

## Assembly Bill No. 4227

### CHAPTER 375

An act relating to the creation of the Coast Life Support District, prescribing its boundaries, organization, operation, management, financing, and powers, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 16, 1986. Filed with Secretary of State July 16, 1986.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 4227, Hauser. Coast Life Support District.

This bill would create and provide for the operation, management, financing, and the powers of the Coast Life Support District to provide emergency medical services, including emergency ambulance and life support services and certain other health services to a specified area within Sonoma and Mendocino counties. The bill would impose certain duties on those counties with respect to the creation and operation of the district thus creating a state-mandated local program. The bill would specify that it shall not become effective unless the Boards of Supervisors of Sonoma and Mendocino Counties adopt resolutions requesting the state to mandate an election, and its costs, in November 1986 imposing a special tax and setting an initial appropriations limitation.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would state the findings and declarations of the Legislature concerning the need for special legislation.

The bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

#### CHAPTER 1. FORMATION OF DISTRICT

##### Article 1. General Provisions

**SECTION 1.** The Coast Life Support District is created to consist of the territory described in Section 4 in Mendocino and Sonoma Counties.

**SEC. 2.** This act shall be known and may be cited as the "Coast

Life Support District Act.”

SEC. 3. If any provisions of the act or the application thereof to any person or circumstance is held invalid, the remainder of this act, or the application of that provision to other persons or circumstances shall not be affected thereby.

SEC. 4. The territory of the district shall be the following areas:

Beginning at the northerly boundary of the Irish Beach Water District, being a portion of Section 5 and 6, T 13N, R 16W, and portions of Sections 31 and 32, T 14N, R 16W, MDM, at the mean high water mark of the Pacific Ocean, thence easterly along said boundary to a ½ inch iron pipe tagged LS 3089 located at the northeasterly corner of lot 31 Mendocino Coast unit #3, recorded in map case 2, drawer 8, page 29, Mendocino County Records; thence south 89 15'20" east, 129.39 feet; thence north 44 58'38" east 316.76 feet; thence along the arc of a tangent curve to the right, having a radius of 155 feet, through a central angle of 115 26'49", a length of 312.31 feet; thence south 19 34'33" east, 110.31 feet; thence south 16 36'25" east, 72.52 feet to a point on the south line of the northeast quarter of the southwest quarter of said Section 31, T 14N, R 16W; thence east 918.46 feet along said line to the northeast corner of the southeast quarter of the southwest quarter of said Section 31; thence north 2,640 feet to the northwest corner of the southwest quarter of the northeast quarter of Section 31; thence east 3,960 feet to the northeast corner of the southwest quarter or the northwest quarter of Section 32, T 14N, R 16W; thence south 2,640 feet to the northeast corner of the southwest quarter of the southwest quarter of Section 32; thence east 2,640 feet to the northwest corner of the southeast quarter of the southeast quarter of Section 32; thence south 1,320 feet to a point on the township line at the southwest corner of the southeast quarter of the southeast quarter of Section 32; thence east along the common township 13N and 14N line to the northeast corner of lot 1, Section 5, township 13N, R 16W; thence northerly along the east line of Section 32 and 29, to the northeast corner of Section 20, and thence easterly along the north line of Sections 21 and 22; 23, and 24 to the NE corner of said Section 24 said corner being on the range common to ranges 15 and 16 west; thence;

Southerly and along said range line to the NW corner of Section 19; T 13 N R 15 W; thence;

Easterly and along the north line of Sections 19, 20, and 21 to the SW corner of Section 15; thence;

Northern and along the west line of Sections 15, 10, and 3 to the NW corner of said Section 3; thence;

Easterly and along the north line of Sections 3 and 2 to the NE corner of said Section 2; thence

Southerly along the east line of said Section 2 to the NW corner of Section 12; thence;

Easterly and along the north line of Section 12 to the north ¼ corner thereof; thence;

Southerly and along the ¼ Section line to the north ¼ corner of Section 13; thence;

Easterly and along the north line of Section 13 to the NE corner thereof; thence;

Southerly and along the east line of said Section 13 to the SE corner thereof said corner being on the range line common to ranges 14 and 15 west; thence;

Easterly and along the north line of Section 19, T 13 N, R 14W, to the north ¼ corner thereof; thence;

Southerly through the center of Section 19, 30, and 31 and along the ¼ section line thereof to the south ¼ corner of Section 31, said corner being on the township line common to townships 12 and 13 north; thence;

Easterly and along said township line to the NE corner of Section 4, T 12 N, R 14 W; thence;

Southerly and along the east line of Section 4 and 9 to the NW corner of Section 15; thence;

Easterly and along the north line of Section 15 and 14 to the E ¼ corner of said Section 14; thence;

Southerly along the east ¼ line thereof to the NE ¼ corner thereof; thence;

Easterly along the ¼ Section line to the N ¼ corner of said Section 14; thence;

Southerly and along the east line of Section 14, 23, 26, and 35, T 12 N, R 14 W; thence;

Continuing southerly along the east line of Sections 2, 11, 14, and 23 to the common boundary between Mendocino and Sonoma Counties; thence;

Northerly and easterly along said boundary to the common corner of Section 8, 9, 16, and 17 T 11 NR 12 W; thence;

South along the east line of Sections 17, 20, 29, and 32 T 11 NR 12 W to the south line of Section 32; thence;

West along the south line of Section 32 and 31 T 11 NR 12 W and Section 36 T NR 13 W to the range line between T 10 NR 12 W and T 10 NR 13 W; thence;

South along said range line to the southeast corner of lot 1 of Section 1 T 10 NR 13 W; thence;

West along the south line of said lot 1 to its intersection with the centerline of the north fork of Fuller Creek as shown on the official map of Sonoma County of the year 1934; thence;

Southwesterly along the north fork of Fuller Creek to its intersection with the south fork of Fuller Creek; thence;

Southeasterly and easterly along the south fork of Fuller Creek to its intersection with the range line between T 10 NR 13 W and T 10 NR 12 W; thence;

South along said range line to the north line of Section 6 T 9 NR 12 W; thence;

East along the north line of Sections 6, 5, 4, 3, 2 and 1 T 9 NR 12

W to the range line between T 9 NR 12 W and T 9 NR 11 W; thence;  
South along said range line to the south line of Section 13 T 9 NR 12 W; thence;

West along the south line of Section 13 and 14 to the east line of Section 22 T 9 NR 12 W; thence;

South along the east line of Sections 22 and 27 T 9 NR 12 W to its intersection with the centerline of the Plantation - Ward Creek Road; thence;

Westerly and southwesterly along the centerline of the said Plantation - Ward Creek Road to its intersection with the  $\frac{1}{4}$  section line running north and south through the center of Section 22 T 9 NR 13 W; thence;

North on said  $\frac{1}{4}$  Section line to its intersection with the centerline of the south fork of the Gualala River; thence;

Northwesterly along the south fork of the Gualala River to its intersection with the north line of Section 18 T 9 NR 13 W; thence;

West along the north line of said Section 18 to the  $\frac{1}{4}$  Section line running north and south through the center of said Section 18; thence;

South along the said  $\frac{1}{4}$  Section line of the south line of the north  $\frac{1}{2}$  of the northwest  $\frac{1}{4}$  of said Section 18; thence;

West along the south line of the said north  $\frac{1}{2}$  of the northwest  $\frac{1}{4}$  of Section 18 of the range line between T 9 NR 13 W and T 9 NR 14 W; thence;

South along the said range line to its intersection with the northeasterly line of the German Rancho; thence;

Southeasterly line of the German Rancho; thence;

Southeasterly along the northeasterly line of the German Rancho of its intersection with the southerly line of the lands of A. H. Richardson; thence;

Southwesterly along the southerly line of the lands of A. H. Richardson to a point in the Pacific Ocean; thence;

Northwesterly along the Pacific Ocean to the point of beginning.

SEC. 5. There shall be transferred to the district for the fiscal year commencing July 1, 1986, and all fiscal years thereafter all revenues which would otherwise be received as a result of the existence of Zone of Benefit No. 1 of County Service Area No. 3 of Mendocino County, including any remaining balance of revenues not expended or necessary to satisfy obligations incurred prior to such fiscal years and not also assumed by the district.

SEC. 6. The district shall be entitled to receive all county subventions which have been and would be made available by Sonoma County for rural ambulance and emergency medical services by a provider of these services within the territory of the district if the district had not been formed.

SEC. 7. The district shall be entitled to receive grants and subventions available for the provision of emergency medical services in accordance with Division 2.5 (commencing with Section

1797) of the Health and Safety Code.

SEC. 8. Wherever this act permits the district to ask for and receive services to be provided by Mendocino County or Sonoma County, including legal or financial services, the county providing the service shall be entitled to recover from the district its reasonable costs incurred in providing the service to the district.

SEC. 9. Following the formation of the district, the Cortese-Knox Local Government Reorganization Act, of Division 3 (commencing with Section 56000) of Title 5 of the Government Code shall govern any change of organization.

## Article 2. Definitions

SEC. 10. Unless the context otherwise requires, the definitions in this section shall govern the construction of this act.

(a) "Board" or "board of directors" means the board of directors of the Coast Life Support District.

(b) "County" or "counties" means Mendocino and Sonoma Counties.

(c) "District" means the Coast Life Support District.

(d) "Elector" or "qualified elector" or "voter" or "qualified voter" means any registered voter residing within the district.

(e) "Health facility" or "health care facility" means any facility, place, or building duly licensed for the purpose of providing emergency medical services.

(f) "May" is permissive and "shall" is mandatory.

(g) "Medical personnel" includes physicians, nurses, and emergency medical services personnel certified in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(h) "Medical services" includes all services provided by medical personnel.

(i) "State" means the State of California, including any one or more of the bureau, commissions, divisions, departments, boards, agencies, and officers of the State of California.

## CHAPTER 2. BOARD OF DIRECTORS

### Article 1. Election and Organization

SEC. 20. The Boards of Supervisors of the Counties of Mendocino and Sonoma are joint bodies of interest pursuant to this act and shall constitute the appointing bodies, appointing those persons to the board of directors of the district as set forth in this act.

SEC. 21. The district shall be governed by a board of directors of seven members who shall be registered voters residing in the district and whose terms shall be four years, with the exception of the first board. The members of the board shall be elected by the electors of

the district.

The first board of directors shall be appointed, upon the formation of the district, by the boards of supervisors of the counties. Mendocino County shall appoint four members, Sonoma County shall appoint three members. Upon the appointment of the members of the first board, the board of supervisors of each county shall each specify two members whose terms shall expire on the last Friday in November of 1988 or until the qualification of their successors as provided herein and the remaining members shall have terms which expire two years thereafter. Any vacancy upon the board of an elected member shall be filled by the methods prescribed in Section 1780 of the Government Code.

SEC. 22. An election which shall be known as the Coast Life Support District general election, shall be held in the district on the first Tuesday after the first Monday, in November of 1988 and in each even-numbered year thereafter, at which a successor shall be chosen to each member of the board whose term expires on the last Friday of November following the election. The district general election shall be consolidated with the statewide general election pursuant to Chapter 4 (commencing with Section 23300), Part 2, Division 14 of the Elections Code.

The person or persons receiving the highest number of votes of qualified electors for each office to be filled at the election shall be elected thereto. The term of office of each elective officer of the district elected shall be four years, or until his or her successor is elected and has qualified.

SEC. 23. The board of directors shall meet on the first Monday subsequent to 30 days after the completion of organization of the district and shall organize by the election of one of their members as chairperson or president and one as secretary.

SEC. 24. The board of directors shall serve without compensation. Each member of the board of directors shall be allowed his or her actual necessary traveling and incidental expenses incurred in the performance of official business of the district as approved by the board.

SEC. 25. The board of directors shall provide for the time and place of holding its regular meetings and the manner of calling the same, and shall establish rules for its proceedings and may adopt rules and regulations not inconsistent with law as necessary for the exercise of the powers conferred and the performance of the duties imposed upon the board.

SEC. 26. The district is subject to the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code.

SEC. 27. (a) Except as otherwise provided in subdivision (b), no person possessing any property interest in, or owning any of the stocks, bonds, or other securities issued by, any private ambulance or life support service serving the same area served by the district, or

who is a director or other officer of, or who occupies any management position on the administrative staff of any private for-profit ambulance or life support service, not including any volunteer fire department providing such services, shall be eligible for or hold any district office, either as a member of the board or as staff. The possession or ownership of any property interest, stocks, bonds, or other securities by the spouse or minor children of any person shall be deemed, for the purposes of this section, to be the possession or ownership of an interest of that person.

(b) No person shall be prohibited from serving concurrently on the administrative staffs of any private ambulance or life support service and any district services or contracted services where the board of directors of these entities have determined that the dual administrative staff positions will further joint planning, efficient delivery of services, and the best interests of the areas served by their respective services.

(c) Any candidate who elects to run for the office of member of the board of directors of the district and who owns stock in, or who works for, a private for-profit ambulance or life support system which does not serve the areas shall disclose on the ballot his or her occupation and his or her place of employment.

#### Article 2. Powers

SEC. 30. Except as otherwise provided in this act, all powers of the district shall be exercised by the board of directors.

SEC. 31. The board of directors shall act only by ordinance, resolution, or motion. A majority vote of the members of the board of directors is required on each action, and the vote shall be recorded.

SEC. 32. By resolution, the board of directors of the district may delegate to an administrator the power to employ subject to the pleasure of the board of directors, and discharge, subordinate officers and employees as necessary for the purpose of carrying on the normal functions of the district.

SEC. 33. Except as provided in this section, by resolution, the board of directors of the district may authorize the disposition of any surplus property of the district at fair market value by any method determined appropriate by the board. The board of directors of the district may donate or sell, at less than fair market value, any surplus property to a public agency in California or to a nonprofit corporation which provides services to residents within the district of the type authorized to be provided by the district.

SEC. 34. The board of directors may establish training programs for emergency medical services personnel in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

SEC. 35. The board of directors shall be responsible for the

operation of all facilities and equipment owned or leased by the district and shall make and enforce all rules, regulations, and bylaws necessary for the administration, government, protection, and maintenance of facilities and equipment under their management and all property belonging to the district.

SEC. 36. The board of directors may provide for the operation and maintenance through tenants of health facilities acquired or constructed by it pursuant to this act, and for that purpose may enter into any lease agreement which it believes will best serve the interest of the district; provided, that any lease entered into for the operation of any facility shall require the tenant or lessee to conform to and abide by each and all rules and regulations adopted by the board. No lease for the operation of any facility shall run for a term in excess of 10 years.

### CHAPTER 3. PURPOSES AND POWERS OF THE DISTRICT

#### Article 1. Purposes

SEC. 40. The district may exercise the powers hereinafter granted for the purpose of supplying to the inhabitants of the district emergency medical services, including emergency ambulance services, basic life support services, limited advanced life support services, and advanced life support services, including medical equipment and supplies, within and without the district subject to the provisions of Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

SEC. 41. If approved by a majority of the electors of the district voting in an election upon the proposition, the district may exercise the powers hereinafter granted for the following additional purpose: establishment, maintenance, and operation of one or more health care facilities at any location within the district for the benefit of the district.

SEC. 42. A measure to extend the purpose of the district to include the purpose set forth in Section 41 may be placed on the ballot at any general election of the district by a vote of a majority of the board of directors or by a petition signed and filed with the board of directors by registered voters within the district equal in number to at least 15 percent of the number of votes cast in the district for the office of Governor at the last preceding election at which a Governor was elected. A measure authorized by the board of directors or requested by a duly filed petition to implement this section shall be placed in the ballots substantially as follows:

"Shall the (Coast Life Support District or insert name adopted pursuant to Section 64) provide for health care facilities in the district?" with the words "yes" and "no" so provided in connection therewith that the voters may express their choice.  
If the board of directors so desires or if the petition so requests, the

measure on the ballot may be worded to restrict the location and nature of the health facility to be provided. In such case, approval of the voters shall only be deemed to constitute approval of the facility described on the ballot.

The election shall be conducted, arguments for and against submitted, and returns canvassed and declared as at other district elections and in accordance with the Elections Code.

#### Article 2. Powers

SEC. 50. The district shall have and exercise the following powers:

- (a) To have and use a corporate seal and alter it at pleasure.
- (b) To sue and be sued in all courts and places and in all actions and proceedings whatever.
- (c) To purchase, receive, have, take, hold, lease, use, and enjoy property of every kind and description within and without the limits of the district, and to control, dispose of, convey, and encumber the same and create a leasehold interest in same for the benefit of the district.
- (d) To exercise the right of eminent domain for the purpose of acquiring real or personal property of every kind necessary to the exercise of any of the powers of the district.
- (e) To employ legal counsel to advise the board of directors in all matters pertaining to the business of the district, and to perform the functions in respect to the legal affairs of the district as the board may direct; and to call upon the district attorney of either county for legal advice and assistance in all matters concerning the district, or the directors may call upon the county counsel for legal advice and assistance.
- (f) To employ and prescribe the duties and powers of the officers and employees of the district; to establish offices as appropriate and to appoint board members or employees to those offices; to determine the number of and appoint all officers and employees, and to fix their compensation which officers and employees shall hold their offices as positions at the pleasure of the board.  
Further, the district may enter into a contract of employment with an administrator, the duration of which shall not exceed four years, but which may periodically be renewed upon expiration for not more than four years.
- (g) To employ consultants as the board of directors deems necessary to carry on properly the purposes and business of the district.
- (h) To establish, impose, and collect fees and charges for services provided by the district from persons receiving or benefiting from such services on such basis as the board shall determine to be fair and reasonable or to authorize the imposition and collection of such fees and charges by any person, corporation, or agency with which the

district contracts for the provision of such services.

(i) To contract for the provision of any service, equipment, or facility which the district is authorized to provide with any person or corporation or public agency in lieu of provision by the district itself as the board of directors deems necessary or desirable to carry out properly and efficiently the purposes and business of the directors.

(j) To establish, maintain, and carry on its activities through one or more corporations, joint ventures, or partnerships for the benefit of the district.

(k) To do any and all things which an individual might do which is necessary for, and to the advantage of, the district.

(l) To do any and all other acts and things necessary to carry out the provisions of this act.

SEC. 51. The district shall establish its own treasury and shall appoint a treasurer charged with the safekeeping and disbursement of the funds in the treasury of the district. The board of directors shall fix the amount of the bond to be given by the treasurer and shall provide for the payment of the premium therefor out of the maintenance and operations fund.

SEC. 52. (a) Upon the adoption of a resolution of the board of directors of the district so providing, all funds on hand in the treasury of the district may be paid over to the county treasurer of either county in which case and from and after the date of the adoption of the resolution the functions of the district treasurer shall be performed by the county treasurer designated by the board. Moneys in the treasury of the district shall be paid out by the county treasurer for purposes of the district upon warrants issued by the county auditor on orders signed by the president of the district and countersigned by the secretary of the district.

(b) At any time the district board may, by resolution, reestablish the office of district treasurer and, upon receipt of a copy of the resolution, notwithstanding any other provision of law, the county treasurer shall transfer all funds of the district to the district treasurer.

SEC. 53. Any moneys derived from a special tax or assessment levied under Articles 1 or 2 (commencing with Section 70 or Article 2 (commencing with Section 90) of Chapter 4 hereof shall be used exclusively for the purposes for which the special tax or assessment was levied if voted other than for the maintenance and operation of the district.

All receipts and revenues of any kind from the operation of the district shall be paid daily into the treasury of the district and placed in the maintenance and operation fund. Moneys in the maintenance and operation fund may be expended for any of the purposes of the district.

Any moneys in the treasury of the district may be deposited in accordance with the provisions of the general laws of the State of

California governing the deposit of public moneys of cities or counties in any bank or banks in the State of California as may be authorized to receive deposits of public funds, in the same manner and upon the same security as public moneys of cities and counties are deposited in those banks, and with like force and effect. The board of directors of the district are authorized to create a revolving fund which fund shall not exceed the sum of 10 percent of the estimated annual expenditures of the district at any one time and which shall be used for the purpose of paying the interim expenses of the operation of the district without the necessity of a written order signed by the president and countersigned by the secretary as provided herein. The treasurer is authorized to deposit the fund in any bank or banks in either county as may be authorized to receive deposits of public funds in the same manner and upon the same security as public moneys of cities and counties are deposited in those banks and with like force and effect, and shall be subject to withdrawal upon the signature of the treasurer, or such other official of the district as may be authorized by the board of directors, for the use and purpose provided for herein.

SEC. 54. Exclusively for the purpose of securing state insurance of financing for the construction of health facilities, the expansion, modernization, renovation, remodeling, and alteration of existing health facilities, the initial equipping of any facilities and the initial acquisition of equipment, and notwithstanding any provision of this act or any other provision or holding of law, the board of directors of the district may (a) borrow money or credit, as well as by the financing methods specified in this act, and (b) execute in favor of the state first mortgages, first deeds of trust, and such other necessary security interests as the Office of Statewide Health Planning and Development may reasonably require in respect to health facility property as security for the insurance.

SEC. 55. Notwithstanding the provisions of the Medical Practice Act, the board of directors may contract with physicians and surgeons, health care provider groups, and nonprofit corporations for the rendering of professional health services on a basis that does not result in any profit or gain to the district from the services so rendered and allows the board to ensure that fees and charges, if any, are reasonable, fair, and consistent with the basic commitment of the district to provide life support or health care to all residents within its boundaries.

SEC. 56. (a) The district may borrow money and incur indebtedness in an amount not to exceed 85 percent of all estimated income and revenue for the current fiscal year, including, but not limited to, tax revenues, operating income, and any other miscellaneous income received by the district, from whatever source derived. The money borrowed and indebtedness incurred under this subdivision shall be repaid within the same fiscal year.

(b) The district may issue negotiable promissory notes to acquire

funds for any district purposes. The maturity of the promissory notes shall not be later than 10 years from the date thereof. The total aggregate amount of the notes outstanding at any one time shall not exceed 85 percent of all estimated income and revenue for the current fiscal year, including, but not limited to, tax revenues, operating income, and any other miscellaneous income of the district. Indebtedness incurred pursuant to any other provision of law shall be disregarded in computing the aggregate amount of notes that may be issued pursuant to this subdivision.

SEC. 60. The district may maintain membership in any local, state, or national group or association organized and operated for the promotion of the public health and welfare, and in connection therewith pay dues and fees thereto.

SEC. 61. (a) Except as otherwise provided in this section, the board of directors shall let any contract involving an expenditure of more than ten thousand dollars (\$10,000) for work to be done or for materials and supplies to be furnished, sold, or issued to the district, to the lowest responsible bidder who shall give such security as the board requires, or else reject all bids.

(b) Bids need not be secured for change orders which do not materially change the scope of the work as set forth in a contract previously made if such contract was made after compliance with bidding requirements, and if each individual change order does not total more than 5 percent of the contract.

(c) Nothing in this section shall prevent the district from participating as a member of any organization described in Section 23704 of the Revenue and Taxation Code, nor shall this section apply to any purchase made, or services rendered, by the organization on behalf of the district which is a member of the organization.

SEC. 62. At least once each year the board shall engage the services of a qualified accountant of accepted reputation to conduct an audit of the books of the district and prepare a report. The financial statement of the district with the auditor's certification, including any exceptions or qualifications as part of such certification, shall be published in the district by the board pursuant to Section 6061 of the Government Code.

SEC. 63. The board of directors may, without following the bidding provisions in Section 61 hereof, let contracts for work to be done or for materials and supplies to be furnished, sold, or leased to the district, if it first determines that an emergency exists warranting such expenditures due to fire, flood, storm, epidemic, or other disaster and is necessary to protect the public health, safety, welfare, or property.

SEC. 64. The board of directors may, by resolution, change the name of the district. The change in the name of the district shall be effective upon the filing of a verified copy of the resolution with the Secretary of State.

SEC. 65. The district shall be part of the emergency medical

services area (EMS area) of the local EMS agency designated by Mendocino County pursuant to Section 1797.200 of the Health and Safety Code for all purposes of Division 2.5 (commencing with Section 1797) of the Health and Safety Code until the district elects otherwise. The district may elect, by resolution of the board at any time and from time to time, to be part of the EMS area of the local EMS agency designated by either Mendocino County or Sonoma County or, subject to approval by the local EMS agencies of both counties, to be part of the EMS areas of both local EMS agencies. The local EMS agency of the EMS area elected by the board shall be the local EMS agency with respect to the district for all purposes of Division 2.5 (commencing with Section 1797) of the Health and Safety Code except as otherwise agreed by the district and both local EMS agencies.

## CHAPTER 4. TAXES AND ASSESSMENTS

### Article 1. Special Taxes

SEC. 70. The district shall have the authority to impose special taxes pursuant to Article XIII A of the California Constitution and Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code. The board shall determine the basis and nature of any special tax and its manner of collection.

SEC. 71. The Boards of Supervisors of Mendocino and Sonoma Counties shall, on behalf of the district, present to the voters of the district at the general election to be held November 1986, a proposed ordinance of the district imposing a special tax for the purposes of the district adopted by resolution of both such boards of supervisors, or by joint resolution, in accordance with Section 50077 of the Government Code, as if the district were an affected district for which the boards of supervisors were conducting proceedings for formation.

SEC. 72. The appropriations limit for the district under Article XIII B of the California Constitution shall be established at three hundred thousand dollars (\$300,000) for the fiscal year commencing July 1, 1986, provided that the appropriations limit is approved by a majority of the electors voting thereon in the general election to be held in November 1986. The boards of supervisors shall, on behalf of the district, present to the voters of the district, concurrently and in conjunction with the ordinance to be presented pursuant to Section 71, a ballot measure in substantially the following form:

"Shall the Coast Life Support District have an initial appropriation limit of three hundred thousand dollars (\$300,000)?"

SEC. 72.5. This act shall not become effective unless the Boards of Supervisors of Mendocino and Sonoma Counties adopt resolutions

requesting the state to mandate the election specified in Sections 71 and 72 and the costs thereof.

SEC. 73. The exemptions contained in or authorized by Article XIII of the California Constitution shall not apply to a special tax authorized by this chapter.

SEC. 74. No special tax authorized by this chapter shall be imposed upon a federal or state governmental agency or another local agency.

SEC. 75. A special tax levied on parcels of real property shall be computed, entered upon the tax rolls and collected in the same manner as county taxes are computed, entered and collected. The taxes shall be a lien on the taxable property of the district and shall be paid with, and not separately from, county taxes.

## Article 2. Assessments

SEC. 90. The district may, by ordinance adopted after notice and hearing, determine and levy an assessment for the purposes of the district pursuant to this article. The assessment may be made for the purpose of providing emergency medical services or, if approved pursuant to Section 42, health care facilities, whether or not the services are actually used by or upon a parcel, improvement, or property.

SEC. 91. The ordinance shall establish uniform schedules and rates based upon the type of use of property and the risk classification of the population housed or potentially housed in structures or other improvements on, or the use of, the property. The risk classification may include, but need not be limited to, population density or potential population at risk in the structure or on the parcel or property, and other factors relating to potential demand for, and the costs of, providing services of the district to that property or the population residing thereon. The assessment shall be related to the benefits to the property assessed based on the factors considered.

SEC. 92. The board of the district shall cause to be prepared and filed a written report which shall contain all of the following:

- (a) A description of each lot or parcel of property proposed to be subject to the assessment.
- (b) The amount of the assessment for each lot or parcel for the initial fiscal year.
- (c) The maximum amount of the assessment which may be levied for each lot or parcel during any fiscal year.
- (d) The duration of the assessment.
- (e) The basis of the assessment.
- (f) The schedule of the assessment.

SEC. 93. (a) The board may establish zones or areas of benefit within the district and may restrict the imposition of assessment to areas lying within one or more of the zones or areas of benefit established within the district.

(b) The benefit assessment shall be levied on a parcel, class of improvement to property, or use of property basis, or a combination thereof, within the boundaries of the district, zone, or area of benefit.

The assessment may be levied against any parcel, improvement, or use of property to which such services may be made available whether or not the service is actually used.

The board shall cause notice of the filing of the report and of a time, date, and place of hearing thereon to be published pursuant to Section 6066 of the Government Code and to be posted in at least three public places within the district. The board shall also cause a copy of the notice of the filing of the report and of the time, date, and place of hearing thereon to be mailed to each parcel or property owner whose property would be subject to the assessment. The notice shall be mailed at least two weeks prior to the date set for hearing to those persons whose name and address appear on the last equalized county assessment roll, the State Board of Equalization assessment roll, or as known to the board.

SEC. 94. At any time not later than the hour set for the hearing, any holder, whether a fee owner, lessee, or otherwise, of the interest in the property which is proposed to be assessed and who will be obligated to pay any proposed assessment, may make written protest against the proposed assessment. The protest shall be in writing, shall contain a description of the property and the interest in the property which each signer of the protest represents, sufficient to identify the property, and, if the signers are not shown on the last equalized assessment roll as the owners of that property, shall contain, or be accompanied by, written evidence that the signers are the holders of the property interest proposed to be charged and who will be obligated to pay the proposed charge. All protests shall be delivered to the board of the local agency, and no other protests or objections shall be considered.

SEC. 95. (a) At the time, date, and place stated in the notice the board shall hear and consider all objections to protests, if any, to the report referred to in the notice.

(b) Any written protest may be withdrawn, in writing, by the person who made the protest at any time prior to the conclusion of the protest hearing or any adjournment of the hearing.

SEC. 96. If the board finds that the protest is made by holders of property interests proposed to be assessed and who will be obligated to pay the proposed assessments representing 50 percent or more of the total amount of expected revenue from the assessment, and protests are not withdrawn to reduce the same to less than 50 percent, the proposed assessment so protested shall be abandoned. If the board finds that the protest is made by holders of property interests proposed to be assessed and who will be obligated to pay the proposed assessment, representing more than 5 percent but less than 50 percent of the total amount of expected revenue from the assessment, and protests are not withdrawn so as to reduce the same

to less than 5 percent, the proposed assessment so protested shall either be submitted to approval by a majority of the voters of the district, zone, or area of benefit voting on the proposition or abandoned.

The district shall pay each county for costs, if any, incurred by the county in conducting the election. An election called by the board pursuant to this article is subject to all provisions of the Elections Code applicable to elections called by the district.

SEC. 97. If it shall be necessary, in order to find whether a 5 percent protest exists, to determine whether any or all of the signers of written protests are the holders of property interests proposed to be assessed and who will be obligated to pay the proposed assessment, the board shall make the determination from the latest equalized assessment roll, any written evidence submitted with a written protest, and any other evidence received at the hearing. The legislative body shall be under no duty to obtain or consider any other evidence as to the holding of property interests, and its determination of valid protests shall be final and conclusive.

If no protests or objections in writing have been delivered to the board up to the hour set for hearing thereof, or if valid protests have been found by the board to be less than 5 percent of the total amount of expected revenue the board may, upon the conclusion of the hearing adopt, revise, change, reduce, or modify each or any assessment. The board shall make a determination upon each assessment as described in the report or as determined at the hearing, and thereafter, by ordinance, shall determine and levy the assessment:

SEC. 98. The board may provide for the collection of the assessment in the same manner, and subject to the same penalties as, other fees, charges, and taxes fixed and collected by, or on behalf of the district. If the assessments are collected by the county, the county may deduct reasonable costs incurred for that service before remittal of the balance to the district's treasury.

SEC. 99. The provisions of Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure apply to any judicial action or proceeding to validate, attack, review, set aside, void, or annul an ordinance levying an assessment or modifying or amending an existing ordinance.

If an ordinance provides for an automatic adjustment in an assessment, and the automatic adjustment results in an increase in the amount of an assessment, any action or proceeding to attack, review, set aside, void, or annul the increase shall be commenced within 90 days of the effective date of the increase.

Any appeal from a final judgment in the action or proceeding brought pursuant to this section shall be filed within 30 days after entry of the judgment.

SEC. 100. This article does not limit or prohibit the levy or collection of any other fee, charge, assessment or tax for district

services authorized by any other provisions of this act or other law.

SEC. 110. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because this act is in accordance with the request of a local agency or school district which desired legislative authority to carry out the program specified in this act.

SEC. 115. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because the unique circumstances in northern Sonoma and southern Mendocino Counties. The remote character of the area, the relatively small property tax base, the dispersed nature of the population, and the great need for emergency medical services all constitute these unique circumstances.

SEC. 120. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the Coast Life Support District created by this act may become operative at the earliest possible time to provide necessary services in that area and to meet requirements for elections it is necessary that this act take effect immediately.