



# EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Board of Directors Regular Meeting

**Monday March 3, 2014 – 6:30 P.M.**

Meeting Location: 3231 Main Street, Oakley

## BOARD OF DIRECTORS

Kevin Bouillon  
Greg Cooper  
Robert Kenny

Joel Bryant-President  
Ronald Johansen-Vice President  
Jonathan Michaelson

Cheryl Morgan  
Stephen Smith  
Joe Young

## AGENDA

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### PRESENTATION

#### P.1 Contra Costa County Emergency Medical Services Recognition

### 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. Please complete and submit a "Public Comment Speaker Card" with 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.

### CONSENT CALENDAR

Consent Calendar items are considered routine in nature and will be enacted by the Board in one motion. If discussion or public comment is required, any Board Member may request the item be removed from the Consent Calendar and considered separately.

#### C.1 Approve minutes from February 3, 2014 Regular Board of Directors Meeting.

### DISCUSSION ITEMS

#### D.1 Receive Community Responses from District Educational Mailer

## **PUBLIC HEARINGS**

Members of the public wishing to address the Board on a listed item shall complete and submit a "Public Comment Speaker Card" with the District Clerk

**PH.1** Public Hearing on, and Adoption of, a Resolution Calling an Election to be Consolidated with the Statewide Gubernatorial Primary Election on Tuesday, June 3, 2014 and Ordering that a Question Relating to the Levy of a Special Parcel Tax be Submitted to the Voters at that Election

## **INFORMATIONAL STAFF REPORTS**

1. Receive Operational Update for February, 2014.

## **DIRECTORS' COMMENTS**

## **INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS**

This portion of the agenda shall provide an opportunity for Board Members to report on activities, committee or event attendance pertaining to District business or to request a future item to be placed on the agenda.

## **ADJOURN TO THE NEXT REGULAR BOARD MEETING SCHEDULED: April 7, 2014**

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

### POSTING STATEMENT

A copy of this agenda was posted **February 28, 2014 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 writing distributed less than 72 hours prior to this meeting is 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

## Meeting Minutes

Board of Directors Regular Meeting

**Monday February 3, 2014 – 6:30 P.M.**

Meeting Location: 3231 Main Street, Oakley

<b>BOARD OF DIRECTORS</b>		
Kevin Bouillon	Joel Bryant-President	Cheryl Morgan
Greg Cooper	Ronald Johansen-Vice President	Stephen Smith
Robert Kenny	Jonathan Michaelson	Joe Young

**CALL TO ORDER:** (6:33 P.M.)

**PLEDGE OF ALLEGIANCE:** (6:34 P.M.)

**ROLL CALL:** (6:34 P.M.)

Directors Present: Bouillon, Bryant, Cooper, Kenny, Johnansen, Michaelson, Morgan, Smith, Young

**PUBLIC COMMENTS:** (6:35 P.M.)

*There were no (0) Public Speakers –*

**CONSENT CALENDAR:** (6:35 P.M.)

Director Young requested that C.3 be pulled for discussion.

**C.1** Approve minutes from January 6 2014, Regular Board of Directors Meeting.

**C.2** Approve minutes from January 21, 2014 Special Board of Directors Meeting.

**Motion by: Director Smith to approve Consent Calendar Items C.1 & C.2**

**Second by: Director Young**

**Vote: Motion carried: 9:0**

**Ayes: Bouillon, Bryant, Cooper, Kenny, Johansen, Michaelson, Morgan, Smith, Young**

**C.3** Adopt a Resolution to Participate in Contra Costa County's Program for Compensation and Benefits for Employees Ordered to Active Military Duty.

**Motion by: Director Cooper to approve Consent Calendar Item C.3**

**Second by: Director Michaelson**

**Vote: Motion carried: 9:0**

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**Ayes: Bouillon, Bryant, Cooper, Kenny, Johansen, Michaelson, Morgan, Smith, Young**

**PUBLIC HEARINGS**

NONE

**DISCUSSION ITEMS: (6:38 P.M.)**

**D.1** Receive Update on Community Meetings Conducted in January and from the District's Outreach-Education Consultant

*There were six (6) Public Speakers – Diane Burgis, Bob Mankin, David Piepho, Vince Wells, Mark Whitlock & Kevin Graves.*

**Motion by: Director Cooper to direct staff to (a) issue a District-wide mailing to educate the public on the District's financial situation and service model and seek public input on a potential revenue measure and (b) hold a public hearing at the March 3, 2014 Board meeting on a potential parcel tax measure for the June 3, 2014 ballot.**

**Second by: Director Johansen**

**Vote: Motion carried: 9:0**

**Ayes: Bouillon, Bryant, Cooper, Kenny, Johansen, Michaelson, Morgan, Smith, Young**

**INFORMATIONAL STAFF REPORTS: (8:12 P.M.)**

Chief Henderson gave the Operational Update for January 2014.

**DIRECTORS' COMMENTS (8:13 P.M.)**

NONE

**INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS (8:14 P.M.)**

NONE

**ADJOURN TO THE NEXT REGULAR BOARD MEETING SCHEDULED: March 3, 2014 (8:14 P.M.)**

**Motion by: Director Bryant to adjourn to the next Regular Board Meeting scheduled: March 3, 2014**

## BOARD OF DIRECTORS AGENDA ITEM NO. D-1

**Meeting Date:** March 3, 2014

**Subject/Title:** Receive Community Responses from District's Educational Mailer

**Submitted by:** Hugh Henderson, Fire Chief

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### RECOMMENDATION FOR ACTION

Receive community responses from District's educational mailer

### PREVIOUS ACTION

At the January 21, 2014 Board of Directors meeting, the Board awarded a professional service agreement to TBWB Strategies to assist the District in developing a plan for community outreach surrounding District activities and a potential revenue measure for the June, 2014 ballot.

At the February 3, 2014 Board of Directors meeting, the Board directed staff to work with our Outreach Consultant to prepare and send out an educational mailer regarding the District's current financial situation and service model. The Board requested that the mailer include a way to solicit public input on potential responses to the District's financial challenges prior to the March 3, 2014 meeting.

The Board President established an Ad-hoc Committee to review the mailer. The Ad-hoc Committee consisted of Directors Bouillon, Cooper, Smith, and Young.

### SUBJECT BACKGROUND

The mailer, which included a comment card described below, was drafted by TBWB and reviewed by staff and the Ad-hoc Committee, and approved for publication.

On February 19, approximately 43,500 mailers were delivered to the post office for mailing to all residences in the District's service area. On-line versions of the mailer and comment card were also linked to the District's website and Facebook.

The comment card was broken into five sections:

1. Ratings for the importance of each of the following on 1 to 5 scales;
  - a. preserving 911 response times to medical emergencies and accidents
  - b. maintaining the ability to respond to multiple 911 emergencies at once
  - c. keeping five fire stations open in East County
  - d. maintaining the number of on-duty firefighters/EMTs
  - e. maintaining response levels for house fires and other structure fires

- f. maintaining response levels for grass and wildfires.
2. Selection of one of the following statements that most clearly represent respondents' opinions:
    - I would pay \$98 a year (27 cent per day) to maintain current 911 emergency response levels and five fire stations serving East County
    - I would pay more for enhanced 911 emergency response
    - I would pay less for reduced 911 emergency response
    - I would not pay for 911 emergency response and believe we should close to local fire stations and lay off firefighters/EMTs.
  3. A blank area for respondents' to write-in comments.
  4. Respondents' contact information.
  5. Finally, we asked respondents if they would like to receive further updates from the District, if they had questions and wanted to be contacted directly, and if they had attended a community meeting on these issues.

As of Friday, February 28, 2014, the District received 726 responses. Staff and TBWB will present updated response numbers and provide an substantive overview of the responses received.

## BOARD OF DIRECTORS AGENDA ITEM NO. PH-1

**Meeting Date:** March 3, 2014

**Subject/Title:** Public Hearing on, and Adoption of, a Resolution Calling an Election to be Consolidated with the Statewide Gubernatorial Primary Election on Tuesday, June 3, 2014 and Ordering that a Question Relating to the Levy of a Special Parcel Tax be Submitted to the Voters at that Election

**Submitted by:** Hugh Henderson, Fire Chief

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### RECOMMENDATION FOR ACTION

Hold a public hearing and adopt a resolution calling an election on Tuesday, June 3, 2014, requesting that the election be consolidated with the statewide gubernatorial primary election and ordering that a question relating to the levy of a special parcel tax be submitted to the voters at that election.

### PREVIOUS ACTION

At the February 3, 2014 meeting, the Board directed staff to develop a proposed parcel tax question to be submitted to the voters. Staff has developed the attached ordinance and resolution to reflect the Board's direction.

### SUBJECT BACKGROUND

Sections 13911 and 13913 of the California Health and Safety Code authorize the District to adopt an ordinance, subject to two-thirds voter approval, to levy a special tax on all parcels of real property in the District for the purpose of providing fire protection and emergency services. The next election date at which the District may submit a measure to the voters is June 3, 2014, which is also an established statewide election date. If the District calls an election on June 3, 2014, the District may request, pursuant to Section 10403 of the Elections Code, that the County consolidate the District's election with the statewide election on the same date. Approval of the attached draft Resolution is required to submit a special tax measure to the voters.

The attached Resolution:

1. Calls a special district election to be held on June 3, 2014;
2. Orders a ballot question to approve Ordinance No.2014-01 to levy the proposed special tax to be submitted to the voters, with the language of the ballot question stated in the Resolution;
3. Incorporates by reference, as Exhibit A, Ordinance No.2014-01 to:
  - a. Impose a special tax for the purpose of maintaining current emergency and fire prevention and response service levels;
  - b. Establish the special tax for collection for five years beginning with fiscal year 2014-15 and set the amount of the special tax at \$98.00 per parcel;
  - c. Provide for the special tax to be collected in the same manner, on the same dates, and subject to the same penalties and interest as other charges and taxes collected on the county tax roll;
  - d. Apply exemptions required by any provision of the Constitution, California

- State law, or any other paramount law;
- e. Increase the District's appropriation limit established under Article XIII B, Section 6 of the Californian Constitution by the amount of the proceeds received from the special tax; and
  - f. Provide that its enactment is not a "project" for purposes of the California Environmental Quality Act;
4. Authorizes the District Clerk / Fire Chief to contract with the County to procure and furnish any election supplies and equipment to lawfully conduct the election, at costs to be reimbursed by the District;
  5. Requests the County to consolidate the special district election with the statewide election to be held on June 3, 2014;
  6. Authorizes the County Election Department to canvass the returns for the special district election; and
  7. Provides for reimbursement to the County for any costs to consolidate the special district election.

The Board retains full discretion at this hearing to 1) pass or reject the tax proposal in its entirety, or 2) make changes by modifying the Resolution and proposed Ordinance prior to voting on them. Once the Resolution is adopted, however, it will be immediately forwarded to the County Election Official and no further changes can be made unless the County Election Official requires non-substantive revisions to the form of the Ordinance or ballot question.

Attachments:

Resolution 2014-  
Ordinance 2014-01



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

\* \* \*

**RESOLUTION NO. 2014-**

**A RESOLUTION CALLING AN ELECTION TO BE CONSOLIDATED WITH THE  
STATEWIDE GUBERNATORIAL PRIMARY ELECTION ON TUESDAY, JUNE 3, 2014  
AND ORDERING THAT A QUESTION RELATING TO THE LEVY OF A SPECIAL  
PARCEL TAX BE SUBMITTED TO THE VOTERS AT THAT ELECTION**

**WHEREAS**, in 2008, the East Contra Costa Fire Protection District (District) operated eight fire stations to protect the safety of approximately 105,000 residents and 249 square miles; and

**WHEREAS**, the District relies primarily on property tax revenue and the Great Recession and associated decrease in property values led to a 40% decrease in funding for local fire and emergency medical response in East Contra Costa County; and

**WHEREAS**, in response to the decline in funding for fire and emergency medical response, the District was forced to close two fire stations in 2010 and three fire stations in 2012, leaving East County with just three open and operating fire stations and nine on-duty first responders; and

**WHEREAS**, a temporary federal grant was secured to reopen two fire stations but this funding will expire on November 17, 2014, which would lead to two fire stations again closing and a 40% reduction in the number of firefighters / Emergency Medical Technicians (EMTs) serving East County; and

**WHEREAS**, if two fire stations close and 18 firefighter / EMTs are laid off, 9-1-1 emergency response times to portions of East County could increase to 15 minutes or more; and

**WHEREAS**, for victims of heart attacks, strokes, accidents and other medical emergencies, permanent brain damage can occur in as little as four minutes and brain death in as little as eight minutes; and

**WHEREAS**, if the District must serve all of East County with just three fire stations, the ability to respond to multiple emergencies at the same time will be limited significantly; and

**WHEREAS**, in response to decreasing revenue, the District has exhausted options for reducing costs while protecting essential lifesaving services, including: closing three fire stations, cutting administration to the minimum, freezing salaries, selling surplus equipment and requiring firefighters to pay a larger portion of their own pension costs; and

**WHEREAS**, East County firefighters / EMTs are already paid 40% less than those in nearby fire departments and have already reduced their take-home salaries by up to 25% by contributing larger portions of their own pensions; and

**WHEREAS**, no alternative funding sources exist to sustain 9-1-1 emergency response services in East County and the federal grant currently keeping these stations open cannot be renewed; and

**WHEREAS**, funding from this 9-1-1 Emergency Response Ordinance would be used to preserve 9-1-1 emergency response times, keep local fire stations open, maintain the number of on-duty firefighters / EMTs, and maintain the ability of the District to respond to multiple 9-1-1 emergencies; and

**WHEREAS**, sustaining current service levels would cost property owners \$98 per year – or about 27 cents per day; and

**WHEREAS**, all funds from this 9-1-1 Emergency Response Ordinance will stay in East County and could not be taken away by the State or other agencies; and

**WHEREAS**, all funds from this 9-1-1 Emergency Response Ordinance will be subject to mandatory annual audits and review by an independent citizens' oversight committee to ensure funds are spent as promised; and

**WHEREAS**, no funds from this 9-1-1 Emergency Response Ordinance can be used for administrator salaries or other administrative costs, and all funds will go directly to fire and emergency medical response; and

**WHEREAS**, pursuant to its rights and authority under State law, the Board of Directors may call a Special Election to be held in the District on June 3, 2014 for the purpose of submitting a ballot measure to the voters of the District; and

**WHEREAS**, pursuant to the authority of Sections 13911 and 13913 of the California Health and Safety Code, and other applicable law, the District may levy a special tax on all parcels of real property in the District for the purpose of providing fire protection and emergency services, subject to the approval by a two-thirds vote of the qualified voters of the District voting in an election on the issue; and

**WHEREAS**, the County of Contra Costa will conduct its portion of a Statewide Election on June 3, 2014 in territory that is in part the same as the District; and

**WHEREAS**, it is desirable that this Special District Election be consolidated with the Statewide Election to be held on the same date and that within said District the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of Contra Costa canvass the returns of the Special District Election, and that this Consolidated Election be held in all respects as if there were only one election; and

**NOW, THEREFORE BE IT RESOLVED** that pursuant to its rights, powers and authority, the Board of Directors of the District does hereby call a Special District Election to be held on June 3, 2014 and orders the following question to be submitted to the voters at the Special District Election:

**EAST COUNTY 9-1-1 EMERGENCY RESPONSE MEASURE.** To keep East County residents safe with local funding that cannot be taken by the State, preserve 9-1-1 response for victims of heart attacks /strokes /accidents /fires /emergencies, prevent closure of fire stations, and maintain the number of on-duty firefighters/ Emergency Medical Technicians, shall East Contra Costa Fire Protection District levy \$98 per parcel annually for five years with mandatory audits, independent oversight, all funds controlled locally and no money for administrator salaries?

**BE IT FURTHER RESOLVED** that the full text of Ordinance No. 14-001, attached to this Resolution as Exhibit A and incorporated herein by reference, shall be printed on the voter pamphlet.

**BE IT FURTHER RESOLVED** that the ballots to be used at the election shall be in form and content as required by law.

**BE IT FURTHER RESOLVED** that the District Clerk / Fire Chief is authorized, instructed and directed to contract with the County of Contra Costa to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, personnel and paraphernalia that may be necessary in order to properly and lawfully conduct the election, at costs to be reimbursed by the District.

**BE IT FURTHER RESOLVED** that in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**BE IT FURTHER RESOLVED** that the notice of the time and place of holding the election is given, and the District Clerk is authorized, instructed and directed to give further or additional notice of the election in time, form and manner as required by law.

**BE IT FURTHER RESOLVED** that pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Contra Costa is hereby requested to consent and agree to the consolidation of the Special District Election with the Statewide Election on Tuesday, June 3, 2014, for the purpose of submitting the above-described ballot measure to the voters of the District.

**BE IT FURTHER RESOLVED** that the County Election Department is authorized to canvass the returns of the Special District Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

**BE IT FURTHER RESOLVED** that the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

**BE IT FURTHER RESOLVED** that the District recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

**BE IT FURTHER RESOLVED** that the District Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election

Department of the County of Contra Costa forthwith and to take other actions necessary to give effect to this resolution, including making required non-substantive revisions to the form of the ordinance or ballot question.

**BE IT FURTHER RESOLVED** that the District Clerk shall certify to the passage and adoption of this Resolution and enter it into the official records of the District.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 3rd day of March, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Joel Bryant  
President, Board of Directors

ATTEST:

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Hugh Henderson, Clerk of the Board

**EXHIBIT A**

**ORDINANCE NO. 2014-01**

**AN ORDINANCE OF THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT TO AUTHORIZE THE LEVY OF A SPECIAL TAX TO FINANCE EMERGENCY SERVICES AND FIRE PROTECTION AND AUTHORIZING AN INCREASE IN THE APPROPRIATIONS LIMIT FOR THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT**

**("9-1-1 EMERGENCY RESPONSE ORDINANCE")**

**WHEREAS**, in 2008, the East Contra Costa Fire Protection District (District) operated eight fire stations to protect the safety of approximately 105,000 residents and 249 square miles; and

**WHEREAS**, the District relies primarily on property tax revenue and the Great Recession and associated decrease in property values led to a 40% decrease in funding for local fire and emergency medical response in East Contra Costa County; and

**WHEREAS**, in response to the decline in funding for fire and emergency medical response, the District was forced to close two fire stations in 2010 and three stations in 2012, leaving East County with just three open and operating fire stations and nine on-duty first responders; and

**WHEREAS**, a temporary federal grant was secured to reopen two fire stations but this funding will expire on November 17, 2014, which would lead to two fire stations again closing and a 40% reduction in the number of firefighters / Emergency Medical Technicians (EMTs) serving East County; and

**WHEREAS**, if two fire stations close and 18 firefighter / EMTs are laid off, 9-1-1 emergency response times to portions of East County could increase to 15 minutes or more; and

**WHEREAS**, for victims of heart attacks, strokes, accidents and other medical emergencies, permanent brain damage can occur in as little as four minutes and brain death in as little as eight minutes; and

**WHEREAS**, if the District must serve all of East County with just three fire stations, the ability to respond to multiple emergencies at the same time will be limited significantly; and

**WHEREAS**, in response to decreasing revenue, the District has exhausted options for reducing costs while protecting essential lifesaving services, including: closing three fire stations, cutting administration to the minimum, freezing salaries, selling surplus equipment and requiring firefighters to pay a larger portion of their own pension costs; and

**WHEREAS**, East County firefighters / EMTs are already paid 40% less than those in nearby fire departments and have already reduced their take-home salaries by up to 25% by contributing larger portions of their own pensions; and

**WHEREAS**, no alternative funding sources exist to sustain 9-1-1 emergency response services in East County and the federal grant currently keeping these stations open cannot be renewed; and

**WHEREAS**, funding from this 9-1-1 Emergency Response Ordinance would be used to preserve 9-1-1 emergency response times, keep local fire stations open, maintain the number of on-duty firefighters / EMTs, and maintain the ability of the District to respond to multiple 9-1-1 emergencies; and

**WHEREAS**, sustaining current service levels would cost property owners \$98 per year – or about 27 cents per day; and

**WHEREAS**, all funds from this 9-1-1 Emergency Response Ordinance will stay in East County and could not be taken away by the State or other agencies; and

**WHEREAS**, all funds from this 9-1-1 Emergency Response Ordinance will be subject to mandatory annual audits and review by an independent citizens' oversight committee to ensure funds are spent as promised; and

**WHEREAS**, no funds from this 9-1-1 Emergency Response Ordinance can be used for administrator salaries or other administrative costs, and all funds will go directly to fire and emergency medical response.

**NOW, THEREFORE, THE PEOPLE OF THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT DO HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Title.**

This Ordinance shall be known as the "9-1-1 Emergency Response Ordinance".

**Section 2. Authority, Purpose and Intent.**

Pursuant to the authority of Sections 13911 and 13913 of the California Health and Safety Code, and other applicable law, there is hereby levied and assessed a special tax by the East Contra Costa Fire Protection District for ownership of all parcels of real property in the East Contra Costa Fire Protection District for each fiscal year. It is the sole, specific purpose and intent of this 9-1-1 Emergency Response Ordinance to impose a special tax to raise revenues necessary to maintain emergency and fire protection services in East Contra Costa County at a level consistent with those in effect as of June 3, 2014. All funds from this 9-1-1 Emergency Response Ordinance cannot be taken by the State and must stay in the District under local control to benefit local residents, communities and businesses.

**Section 3. Special Tax Imposed.**

A special tax of \$98.00 per parcel shall be imposed on all parcels of real property in the East Contra Costa Fire Protection District for the purpose specified in Section 4 of this ordinance for each of the next five fiscal years, commencing with fiscal year 2014-15.

The records of the Contra Costa County Assessor as of March 1st of each year shall determine the use and improvement of each parcel for the calculation of the special tax applicable to that parcel in the following fiscal year.

For the purposes of this ordinance, the term "parcel" shall mean a parcel of real property having a separate assessor's parcel number as shown on the last equalized assessment roll of Contra Costa County.

**Section 4. Special Fund, Use of Tax Proceeds.**

The Fire Protection Fund is hereby created as part of the 9-1-1 Emergency Response Ordinance. All proceeds of the special tax established by this ordinance will be deposited in the Fire Protection Fund to be used solely for the purpose of maintaining the existing level of emergency, fire prevention and fire protection services in East Contra Costa County. The Fire Protection Fund may not be used to pay for administrator salaries or other administrative costs.

**Section 5. Collection.**

The special tax imposed by this 9-1-1 Emergency Response Ordinance shall be collected in the same manner, on the same dates, and shall be subject to the same penalties and interest as other charges and taxes fixed and collected by the County of Contra Costa on behalf of the East Contra Costa Fire Protection District. Said special tax, together with all penalties and interest thereon, shall, until paid, constitute a debt obligation to the East Contra Costa Fire Protection District by the persons who own the parcel on the date the tax is due.

**Section 6. Citizens' Advisory Committee.**

The District's Board of Directors must appoint a Citizens' Advisory Committee, which shall meet at least annually to review the expenditure of revenues generated by the tax imposed by this Ordinance, and to make recommendations to the District's Board of Directors regarding those expenditures. The minutes of Citizens' Advisory Committee meetings shall be provided to the Board of Directors and placed on the next available regular Board meeting agenda thereafter.

**Section 7. Audits.**

The proceeds of the tax imposed by this ordinance, as well as the expenditure thereof, shall be audited annually by an independent accounting firm, and the District shall file an annual report containing both the amount of tax proceeds collected and expended, and the status of projects described herein. The District shall discuss the results of such audit and report at a meeting of the Board of Directors that is open to the public. The audit and report shall be posted on the District's website.

**Section 8. Amendment.**

The Board of Directors shall be empowered to amend this ordinance by an affirmative vote of at least a majority of its members to carry out the general purposes of this ordinance, to conform the provisions of this ordinance to applicable state law, to modify the methods of collection or clarify any ambiguities regarding the technical application of the parcel tax, or to assign the duties of public officials under this ordinance.

**Section 9. Exemptions.**

The special tax shall not be imposed upon any parcel that is exempt from the special tax pursuant to any provision of the Constitution, California State law, or any paramount law.

**Section 10. Appropriations Limit.**

The appropriations limit of the East Contra Costa Fire Protection District established under Article XIII B, Section 6 of the California Constitution shall be increased by the proceeds received from the special tax imposed by this ordinance.

**Section 11. CEQA Finding.**

The District finds and determines that the enactment of this ordinances is not a “project” as that term is used in the California Environmental Quality Act (“CEQA,” Cal. Pub. Resources Code Section 21000 et seq.) or the State CEQA Guidelines (Cal. Code of Regs., Title 15, Section 15000 et seq.) and therefore, no environmental assessment is required or necessary.

**Section 12. Severability.**

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The Board of Directors, and the electorate, do hereby declare that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof, be declared invalid or unconstitutional.

**Section 13. Effective Date.**

This ordinance shall be adopted and become effective upon approval by two-thirds of the voters voting thereon, at an election to be held on June 3, 2014.

**Section 14. Termination.**

Unless extended by another vote of the electorate pursuant to state law, this ordinance shall be null and void as of twelve o'clock midnight, July 1, 2019, and shall have no force and effect whatsoever after said time and date. Notwithstanding the previous sentence, Section 5, relating to collection and enforcement of obligations for the special tax procedures, shall remain in full force and effect until such collections have been completed.

**Section 15. Attestation.**

The President is hereby authorized to attest to the adoption of this ordinance by signing where indicated below.

I hereby certify that the foregoing ordinance was PASSED, APPROVED AND ADOPTED by the people of the East Contra Costa Fire Protection District voting on the 3rd day of June, 2014.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
District Clerk