19 Mosquito Abatement Budget to provide the services is  
24 \$253,131. This cost results in a proposed assessment rate of ELEVEN DOLLARS AND TWENTY  
25 TWO CENTS (\$11.22) per single-family equivalent benefit unit for fiscal year 2018-19. The  
26 Assessments include an annual increase equal to the change in the San Francisco Bay Area  
27 Consumer Price Index ("CPI"), not to exceed 3% (three percent) per year without a further vote or  
28 balloting process. The change in the CPI in 2016 was 2.94% therefore, the maximum authorized  
assessment rate for Fiscal Year 2018-19 has been increased from \$12.46 to \$12.83 per Single  
Family Equivalent Benefit unit (SFE). However, the assessment rate proposed to be levied for  
fiscal year 2018-19 is \$11.22, which is less than the maximum authorized rate.
5. Notice is hereby given that on July 10, 2018, at the hour of 9:00 a.m. at the meeting chamber of  
the San Benito County Board of Supervisors located at the County Administrative Building, 481 4<sup>th</sup>  
Street, 1<sup>st</sup> 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 2018-19.
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.

1 PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO THIS  
2 12<sup>th</sup> DAY OF JUNE, 2018 BY THE FOLLOWING VOTE:

3 AYES: SUPERVISORS  
4 NOES: SUPERVISORS  
5 ABSENT: SUPERVISORS  
6 ABSTAIN: SUPERVISORS

7 By: \_\_\_\_\_  
8 Anthony Botelho, Chair

9 **ATTEST:**  
10 Janet Slibsager, Clerk of the Board

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

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

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

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

17 Date: June 6, 2018