



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: September 13, 2022

Subject: RESOLUTION OF INTENTION TO FORM ZONE 2609 OF COUNTY SERVICE AREA P-6 IN THE UNINCORPORATED MARTINEZ AREA OF THE COUNTY. (DISTRICT V)

RECOMMENDATION(S):

1. ADOPT Resolution No. 2022/309, initiating proceedings for the formation of a new zone, Zone 2609, within County Service Area P-6, in the unincorporated Martinez area of the County.
2. FIX a public hearing for October 18, 2022, at 9:00 a.m., on the formation of Zone 2609 within County Service Area P-6.
3. FIX a public hearing for October 18, 2022, at 9:00 a.m., to consider the adoption of Ordinance 2022-31, which would authorize the levy of a special tax to augment funding for police protection services in proposed Zone 2609, and to authorize submission of the ordinance to the voters for approval at the December 20, 2022, election.

FISCAL IMPACT:

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/13/2022** ☒ 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: September 13, 2022

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

By: June McHuen, Deputy

Contact: Jennifer Cruz,
925-655-2867

cc: Rosa Mena

BACKGROUND:

Per the conditions of approval for Subdivision 9573 (County File #SD21-09573), the developer of the property located at 180 Midhill Road in the unincorporated Martinez area is required to establish a Special Police Services Tax District for the 7-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 unincorporated Martinez area.

Adoption of a resolution of intent to form a new tax district (Resolution No. 2022/309) 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 on the December 20, 2022, 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 9:00 a.m. on October 18, 2022. If at the conclusion of that public hearing the Board determines

BACKGROUND: (CONT'D)

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 currently consists of a 1.98-acre property owned by the Civic Park Properties, Inc and Denova Homes, Inc., 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. 2022-31, pertaining to the proposed levy of a special tax on the subject parcel within Zone 2609 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 9:00 a.m. on October 18, 2022, immediately following the hearing on the zone formation. If the Board thereafter adopts Ordinance No. 2022-31, then the tax measure would be submitted for placement on the December 20, 2022, ballot.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, Ordinance No. 2022-31 will not be adopted, formation of Special Tax Zone 2609 will not occur, and the Special Tax District will not be established at the October 18, 2022, hearing.

ATTACHMENTS

Resolution 2022/309

Exhibit A Legal Description

Exhibit B Plat Map