

RESOLUTION NO. 549

A RESOLUTION OF THE BOARD OF DIRECTORS OF SUNNYSLOPE COUNTY WATER DISTRICT INITIATING PROCEEDINGS FOR THE ANNEXATION OF ASSESSOR PARCEL NUMBERS 025-420-005 AND 025-420-119 TO THE SUNNYSLOPE COUNTY WATER DISTRICT WATER AND WASTEWATER SPHERE OF INFLUENCE AND SERVICE AREA

WHEREAS, the District entered into an agreement on September 10, 1992 with the Property Owners of Assessor Parcel Numbers 025-420-005 and 025-420-119 (Property Owners) to provide a water well site to the District in support of future annexation of the Properties to the District for water and wastewater services; and

WHEREAS, the District developed a water well on the Properties (Well #8) and continues to utilize Well #8 as part of the District's water supply; and

WHEREAS, the Properties are not consistent with the District's Sphere of Influence; and

WHEREAS, the Property Owners now desire to be annexed to the District's Sphere of Influence and Service Area; and

WHEREAS, the District desires to support and assist in proceedings to annex the Properties to the District's Sphere of Influence and Service Area; and

WHEREAS, the owners of the Properties have received approval by San Benito County for a tentative subdivision map, plan to develop the parcels, and are requesting future water service and wastewater service from the District; and

WHEREAS, an Environmental Impact Report was certified by the San Benito County Planning Commission on April 2, 2018 per County Resolution No. 2018-0-2, and in its role as a Responsible Agency under the California Environmental Quality Act (CEQA), the District can rely on this document for the requested annexation and Sphere of Influence expansion.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sunnyslope County Water District hereby makes the following findings and orders as follows:

1. The foregoing recitals are adopted as findings of the Board as though set forth fully herein.
2. The Board finds annexation of the Properties would allow the District to provide potable water service and wastewater services to an area that is currently unserved, and to provide sufficient pressure, storage, and flow for adequate fire protection.
3. The General Manager is authorized to execute all documents and to perform all other necessary District acts to support and assist proceedings for inclusion of the Properties into the District's Sphere of Influence and the annexation of the Properties into the District pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with section 56000 of the California Government Code.
4. An Environmental Impact Report in compliance with the California Environmental Quality Act was certified by the San Benito County Planning Commission on April 2, 2018 per County Resolution No. 2018-0-2, and the District in its role as a Responsible Agency can rely on this County EIR for the requested Sphere of Influence expansion and annexation.
5. A map of the annexation territory is set forth in Exhibit "A", attached hereto and by reference incorporated herein.
6. The Board agrees to support and assist annexation proceedings subject to the following terms and conditions:

A) In the event that pursuant to the rules, regulations, or ordinance of the District as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or installments, for the acquisition, transfer, provision of water or wastewater service, use or right of use of all or any part of existing property, real or personal, of the District, such payment shall be made to the District in the manner and at the time as provided by the rules, regulations or ordinance of the District.

B) Upon and after the effective date of said annexations of the Properties to the District, the Properties, all inhabitants within such territory and all persons entitled to vote by reason of residing or owning land within the territory shall be subject to the jurisdiction of the District; shall have the same rights and duties as if the territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest and any other amounts which shall become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all the rates, rules, regulations and ordinances of the District as now or hereafter amended.

THE FOREGOING RESOLUTION on a motion by Director Alcorn and second by Director Ross is duly adopted this 15th day of May, 2018, by the following votes.

AYES:	DIRECTORS	Alcorn, Johnson, Ross, and Spencer
NAYS:	DIRECTORS	None
ABSENT:	DIRECTORS	Rodriguez

SUNNYSLOPE COUNTY WATER DISTRICT

By: Judi H. Johnson
Judi H. Johnson, President

(SEAL)

ATTEST: Donald G. Ridenhour
Donald G. Ridenhour, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of Directors of Sunnyslope County Water District hereby certifies that the foregoing is a full, true and correct copy of the "**Resolution Initiating Proceedings for the Annexation of Assessor Parcel Numbers 025-420-005 and 025-420-119 to the Sunnyslope County Water District Water and Wastewater Sphere of Influence and Service Area**" duly adopted by the Board of Directors of the District at the regular meeting thereof duly called and held on May 15, 2018, a quorum being present.

WITNESS my hand this 15th day of May, 2018

Donald G. Ridenhour
Donald G. Ridenhour, Secretary

Exhibit "A"

