

# *EAST CONTRA COSTA* FIRE PROTECTION DISTRICT

Hugh Henderson  
Fire Chief



SERVING THE COMMUNITIES OF:

Bethel Island      Discovery Bay  
Brentwood          Knightsen  
Byron                Morgan Territory  
Oakley

July 21, 2016

Mr. Harold Bray  
473 Coronation Dr.  
Brentwood CA, 94513

Dear Mr. Bray:

I write to advise you and your organization, East County Voters for Equal Protection (ECV), that the Board of Directors (Board) of the East Contra Costa Fire Protection District (District) has adopted a Resolution (attached) expressing support for State legislative action to facilitate re-allocation of property tax revenues to account for changes in our community since the passage of Proposition 13 in 1978 and the associated property tax revenue allocation system adopted by the State legislature over the following two years.

**The resolution is *not* an endorsement of, an expression of support for, nor a statement of opposition to, ECV's proposed method of property tax revenue sharing as presented to the Board at its April 4, 2016 meeting.**

Rather, Resolution No. 2016-21 encourages State action to alter property tax revenue allocations as part of an ongoing, long-term solution to the District's structural deficit and acute financial crisis.

The District appreciates all efforts to identify potential sources of revenue to support the provision of fire and medical emergency response services in East County now and in the future. However, the District cannot endorse any proposal that requests other agencies to consider violating State law. As presented to the District at the Board's April 4 meeting, ECV's proposed plan for the District to seek and accept tax revenue transfers from other agencies in its service area may require those other agencies to consider taking actions that would violate State law. (Please refer to the legal analysis of the ECV proposal included in the May 2, 2016 Board meeting agenda packet.)

Moreover, past experience has demonstrated that Proposition 13 reallocations can take many years to implement, if successful.

Finally, while additional revenues from any sources would be helpful to the District, ECV's proposal as we understand it would not provide sufficient additional resources to address community needs as evidenced in the recently-completed master plan presented by City Gate Associates at the Board's June 20 special meeting.

When combined, these three factors – (1) the legal concerns associated with the ECV proposal as presented to the Board, (2) the period of time required for ECV's proposal to have a true impact, if adopted, and (3) the limited funds available under the proposal as compared to District

needs – make the proposal inconsistent with the District's goal of achieving long-term financial stability in the near term. Accordingly, the District cannot – and the community should not – consider the proposal, alone, to be an adequate funding solution for East County fire and medical emergency services.

We invite and encourage ECV and its members to remain engaged and involved in supporting the District, and to keep the District informed of any alterations to ECV's proposal that address the concerns outlined above. We hope to work with you to further the District's immediate and long-term ability to provide the fire and emergency response services needed to protect our community members' lives and property.

Very truly yours,



Joel Bryant  
President, Board of Directors

cc. ✓ Board of Directors, East Contra Costa Fire Protection District  
Fire Chief Hugh Henderson, East Contra Costa Fire Protection District  
Gus Vina, City Manager, City of Brentwood  
Bryan Montgomery, City Manager, City of Oakley  
David Twa, County Administrator, Contra Costa County

Enclosure

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

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**RESOLUTION NO. 2016-21**

**SUPPORTING STATE LEGISLATIVE ACTION TO FACILITATE  
RE-ALLOCATION OF PROPERTY TAX REVENUES**

**WHEREAS**, the voters of the State of California adopted Proposition 13 in 1978, amending the State Constitution, including by capping ad valorem tax on real property at 1% of the value of each parcel and restricting growth of ad valorem property taxes to 2% per year for each parcel, absent a change in ownership; and

**WHEREAS**, the State legislature responded by adopting Senate Bill 154 and, a year later, Assembly Bill (A.B.) 8 to allocate ad valorem property tax revenues to cities, counties, school districts and special districts, primarily based on county-wide proportions of property taxes allocated by each county before Proposition 13; and

**WHEREAS**, A.B. 8 also established a method for each county to distribute future revenues attributable to ad valorem tax growth; and

**WHEREAS**, these allocations varied by category, such that urban, suburban and rural fire districts received different proportional levels of the ad valorem tax allocations available within their jurisdictions; and

**WHEREAS**, at the time allocations were established under A.B. 8, the communities now served by East Contra Costa Fire Protection District (ECCFPD) received fire and emergency response and fire prevention services from the Bethel Island Fire District, the Oakley Fire District, and the East Diablo Fire District, the last of which previously had been formed by the merger of the Eastern Fire Protection District, the Brentwood Fire Protection District, and the Byron Fire Protection District; and

**WHEREAS**, when these small special districts were combined to form ECCFPD, their allocations were combined, creating a tax allocation of 7.5 percent of every property tax dollar collected within the new bigger district; and

**WHEREAS**, since 1978, the population of the 249-square mile ECCFPD has grown by more than 1,000%, from approximately 10,000 to 110,000; and

**WHEREAS**, this growth and extensive development in the region has changed the character of the area significantly such that a previously rural area, with an extensive volunteer firefighter network, is now a combination of rural, exurban, suburban and urban areas without any volunteer fire fighter services; and

**WHEREAS**, in Fiscal Year 2015-2016, the 7.5 cents of each dollar collected by ECCFPD in ad valorem property taxes equated to a total of \$11.6 million, which is 4.5 cents

per dollar less, and approximately \$7 million less, than the average for all fire districts in Contra Costa County; and

**WHEREAS**, ECCFPD residents lack a local forum or mechanism for re-allocation of property tax revenues to finance necessary improvements in the District's ability to provide fire and medical emergency protection and response services; and

**WHEREAS**, only the State legislature and Governor can alter the formula that distributes ad valorem property taxes.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the East Contra Costa Fire Protection District that ECCFPD calls upon and encourages the State Legislature and Governor to re-allocate ad valorem property taxes, or to alter the requirements for facilitating re-allocation of ad valorem property taxes, to recognize the past four decades of development, change and growth of communities such as eastern Contra Costa County, and to address the resulting inequities and underfunding of essential public safety services in these communities.

**BE IT FURTHER RESOLVED** that the Fire Chief is directed to transmit a copy of this Resolution to the ECCFPD's delegation in the State legislature.

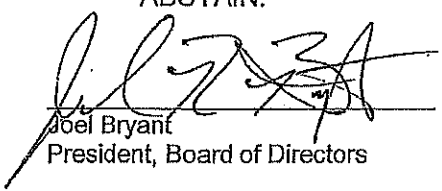
**PASSED, APPROVED AND ADOPTED** by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 11th day of July, 2016 by the following vote:

AYES: Barr, Bell, Kenny, Johansen, Pope, Stonebarger, Young

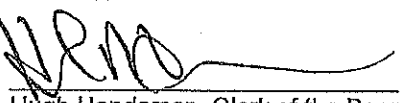
NOES:

ABSENT: Bryant, Morgan

ABSTAIN:

  
Joel Bryant  
President, Board of Directors

ATTEST:

  
Hugh Henderson, Clerk of the Board