



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 9, 2016

Subject: Resolution of Intention to Form Zone 1515 of County Service Area P-6 in the Walnut Creek area (District IV)

RECOMMENDATION(S):

1. ADOPT Resolution No. 2016/64, initiating proceedings for the formation of a new zone, Zone 1515, within County Service Area P-6, in the unincorporated area of Walnut Creek.
2. FIX a public hearing for March 1, 2016, at 9:30 a.m., on the formation of Zone 1515 within County Service Area P-6.
3. FIX a public hearing for March 1, 2016, at 9:30 a.m., to consider the adoption of Ordinance 2016-03, which would authorize the levy of a special tax to augment funding for police protection services in proposed Zone 1515, and to authorize submission of the ordinance to the voters for approval at the May 3, 2016, election.

FISCAL IMPACT:

The cost of establishing the proposed Police Services Special Tax District is paid for by the developer of the subdivision.

BACKGROUND:

Per the conditions of approval for Subdivision 9167 (County File #SD07-9167), the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/09/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Mary N. Piepho, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: John Gioia, District I
Supervisor

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: February 9, 2016

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

By: June McHuen, Deputy

Contact: Jennifer Cruz, (925)
674-7790

cc:

developer of the property identified as 1125 North Gate Road in the unincorporated area of Walnut Creek is required to establish a Special Police Services Tax District for the 7-lot subdivision prior to recording the final map for the subdivision. The proposed special tax district would fund an increase in the level of police protection services that is provided in the unincorporated area of Walnut Creek.

BACKGROUND: (CONT'D)

Adoption of a resolution of intent to form a new tax district (Resolution No. 2016/64) is required by Government Code Section 25217, subdivision (b), as the first step in forming the proposed zone, which will serve as the vehicle to collect special taxes within the proposed zone if the tax measure is approved by the voters at a May 3, 2016, ballot. The resolution includes information regarding the name and boundaries of the zone, the different level of services to be provided, and the method by which the increased level of service is to be funded. The resolution also directs the Clerk of the Board to publish and mail notice of a public hearing regarding the proposed zone formation. It is recommended that the Board set this hearing for 9:30 a.m. on March 1, 2016.

If at the conclusion of that public hearing the Board determines that more than 50% of the total number of voters residing within the proposed zone have filed written objections to the formation, Government Code Section 25217.1, subdivision (b)(1), would require the Board to determine that a majority protest exists and to terminate the proceedings. The proposed police service district currently consists of a single 9.98-acre property owned by Braddock & Logan Inc./COJAM LLC, who per the conditions of approval for the subdivision are required to establish the police service district prior to recording the final map.

If there is no majority protest and the Board elects to proceed with the formation of the zone, a second public hearing would be required to consider the approval of Ordinance No. 2016-03, pertaining to the proposed levy of a special tax on the subject parcel within Zone 1515 for police protection services and submission of the measure to the voters, pursuant to Government Code Section 50077, subdivision (a). It is recommended that this hearing be set at 9:30 a.m. on March 1, 2016, immediately following the hearing on the zone formation. If the Board thereafter adopts Ordinance 2016-03, then the tax measure would be submitted for placement on a May 3, 2016, ballot.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve this item, then Ordinance No. 2016-03 will not be adopted and formation of Special Tax Zone 1515 will not occur, and the Special Tax District will not be established at the March 1, 2016, hearing.

ATTACHMENTS

Resolution No. 2016/64

Exhibit A: Legal Description

Exhibit B: Survey Map