

BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

A RESOLUTION DECLARING THE RESULTS )  
OF THE SPECIAL LANDOWNER ELECTION )  
AND DIRECTING THE RECORDING OF NOTICE )  
OF A SPECIAL TAX LIEN )  
\_\_\_\_\_)  
COUNTY OF SAN BENITO COMMUNITY )  
FACILITIES DISTRICT NO. 2018-1 )  
(Residential Services) )  
\_\_\_\_\_)

Resolution No. 2018-\_\_\_\_

**WHEREAS**, the Board of Supervisors of San Benito County (the "Board") has adopted a resolution entitled "Resolution of Formation of Community Facilities District" (the "Resolution of Formation"), ordering the formation of the "County of San Benito Community Facilities District No. 2018-1 (Residential Services)" (the "CFD"), authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act").

**WHEREAS**, under the provisions of the Resolution of Formation and pursuant to a resolution entitled "Resolution Calling Special Landowner Election for Community Facilities District" (the "Election Resolution") heretofore adopted by this Board, the propositions of the levy of the special tax and the establishment of the appropriations limit were submitted to the qualified electors of the CFD as required by the provisions of the Act.

**WHEREAS**, pursuant to the terms of the Election Resolution, which are by this reference incorporated herein, the special election has been held and the Clerk of the Board has certified to a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, this Board has been informed of the Canvass, finds it appropriate and wishes to complete its proceedings for the CFD.

**NOW, THEREFORE, BE IT RESOLVED:**

Section 1. Recitals. The foregoing recitals are all true and correct.

Section 2. Issues Presented. The issues presented at the special election were the levy of a special tax within the CFD and the approval of an annual appropriations limit of not to exceed \$1,000,000, all pursuant to the Resolution of Formation.

Section 3. Canvass and Issues Approved. The Board hereby approves the Canvass and finds that it shall be a permanent part of the record of its proceedings for the CFD. Pursuant to the Canvass, the issues presented at the special election were approved by the qualified electors of the CFD by more than two-thirds of the votes cast at the special election.

Section 4. Proceedings Approved. Pursuant to the voter approval, the CFD is hereby declared to be fully formed with the authority to levy the special taxes and to have the established appropriations limit, all as heretofore provided in these proceedings and in the Act. It is hereby found that all prior proceedings and actions taken by this Board with respect to the CFD were valid and in conformity with the Act.

Section 5. Notice of Tax Lien. The Clerk of the Board is hereby directed to complete, execute and cause to be recorded in the office of the County Recorder of the County of San Benito a notice of special tax lien in the form required by the Act, such recording to occur no later than fifteen (15) days following adoption of this resolution by the Board.

Section 6. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED by the San Benito County Board of Supervisors at the meeting of said Board held on 25th day of September, 2018, by the following vote:

AYES: Supervisor(s)  
NOES: Supervisor(s)  
ABSTAIN: Supervisor(s)  
ABSENT: Supervisor(s)

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Anthony Botelho,  
Chair

ATTEST:

By: \_\_\_\_\_  
Janet Slibsager  
Clerk of the Board

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

APPROVED AS TO LEGAL FORM:

By: \_\_\_\_\_  
Laura E. Zagaroli  
Interim County Counsel

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



**EXHIBIT A**

**CANVASS AND STATEMENT OF RESULT OF ELECTION**

**COUNTY OF SAN BENITO  
Community Facilities District No. 2018-1  
(Residential Services)**

I hereby certify that on September 25, 2018, I canvassed the returns of the election held on September 25, 2018, in the County of San Benito Community Facilities District No. 2018-1 (Residential Services) and the total number of ballots cast in such District and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	<b><u>Qualified Landowner Votes</u></b>	<b><u>Votes Cast</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
County of San Benito Community Facilities District No. 2018-1 (Residential Services) Special Tax Election, September 25, 2018	162	_____	_____	_____

**BALLOT MEASURE:** Shall the County of San Benito be authorized to annually levy a special tax solely on lands within the County of San Benito Community Facilities District No. 2018-1 (Residential Services) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the Board of the County on September 25, 2018, commencing in fiscal year 2018/19, to pay for the municipal services for the CFD, the costs of the County in administering the CFD, and shall the annual appropriations limit of the CFD be established in the amount of \$1,000,000?

**YES:** \_\_\_\_\_

**NO:** \_\_\_\_\_

**IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND** on September 25, 2018.

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

Clerk of the Board  
County of San Benito