



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1

Kollin Kosmicki
District No. 2

Mindy Sotelo
District No. 3
Chair

Angela Curro
District No. 4
Vice-Chair

Bea Gonzales
District No. 5

Item Number: 1.2

MEETING DATE: 02/07/2023

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Vanessa Delgado

DEPT HEAD/DIRECTOR: Steve Loupe

SUBJECT:

RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS ADMINISTRATOR

(To Be Heard at 9:00 a.m. or soon thereafter as the matter may be heard)

Adopt Resolution Approving Annexation No. 6, Tax Zone 9 (Garcia Tract) to annex property located in the Future Annexation Area of Community Facilities District 2018-1 (Residential Services) into CFD 2018-1, approving the annexation of APN 016-100-020 into Tax Zone 9 and levying the special tax on the annexed property, authorizing and directing the Clerk of the Board/Resource Management Agency staff to prepare and record an amended notice of special tax listing the property added to the CFD, and adopting a map of the newly annexed territory and authorizing and directing the Clerk of the Board/Resource Management Agency staff to record this map.

SBC FILE NUMBER: 105.3

RESOLUTION NO: 2023-18

AGENDA SECTION:

PUBLIC HEARING

BACKGROUND/SUMMARY:

In 2018, the County Board of Supervisors ("Board") formed Community Facilities District No. 2018-1 (Residential Services) ("CFD") to pay for certain services for the three subdivisions known as Brigantino, the Bluffs, and Fay/Bennett, and established the boundaries of 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.

Efren Garcia is in the process of developing Assessor's Parcel No. 016-100-020, a proposed minor residential subdivision ("Property") in the CFD future voluntary annexation area. The establishment of an HOA or annexation of property into the CFD is required as a condition 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.

At its meeting on December 17, 2022, the Board adopted Resolution No. 2022-163, declaring its intent to approve the annexation and setting a noticed public hearing at least 30 days following the adoption of the Resolution of Intent. The duly noticed public hearing has been set for the regular meeting of February 7, 2023. To complete the annexation of the property, the Board must hold the public hearing and consider the following actions: 1) adoption of a Resolution approving the annexation of the property into the CFD, approving Tax Zone 9, and levying the special tax on the property; 2) authorizing and directing the Clerk of the Board/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 Clerk of the Board/Resource Management Agency staff to record this map.

The property proposed within Annexation No. 6 will encompass the subdivision of one parcel totaling 17.90 acres into three parcels of similar size. The Property proposed to be annexed into CFD No. 2018-1 will be included in the newly created Tax Zone No. 9. 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 special tax rate of \$861.62 per new single-family attached home for Tax Zone No. 9. The special tax in Tax Zone No. 9 shall only be levied on new units for which a building permit was issued for new residential construction after July 1, 2022.

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:

Staff respectfully recommends that the Board:

- 1) Hold a public hearing; and
- 2) Adopt Resolution Approving Annexation No. 6, Tax Zone 9 (Garcia Tract) to annex property located in the Future Annexation Area of Community Facilities District 2018-1 (Residential Services) into CFD 2018-1, approving the annexation of APN 016-100-020 into Tax Zone 9 and levying the special tax on the annexed property, authorizing and directing the Clerk of the Board/Resource Management Agency staff to prepare and record an amended notice of special tax listing the property added to the CFD, and adopting a map of the newly annexed territory and authorizing and directing the Clerk of the Board/Resource Management Agency staff to record this map.

BOARD ACTION RESULTS:

Adopted Resolution No. 2023-18, per staff recommendation. (5/0 Vote)

ATTACHMENTS:

[Board Resolution Approving CFD 2018-01 Annexation No. 6, Tax Zone 9 \(Garcia Tract\)](#)
[Resolution 2022-163](#)
[E Garcia CFD Signed Unanimous approval](#)
[Notice of Public Hearing Annexation No. 6 \(Garcia\)](#)
[Annexation No.6 Parcel Map](#)
[Annexation No.6 Vicinity Map](#)