



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: August 2, 2022

Subject: Community Facilities District No. 2022-1 (Contra Costa Centre Area – Park Maintenance) Ordinance Adoption.

**RECOMMENDATION(S):**

WAIVE second reading and ADOPT Ordinance No. 2022-24 entitled "Ordinance Levying Special Taxes within the County of Contra Costa Community Facilities District No. 2022-1 (Contra Costa Centre Area - Park Maintenance)." (District IV)

**FISCAL IMPACT:**

Staff and consultant costs required to establish the Community Facilities District are paid by the involved developer, and all costs of administering the Community Facilities District would be covered by the voter-approved special tax.

**BACKGROUND:**

Mello-Roos Community Facilities Districts are a mechanism to finance infrastructure and services for approved development projects. A voter-approved special tax may be used to pay for eligible services, or to pay debt service on tax-exempt bonds issued by the District to finance public improvements. The County has an adopted a Debt Management Policy (adopted December 7, 2006 and last amended on March 22, 2022) which incorporates policies for Community Facilities Districts.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **08/02/2022** ☒ 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: August 2, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Jocelyn LaRocque (925)  
313-2315

By: June McHuen, Deputy

The Hanover Company (“Developer”) has secured County land use approvals to develop an apartment project in the unincorporated Contra Costa Centre area (county files GP18-0002, RZ18-3245, MS19-0010, DP18-3031). The approved project is a 6-story, 284-unit apartment project on an approximately 2.4-acre parcel at 3050 Del Hombre Lane, Walnut Creek. The project was approved by the Board of Supervisors on August 11, 2020.

## BACKGROUND: (CONT'D)

Condition of Approval #76 for the project includes an obligation of the Developer to work with the County to form a Community Facilities District ("CFD") to provide annual revenue for the maintenance of parks and trails in the Contra Costa Centre area, particularly the linear park known as Walden Green and other park facilities. The recommended action is the third step in establishing a CFD that would provide for the levy of a special tax each year to be paid by the owner of the apartment project following the occupancy of the apartments, the proceeds of which are to be used for park maintenance services. It would establish a Mello-Roos Special Tax to be paid annually by the Developer/Owner of the Del Hombre Apartments Project. The special tax would initially be set at a rate of \$143.33/residential unit, be indexed for inflation, and be permanent. It has been determined that the best vehicle for generating the service tax is through a Mello-Roos Community Facilities District proceeding. Expenditures to be covered by the Special Tax may include payment of staff expenses (including salary, benefits, and overhead), and expenses related to the administration and collection of the special tax. The proposed CFD which is recommended to be named Community Facilities District No. 2022-1 (Contra Costa Centre Area-Park Maintenance) ("CFD No. 2022-1"), has been established to allow the annexation of additional properties if desired by the property owner(s). The proposed boundary of CFD 2022-1 and a proposed annexation area for CFD No. 2022-1 area depicted in Attachment A.

The Board of Supervisors ("Board") meeting of August 2, 2022 is the third meeting of the Board to consider the formation of CFD No. 2022-1. On May 24, 2022 the Board adopted Resolution No. 2022/173, a Resolution of Intention relating to the establishment of a Contra Costa Centre Area - Park Maintenance Community Facilities District, and set August 2, 2022 as the date for adoption of an ordinance establishing the proposed CFD, and actions related thereto.

On July 12, 2022, the Board adopted Resolution No. 2022/243, a Resolution of Formation relating to the establishment of a CFD No. 2022-1; conducted a public hearing to take comments, and closed the public hearing; conducted the Special Election at which time the property owner of the Del Hombre Apartments Project voted to approve the formation of the CFD; adopted Resolution No. 2022/243, a Resolution of Formation of Contra Costa County Community Facilities District No. 2022-1 (Contra Costa Centre area - Park Maintenance); adopted Resolution No. 2022/244, a Resolution Calling Special Election Within Community Facilities District No. 2022-1 (Contra Costa Centre Area – Park Maintenance); and Resolution No. 2022/245, a Resolution Declaring Results of Special Election and Directing Recording Notice of Special Tax Lien for Community Facilities District No. 2022-1 (Contra Costa Centre Area – Park Maintenance). The Board also held first reading of Ordinance No. 2022-24 on July 12, 2022.

The action before the Board is to adopt Ordinance No. 2022-24 entitled "Ordinance Levying Special Taxes within the County of Contra Costa Community Facilities District No. 2022-1 (Contra Costa Centre Area – Park Maintenance)." The Ordinance authorizes

the levy of the Special Taxes and directs the Auditor-Controller and the Public Works Director to annually prepare the special tax levy and administer the collection of the special tax assessment. This will conclude the public proceedings related to the establishment of the CFD No. 2022-1.

The recommended actions conform to the requirements of the Mello-Roos Community Facilities Act of 1982, as amended (Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311 of the California Government Code), and the County Debt management Policy as applicable.

CONSEQUENCE OF NEGATIVE ACTION:

Not approving the recommended action would result in the developer of the Del Hombre Apartments not fully complying with the Conditions of Approval imposed by the County.

ATTACHMENTS

Ordinance No. 2022-24

Attachment A - Boundary Map