



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1

Kollin Kosmicki
District No. 2

Mindy Sotelo
District No. 3
Vice-Chair

Angela Curro
District No. 4
Chair

Bea Gonzales
District No. 5

Item Number: 2.20

MEETING DATE: 01/16/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Linda Young

DEPT HEAD/DIRECTOR: Steve Loupe

SUBJECT:

RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS ADMINISTRATOR

Adopt Resolution of Intent to Approve Annexation No. 12, Tax Zone 15 (Torquato) to annex property located in the Future Annexation Area of Community Facilities District 2018-1 (Residential Services) into CFD 2018-1, and set a public hearing for February 27, 2024 regarding approval

SBC FILE NUMBER: 105.3

RESOLUTION NO: 2024-04

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

In 2018, the County Board of Supervisors ("Board") formed Community Facilities District No. 2018-1 (Residential Services) ("CFD") to pay for certain service for the three subdivisions known as Brigantino, the Bluffs, and Fay/Bennett and approved a future voluntary annexation area. The CFD formation process included the following Board actions:

- On August 7, 2018, the Board adopted a resolution stating its intention to form the CFD and a future voluntary annexation area.
- On September 25, 2018, the Board adopted resolutions forming the CFD, calling for a special tax election and then canvassing the results of the special tax election. The Board also approved a description and map of the future area to be annexed into the CFD.

Joseph and Michelle Torquato, are in the process of satisfying conditions of approval of a subdivision of APN Nos. 020-340-026-000 and 021-180-023-000 ("Property"), in the CFD future voluntary annexation area. Annexation of the property into CFD 2018-1 is required as one of the conditions of approval. The property owner has submitted the required application materials, which includes a unanimous approval form approving the annexation signed by the owner. The unanimous approval form allows the owner to waive certain procedural requirements for conducting an election to approve the special tax levied on parcels within the CFD.

To complete the annexation of the Property, the Board must first adopt a Resolution of Intent to approve the annexation at an initial Board meeting, to be followed by a noticed public hearing held at a future Board meeting at least 30 days following, to consider the following actions: 1) adoption of a Resolution approving the annexation of the property into the CFD, approving Tax Zone No. 15 and levying the special tax on the property; 2) authorizing and directing the Resource Management Agency staff to prepare and record an amended notice of special tax listing the property added to the CFD; and 3) adopting a map of the newly annexed territory and authorizing and directing the Resource Management Agency staff to record this map.

The Property proposed within Annexation No. 12 will encompass the subdivision of two parcels totaling 18.74 acres into two parcels of 5-acres and 13.74-acres. There are two existing residences, a driveway, two septic tanks, drain fields, and a shared well. No development is proposed on the at this time. The Property proposed to be annexed into CFD No. 2018-1 will be included in the newly created Tax Zone No. 15. The cost estimates from the County's Fiscal Impact and Service Level Analysis for a Joint CFD, dated July 2018, and the County Resource Management Agency were used to determine the maximum special tax rate of \$897.23 per new single-family detached home for Tax Zone No. 15. The special tax in Tax Zone 15 shall only be levied on new units for which a building permit was issued for new residential construction after July 1, 2023.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

Yes

CONTRACT NEEDED FOR THIS ITEM:

No

CONTRACT AND RFP HISTORY:

N/A

LAST CONTRACT AMOUNT OR N/A:

N/A

STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

N/A

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

N/A

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

1. Adopt a Resolution of Intent to Approve Annexation No. 12, Tax Zone 15 (Torquato), to annex property located in the Future Annexation Area of Community Facilities District No. 2018-01 (Residential Services), into CFD 2018-1; and
2. Set a public hearing for February 27, 2024, regarding approval and direct staff to publish notice of

the public hearing.

BOARD ACTION RESULTS:

Adopted the Resolution No. 2024-4 per staff recommendation. (5/0 vote)
Set public hearing for February 27, 2024.

ATTACHMENTS:

Board Resolution of Intent to Approve CFD 2018-01 Annexation 12, Tax Zone 15 (Torquato)
Property Owners' Unanimous Approval of CFD 2018-01 Annexation 12, Tax Zone 15 -
Torquato
Planning Commission Resolution 2023-12 (Torquato)
Fully Executed Resolution No. 2024-4 CFD 2018-01 Annex 12 (Torquato)