

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

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RESOLUTION 2018-33

**AUTHORIZING THE FIRE CHIEF TO EXECUTE A JOINT COMMUNITY FACILITIES
AGREEMENT WITH THE CITY OF OAKLEY FOR CITY OF OAKLEY
COMMUNITY FACILITIES DISTRICT NO. 2018-1 (FIRE PROTECTION SERVICES)**

WHEREAS, the East Contra Costa Fire Protection District (District) provides emergency medical services, fire suppression, rescue services, and emergency remediation of hazardous conditions to the City of Oakley (City); and

WHEREAS, the Mello-Roos Community Facilities Act of 1982 (Gov. Code §§ 53311 *et seq.*) grants local agencies the authority to form community facilities districts (CFDs) with the power to impose special taxes to fund a variety of services and facilities, including fire protection and emergency response services and facilities; and

WHEREAS, Government Code Section 53316.2 requires a local agency seeking to form a CFD that will finance services to be provided, or facilities to be owned, by another agency to first execute a joint community facilities agreement with the other agency; and

WHEREAS, on August 9, 2016, the City approved a final subdivision map for Subdivision No. 9033, commonly known as the Gilbert Property, a 120 acre parcel between the Contra Costa Water District Canal and Cypress Road in Oakley, which includes 581 planned residential units at build out; and

WHEREAS, on September 11, 2018, the City approved a resolution of intention to form City of Oakley Community Facilities District No. 2018-1 (Fire Protection Services) encompassing the Gilbert Property (Gilbert CFD); and

WHEREAS, the Gilbert CFD would impose a special tax on single family residential parcels within the Gilbert CFD (Gilbert CFD Tax) to finance emergency medical services, fire suppression, rescue and emergency remediation of hazardous conditions, as well as related equipment and facilities, within the Gilbert CFD (Gilbert CFD Services); and

WHEREAS, the City has requested that the District enter into a JCFA (Gilbert CFD JCFA), whereby the City would provide the revenue from the Gilbert CFD Tax, less administrative expenses, to the District, and the District would provide the Gilbert CFD Services; and

WHEREAS, staff recommends, and the Finance Committee concurs, that the Board of Directors adopt a resolution authorizing the Fire Chief, or his designee, to execute the Gilbert CFD JCFA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Contra Costa Fire Protection District does hereby authorize the Fire Chief, or his designee, to execute a

joint community facilities agreement with the City of Oakley for City of Oakley Community Facilities District No. 2018-1 (Fire Protection Services) in a form approved by legal counsel.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 1st day of October, 2018 by the following vote:

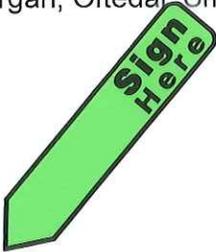
AYES: Benson, Langro, Morgan, Oftedal, Smith, Strobel, Thompson, Young

NOES:

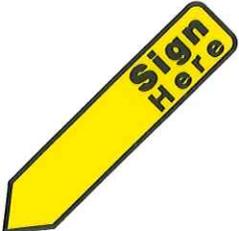
ABSENT: Stonebarger

ABSTAIN:

ATTEST:



Brian J. Oftedal
Brian J. Oftedal
President, Board of Directors



Brian Helmick
Brian Helmick
Clerk of the Board