

BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

A RESOLUTION OF THE SAN BENITO) Resolution No. 2019 ____
COUNTY BOARD OF SUPERVISORS)
CONFIRMING FISCAL YEAR 2018-19)
CHARGES FOR EXTENDED SERVICES)
IN CSA NOS. 16, 21, 22, 23, 24, 28, 31, 34,)
35, 42, 46, 47, 48, 50, 51, 53, 54 AND 55)

WHEREAS, pursuant to the County Service Area Law (Gov't Code Sec. 25210 *et. seq*) (the "Law"), the Board of Supervisors has created CSA Nos. 16, 21, 22, 23, 24, 28, 31, 34, 35, 42, 46, 47, 48, 50, 51, 53, 54 and 55 for the purpose of providing extended county services to properties located within the CSA's; and

WHEREAS, the Public Works Administrator has filed a report with the Clerk of the Board of Supervisors (the "Report") containing a description of each parcel to be subject to charges, as well as the amount of such charges for Fiscal Year 2019/2020; and

WHEREAS, the Clerk of the Board established August 6, 2019 at 9:00 a.m. or as soon thereafter as the matter may be heard, as the time for the Board of Supervisors to hear and consider objections and protests to the Report; and

WHEREAS, notice of the filing of the Report and of the hearing in connection with the Report has been given pursuant to Section 6066 of the Government Code.

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

1. Recitals: The above recitals are true and correct.
2. Objections and Protests: At the appointed time, the Board heard and considered objections and protests to the charges. Such objections and protests are hereby overruled.
3. Authorized Services: The Board affirms the authorization for CSA Nos. 16, 21, 22, 23, 24, 28, 31, 34, 35, 42, 46, 47, 48, 50, 51, 53, 54 and 55 to provide Street Lighting, Road Maintenance, Storm Drainage Maintenance, Landscape Maintenance, Water, Wastewater, and Sewer Extended Services, as indicated in the fee/special tax report.
4. Report and Charges Confirmed: The Board approves the Report, as filed and directs that the charges set forth in the Report be collected on the tax roll (and be subject to the same penalties and interest as the general property tax) or by such alternative method as the Tax Collector may determine necessary.

NOW, THEREFORE, BE IT RESOLVED that the San Benito County Board of Supervisors hereby further finds that the imposition of a fee/special taxes in the CSAs identified above for fiscal year 2019/2020 does not constitute a project pursuant to State CEQA Guidelines 15378 as a project does not include other government fiscal activities which do not involve the commitment to any project which may result in potentially significant physical impact on the environment; and

NOW, THEREFORE, BE IT RESOLVED that the San Benito County Board of Supervisors hereby finds that imposition of the fee/special tax does not involve any commitment to any project because the report, section 2, states: "Notwithstanding the descriptions contained herein, the described fees/special taxes only provide a funding mechanism for the types of services and improvements listed. The proposal or approval of the fee/special tax described shall not constitute approval of, or commitment to, and specific project" and because the action of the Board on today's date is not intended to and shall not be construed to approve, even preliminary or in concept, any specific project. Should any work identified in the report not be performed, any portion of the fee/special tax which was collected for the performance of such work shall be refunded to the extent required by law.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO THIS 6th OF AUGUST, 2019 BY THE FOLLOWING VOTE:

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

By: _____
Mark Medina
San Benito County Board of Supervisors

ATTEST:
Janet Slibsager
Clerk of the Board of Supervisors

APPROVED AS TO LEGAL FORM
Barbara Thompson
San Benito County Counsel

By: _____

By:  _____
G. Michael Ziman, Deputy County Counsel

Date: _____

Date: July 30, 2019