

RESOLUTION NO. \_\_\_\_\_

Dated: \_\_\_\_\_

RESOLUTION OF THE BOARD OF DIRECTORS OF THE COAST LIFE SUPPORT DISTRICT CALLING AN ELECTION ON AN ORDINANCE IMPOSING A SPECIAL TAX FOR AMBULANCE, LIFE SUPPORT AND TRANSPORT PURPOSES SUBJECT TO APPROVAL BY TWO-THIRDS OF THE VOTERS IN THE DISTRICT, RAISING THE DISTRICT'S SPENDING LIMIT TO ALLOW USE OF PROCEEDS OF THE TAX, AND REPEALING THE EXISTING SPECIAL TAX, AND ORDERING THE ELECTION CONSOLIDATED WITH THE STATE, COUNTY, OR LOCAL GENERAL ELECTION OF APRIL 10, 2012

WHEREAS, the Board of Directors of the Coast Life Support District recognizes the burden placed on injured or ill District taxpayers and residents by the high fees necessary to maintain a financially sustainable ambulance service; and

WHEREAS, this disproportionate burden has been addressed by the California State Legislature in passing AB 2091, which allows the District to charge residents or taxpayers of the District a fee that is less than the fee it charges nonresidents or nontaxpayers; and

WHEREAS, AB 2091 authorizes the District's Board of Directors to waive payment of any fee when it determines that payment would not be in the public interest; and

WHEREAS, the District's Board of Directors, in acknowledging the tax contributions by District residents and taxpayers, desires to fund the provision of emergency medical response services at a level which ensures that no residents or taxpayers of the District be personally responsible for payment of ambulance service charges or fees beyond the charges or fees recoverable from their insurance provider, if any; and

WHEREAS, the District's Board of Directors wishes to propose an ordinance authorizing a special tax to be voted upon by the voters of the District for ambulance, life support and transport purposes to replace the existing special tax, and to raise the District's spending limit to allow use of the proceeds of the tax; and

WHEREAS, state law requires that proposed special taxes be submitted to the voters for their approval, and authorizes Districts to call elections for this purpose and direct consolidation of such election with a statewide general election; and

WHEREAS, state law further requires that the proposed tax be approved by two-thirds of the District's Board members following a noticed, public hearing:

NOW, THEREFORE, BE IT RESOLVED:

(1) The Board finds and declares that the District has complied with all laws requiring notice of this action, and has held a public hearing as required by law.

(2) An ordinance authorizing a special tax shall be presented to the voters of the District, which ordinance shall be worded as follows:

***SECTION I. PURPOSE AND INTENT***

*It is the purpose of this Ordinance to authorize the levy of a special tax on parcels of real property that are within the Coast Life Support District, established by Chapter 375, Statutes of 1986, in order to augment funding for furnishing, operating and maintaining emergency medical services, ambulance, life support, and transport equipment and services.*

*It is the intent of this Ordinance to fund the provision of emergency medical response services at a level which ensures that no residents or taxpayers of the District be personally responsible for payment of ambulance service charges or fees beyond the charges or fees recoverable from their insurance provider, in any.*

*This is a special tax within the meaning of Section 4 of Article XIII A of the California Constitution, and is being enacted pursuant to the authority and procedures of Chapter 375, Statutes of 1986 and Government Code Section 50077. This tax is based on the use or the right of use of each Assessor's parcel; and is based, to the extent practical, upon the costs of providing ambulance and life support and transportation services associated with each parcel, its use and the improvements thereon. Since this tax is not an ad valorem tax, the exemptions contained in or authorized by Article XIII of the California Constitution shall not apply.*

*The taxes imposed by this Ordinance may be collected by the Counties on behalf of the District in the same manner and subject to the same penalty as other charges and taxes fixed and collected by the Counties.*

*The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating and maintaining emergency medical services, ambulance, life support and transport equipment or apparatus and services, and for other necessary operating expenses of the District, consistent with Section 40 of Chapter 375, Statutes of 1986. (Coast Life Support District Act.)*

**SECTION II. SPECIAL TAX**

*The District's Board of Directors is authorized to levy a special tax within the boundaries of the Coast Life Support District each year, for the purposes stated in Section I, on each parcel of land shown on the respective County Assessor's parcel maps and carried on the County secured property tax rolls; provided, however, that such a special tax shall not be imposed upon a federal or state governmental agency or another local agency. This special tax shall be imposed in accordance with the following schedule.*

*The following are the special tax rates for the Coast Life Support District:*

<u>Actual Land Use</u>	<u>Unit of Benefit</u>
<i>Agricultural/timber/pasture/waste vacant land or land outside of the District service area</i>	<i>0</i>
<i>Vacant, buildable lot – residential or commercial</i>	<i>1</i>
<i>Developed parcels</i>	<i>2</i>

**SECTION III. SPECIAL TAX LIMIT**

*The special tax authorized by this Ordinance shall not exceed \$120.00 per unit of benefit per year. For Fiscal Year 2012-2013, the tax shall not exceed \$80 per unit of benefit per year.*

**SECTION IV. REPORT AND HEARING**

*Each year prior to the imposition of said tax the District's Board of Directors shall cause a report to be prepared showing each parcel, the owner(s) thereof, and the proposed levy thereon. Upon the receipt of such report, the Board of Directors shall set a date for a hearing thereof and shall cause notice of such hearing to be posted at three (3) public places within the District, or, in lieu of posting, by mailing notice of hearing to each property owner at the address disclosed on the latest tax roll. At said hearing, the Board of Directors shall make such corrections to the taxes proposed to be levied as may be required to conform to the schedule as set forth above.*

**SECTION V. COLLECTION**

*The tax shall be collected in the same manner and subject to the same penalty as other property taxes collected by the Counties.*

SECTION VI. APPROPRIATIONS LIMIT

*The appropriations limit for the District shall be increased by the amount of the additional tax money raised by imposition of this tax, for the maximum period permitted by law (four years).*

SECTION VII. REPEAL OF EXISTING SPECIAL TAX

*Upon the approval of this ordinance by two-thirds of the voters voting on this question, the existing special tax, limited to \$32.00 per unit of benefit per year, shall be repealed.*

SECTION VIII. SEVERABILITY CLAUSE

*If any section, subsection, sentence, phrase or clause of this Ordinance s for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Directors of the District hereby declare that they would have adopted the Ordinance and each section thereof despite the fact that any one or more sections, subsections, phrases or clauses be declared invalid.*

SECTION IX. EFFECTIVE DATE

*This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters in the District voting in an election to be held on April 10, 2012.*

3) The Board hereby calls a special election for Tuesday, April 10, 2012, and directs that the foregoing proposition shall be submitted to a vote of the qualified electors of the District at that election, in the following manner:

(a) There shall be included on the ballot to be marked by all qualified electors of the District, in addition to any other matters required by law, ballot language in substantially the following form:

Shall the Coast Life Support District adopt an ordinance (1) authorizing imposition of a special tax not to exceed \$120.00 per unit of benefit for emergency medical services and operating expenses of the District, which charges shall be established by the Board of Directors of the District; (2) raising the appropriations limit of the District to permit spending of the revenue raised by the tax; and (3) repealing the existing tax of \$32.00 per unit of benefit?"

Yes \_\_\_\_\_

No \_\_\_\_\_

(b) The ballot to be used at said election shall be both as to form and matter contained therein such as may be required by law.

(c) The County Clerk is hereby authorized, instructed, and directed to provide and furnish any and all official ballots, notices, printed matter, and all supplies, equipment and paraphernalia that may be necessary to properly and lawfully conduct an election.

(d) The County Clerk is hereby further directed to take the necessary and appropriate actions to provide the necessary election officers, polling places, and voting precincts.

(e) The polls of said election shall be open during the hours required by law, and said election with respect to the foregoing ballot measure shall be held and conducted as provided by law for the holding of district elections.

(f) Notice of time and place of holding said election, together with any other notices required by law, shall be given by the County Clerk.

(g) Arguments for and against the measure, and other analyses provided for by law, may be submitted in accordance with law.

(h) Said election is hereby ordered consolidated with the April 10, 2012, General Election.

(4) The Clerk of the Board is directed to forward a certified copy of this resolution to the Mendocino County Board of Supervisors, the Mendocino County Clerk, and the Mendocino County Registrar of Voters; as well as the Sonoma County Board of Supervisors, the Sonoma County Clerk, and the Sonoma County Registrar of Voters.

	Aye/No
Kaplan	_____
Chilton Hauck	_____
Rice	_____
Schwartz	_____
Dodds	_____
Klopfer	_____
Toedter	_____

AYES\_\_\_\_\_NOES\_\_\_\_\_ABSENT\_\_\_\_\_ABSTAIN\_\_\_\_\_ (2/3 vote required)

SO ORDERED.