



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Board of Directors Special Meeting

Monday April 27, 2015

Meeting Location: 3231 Main Street, Oakley

BOARD OF DIRECTORS

Greg Cooper
Robert Kenny
Jonathan Michaelson

Joel Bryant-President
Ronald Johansen-Vice President
Cheryl Morgan

Randy Pope
Stephen Smith
Joe Young

AGENDA – PART ONE

10:00 AM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING

PH.1 Public Hearing on Enactment of Fire Suppression Assessment

Ballots on the proposed fire suppression assessment will be accepted during the public hearing.

Balloting will close concurrent with the close of this public hearing.

BALLOT TABULATION

Members of the Board and the public may observe as ballots for the proposed Fire Suppression Assessment are opened, sorted and tabulated by TrueBallot, Inc.

AGENDA – PART TWO NO EARLIER THAN 6:30 PM

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

At this time the public may address the District Board on subject matters pertaining to District business listed on the Consent Calendar, Closed Session, Future Agenda Items, or items *not* listed on the agenda. Remarks may be limited to 3-minutes subject to the discretion of the Board President and with the concurrence of the Board of Directors. Members of the public wishing to address the Board may submit a "Public Comment Speaker Card" 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.

DISCUSSION ITEMS

D.1 Receive and Accept Results of Fire Suppression Assessment Ballot Process and Determine Whether Majority Protest Exists

ADJOURN TO THE REGULAR BOARD MEETING SCHEDULED: May 4, 2015

All items appearing on the agenda are subject to action by the Board.

POSTING STATEMENT

A copy of this agenda was posted **April 24, 2015 at the East Contra Costa Fire Protection District Administrative Office, 134 Oak Street, 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 writings distributed less than 72 hours prior to this meeting, are available for public inspection at the East Contra Costa Fire Protection District Administrative Office, 134 Oak Street, 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.

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS AGENDA ITEM NOS. PH-1 AND D-1**

Meeting Date: April 27, 2015

Subject/Title: PH-1: Public Hearing on Enactment of Fire Suppression Assessment;
Ballot Tabulation;

D-1: Receive and Accept Results of Fire Suppression Assessment
Ballot Process and Determine Whether Majority Protest Exists

Submitted by: Hugh Henderson, Fire Chief

RECOMMENDATION FOR ACTION

PH-1: Conduct a public hearing on enactment of a Fire Suppression Assessment, accept ballots on the proposed fire suppression assessment and close balloting period.

D-1: Receive and accept results of balloting on the proposed Fire Suppression Assessment and determine whether a majority protest exists under the terms of Article XIII D, section 4 of the California Constitution and Section 53753 of the California Government Code.

PREVIOUS ACTION

On March 2, 2015, the Board of Directors approved an Engineer's Report (the "Report") prepared by NBS, as a prerequisite to enactment of a fire suppression assessment, and unanimously adopted the following resolutions:

- Resolution 2015-03 declaring intention to establish the Assessment District, levy assessments, and preliminarily approving the Engineer's Report;
- Resolution 2015-04 providing notice of a public hearing and directing the mailing of the assessment ballots on the matter of authorizing the levy of annual assessments on properties within the district; and
- Resolution 2015-05 adopting updated procedures for completion, return and tabulation of assessment ballots in accordance with Proposition 218.

Consistent with these Resolutions, on or before March 13, 2015, the District's consultant, TrueBallot, Inc., mailed out notice of an April 27, 2015 public hearing and the ballots for the proposed Assessment District.

SUBJECT BACKGROUND

The Board of Directors will commence a public hearing at 10:00 a.m., on April 27, 2015, to take public comment on, and accept ballots concerning, the proposed Fire Suppression Assessment. Ballots will be accepted during the public hearing. The balloting period will close concurrent with the close of the public hearing.

After the public hearing, representatives of TrueBallot, Inc. will open, sort, and tabulate all ballots submitted by owners of real property within the District pertaining to the proposed Fire Suppression Assessment. This process will take place in the same room as the rest of the meeting (Oakley City Council Chambers) and will be open to Board and public observation.

The Board will convene at the later of the conclusion of the ballot tabulation, or 6:30 PM, to receive the results of the ballot tabulation. Based on the results, the Board of Directors will have the opportunity to adopt a resolution determining that a majority protest either has or has not been received under the terms of Article XIII D, section 4 of the California Constitution and Section 53753 of the California Government Code.

If a majority protest has not been received, the Board of Directors may, at a future meeting, decide whether to enact and levy the Fire Suppression Assessment.