



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS

Adam Langro

Carrie Nash

Brian Oftedal
President

Stephen Smith
Vice President

Joe Young

AGENDA

Board of Directors Regular Meeting

Due to COVID-19, this meeting will be conducted via teleconference only (no physical location) pursuant to the Governor's Executive Orders N-25-20 & N-29-20. Directors, staff and the public may participate remotely.

Call In Number: 1(872) 240-3212

Access Code: 490-316-781

<https://global.gotomeeting.com/join/490316781>

Monday, September 14, 2020

1:00 PM

Members of the public are encouraged to attend remotely at the phone number or website listed above. Directions for providing public comment via teleconference will be provided at the beginning of the meeting. Public comments submitted to RRUBIER@ECCFPD.ORG prior to the meeting will be summarized during the meeting and posted online at: <https://eccfpd.specialdistrict.org/2020-09-14-special-board-meeting-town-hall-meeting>

Upon request, the District provides for written agenda materials in appropriate alternative formats or other disability-related modification or accommodation to enable individuals with disabilities to participate in and provide comments related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be emailed to RRUBIER@ECCFPD.ORG, or submitted by phone at 1(925) 634-3400. Requests made by mail (sent to Regina Rubier, 150 City Park Way, Brentwood, CA 94513) must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

1. Call to Order

2. Roll Call

3. Public Comment

Members of the public may address subject matters pertaining to District business listed on the Consent Calendar, Closed Session, Future Agenda Items, or items not listed on the agenda. Public comment by each individual speaker shall be limited to three minutes. If you wish to address the Board, please fill out a speaker's card (available on the agenda table) and hand it to the District Clerk. While the District encourages your comments, State law prevents the Board from discussing items that are not set forth on this meeting agenda. The Board and staff take your comments very seriously and, if appropriate, will follow up on them.

4. New Business

4.a. Express Support for the Contra Costa County Measure X Transactions and Use Tax

[Staff Report and Reso In Support of Measure X.pdf](#)

5. Date and Place of Next Meeting:

October 14, 2020

6:30 p.m.

Brentwood City Hall

Council Chambers

6. Adjourn

POSTING STATEMENT

A copy of this agenda was posted **at the East Contra Costa Fire Protection District Administrative Office, 150 City Park Way, Brentwood, CA 94513**. Pursuant to CA Government Code §54957.5, disclosable public records and writings related to an agenda item distributed to all or a majority of the Board of Directors including such records and writing distributed less than 72 hours prior to this meeting are available for public inspection at the East Contra Costa Fire Protection District Administrative Office, 150 City Park Way, Brentwood, CA 94513.

NOTICE In compliance with the Americans with Disabilities Act, any individuals requesting special accommodation to attend and/or participate in District Board meetings may contact the District Administrative office at (925)634-3400. Notification 48 hours prior to the meeting will enable the District to make reasonable accommodations.

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

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Board of Directors Regular Meeting Agenda Item Report

Meeting Date: September 14, 2020

Submitted by: Brian Helmick

Submitting Department: Fire Chief

Item Type: Resolution

Agenda Section: New Business

Subject:

Express Support for the Contra Costa County Measure X Transactions and Use Tax

Suggested Action:

Attachments:

[Staff Report and Reso In Support of Measure X.pdf](#)

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS**

Meeting Date: September 14, 2020

Subject/Title: Presentation on and Consider Adopting Resolution of Support for Contra Costa County Measure X

Submitted By: Brian Helmick, Fire Chief

RECOMMENDATION FOR ACTION

That the East Contra Costa Fire Protection District (District) Board of Directors (Board):

1. receive a presentation regarding a proposed half-cent transactions and use tax placed on the ballot for voter consideration on November 3 by the Contra Costa County (County) Board of Supervisors; and
2. adopt a resolution of support for Contra Costa County Measure X.

SUBJECT BACKGROUND

The District suffers from a well-documented lack of personnel and funds for basic prevention and firefighting services. Accordingly, identifying new sources of revenues to support fire service in the jurisdiction is a primary focus of the District.

At the same time, numerous other community services in the County have been hindered by their own financial limitations. In November 2019, a community visioning and Needs Assessments process was launched by a Potential Sales Tax Measure Ad Hoc Committee Working Group, resulting in a final Needs Assessment that was presented to the Contra Costa County Board of Supervisors on May 26, 2020 and is available online at:

- http://64.166.146.245/docs/2020/BOS/20200526_1602/41947%5FFINAL%2D%20Contra%20Costa%20Needs%20Assessment%2Epdf

Page 2 of the Needs Assessment addresses the District's lack of revenue, stating: "To ensure community health, fire districts across the county must operate efficiently and effectively. Since July 2017, a lack of funding in East Contra Costa has resulted in the operation of only 3 east county stations covering 259 square miles and over 120,000 residents. This lack of resources has placed additional pressure on neighboring fire districts, mainly the Contra Costa County Fire Protection District, which now respond to east county emergencies four times out of every one occasion that an east county station has capacity to respond." As a result, the Needs Assessment list includes "Reopening closed fire districts to ensure efficient emergency response."

Based on the outcome of the Needs Assessment process, the County and its community partners engaged FM3 to conduct polling on a potential general sales tax, with results presented to the Board of Supervisors on July 14, 2020. A polling report and summary PowerPoint presentation are available at:

- http://64.166.146.245/docs/2020/BOS/20200714_1556/42450%5F220%2D5866%20Contra%20Costa%20County%20Survey%20Analysis%20%2D%20Board%20Meeting%20%2D%20Final%20%2D%20Updated%2Epdf; and

- http://64.166.146.245/docs/2020/BOS/20200714_1556/42450%5FContra%20Costa%20County%20Sales%20Tax%20Measure%20Follow%20Up%20Polling%2Epdf

On July 28, 2020, the Board of Supervisors discussed whether to call an election on a general sales tax measure for the County, and on August 4, the Board of Supervisors passed the sales tax ordinance and ordered it submitted to voters at the November 3, 2020 election. On August 4, the Board's call of election was contingent on passage of State legislation to allow a Contra Costa County sales tax to be imposed though it would otherwise exceed the local sales tax cap in certain jurisdictions within the County (Senate Bill (S.B.) 1349). On August 21, 2020, the Board amended the sales tax ordinance to provide that the ordinance would go on the ballot whether or not S.B. 1349 became law, but that the tax would only go into effect if S.B. 1349 were enacted. Below are links to the materials from each meeting outlined above, as well as information on S.B. 1349:

- July 28th, 2020:
http://64.166.146.245/agenda_publish.cfm?id=&mt=ALL&get_month=7&get_year=2020&dsp=agm&seq=42452&rev=0&ag=1569&ln=85768&nseq=&nrev=&pseq=&prev=#ReturnTo85768
- August 4, 2020:
http://64.166.146.245/agenda_publish.cfm?id=&mt=ALL&get_month=8&get_year=2020&dsp=agm&seq=42683&rev=0&ag=1575&ln=86155&nseq=42682&nrev=0&pseq=&prev=#ReturnTo86155
- August 21, 2020:
http://64.166.146.245/agenda_publish.cfm?id=&mt=ALL&get_month=8&get_year=2020&dsp=ag&seq=1659
- Senate Bill 1349 Floor Analysis (including support and opposition):
https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201920200SB1349

S.B. 1349 passed the legislature on August 31 and, as of publication of this report, is awaiting action by Governor Newsom.

If S.B. 1349 is signed by the Governor, and the tax, which has been designated as Measure X, receives a majority vote on November 3, the District is well-positioned to receive tax revenues to re-open one or more fire stations to service the eastern portion of the County, and relieve pressure on neighboring agencies that respond to assist the District when support is needed.

Measure X is expected to generate revenues of over \$80 million annually for 20 years. The County Board of Supervisors would have the authority and responsibility for allocating the tax revenues to various community services, but, as noted above, the District's funding crisis has been stated as creating a key community need that could be addressed by the measure.

If the Board adopts a resolution in support of Measure X, the District's position would be on the public record and could be cited by both proponents and opponents of the measure.

Attachment: Resolution

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS
STATE OF CALIFORNIA**

* * *

RESOLUTION 2020-__

**EXPRESSING SUPPORT FOR THE CONTRA COSTA COUNTY
MEASURE X TRANSACTIONS AND USE TAX**

WHEREAS, the East Contra Costa Fire Protection District (District) provides firefighting and prevention, emergency medical services (basic life support), hazardous waste response, and other services relating to the protection of lives and property; and

WHEREAS, the District serves 249 square miles in eastern Contra Costa County (County), including the Cities of Brentwood and Oakley, and the communities of Discovery Bay, Bethel Island, Knightsen, Byron, Marsh Creek, and Morgan Territory, which house approximately 128,000 residents; and

WHEREAS, the District was formed in September 2002 by combining the three small fire districts of Bethel Island, East Diablo, and Oakley; and

WHEREAS, since 1978, the District's service area has exploded in new construction and population growth, and yet the costs associated with District services have not been matched by an increase in stable funding to adequately respond to the community's emergency medical and fire protection needs; and

WHEREAS, it is well-documented that the District does not have sufficient funds to pay for the personnel, stations and equipment its needs to protect the community, and currently can afford to operate only three fire stations, with nine firefighting personnel on duty at any given time; and

WHEREAS, in December 2018, the District adopted a strategic plan that includes a statement of mission and values, together with values, goals and strategies, to govern the operation of the District through the year 2023 (Strategic Plan); and

WHEREAS, the Strategic Plan acknowledges a present need to reduce response times for emergency services throughout the District, and sets forth a series of strategies to ensure the financial stability and sustainability of the District; and

WHEREAS, the District expects growth to continue, increasing the District's population to approximately 140,000 by the year 2040, which will generate even more need, demand and pressure on our already severely under-funded and ill-equipped fire district; and

WHEREAS, as is the case for fire districts generally, almost all of the District's funding (96%) comes from a fixed portion of the 1% property taxes collected by the County based on assessed valuation of parcels in the District's service area; and

WHEREAS, State law provides the District with few options for increasing its revenues, and the District lacks authority to impose most types of taxes, or to seek voter authority to do so; and

WHEREAS, in August 2020, the County Board of Supervisors approved submittal of a new half-cent transactions and use tax to the voters at an election to be held on November 3, 2020; and

WHEREAS, if adopted, the measure (Measure X) is expected to generate an estimated \$81 million in new revenues annually for 20 years that the Board of Supervisors can allocate to address a wide array of community needs; and

WHEREAS, Measure X revenues, which would be included in the County's General Fund, are expected to support essential County services, such as health care at the Contra Costa Regional Medical Center and community health centers, fire-emergency response, crucial safety-net services, early childhood programs, services to protect vulnerable populations, and other essential County services, some of which are provided directly by County agencies and some of which are provided by special-purpose agencies such as the District; and

WHEREAS, the District seeks guaranteed, dedicated revenues that are sufficient to address the District's funding problems at a sufficient level to address current and future service deficits, as long as District use of the revenues does not simultaneously degrade funding available to the District's operational partners; and

WHEREAS, though the Board of Supervisors cannot commit to using Measure X revenues to provide financial support for the District, the District's funding challenges have been used to illustrate problems that Measure X could help address; and

WHEREAS, the District views Measure X as a potential means of addressing a portion of the District's structural funding problem for the next 20 years.

NOW, THEREFORE, BE IT RESOLVED that the East Contra Costa Fire Protection District Board of Directors hereby supports adoption of Measure X on the November 3, 2020 ballot.

BE IT FURTHER RESOLVED that the foregoing is a statement of the District's official position of support only and is not, and shall in no way or manner be construed as, an authorization to expend District funds or resources on ballot measure advocacy.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 14th day of September, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Brian J. Oftedal
President, Board of Directors

ATTEST:

Clerk of the Board