

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

2
3 A RESOLUTION OF THE SAN BENITO) Resolution No. 20__-____
4 COUNTY BOARD OF SUPERVISORS)
5 AUTHORIZING THE LEVY OF SPECIAL)
6 TAXES FOR FISCAL YEAR 2018-19 WITHIN)
7 COMMUNITY FACILITIES DISTRICT)
8 NO. 2015-01 (SANTANA RANCH))

9 **WHEREAS**, the Board of Supervisors (the "Board") of San Benito County
10 ("County"), pursuant to the terms and provisions of the Mello-Roos Community
11 Facilities Act of 1982, as amended, commencing with Government Code Section 53311
12 (the "Act"), previously established Community Facilities District No. 2015-01 (Santana
13 Ranch) ("CFD 2015-01") on September 8, 2015 pursuant to Resolution No. 2015-68 (the
14 "Resolution of Formation") and Ordinance No. 955 adopted by the Board on February 21,
15 2017 (the "Ordinance"); and

16 **WHEREAS**, the Board, acting as the legislative body of CFD 2015-01, is authorized
17 pursuant to the Resolution of Formation and the Ordinance to levy a special tax sufficient
18 to pay certain costs of the Services and Incidental Expenses for CFD 2015-01 (as defined
19 in the Resolution of Formation); and

20 **WHEREAS**, it is now necessary and appropriate that this Board provide for the
21 levy and collection of the special taxes for the Fiscal Year 2018-2019 for the purpose
22 specified in the Resolution of Formation and the Ordinance, by the adoption of a
23 resolution as specified by the Act and the Ordinance; and

24 **WHEREAS**, the special taxes being levied hereunder are at the same rate or at a
25 lower rate than provided by the Ordinance.

26 **NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the
27 County of San Benito, that it hereby makes the following findings and determinations
28 and authorizes and directs the County Officials identified herein to take the following
actions:

Section 1. The foregoing recitals are true and correct.

1 Section 2. The special tax is imposed without regard to property valuation and
2 is levied in compliance with the Act and the Ordinance.

3 Section 3. The special tax includes an annual increase equal to the change in
4 the San Francisco-Oakland-San Jose Area Consumer Price Index (“CPI”) per year without
5 a further vote or balloting process. The change in the CPI in 2017 was 3.22% therefore,
6 the maximum authorized special tax rate for Fiscal Year 2018-19 has been increased from
7 \$618.06 to \$637.96 per developed residential unit.

8 Section 4. In accordance with the Act and the Ordinance, there is hereby levied
9 upon the developed residential parcels within the CFD 2015-01 which are not otherwise
10 exempt from taxation under the Act or the Ordinance special taxes for the Fiscal Year
11 2018-2019 at the special tax rate set at \$637.96 per developed residential unit, which
12 special tax rate does not exceed the maximum special tax rate set forth in the Ordinance.
13 After adoption of this Resolution, the CFD Levy Administrator, may make any necessary
14 modifications to these special taxes to correct any errors, omissions or inconsistencies in
15 the listing or categorization of parcels to be taxed or in the amount to be charged to any
16 category of parcels; provided, however, that any such modifications shall not result in an
17 increase in the special tax applicable to any category of parcels and is made prior to the
18 submission of the tax rolls to the San Benito County Auditor.

19 Section 5. All of the collections of the special tax shall be used only as provided
20 for in the Act and the Resolution of Formation. The special tax shall be levied only so
21 long as needed to accomplish the purposes described in the Resolution of Formation.

22 Section 6. The special tax shall be collected in the same manner as ordinary ad
23 valorem taxes are collected and shall be subject to the same penalties and the same
24 procedure and sale in cases of delinquency as provided for ad valorem taxes except as
25 such procedure may be modified by law and by this Board.

26 Section 7. The CFD Levy Administrator is hereby authorized and directed to
27 transmit a certified copy of this Resolution to the San Benito County Auditor, together
28 with other supporting documentation as may be required to place said special taxes on

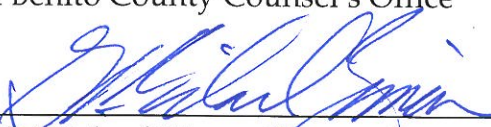
1 the secured property tax roll for the Fiscal Year 2018-2019, and to perform all other acts
2 which are required by the Act, the Ordinance, or by law in order to accomplish the
3 purpose of this Resolution.

4 **PASSED AND ADOPTED** by the San Benito County Board of Supervisors at the
5 meeting of said Board held on the 21st day of August 2018, by the following vote:

- 6
7 AYES: Supervisor(s)
8 NOES: Supervisor(s)
9 ABSENT: Supervisor(s)
10 ABSTAIN: Supervisor(s)

11
12 By: _____
13 Anthony Botelho, Chair

14
15 ATTEST:
16 Janet Slibsager, Clerk of the Board

17 APPROVED AS TO LEGAL FORM:
18 San Benito County Counsel's Office
19 By:  _____
20 G. Michael Ziman, Deputy County Counsel

21 Date: _____

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28 Date: August 3, 2018