



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 29, 2016

Subject: Resolution of Intention to Form Zone 212 of County Service Area P-6 in the Bay Point Area

RECOMMENDATION(S):

1. ADOPT Resolution No. 2016/129, initiating proceedings for the formation of a new zone, Zone 212, within County Service Area P-6, in the Bay Point area of the county.
2. FIX a public hearing for April 26, 2016, at 9:30 a.m., on the formation of Zone 212 within County Service Area P-6.
3. FIX a public hearing for April 26, 2016, at 9:30 a.m., to consider the adoption of Ordinance 2016-07, which would authorize the levy of a special tax to augment funding for police protection services in proposed Zone 212, and to authorize submission of the ordinance to the voters for approval at the June 28, 2016, election.

FISCAL IMPACT:

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/29/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: March 29, 2016

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

By: June McHuen, Deputy

Contact: Jennifer Cruz, (925)
674-7790

cc:

BACKGROUND:

Per the conditions of approval for Subdivision 9352 (County File #SD13-9352), the developer of the property identified as East of Driftwood Drive between Port Chicago Highway and Pacifica Avenue in the Bay Point area of the County is required to establish a Special Police Services Tax District for the 50-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 Bay Point area of the County.

Adoption of a resolution of intent to form a new tax district (Resolution No. 2016/129) 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 June 28, 2016 election. 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 April 26, 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 three parcels, which total approximately 7.52 acres and are owned by Civic Property Group, Inc., 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. 2016-07, pertaining to the proposed levy of a special tax on the subject parcel within Zone 212 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 April 26, 2016, immediately following the hearing on the zone formation. If the Board thereafter adopts Ordinance 2016-07, then the tax measure would be submitted for placement on a June 28, 2016 ballot.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve this item, then Ordinance No. 2016-07 will not be adopted and formation of Special Tax Zone 212 will not occur, and the Special Tax District will not be established at the April 26, 2016, hearing.

ATTACHMENTS

Resolution No. 2016/129

Exhibit A - Legal Description

Exhibit B - Survey Map