



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: December 10, 2019

Subject: HEARING TO CONSIDER THE PROPOSED FORMATION OF ZONE 2905 IN THE COUNTY
SERVICE AREA OF P-6 IN THE UNINCORPORATED AREA OF LAFAYETTE (DISTRICT V)

RECOMMENDATION(S):

1. OPEN the hearing on the proposed formation of Zone 2905 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 2905 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. 2019/645, attached hereto, establishing Zone 2905 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: **12/10/2019** ☒ 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: December 10, 2019

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

By: June McHuen, Deputy

Contact: Jennifer Cruz, (925)
674-7790

BACKGROUND:

Per the conditions of approval for Subdivision No. #9429 (County File #SD16-9429), 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 7.68-acre site located at 3198 Gloria Terrace in the unincorporated area of Lafayette.

On November 5, 2019, the Board granted conceptual approval for a February 11, 2020, ballot measure seeking approval of a special tax to fund an increase in the level of police protection services that is provided in the unincorporated area of Lafayette.

On November 5, 2019, the Board approved Resolution No. 2019/610, 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 February 11, 2020.

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. 2019/645, which would establish Zone 2905 subject to voter approval of the special tax. A separate hearing is also scheduled for December 10, 2019, to consider the adoption of an ordinance authorizing the levy of the tax.

CONSEQUENCE OF NEGATIVE ACTION:

Zone 2905 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.

ATTACHMENTS

Resolution 2019/645

Exhibit A - Legal Description

Exhibit B - Plat Map

Resolution No. 2019/610