



**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: December 11, 2018

Subject: HEARING TO CONSIDER ADOPTION OF PROPOSED SPECIAL TAX ORDINANCE AND  
AUTHORIZE ELECTION TO OBTAIN VOTER APPROVAL (DISTRICT V)

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**RECOMMENDATION(S):**

1. OPEN hearing to consider adopting Ordinance No. 2018-29, authorizing the levy of a special tax for police protection services in Zone 2904 of County Service area P-6 in the unincorporated area of Lafayette; CONSIDER oral and written comments received; and CLOSE the public hearing.
2. ADOPT Ordinance No. 2018-29, attached hereto.
3. ADOPT Resolution No. 2018/585, attached hereto, authorizing an election in Zone 2904 of County Service Area P-6 to consider approval of Ordinance No. 2018-29.
4. DIRECT the County Clerk, Elections Division, to conduct the election required by Government Code Sections 23027 and 53978. This election shall be held on February 12, 2019.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **12/11/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: Candace Andersen, District II  
Supervisor  
Diane Burgis, 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: December 11, 2018

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

By: June McHuen, Deputy

Contact: Jennifer Cruz, (925)  
674-7790

### FISCAL IMPACT:

The cost of establishing the Police Service District and election is paid for by the developer of the subdivision.

### BACKGROUND:

Per the conditions of approval for Subdivision No. 9442 (County File #SD16-9442), prior to recording the final map for the subdivision, the subdivider is required to establish a special Police Services tax district for the purposes of providing additional funding to augment police services in the area of the subdivision. The property to be subdivided and placed within the proposed special tax district consists of a vacant 10.68-acre site located at 4 Diablo Vista Way in the unincorporated area of Lafayette.

On November 13, 2018, the Board approved Resolution No. 2018/555, as required by Government Code Section 25217, subdivision (b), as the first step in forming a new zone within County Service Area (CSA) P-6 in the unincorporated area of Lafayette. The proposed zone would serve as the vehicle to collect special taxes within the boundaries of the zone if a special tax measure is approved by registered voters within the zone area at the February 12, 2019, election.

The Board is scheduled to conduct a separate hearing on December 11, 2018, on the formation of the proposed zone. If the Board determines there is no majority protest to the formation of this new zone, and if the Board adopts Resolution No. 2018/586, establishing CSA P-6, Zone 2904 subject to voter approval of the special tax, the next step in the process is the hearing on the adoption of a special tax ordinance, the adoption of that ordinance and adoption of a resolution submitting the tax measure to the voters.

In this action, the Board is asked to conduct the hearing on, and adopt, the special tax ordinance (Ordinance No. 2018-29), which would authorize the levy of a special tax for police protection services on all taxable parcels in the area of Zone 2904 if a special tax ballot measure is approved by a two-thirds majority of the registered voters in the zone area. Resolution No. 2018/585, the adoption of which is also recommended, sets forth appropriate ballot language, directs the County Clerk, Elections Division, to conduct the aforementioned election as part of the February 12, 2019, election, and supplies appropriate ballot language.

### CONSEQUENCE OF NEGATIVE ACTION:

The project developer would be unable to comply with the conditions of approval for the project. The developer would be unable to record the final map for the subdivision.

### CHILDREN'S IMPACT STATEMENT:

Not applicable.

### ATTACHMENTS

Resolution No. 2018/585

Exhibit A - Legal Description

Exhibit B - Plat Map

Exhibit C - Ordinance 2018-29

Resolution No. 2018/555