

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

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RESOLUTION 2015-03

**DECLARING INTENTION TO ESTABLISH THE FIRE SUPPRESSION ASSESSMENT DISTRICT
AND LEVY AND COLLECT ASSESSMENTS AND PRELIMINARILY APPROVE THE
ENGINEER'S REPORT IN SUPPORT OF THE FIRE SUPPRESSION ASSESSMENT**

WHEREAS, the East Contra Costa Fire Protection District (the "District") is responsible for providing fire suppression, fire protection, fire prevention, emergency response and emergency services, basic hazardous materials response, and other services relating to the protection of lives and property; and

WHEREAS, the District was formed in September 2002 by combining the three small fire districts of Bethel Island, East Diablo, and Oakley; and

WHEREAS, the District desires to initiate the proceedings for the formation of a fire suppression assessment district pursuant to Government Code sections 50078-50078.20 to provide improved fire suppression services for all the properties within the boundaries of the District; and

WHEREAS, Proposition 218 was adopted on November 6, 1996, adding Articles XIIC and XIID to the California Constitution; and

WHEREAS, Articles XIIC and XIID of the California Constitution and implementing statutes impose certain procedural and substantive requirements relating to assessments; and

WHEREAS, an Engineer's Report (the "Report") has been prepared by NBS (the "Assessment Engineer") and submitted to the District Board of Directors (the "Board"), in which a new assessment is proposed to fund the cost of providing enhanced fire suppression services within the District boundaries, which proposed assessment will be described as the "East County Emergency Fire Response and Prevention Assessment" (hereinafter the "Assessment District") of the District; and

WHEREAS, the District Board has carefully examined and reviewed the Report, including each and all of the budget items and documents as set forth therein, and is preliminarily satisfied that the assessments have been spread in accordance with the benefit each parcel receives from the enhanced services and equipment, as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF DIRECTORS OF THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT AS FOLLOWS:

1. **Reference to Initiation.** Pursuant to direction from the Board of Directors, the Assessment Engineer, NBS, prepared an Engineer's Report pursuant to Title 3, Division 1, Part 1, Article 3.6 of the California Government Code, "Fire Suppression Assessments", beginning with Section 50078 and Article XIID of the California Constitution. The Report has been made,

filed with the Secretary of the District and duly considered by the Board and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to this Resolution. All owners subject to the new assessment shall be balloted pursuant to California Constitution Article XIID.

2. **Description of the Special Benefits.** Within the Assessment District, the proposed enhanced services and equipment to be funded by the assessments ("Enhanced Services") are generally described as including, but not limited to, the following: the costs of firefighting personnel, fire suppression and protection services, equipment and apparatus needed for the operation of two fire stations not able to be funded under the District's current budget.
3. **Reference to Engineer's Report.** Reference is hereby made to the Report for a full and detailed description of the Enhanced Services, the boundaries of the Assessment District and the proposed assessments upon assessable lots and parcels of land within the Assessment District. Reference is also hereby made to the Report for an estimate of the costs of the Enhanced Services proposed to be financed from the proceeds of the proposed Assessment.
4. **Report of the Assessment Engineer.** The Report, which is available for public review at the East Contra Costa Fire Protection District (located at 134 Oak Street, Brentwood, CA 94513), is hereby incorporated by reference. This Engineer's Report includes:
 - A. An "overview" describing the applicable legal requirements and summarizing the proposed assessment;
 - B. A description of the general and special benefits associated with fire suppression services;
 - C. A description of the proportionate special and general benefits conferred on property by the proposed assessment;
 - D. A description and estimate of the cost of such Enhanced Services;
 - E. A description of the assessable parcels of land within the District and proposed to be subject to the new assessment;
 - F. The proposed method and formula of assessing the costs and expenses of the special benefits to the properties which will specially benefit from the Enhanced Services.
5. **Description of Assessment District.** The Assessment District consists of the lots and parcels shown on the boundary map of the Assessment District on file with the Secretary of the Board, and reference is hereby made to such map for further particulars.
6. **Proposed Assessment Rate.** It is the intention of this Board to levy and collect assessments within the Assessment District. The total estimated fiscal year 2015-16 assessment amount is \$4,277,939. The annual assessment needed to fund this amount of enhanced fire protection and suppression services is, for 93% of 1&2 family residential parcels, less than \$104 per parcel. Other types of property would

be assessed primarily based on building area, relative risk of fire and potential fire damage. The annual assessment for most other types of improved property is less than \$175. There are some very large parcels and service stations with an annual assessment greater than \$250.

It is the further intention of the Board to have the assessment collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 2nd day of March, 2015 by the following vote:

AYES: Cooper, Kenny, Michaelson, Bryant, Johansen, Morgan, Pope, Smith, Young

NOES:

ABSENT:

ABSTAIN:


Joel Bryant
President, Board of Directors

ATTEST:



Hugh Henderson
Clerk of the Board