

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

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

Adopted this Resolution on 12/06/2016 by the following vote:

AYE: ☒ 5
 John Gioia
 Candace Andersen
 Mary N. Piepho
 Karen Mitchoff
 Federal D. Glover

NO: ☐
 ABSENT: ☐
 ABSTAIN: ☐
 RECUSE: ☐



Resolution No. 2016/651

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY AND THE CITY OF CONCORD, CALIFORNIA TO APPORTION REVENUE GENERATED ON COUNTY-OWNED LAND LOCATED IN THE CITY OF CONCORD AND UNINCORPORATED COUNTY, KNOWN AS PARCEL C

RESOLVED, by the Board of Supervisors of the County of Contra Costa, State of California:

WHEREAS, the County of Contra Costa (the "County") owns an undeveloped parcel of land located on Solano Way and Marsh Road in Concord, California (APN 125-210-012) that is commonly known as Parcel C ("Parcel C"); and

WHEREAS, a portion of Parcel C is within the jurisdiction of the City of Concord, California (the "City") and a portion is within the jurisdiction of the County; and

WHEREAS, both the City and the County would benefit from the development of Parcel C for appropriate commercial purposes; and

WHEREAS, to improve the development potential of Parcel C, the County and the City desire to jointly establish (i) a development review process for any proposed development of Parcel C, and (ii) the allocation of any sales tax revenue generated as a result of the development of Parcel C; and

WHEREAS, section 55704 of the California Government Code provides that if a legislative body determines that one or more retailers have been, or will be, established in one local agency and that consumers residing in one or more other local agencies are, or will be, purchasing tangible personal property from such retailers, to the extent that equity requires the revenues of such local agency to be distributed in a fair and just manner to all local agencies concerned, a contract may be entered into to apportion the revenue of the local agency in which such retailers are located;

NOW THEREFORE, be it resolved, determined and ordered by this Board of Supervisors of the County of Contra Costa as follows:

Section 1. Recitals. All of the above recitals are true and correct.

Section 2. Determination. This Board hereby determines, pursuant to Government Code Section 55704, that one or more retailers will, in time, be established on Parcel C and that consumers residing in unincorporated Contra Costa County and in the City of Concord will be purchasing tangible personal property from such retailers and that equity requires the sales and use tax revenues generated by such sales be distributed in a fair and just manner to the County and the City.

Section 3. Authorization to Execute Contract. Pursuant to Government Code Section 55704.5, by a vote of not less than two-thirds of its members, the Board hereby authorizes the County Administrator, or his designee, to execute and deliver on the County's behalf (i) a contract between the County and the City regarding private development on Parcel C and apportionment of sales and use tax revenue from any retailers situated on Parcel C, and (ii) any other documents that the County Administrator or County Counsel deems necessary or advisable to comply with the intent of this Resolution.

Section 4. Effective Date. This resolution shall take effect from and after its adoption. The foregoing resolution was, on the 6th

day of December, 2016, adopted by the Board of Supervisors of the County of Contra Costa.

**Contact: Lisa Driscoll, County Finance Director (925)
335-1023**

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: December 6, 2016

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


By: June McHuen, Deputy

cc: Beth Lee, County Administrator, Auditor-Controller, Conservation and Development, Public Works, Federal Aviation Administration