

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 01/17/2012 by the following vote:

AYES: ☒ 5 **John Gioia**
Gayle B. Uilkema
Mary N. Piepho
Karen Mitchoff
Federal D. Glover

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2012/6

IN THE MATTER OF: Establishment of Zone 100 of the Contra Costa County Flood Control & Water Conservation District, Countywide. Project No. 7505-6F8520, CDD-CP# 11-97

WHEREAS, the Contra Costa County Flood Control and Water Conservation District Act (the "Act") authorizes the Contra Costa County Board of Supervisors, as governing board of the Contra Costa County Flood Control and Water Conservation District ("District") to establish flood control zones; and

WHEREAS, Section 11 of the Act outlines the specific procedure and notification requirements for forming a zone of the District; and

WHEREAS, on December 6, 2011, pursuant to Section 11, the Contra Costa County Board of Supervisors, acting as the governing board of the District ("Board"), adopted a resolution of intention to establish Zone 100, consisting of the entirety of Contra Costa County, as more specifically described and depicted in Exhibit "A," attached hereto and incorporated herein by reference; and,

WHEREAS, on January 17, 2012, the Board conducted a properly-noticed public hearing to hear any objections to forming said zone, and at this hearing all written and oral objections were considered;

NOW, THEREFORE, the Board, does hereby resolve as follows:

1. Based on the affidavits of publication on file with this Board, all notices required to be given for such a hearing have been duly and regularly given and all procedures to be followed have been followed, all in accordance with Sections 3 and 11 of the Act.
2. This Board FINDS that any valid written protests filed with the Board prior to the conclusion of the public hearing represent less than one-half of the assessed valuation of real property contained within proposed Zone 100.
3. Prior to the conclusion of the public hearing, this Board had received no written petition for an election signed by at least 25 percent of the registered voters within proposed Zone 100.
4. Prior to taking final action to form Zone 100, this Board had received no resolution or ordinance adopted by a majority of the members of the governing body of any chartered or incorporated city within proposed Zone 100 requesting exclusion of city territory from the zone.
5. This Board FINDS that good cause exists for the establishment of Zone 100, and ORDERS that Zone 100 is hereby established, consisting of the real property described in Exhibit A.
6. The map entitled "Contra Costa County Flood Control & Water Conservation District, Zone 100 Boundary Map," dated November 2011, on file with the Clerk of the Board of Supervisors, Administration Building, Martinez, is hereby INSTITUTED as the map for Zone 100.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 17, 2012

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Paul Detjens (925) 313-2394

By: June McHuen, Deputy

EXHIBIT "A"

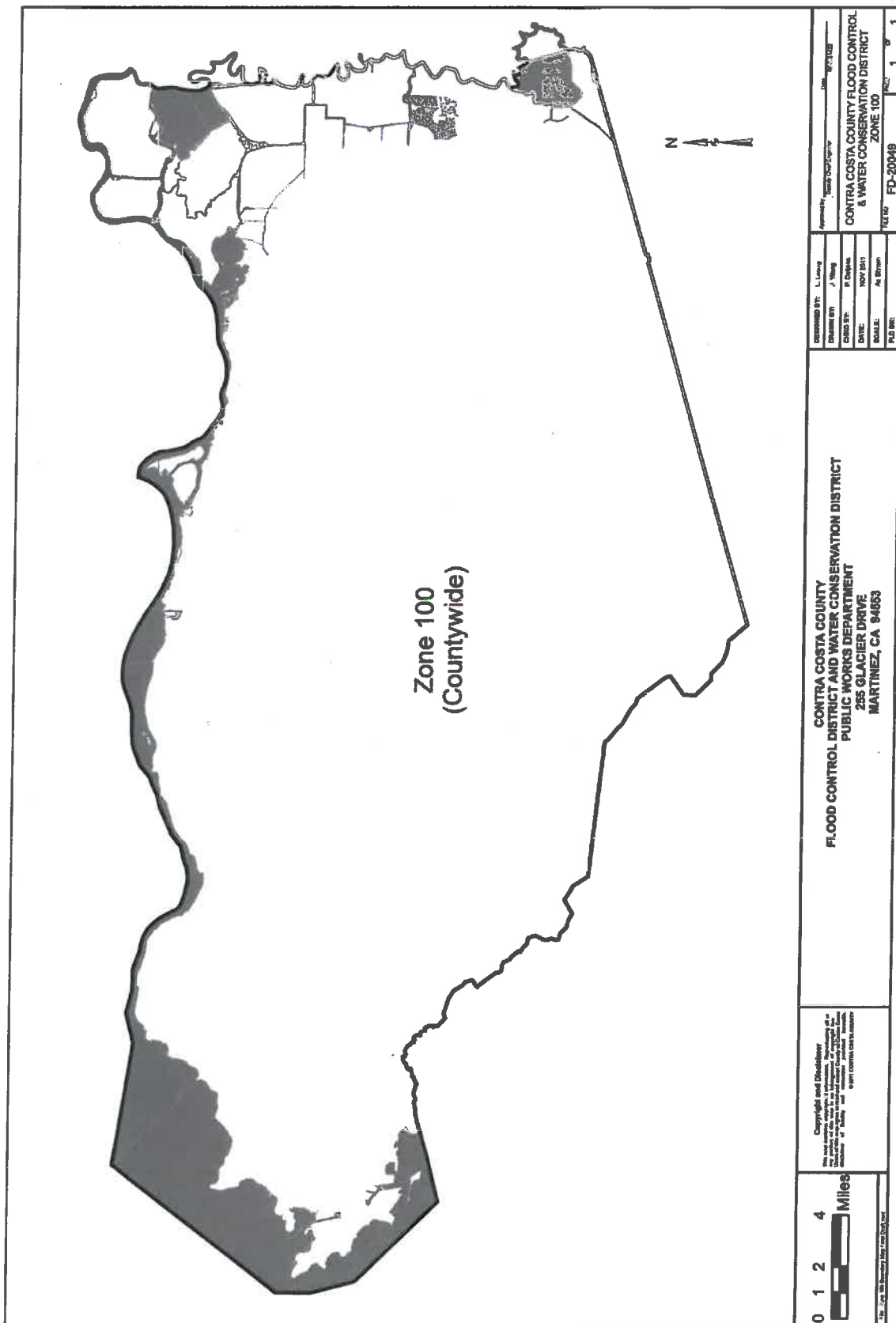
Contra Costa County Flood Control & Water Conservation District

ZONE 100

Legal Description

The boundaries of Zone 100 are the boundaries of Contra Costa County, the legal description of which is set forth in Section 23107 of the Government Code (as may be amended from time to time), incorporated herein by reference.

EXHIBIT "A"



**DETERMINATION THAT AN ACTIVITY
IS EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

FILE NO.: 7505-6F-8520

CP NO.: 11-97

ACTIVITY NAME: County-wide Flood Protection Zone Formation

DATE: November 16, 2011

PREPARED BY: Cece Sellgren

This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b) (3) of the CEQA Guidelines.

It can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.


DESCRIPTION OF THE ACTIVITY:

The project consists of the formation of a Flood Control District zone whose boundaries will be co-terminus with the County. This FCD zone will be used to administer FCD activities pursuant to Section 12.1 of the Flood Control Act, including collection and expenditure of fees as needed.

LOCATION:

The activity is located over the entire County. (Figure 1)

REVIEWED BY:


For Leigh Chavez
Environmental Analyst

DATE:

11/16/11

APPROVED BY:


Dept. of Conservation and
Development Representative

DATE:

11/16/11

It:
G:\engsvc\ENVIRO\Flood Control\County-wide Zone Formation\County-wide Zone Formation (DE).doc
Form Updated: May 28, 2008

COUNTY CONTRA COSTA CALIFORNIA

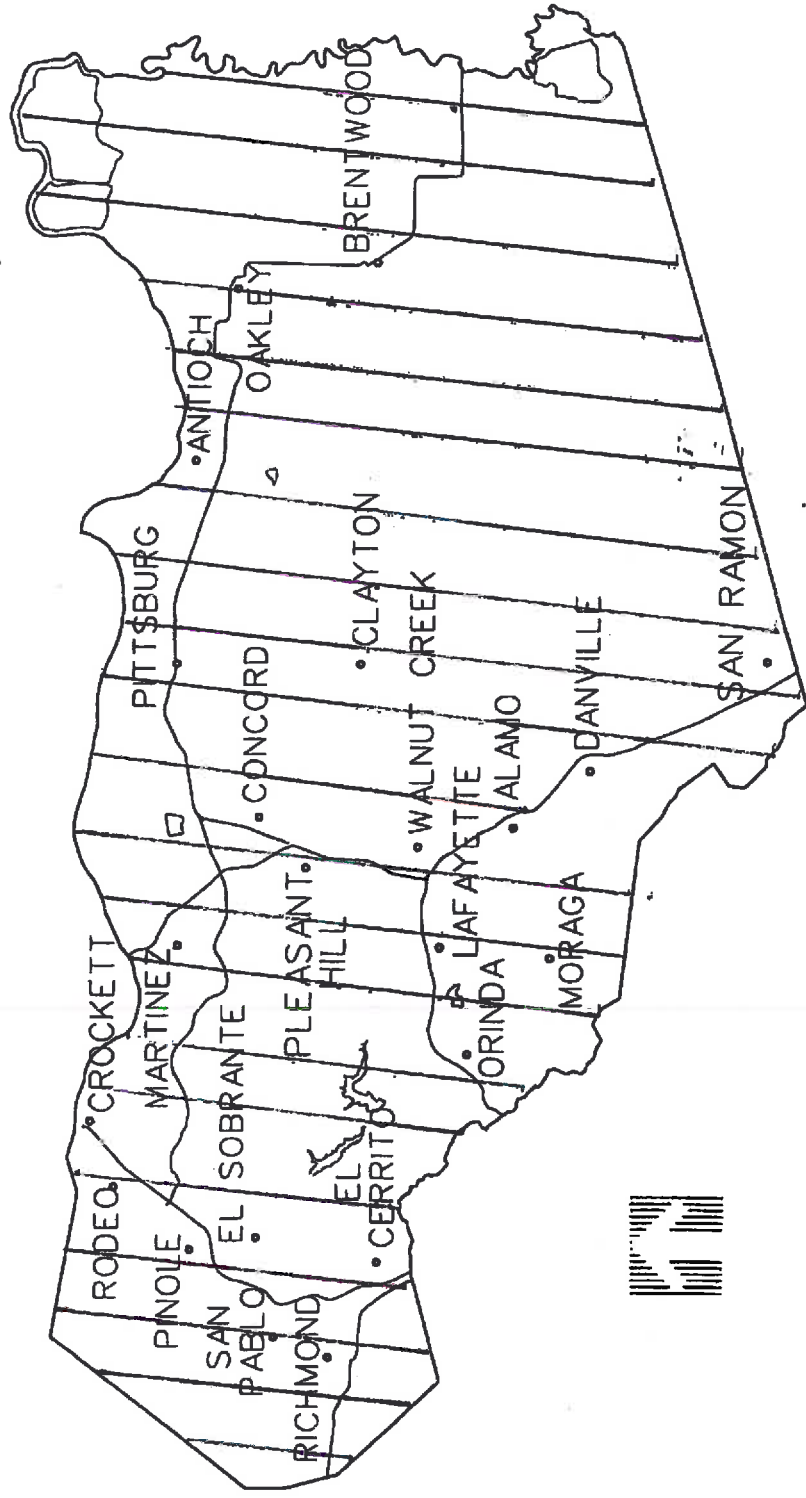


Figure 1 - County-wide Flood Protection Zone Formation

LOCATION MAP

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

CONTRA COSTA COUNTY DEPARTMENT OF CONSERVATION AND DEVELOPMENT
651 PINE STREET 2ND FLOOR NORTH WING MARTINEZ, CALIFORNIA 94553

Telephone: (925) 313-2296

Contact Person: Cece Sellgren - Public Works Dept.

Project Description, Common Name (if any) and Location: County-wide Flood Protection Zone Formation (7505-6F-8520), **County File:** CP# 11-97

Project Description: The project consists of the formation of a Flood Control District zone whose boundaries will be co-terminus with the County. This FCD zone will be used to administer FCD activities pursuant to Section 12.1 of the Flood Control Act, including collection and expenditure of fees as needed.

Project location: The project is located throughout Contra Costa County.

This project is exempt from **CEQA** as a:

- | | |
|---|---|
| <input type="checkbox"/> Ministerial Project (Sec. 15268) | <input type="checkbox"/> Categorical Exemption, <i>Class</i> _____ |
| <input type="checkbox"/> Declared Emergency (Sec. 15269(a)) | <input type="checkbox"/> Other Statutory Exemption, Section _____ |
| <input type="checkbox"/> Emergency Project (Sec. 15269(b) or (c)) | <input checked="" type="checkbox"/> General Rule of Applicability [Section 15061 (b) (3)] |

for the following reason(s): It can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.

Date: _____ By: _____
Dept. of Conservation and Development Representative

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature

Title

Applicant:	Department of Fish and Game Fees Due	
Public Works Department 255 Glacier Drive Martinez, CA 94553 Attn: _____ (Name) Environmental Section	<input type="checkbox"/> EIR - \$2,792. ²⁵ <input type="checkbox"/> Neg. Dec. - \$2,010. ²⁵ <input type="checkbox"/> Mit. Neg. Dec. - \$2,010. ²⁵ <input checked="" type="checkbox"/> County Clerk - \$50 <input checked="" type="checkbox"/> Department of Conservation and Development -\$25	Total Due: \$ 75.00 Total Paid \$ _____ Receipt #: _____