



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Betsy Dirks
District No. 1

Kollin Kosmicki
District No. 2
Vice Chair

Peter Hernandez
District No. 3
Chair

Bob Tiffany
District No. 4

Bea Gonzales
District No. 5

Item Number: 4.38

MEETING DATE: 12/13/2022

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Reed Sanders

DEPT HEAD/DIRECTOR: Steve Loupe

SUBJECT:

RESOURCE MANAGEMENT AGENCY - S. LOUPE, ASSISTANT DIRECTOR PUBLIC WORKS

Adopt Resolution of Intent to Approve Annexation No. 6, Tax Zone 9 (Garcia Tract) to annex property located in the Future Annexation Area for Community Facilities District 2018-1 (Residential Services) into CFD 2018-1, and set a public hearing for January 17, 2023 regarding approval.

SBC FILE NUMBER: 105.3

RESOLUTION NO: 2022-163

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 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.

To complete the annexation of the property, the Board must first adopt a Resolution of Intention to approve the annexation at an initial Board meeting, to be followed at 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 9, 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. 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) Adopt a Resolution of Intent to Approve 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; and

2) Set a public hearing for January 17, 2023 regarding approval, and direct staff to publish notice of the public hearing.

ATTACHMENTS:

Board Resolution of Int. to Approve CFD 2018-01 Annex'n 6, Tax Zone 9 (Garcia Tract)

E Garcia CFD Signed Unanimous approval

Planning Commission Resolution 2021-13

San Benito County CFD 2018-1 Annex 6 - Garcia