



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: December 12, 2017

Subject: Resolution of Intention to Form Zone 2607 of County Service Area P-6 in the Unincorporated Area of Martinez

RECOMMENDATION(S):

1. ADOPT Resolution No. 2017/435, initiating proceedings for the formation of a new zone, Zone 2607, within County Service Area P-6, in the unincorporated area of the County near Martinez.
2. FIX a public hearing for January 23, 2018, at 9:30 a.m., on the formation of Zone 2607 within County Service Area P-6.
3. FIX a public hearing for January 23, 2018, at 9:30 a.m., to consider the adoption of Ordinance No. 2018-01, which would authorize the levy of a special tax to augment funding for police protection services in proposed Zone 2607, and to authorize submission of the ordinance to the voters for approval at the March 27, 2018, election.

FISCAL IMPACT:

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

BACKGROUND:

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **12/12/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V 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: December 12, 2017

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

By: June McHuen, Deputy

Contact: Jennifer Cruz, (925)
674-7790

cc:

Per the conditions of approval for Subdivision 9065 (County File #SD05-9065), the developer of the property identified as 3128 Sycamore Street in the unincorporated area near Martinez is required to establish a Special Police Services Tax District for the 30-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

BACKGROUND: (CONT'D)

unincorporated area of Martinez.

Adoption of a resolution of intent to form a new tax district (Resolution No. 2017/435) 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 March 27, 2018, 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 January 23, 2018.

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 consists of two parcels totaling 1.5 acres owned by LC Martinez Properties 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. 2018-01, pertaining to the proposed levy of a special tax on the subject parcel within Zone 2607 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 January 23, 2018, immediately following the hearing on the zone formation. If the Board thereafter adopts Ordinance 2018-01, then the tax measure would be submitted for placement on a March 27, 2018, ballot.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve this item, then Ordinance No. 2018-01 will not be adopted and formation of Special Tax Zone 2607 will not occur, and the hearing for establishment of the Police Services Special Tax District will not occur at the January 23, 2018, hearing.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2017/435

Exhibit A-Legal Desc.

Exhibit B-Plat Map