



Legislation Details (With Text)

**File #:** RES 23-646    **Version:** 1    **Name:**

**Type:** Consent Resolution    **Status:** Passed

**File created:** 11/21/2023    **In control:** BOARD OF SUPERVISORS

**On agenda:** 12/12/2023    **Final action:** 12/12/2023

**Title:** ADOPT Resolution No. 23-646 declaring the intention to form Zone 1617 within County Service Area P-6 in the Alamo area of Contra Costa County and fixing a public hearing for January 16, 2024 to consider public input regarding the establishment of Zone 1617 and the adoption of Ordinance No. 2024-01 authorizing the levy of a special tax within Zone 1617 to fund police protection services, as recommended by the Conservation and Development Director. (100% Developer fees)

**Attachments:** 1. SD13-9338 - Exhibit A (legal description), 2. SD13-9338 - Exhibit B (legal Plat)

Date	Ver.	Action By	Action	Result	Tally
12/12/2023	1	BOARD OF SUPERVISORS	adopted	Pass	

**To:** Board of Supervisors

**From:** John Kopchik, Director, Conservation and Development

**Report Title:** RESOLUTION OF INTENTION TO FORM ZONE 1617 AND INCORPORATE INTO ZONE P2B OF COUNTY SERVICE AREA P-6 IN THE ALAMO AREA OF THE COUNTY. (DISTRICT II).

Recommendation of the County Administrator     Recommendation of Board Committee

**RECOMMENDATIONS:**

- ADOPT a Resolution, initiating proceedings for the formation of a new zone, Zone 1617, within County Service Area P-6, in the Alamo area of the County.
- FIX a public hearing for January 16, 2024, at 9:00 a.m., on the formation of Zone 1617 within County Service Area P-6.
- FIX a public hearing for January 16, 2024, at 9:00 a.m., to consider the adoption of Ordinance 2024-01, which would authorize the levy of a special tax to augment funding for police protection services in proposed Zone 1617 and to authorize submission of the ordinance to the voters for approval at the March 19, 2024, election.

**FISCAL IMPACT:**

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

**BACKGROUND:**

Per the conditions of approval for Subdivision 9338 (County File #SD13-9338), the developer of the property located at 300 & 333 Camille Avenue in the Alamo area is required to establish a Special Police Services Tax District for the 35-lot subdivision prior to recording the final map for the subdivision. The subject property is currently located within the P-6 and P2 Zone B Service Districts. The proposed special tax district would fund an increase in the level of police protection services that is provided in the Alamo area.

Adoption of a resolution of intent to form a new tax district (Resolution No. 2022/15) 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 March 19, 2024, 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 January 16, 2024. If at the conclusion of that public hearing the Board determines 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 single 61-acre property owned by the DWB Property LLC et al, 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. 2024-01, pertaining to the proposed levy of a special tax on the subject parcel within Zone 1617 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 January 16, 2024, immediately following the hearing on the zone formation. If the Board thereafter adopts Ordinance No. 2024-01, then the tax measure would be submitted for placement on the March 19, 2024, ballot.

**CONSEQUENCE OF NEGATIVE ACTION:**

If not approved, Ordinance No. 2024-01 will not be adopted, formation of Special Tax Zone 1617 will not occur, and the Special Tax District will not be established at the January 16, 2024, hearing.

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**

**and for Special Districts, Agencies and Authorities Governed by the Board**

IN THE MATTER OF RESOLUTION OF INTENTION TO FORM ZONE 1617 OF COUNTY SERVICE AREA P-6 IN THE ALAMO AREA

WHEREAS, The Board of Supervisors of Contra Costa County RESOLVES:

1. The Board of Supervisors of Contra Costa County proposes the formation of new zone in the Alamo area of County Service Area (CSA) P-6, pursuant to Article 8 of Chapter 2.3 of Part 2 of Division 2 of Title 3 of the California Government Code.
2. The boundaries of the territory to be included in the zone area are described in 'Exhibit A' and shown in 'Exhibit B', both of which are attached hereto and incorporated herein by this reference.
3. The formation of Zone 1617 within Zone P2B is proposed to provide the County of Contra Costa with a method of financing an increased level of police protection services to the area within the zone.
4. The proposed zone would provide a level of police protection services that exceeds the level of service outside the zone, and if approved by the voters, the proposed zone would generate additional revenue in the form of special taxes to fund the increase in this level of service.
5. The increase in the level of service would be financed through the levy of a voter-approved special tax on all taxable parcels within the zone.
6. The name proposed for the zone is "Zone 1617" of CSA P-6.

NOW, THEREFORE, BE IT RESOLVED THAT at 9:00 a.m. on January 16, 2024, in the Chamber of the Board of Supervisors, County Administration Building, 1025 Escobar Street, Martinez, CA 94553, this Board will conduct a public hearing upon the proposed formation of Zone 1617 of CSA P-6. The Clerk of the Board is hereby directed to give notice of the public hearing by (1) publishing a notice that complies with Government Code Section 25217, subdivision (d)(1), pursuant to Government Code Section 6061; (2) mailing the notice to all owners of property within the proposed zone; (3) mailing the notice to each city and special district that contains, or whose sphere of influence contains the proposed zone; and (4) verifying that the notice is posted in at least three public places within the territory of the proposed zone.