



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: May 7, 2019

Subject: HEARING TO CONSIDER THE PROPOSED FORMATION OF ZONE 505 IN THE COUNTY SERVICE AREA OF P-6 IN THE DISCOVERY BAY AREA. (DISTRICT III)

RECOMMENDATION(S):

1. OPEN the hearing on the proposed formation of Zone 505 within County Service Area P-6; CONSIDER all oral and written comments; and CLOSE the hearing.
2. DETERMINE whether a majority protest of the voters residing within the boundaries of proposed Zone 505 exists pursuant to Government Code Section 25217.1(b)(1). In the event that the Board determines a majority protest exists, TERMINATE the proceedings.
3. If the Board determines a majority protest does not exist, ADOPT Resolution No. 2019/148, attached hereto, establishing Zone 505 of County Service Area P-6 subject to voter approval of a special tax to fund police protection services within the zone.

FISCAL IMPACT:

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **05/07/2019** ☒ 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: May 7, 2019

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

By: Jami Napier, Deputy

Contact: Jennifer Cruz, (925)
674-7790

BACKGROUND:

Per the conditions of approval for Subdivision No. #9278 (County File #SD09-9278), prior to recording the final map for the subdivision, the subdivider is required to establish a special police services tax district for the subdivision in order to provide additional funding to augment police services in the area of the subdivision. The property to be placed within the special tax district consists of a vacant 20-acre site located east of Bixler Road, west of Newport Drive in the Discovery Bay area.

On March 26, 2019, the Board granted conceptual approval for a July 9, 2019, ballot measure seeking approval of a special tax to fund an increase in the level of police protection services that is provided in the Discovery Bay area.

On March 26, 2019, the Board approved Resolution No. 2019/77, 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. The proposed zone would serve as the vehicle to collect special taxes within the proposed zone if a special tax measure is approved by voters on July 9, 2019.

Pursuant to Government Code Section 25217.1, subdivision (a), at the public hearing, the Board is required to hear and consider any protests to the formation of the zone. Pursuant to Government Code Section 25217.1, subdivision (b)(1), in the case of inhabited territory, if at the conclusion of the public hearing, the Board determines that more than 50 percent of the total number of voters residing within the proposed zone have filed written objections to the formation, then the Board shall determine that a majority protest exists and terminate the proceedings.

If there is no majority protest, the Board may continue the proceedings to form the zone by adopting Resolution No. 2019/148, which would establish Zone 505 subject to voter approval of the special tax. A separate hearing is also scheduled for May 7, 2019, to consider the adoption of an ordinance authorizing the levy of the tax.

CONSEQUENCE OF NEGATIVE ACTION:

Zone 505 would not be formed and the subdivider would be unable to comply with the conditions of approval of the project. The subdivider would be unable to record the final map for the subdivision.

CLERK'S ADDENDUM

Opened the hearing on the proposed formation of Zone 505 within County Service Area P-6; Considered all oral and written comments; and Closed the hearing. Determined there was no majority protest of the voters residing within the boundaries of proposed Zone 505 exists pursuant to Government Code Section 25217.1(b)(1).

Adopted Resolution No. 2019/148, attached hereto, establishing Zone 505 of County Service Area P-6 subject to voter approval of a special tax to fund police protection services within the zone.

ATTACHMENTS

Resolution 2019/148

Exhibit A - Legal Description

Exhibit B - Plat Map

Archived Resolution No. 2019/77