



CAMBRIA COMMUNITY HEALTHCARE DISTRICT

2535 Main Street • Cambria • California 93428 • (805) 927-8304 • Fax (805) 927-0185

ALTERNATIVE DRAFT RESOLUTION 01-18 PROPOSED BY TRUSTEE BIANCHI

RESOLUTION # 01-18 OF THE BOARD OF TRUSTEES OF THE CAMBRIA COMMUNITY HEALTHCARE DISTRICT AUTHORIZING, ORDERING, AND CALLING AN ELECTION, AND ESTABLISHING AND SPECIFYING THE TERMS OF THE MEASURE, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON NOVEMBER 6, 2018

- WHEREAS**, the Cambria Community Healthcare District ("District") is a healthcare district established pursuant to Division 23 (commencing with Section 32000) of the Health and Safety Code whose facilities are wholly owned by the District; and
- WHEREAS**, the District is committed to improving the health of District residents by providing emergency services, enhancing access to care, and promoting wellness; and
- WHEREAS**, to further the District's mission, the District owns and operates a 24-hour advance support ambulance service, owns a professional medical building providing clinic space to doctors and other medical professionals, and provides community healthcare education; and
- WHEREAS**, in order to support its mission and operations, the District relies on community support, including taxes and fees collected within San Luis Obispo County ("County"); and
- WHEREAS**, the District has made significant reductions in its operating expenditures to reduce the overall costs of operating the District; and
- WHEREAS**, the District continues to experience a significant decrease in payments for paramedic ambulance transports; and
- WHEREAS**, the voters approved Measure AA in 2006 to improve District operations and staffing; and
- WHEREAS**, the funds raised by Measure AA were not sufficient to fund all the costs to the District to operate paramedic ambulance and other related emergency medical services within the District; and
- WHEREAS**, since 2006, the District has been addressing its budget by use of its reserve funds for continued necessary operations, services and capital needs of the District; and
- WHEREAS**, the District does not have adequate funding to replace aging ambulances and other capital expenditure items, or to repair, maintain and upgrade District facility; and



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WHEREAS, the District is authorized to levy a special tax (i.e., a "parcel tax"), applied uniformly to all taxpayers or all real property within the District, subject to the approval of voters, pursuant to Government Code sections 53730.01 and 50075 et seq., and consistent with 53720 et seq.; and

WHEREAS, the revenues generated from a parcel tax would help augment the District's limited resources in providing for expenditure on required capital and operational costs, as described in this Resolution;

WHEREAS, revenues from a parcel tax provides a stable source of funding that supports local healthcare; and

WHEREAS, the governing board of the District adopts this resolution, calling an election to be held on November 6, 2018, wherein the voters of the District would vote on a parcel tax, as further described herein; and

WHEREAS, such a parcel tax would include transparency and accountability measures, including annual reporting by the District; and

WHEREAS, such a parcel tax shall not go to any salary or benefit increases to an employee or District Board stipend; and

WHEREAS, such a parcel tax shall sunset five years from the date of passage on 11/6/2018; and

WHEREAS, unless the parcel tax is passed, the District is concerned that the District will face a decrease in quality of services to its community, considering its aging fleet of ambulances and other facilities, among other things, and potentially become insolvent; and

WHEREAS, the California Constitution and Government Code authorize the District, upon approval of two-thirds (2/3rds) of the electorate, to levy parcel taxes on property in the District for the purpose of providing the best and most efficient emergency medical and paramedic ambulance transport services to District residents and visitors by recruiting and retaining excellent medical professionals and administrative personnel, insuring a dependable ambulance fleet and related equipment, and repairing, upgrading and improving District facilities; and

WHEREAS, in the judgment of this Board, following public hearing and comment, it is advisable that the San Luis Obispo County Registrar of Voters ("County Registrar") submit to the voters of the District the question whether the District shall levy a special tax within the District for the purpose of raising additional revenue for the District; and

WHEREAS, pursuant to the Elections Code, such election shall occur on November 6, 2018 and pursuant to Elections Code sections 10400, 10402 and 10403, such election may be completely or partially consolidated with any other election held on the same day and in the same territory or territory that is in part the same.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:



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Section 1. Recitals. This Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Intent of Resolution. This resolution is intended to authorize the calling of an election on November 6, 2018 for the levy of a special tax on parcels of real property on the secured property tax roll of the County.

Section 3. Date and Purpose of Measure. Pursuant to section 4 of Article XIII A of the California Constitution and section 50077 of the Government Code, the Board hereby calls, and requests, directs, and orders the County Registrar to conduct, an election to be held within the boundaries of the District on Tuesday, November 6, 2018, for the purpose of voting on a measure ("Measure") which will be presented to voters in substantially the form attached hereto as **Exhibit A**, containing the question of whether the District shall impose a special tax for the healthcare purposes stated therein. In addition, the full text of the Measure ("Full Ballot Text") shall appear in the ballot pamphlet in substantially the form attached hereto as **Exhibit B** and shall control over any inconsistencies or ambiguities regarding the terms and conditions of the proposed special tax. The authority for the specifications of this election order is contained in the Government Code, and the authority for ordering the election is contained in the Elections Code, Government Code, and California Constitution.

Section 4. Amount and Basis of Special Tax. The special tax shall be levied on all "Parcels of Taxable Real Property" (as defined in **Exhibit B**), commencing July 1, 2019, at the rate described and defined in the Full Ballot Text. Subject to the further definitions, terms and conditions set forth in the Full Ballot Text, the annual special tax shall be uniformly levied on all parcels within the District.

Section 5. Collection of the Tax. Beginning July 1, 2019, if adopted by voters, the special tax shall be collected by the County Tax Collector, at the same time, in the same manner, and subject to the same penalties as *ad valorem* property taxes collected by the County Tax Collector. Unpaid special taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. The term of the special tax does not expire.

With respect to all general property tax matters within its jurisdiction, the County Tax Collector shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, the application of the definition of "Parcel of Taxable Real Property" (as defined in **Exhibit B**) to any parcel(s), the legality or validity of the special tax, or any other disputed matter specific to the application of the special tax, the decisions of the District shall be final and binding. Notwithstanding the foregoing or anything else contained in this Resolution to the contrary, (i) the secured tax roll bill shall be the only notices required for the collection of this special tax, and (ii) the homeowner or veterans exemptions shall



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not be applicable to this special tax because such exemptions are determined by dollar amount value.

Section 6. Reporting and Oversight; Fiscal Impact.

(a) *Specific Purpose.* The proceeds of the special tax shall be applied only to the specific purposes identified in the Full Ballot Text. The proceeds of the special tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District, pursuant to the Government Code.

(b) *Annual Report.* No later than December 31 of each year while the special tax is in effect, the District's chief fiscal officer shall prepare and file with the Board a report detailing the amount of funds collected and expended, and the status of any project authorized to be funded by this Measure. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as said officer shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board.

(c) *Tax Rate, Estimated Annual Collection Amount, and Duration of Tax.* Pursuant to California Elections Code section 13119 (i) the rate of the annual special tax is \$35.04 per parcel, subject to annual CPI adjustment; (ii) the estimated average amount of the special tax expected to be collected in each year is expected to be \$236,800 per year; and (iii) the term of the collection of the special tax does not expire. The tax information estimates in this statement reflect the District's current determination of the number of taxable parcels, which is based on certain assumptions. The actual amount of money raised in each year the tax is levied may vary due to factors including, but not limited to, variations in the number of taxable parcels within the District and inflation.

Section 7. Authority for Ordering Election. The authority for ordering the election is contained in Section 50075 *et seq.* of the Government Code and Section 4 of Article XIII A of the California Constitution.

Section 8. Resolution to County Officials. The Administrator of the District is hereby directed to cause certified copies of this Resolution and order to be delivered not later than June 20, 2018, to the San Luis Obispo County Registrar of Voters ("Registrar"), and the Clerk of the Board of Supervisors of San Luis Obispo County ("Board of Supervisors").

Section 9. Conduct of Election.

(a) *Request to Registrar.* The County Registrar is requested to take all steps to hold the election in accordance with law and these specifications.

(b) *Voter Pamphlet.* The Registrar is hereby requested to reprint the Full Ballot Text in substantially the form attached hereto as Exhibit B in the voter information pamphlet to be distributed to voters pursuant to section 13307 of the



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Elections Code. In the event the Full Ballot Text will not be reprinted in the voter information pamphlet in its entirety, the Registrar is hereby requested to print, immediately below the impartial analysis of the Measure, in no less than 10-point boldface type, a legend substantially as follows:

"The above statement is an impartial analysis of Measure _____. If you desire a copy of the Measure, please call the San Luis Obispo County Registrar of Voters at (____) _____ and a copy will be mailed at no cost to you."

(c) *Consolidation.* The Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections as may be held on November 6, 2018 within the District.

(d) *Canvass and Declaration of Results.* The Board of Supervisors is authorized to canvass the returns of the election and declare the result pursuant to the Elections Code.

(e) *Cost of Election.* The District will reimburse the Registrar and the County for costs associated with the election as required by law.

Section 10. Appropriations Limit. The Board shall provide in each year for an increase in the District's appropriations limit as shall be necessary to ensure that the proceeds of the special tax may be spent for its authorized purposes.

Section 11. Ballot Arguments. The Board President and/or his/her designees are hereby authorized to prepare and file with the Registrar any ballot argument prepared in connection with the election, including a rebuttal argument, each within the time established by the Registrar, which shall be considered the official ballot arguments of the Board as sponsor of the Measure and to take all necessary action to prevent inclusion of false and/or misleading information in ballot materials related to the Measure.

Section 12. Official Actions. The District's Administrator, the Board President, the Board Vice President, or a designees of any of them, are hereby authorized to execute any other document and to perform all acts necessary to place the Measure on the ballot, including making alterations to the Measure and Full Ballot Text stated in Exhibit A and Exhibit B hereto, and to this Resolution, to comply with requirements of law and election officials or which are, in the judgment of the Administrator, the Board President, and/or the Board Vice President, in the best interests of the District.

Section 13. Severability. The Board hereby declares that every section and part of this measure has independent value, and the Board would have adopted each provision hereof regardless of every other provision hereof. Should any part of this Resolution, including, without limitation, the measure or taxing



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formula, be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the Resolution shall remain in full force and effect to the fullest extent allowed by law.

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Section 14. Effective Date. This Resolution shall take effect from and after its adoption.

PASSED, ADOPTED, and APPROVED by the Board of Trustees, of the Cambria Community Healthcare District, this ____ day of June, 2016, by the following votes:

AYES:

NOES:

ABSENT:

CAMBRIA COMMUNITY HEALTHCARE DISTRICT

By: _____

Jerry Wood
President, Board of Trustees

ATTEST:

By: _____
Shirley Blanchi
Secretary, Board of Trustees

*Cambria Community Healthcare District
Resolution and Order Calling a Parcel Tax Election
and Specifications of the Elections Order*



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EXHIBIT A

SUMMARY OF MEASURE

To provide the best and most efficient emergency medical and paramedic ambulance transport services to the Cambria community by repairing, replacing, or upgrading its ambulance fleet and related equipment, repairing, upgrading and improving its healthcare facilities, and recruiting and retaining excellent medical professionals and administrative staff, shall Cambria Community Healthcare District levy an ongoing annual tax of \$35.04 per parcel within the District, with cost of living adjustment, generating approximately \$236,800 annually, and all funds staying local?

[NOTE: the above 75-word limited statement is currently 74 words (per the Elections Code, the District's legal name is counted as one word).]

*Cambria Community Healthcare District
Resolution and Order Calling a Parcel Tax Election
and Specifications of the Elections Order*

A-1



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EXHIBIT "B"

FULL BALLOT TEXT

CAMBRIA COMMUNITY HEALTHCARE DISTRICT

Measure " _ "

TERMS

To provide the best and most efficient emergency medical and paramedic ambulance transport services to the Cambria community by repairing, replacing, or upgrading its ambulance fleet and related equipment, repairing, upgrading and improving its healthcare facilities, and recruiting and retaining excellent medical professionals and administrative staff, shall Cambria Community Healthcare District levy an ongoing annual tax of \$35.04 per parcel within the District, with cost of living adjustment, generating approximately \$236,800 annually, and all funds staying local, to:

- Maintain and enhance the District's facilities, including repair, upgrade, and improve its Medical Office;
- Repair, replace, and upgrade the District's fleet of ambulances;
- Repair, replace, and upgrade the District's medical equipment and other healthcare-related technology;
- Augment and improve technology and other capital facilities to support resources, assure continuous growth of innovative life-saving techniques and provide the community with access to the most advanced technology and resources;
- Retain and recruit medical professionals and administrative support staff, including paramedics, EMTs, and District administrators;
- Provide Cambria residents with adequate life-saving emergency medical and paramedic ambulance transport services;
- Secure long-term borrowing of the District for any of the capital expenditures described above;
- Find such other capital improvements necessary to meet the District's operating needs.



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A. Amount and Basis of Tax

The special tax shall be \$35.04 per year per Parcel of Taxable Real Property beginning on July 1, 2019. The District shall provide the San Luis Obispo County Tax Collector ("County Tax Collector") a report indicating the parcel number and amount of tax for each Parcel of Taxable Real Property.

After the first year of the special tax (tax year 2019-20), and beginning with tax year 2020-21 and for each tax year thereafter, the maximum amount of the special tax shall increase by the highest percentage by which the Consumer Price Index (CPI) for All Urban Consumers in both the San Francisco-Oakland-San Jose Area and the Los Angeles-Riverside - Orange County Area, published by the Bureau of Labor Statistics of the United States Department of Labor, or any successor to those indices, increased in the twelve (12) months prior to March of the calendar year in which the adjustment is made.

This special tax is estimated to raise \$236,800, as adjusted by CPI, in annual local funding for the District. The amount of annual local funding raised by this special tax will vary from year-to-year due to changes in the number of parcels exempt from the levy.

To the extent allowed by law "Parcel of Taxable Real Property" shall be defined as:

- 1) Any unit of real property which lies wholly or partially within the boundaries of the District and that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector's Office.
- 2) All property that is otherwise exempt from or upon which are levied no *ad valorem* property taxes in any year shall not be considered a Parcel of Taxable Real Property for purposes of the special tax in such year.

If any portion of this definition is deemed contrary to law, the Board declares and the voters by approving the Measure concur, that every other section and part of this definition has independent value, and the Board and voters would have adopted each other section and part hereof regardless of every other section or part hereof. If all sections or parts of this definition are deemed contrary to law, "Parcel of Taxable Real Property" shall be defined as any real property in the District assigned a County Assessor's parcel number.

B. Claim / Exemption Procedures

With respect to all general property tax matters within its jurisdiction, the County Tax Collector or other appropriate County tax official shall make all final determinations of tax exemption or relief for any reason, and that



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decision shall be final and binding. With respect to matters specific to the levy of the special tax, including the exemptions, the application of the definition of "Parcel of Taxable Real Property" to any parcel(s) or any other disputed matter specific to the application of the special tax, the decisions of the District shall be final and binding.

The procedures described herein, and any additional procedures established by the Board shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the special tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary.

C. Appropriations Limit

Pursuant to California Constitution and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this special tax.

D. Accountability Measures and Fiscal Impact

Specific Purposes. The proceeds of the special tax shall be applied only to the specific purposes identified above. The proceeds of the special tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District, pursuant to the Government Code.

Annual Reports. No later than December 31 of each year while the tax is in effect, the District's chief fiscal officer shall prepare and file with the Board a report detailing the amount of funds collected and expended, and the status of any project authorized to be funded by this measure. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as said officer shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board.

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E. Severability



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The Board hereby declares, and the voters by approving this measure concur, that every section and part of this measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part of the measure or taxing formula be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the measure or taxing formula hereof shall remain in full force and effect to the fullest extent allowed by law.