

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

2   A RESOLUTION OF THE SAN BENITO  
3   COUNTY BOARD OF SUPERVISORS  
4   ACCEPTING THE ANNUAL REPORT FOR  
5   CSA #36 AND ESTABLISHING BENEFIT  
6   ASSESSMENT CHARGES FOR EACH  
7   PARCEL OF REAL PROPERTY FOR CSA #36  
8   EMERGENCY MEDICAL SERVICES AND  
9   ADVANCED LIFE SUPPORT

Resolution No. 2019-\_\_\_\_\_

7                   **WHEREAS**, County Service Area #36 was originally established and continues to  
8   be maintained for the purpose of raising revenues to support Advanced Life Support  
9   (paramedics) and an Emergency Medical Services system in the incorporated and  
10   unincorporated portions of San Benito County established by Resolution No. 90-124; and

11                   **WHEREAS**, it has been determined that the provision of Emergency Medical  
12   Services and Advanced Life Support services is in the best interest of the public health,  
13   safety and general welfare of the County; and

14                   **WHEREAS**, former California Government Code §25210.77a, given continuing  
15   effect through Government Code §25210.3(d) provides San Benito County with a  
16   mechanism to continue these services; and

17                   **WHEREAS**, on May 23, 2019, the San Benito County Emergency Medical Services  
18   Agency filed a report with the Clerk of the Board of Supervisors for County Service Area  
19   #36 and requested a public hearing; and

20                   **WHEREAS**, on May 23, 2019, the Clerk of the Board of Supervisors set a public  
21   hearing to hear objections or protests and consider the report; and

22                   **WHEREAS**, notice was published in accordance with Government Code Section  
23   6066 in a newspaper of general circulation printed and published within the County of San  
24   Benito; and

25                   **WHEREAS**, the Board of Supervisors held the duly noticed public hearing at its  
26   regular meeting of July 23, 2019, at which time it heard and received all oral and written  
27   testimony and evidence that was made, presented or filed, and all persons present at the  
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1 hearing were given the opportunity to hear and be heard with respect to any matter  
2 related thereto; and

3       **WHEREAS**, at the conclusion of the public testimony, and in accordance with all  
4 applicable state and local law, the Board of Supervisors closed the public hearing and  
5 deliberated and considered the annual report and benefit assessment charges contained  
6 therein, together with all objections or protests received, in light of all evidence in the  
7 record.

8       **NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that based on the oral  
9 and documentary evidence, including the San Benito County Emergency Medical Services  
10 Agency's annual report for County Service Area #36 Emergency Medical Services and  
11 Advanced Life Support Services, offered and received at the public hearing, the Board  
12 expressly finds and determines that:

- 13       1) the above recitals are true and correct;
- 14       2) the Board of Supervisors adopted benefit assessment charges of \$20.00 per  
15       Benefit Assessment Unit (BAU) for Fiscal Year 2019-2020, and the annual report  
16       supports retaining benefit assessment charges in the amount of \$20.00 per BAU;
- 17       3) the benefit assessment charges are levied without regard to property valuation;
- 18       4) each of the several lots and parcels of land subject to the benefit assessment  
19       charges will be specially benefited by the services to be financed by the benefit  
20       assessment charge proceeds in at least the amount of the benefit assessment  
21       charges apportioned against such lots and parcels of land, respectively
- 22       5) there is substantial evidence to support, and the weight of the evidence  
23       preponderates in favor of, said finding and determination as to special benefit to  
24       property from the services to be financed with benefit assessment charge  
25       proceeds, as described in the annual report; and
- 26       6) the public interest, convenience and necessity require that the levy of benefit  
27       assessment charges be made.
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1           **BE IT FURTHER RESOLVED AND ORDERED** that the Board of Supervisors  
2 hereby accepts the annual report and adopts the benefit assessment charges of \$20.00 per  
3 BAU.

4           **BE IT FURTHER RESOLVED AND ORDERED** that no later than the second  
5 Monday in August following such adoption, the Board of Supervisors shall file a certified  
6 copy of the benefit assessment charges and a certified copy of this resolution with the San  
7 Benito County Auditor ("County Auditor"). Upon such filing, the County Officer(s) shall  
8 enter on the County assessment roll opposite each lot or parcel of land the amount of the  
9 benefit assessment charges. The benefit assessment charges shall be collected at the same  
10 time and in the same manner as County taxes are collected and all the laws providing for  
11 collection and enforcement of County taxes shall apply to the collection and enforcement  
12 of the benefit assessment charges. After collection by the County, the net amount of the  
13 benefit assessment charges, after deduction of any compensation due the County for  
14 collection, shall be paid to and deposited into a separate fund established under the  
15 distinctive designation of CSA #36, to be expended only for the special benefit of parcels  
16 within CSA #36.

17           **BE IT FURTHER RESOLVED AND ORDERED** that the benefit assessment  
18 charges, as applied to any parcel, may be corrected, cancelled or a refund granted, as  
19 appropriate, by order of the Board of Supervisors. Any such corrections, cancellations or  
20 refunds shall be limited to the current fiscal year.  
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PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF  
SAN BENITO THIS 23rd DAY OF JULY 2019 BY THE FOLLOWING VOTE:

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

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

**ATTEST:**

Janet Slibsager, Clerk of the Board

**APPROVED AS TO LEGAL FORM:**

San Benito County Counsel's Office

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

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

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

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