

ORDINANCE NO. 2019-40

(Uncodified)

(An Ordinance of the Board of Supervisors of Contra Costa County)

Authorizing a Special Tax for Police Protection Services in Zone A, County Service Area P-2

The Contra Costa County Board of Supervisors ORDAINS as follows:

ARTICLE I. PURPOSE AND INTENT. It is the purpose and intent of this Ordinance to authorize the levy of a tax on parcels of real property on the secured property tax roll of Contra Costa County that are within Zone A of Contra Costa County Service Area No. P-2 in order to augment funding for police protection.

This tax is a special tax within the meaning of Section 4 of Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Article IV of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary.

ARTICLE II. DEFINITIONS. The following definitions shall apply throughout this Ordinance.

1. “Parcel” means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of this Ordinance, parcel does not include any land or improvements outside the boundaries of Zone A of County Service Area P-2 nor any land or improvements owned by any governmental agency.
2. “Fiscal year” means the period of July 1 through the following June 30.
3. “Zone” means Zone A of County Service Area P-2, which is in the Blackhawk area within the boundaries of County Service Area M-23.
4. “Ad valorem property taxes” or “ad valorem real property taxes” means taxes imposed pursuant to Division 1, Property Taxation, of the Revenue and Taxation Code of California on secured roll real property subject to being sold for delinquency of such taxes.

5. “Single Residential” means parcels assigned the following use codes by the Assessor of Contra Costa County for ad valorem property tax purposes: 10, 11, 12, 13, 14, 15, 16, 17, 19, 61, 62, 88.

6. “Small Multiple Residential” means parcels assigned the following use codes by the Assessor of Contra Costa County for ad valorem property tax purposes: 21, 22, 23, 24.

7. “Large Multiple Residential” means:

a. Parcels assigned the following use codes by the Assessor of Contra Costa County for ad valorem property tax purposes: 25, 26, 27, 28; and

b. Parcels assigned the following use code by the Assessor of Contra Costa County for ad valorem property tax purposes and used for dwelling purposes: 29.

8. “Commercial/Industrial/Institutional” means:

a. Parcels assigned the following use codes by the Assessor of Contra Costa County for ad valorem property tax purposes: 30, 31, 32, 33, 34, 35, 36, 37, 39, 41, 42, 43, 44, 46, 47, 49, 50, 51, 52, 53, 54, 63, 70, 74, 75, 83, 84, 85; and

b. Parcels assigned the following use code by the Assessor of Contra Costa County for ad valorem property tax purposes and used for commercial or industrial purposes: 29.

9. “Commercial/Theater” means parcels assigned the following use code by the Assessor of Contra Costa County for ad valorem property tax purposes: 45.

10. “Use Code” means the code number assigned by the Assessor of Contra Costa County in order to classify parcels according to their use for ad valorem property tax purposes.

A copy of the Assessor’s use code classification chart is attached hereto as Appendix A and incorporated herein.

ARTICLE III. AMOUNT AND LEVY OF TAXES.

1. The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2020, through June 30, 2021) shall be the Amount of Tax Per Parcel for the Property Use Category as set forth below:

<u>Property Use Category</u>	<u>Amount of Tax Per Parcel</u>
1. Single Residential	\$ 395
2. Small Multiple Residential	395
3. Large Multiple Residential	395

4. Commercial/Industrial/ Institutional	2,370
5. Commercial/Theater	11,852

B. For Subsequent Fiscal Years:

In July, the Board of Supervisors of Contra Costa County shall determine the amount of taxes to be levied upon the parcels in the Zone for the then current fiscal year as set forth below.

For each Property Use Category identified in Article III, Section 1.A. of this Ordinance, the tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount equal to the tax per parcel for the previous fiscal year multiplied by 1.03.

2. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Article IV, below. A complete listing of the amount of taxes on each parcel shall be maintained by the Clerk of the Board of Supervisors of the County of Contra Costa and be available for public inspection during the remainder of the fiscal year for which such taxes are levied.

ARTICLE IV. COLLECTION AND ADMINISTRATION.

1. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property in accordance with Revenue and Taxation Code section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

2. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and shall be due the County of Contra Costa. Insofar as feasible and insofar as not inconsistent with this Ordinance, the taxes are to be collected in the same manner in which the County collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedure regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax: (1) the secured roll tax bills shall be the only notices required for this tax, and (2) the homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

3. Costs of Administration by the County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

ARTICLE V. ACCOUNTABILITY MEASURES.

1. Account.

Upon the levy and collection of the tax authorized by this Ordinance, an account shall be created into which the proceeds of the tax will be deposited. The proceeds of the tax authorized by this Ordinance shall be applied only to the specific purposes identified in this Ordinance.

2. Annual Report.

An annual report that complies with the requirements of Government Code section 50075.3 shall be filed with the Board of Supervisors of Contra Costa County no later than January 1 of each fiscal year in which the tax is levied.

ARTICLE VI. SEVERABILITY CLAUSE.

If any article, section, subsection, sentence, phrase of clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters within the Zone hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentence, phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

ARTICLE VII. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within the Zone in an election to be held on May 5, 2020, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2020.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors, County of Contra Costa, State of California, on December 17, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: DAVID J. TWA, Clerk of the Board
of Supervisors and County Administrator

By: _____
Deputy

Chair of the Board of Supervisors

ATTACHMENT: APPENDIX A
LW

[SEAL]

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APPENDIX A
to Ord. No. 2019-40

REJECT AND CONFIRMATION CODES	USE CODES								RESPONSIBILITY CODES
	RESIDENTIAL	MULTIPLE	COMMERCIAL	COMMERCIAL	INDUSTRIAL	LAND	INSTITUTIONAL	MISCELLANEOUS	
REJECT CODES	10	20	30	40	50	60	70	80	1 Residential
	Vacant, Unbuildable	Vacant	Vacant Land	Boat Harbors	Vacant Land	Unassigned	Intermediate Care Facility (Rehab, Skilled Nursing) (-7)	Mineral Rights (productive/non-productive)	
0 Good Sale (can be used as comparable)	11 Single Family	21	31	41	51	61	71	81	2 Multiple Residential
1 Sold Part of a Split	1 Res on 1 site, with or w/o MINOR Common Area	Duplex	Commercial Stores (not Supermarkets)	Supermarkets (not in shopping centers)	Industrial Park (with structures)	Rural, Residential Improved 1A up to 10A	Churches	Private Roads	
3 Sales With Other Parcels	12 Single Family	22	32	42	52	62	72	82	3 Commercial/Industrial
4 Hidden Stamps	1 Res on 2 or more sites	Triplex	Small Grocery Stores (7-11, Mom & Pop, Quick-Stop)	Shopping Centers (all parcels incl vacant for future shopping center)	Research and Development, with or w/o structures; flexible use	Rural, with or without Misc. Structures 1A up to 10A	Schools & Colleges (public or private, with or without improvements)	Pipelines and Canals	
5 Investigate Sale (cannot be used as comparable)	13 Single Family	23	33	43	53	63	73	83	4 Commercial/Industrial
7 Restricted Sale	2 or more Res on 1 or more site	Fourplex	Office Buildings	Financial Bldgs. (Ins. & Title Companies, Banks, S & L)	Light Industrial	Urban Acreage 10A up to 40A	Acute Care Hospitals, with or without imp	State Board Assessed Parcels	
8 Assumption	14 Single Family	24	34	44	54	64	74	84	5 Commercial/Industrial
9 No Exemption Change	1 Res on other than Single Family Land	Combinations; e.g., Single and a Double, etc.	Medical; Dental	Motels, Hotels (-4) & Mobile Home Parks (-7)	Heavy Industrial (-5) Alpha	Urban Acreage 40A and over	Cemeteries (-7) & Mortuaries (-3)	Utilities, with or without bldgs (not assessed by SBE)	
U Unrecorded Documents	15	25	35	45	55	65	75	85	6 Land
NOTE: Reject Codes 0, 1, & 4 "identify" sales. They do not reject them. Such sales (when confirmed) are used in statistics. Sales with other codes ARE rejected & do not enter into statistics.	Miscellaneous Improvements, 1 or more site, incl. trees & vines	Apartments, 5-12 units, inclusive	Service Stations; Car Washes; Bulk Plants, Mini Lube	Theaters	Mini-Warehouse (Public Storage)	Orchards, Vineyards, Row Crops, Irrig. Past. 10A up to 40A	Fraternal and Service Organizations, Group Homes, Shelters	Public and Private Parking	
	16 Single Family	26	36	46	56	66	76	86	7 Commercial/Industrial
	Attached Res, Townhouses, Duets	Apartments, 13-24 units, inclusive	Auto Repair	Drive-In Restaurants (Hamburger, Taco, etc)	Misc. Imps including trees & vines on Light or Heavy Industrial	Orchards, Vineyards, Row Crops, Irrig. Past. 40A & over	Residential Care Facil. (Congregate Housing, Assisted Living) (-7)	Taxable Municipally-Owned Property (Section 11)	
	17	27	37	47	57	67	77	87	8 Residential (Unparcelized Condos)
	Vacant, 1 site (includes PUD sites)	Apartments, 25-59 units, inclusive	Community Facilities; Recreational; Swim Pool Assn.	Restaurants (not drive-in; inside service only)	Unassigned	Dry Farming, Farming, Grazing & Pasturing 10A up to 40A	Cultural Uses (Libraries, Museums)	Common Area pcls in PUD's (Open Space, Recreational Facilities)	
CONFIRMATION CODES	18	28	38	48	58	68	78	88	(88-8 = Floating Homes)
	Vacant, 2 or more sites	Apartments, 60 units or more	Golf Courses	Multiple and Commercial; miscellaneously improved	Unassigned	Dry Farming, Farming, Grazing & Pasturing 40A & over	Parks and Playgrounds	Manufactured Home Accessories (-4) In Park (-7)	
Q = PCOR Received C = SQ Received A = ADJ R = SQ Requested X = SVP (Sales Verification Program)	19 Single Family	29	39	49	59	69	79	89	9 Unassigned
	Detached Res, with MAJOR Common Area (pool, tennis, clubhouse, or other amenities), Cluster Homes	Condominiums, Cooperatives (-1 Single Family) (-2 Rossmoor)	Bowling Alleys	Auto Agencies	Pipeline Rights-Of-Way	Agricultural Preserves	Government-owned, with or without bldgs (Fed, State, County, City, SFBART, EBRPD)	Other; Split parcels in different tax code areas	
								90 Unassigned	