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Esperanza Colio Warren

COUNTY COUNSEL:
Gregory Priamos

CLERK OF THE BOARD:
Vanessa Delgado

Agenda Item
Regular Meeting of the
Board of Supervisors
Tuesday, February 24, 2026

Item Number: 3.3

MEETING DATE: 02/24/2026

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Steve Loupe

DEPT HEAD/DIRECTOR: Steve Loupe

SUBJECT:

RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS - S. LOUPE

1. Discuss the status of annexations into the County's Community Facilities District (CFD) 2018-1; and
2. Review recommendations from staff and County Counsel regarding currently approved projects compliance with Conditions of Approval pertinent to CFD annexations; and
3. Review recommendations from staff and County Counsel regarding future development projects and future Conditions of Approval pertinent to CFD annexations; and
4. Provide staff direction as desired.

SBC FILE NUMBER: 105.3

AGENDA SECTION:

REGULAR 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.

Multiple property owners are currently in the process of satisfying conditions of approval as outlined in their existing Planning Commission Resolutions. Compliance with the project's conditions of approval allow the owners/applicants to record a final map based on their currently approved projects.

Current project conditions of approval require annexation into the County's CFD. At a minimum, the annexation of those parcels will fund only the Negative Fiscal Impact (NFI) services for those parcels, specifically fire, police, and emergency services, thru a property assessment.

Staff has worked with County Counsel to draft additional clarification language to be included in the Resolutions for currently approved projects. Additionally, this clarification language would also be included within the Conditions of Approval for future projects as follows:

"Annexation to CFD-XXX is a financing mechanism and does not convey any land use or development entitlements or vested rights to the applicant, or to any subsequent owner or developer. Any future use or development of the subject property shall require all applicable discretionary approvals and permits and shall comply with all applicable laws, including but not limited to County ordinances, resolutions, and duly adopted policies governing development and land use in the County of San Benito."

Staff and County Counsel are recommending that the language above be added into the Resolutions for the annexation of current projects. Staff and County Counsel are also recommending that this language be incorporated into the Conditions of Approval for future projects.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

1. Discuss the status of annexations into the County's Community Facilities District (CFD) 2018-1; and
2. Review recommendations from staff and County Counsel regarding currently approved projects compliance with Conditions of Approval pertinent to CFD annexations; and
3. Review recommendations from staff and County Counsel regarding future development projects and future Conditions of Approval pertinent to CFD annexations; and
4. Provide staff direction as desired.

ATTACHMENTS:

[Board Agenda Fact Sheet - CFD Discussion](#)