WEST CONTRA COSTA HEALTHCARE DISTRICT

BOARD OF DIRECTORS

RESOLUTION #2011-04

CALLING A SPECIAL ELECTION UPON THE QUESTION OF AUTHORIZING THE DISTRICT TO IMPOSE AND LEVY A SPECIAL TAX

WHEREAS, to prevent the closure of the only full service emergency room serving all West County residents the West Contra Costa Healthcare District (the "District") is committed to keeping Doctors Medical Center open for the purpose of ensuring continued local access to emergency room care, acute hospital care and other critical medical services such as intensive care, women's health services including early breast cancer detection, treatment for heart attacks, care for elderly, emergency respiratory care, and cancer treatment for residents of the District and visitors to the area;

WHEREAS, the District requires special tax revenue to keep Doctors Medical Center open;

WHEREAS, Section 4 of Article XIII A of the California Constitution and Government Code section 53730.01 authorize a health care district to impose and levy a special tax for specified purposes upon approval of two-thirds of the electorate voting on the measure;

WHEREAS, in the judgment of this Board of Directors ("Board"), following public hearing and comment, it is advisable to request that the Contra Costa County Registrar of Voters call a special election by all-mail ballot to submit to the District voters the question whether the District shall levy a special tax for the purposes set forth herein.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. **Special Tax.** The District hereby proposes to adopt a special tax that it will use to ensure continued local access to emergency room care, acute hospital care and other medical services for residents of the District and visitors to the area. Revenues raised by this tax will only be used to defray operating expenses, capital improvement expenditures and debt repayment to accomplish the foregoing purposes In the event of permanent closure of Doctors Medical Center and its Emergency Room, this parcel tax will expire and the District will thereafter promptly cease imposition and collection of the tax authorized herein.

2. **Order of Election.** Pursuant to Elections Code Section 4108, the Board does hereby call a special election on November 15, 2011, by all-mail ballots, on the measure

set forth in Paragraph 4.

3. Full Ballot Text. The Board hereby approves and adopts the full text for the ballot set forth in Exhibit A, attached hereto and incorporated herein.

4. Abbreviated Ballot Form. The District hereby approves and adopts the abbreviated ballot form of the measure as follows:

"To prevent the closure of the only full service emergency room serving all West County residents and to maintain critical services, such as intensive care, women's health services including early breast cancer detection, treatment for heart attacks, care for elderly, emergency respiratory care, and cancer treatment, shall the West Contra Costa Healthcare District authorize an annual special tax, including forty seven dollars per single family residential parcel, with annual audits by an independent citizens oversight committee."

5. Tax Levy. The tax shall take effect on July 1, 2012 and shall be assessed against each taxable parcel of land within the District at the following annual rates:

Single-family Residential / Vacant / Miscellaneous - $ 47 per parcel

Small Multi-Unit Residential - $ 94 per parcel

Small Commercial / Industrial - $ 282 per parcel

Medium Commercial / Industrial - $ 470 per parcel

Large Commercial / Industrial - $ 940 per parcel

"Taxable parcel" means any unit of real property in the District that appears on the annual secured Contra Costa County property tax roll.

6. Method of collection. The tax shall be collected by the Contra Costa 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 Treasurer-Tax Collector. Unpaid taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. The collection of the parcel tax shall not decrease the funds available from other sources of the District in any period from the effective date hereof.

7. Request to Registrar of Voters. The District requests that the Registrar of Voters take all steps necessary to hold the election by all-mail ballot pursuant to Division 4 of the Elections Code (commencing with Section 4000). The District also requests that the Registrar of Voters reprint the full text for the ballot, set forth in Exhibit A, in the voter information pamphlet to be distributed to voters.

8. Ballot Argument in Favor. The Chair of this Board or her designees are hereby authorized to prepare and file with the Registrar of Voters a ballot argument in favor of

the tax measure, or act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument, each within the time established by the Registrar of Voters, which shall be considered the official ballot arguments of this Board as sponsor of the measure.

9. Official Actions. The Chair of the Board or her designees are hereby authorized to execute any other document and to perform all acts necessary to place the tax measure on the ballot, including making alterations in the ballot language stated in Exhibit A and Paragraph 4 hereto, and to comply with requirements of law and election officials. The Board shall establish an independent citizens oversight committee to review annual audits and thereupon report to the public and the Board on the expenditure of tax proceeds.

10. Cost of Election. The District shall bear the cost of the election.

11. Appropriations Limit. The Board hereby proposes to increase its appropriations limit under Article XIII B of the California Constitution in an amount equal to the amount of proceeds of taxes for the first year the parcel tax is imposed.

12. Approval by Voters. The District shall levy the tax upon approval of two-thirds of the votes cast by voters voting upon the measure.

13. Authority for Election. The authority for ordering this election is contained in Section 4 of Article XIII A of the California Constitution and Government Code sections 53730.01 and 50075 et seq. The authority for holding an all-mail ballot election is contained in Section 4000 of the Elections Code. The Board hereby authorizes the use of mailed ballots for this election.

ADOPTED, SIGNED and APPROVED by the Board of Directors of West Contra Costa Healthcare District on the 10th day of August 2011, by the following vote:

AYES: Directors Anderson, Bell, Wallace, Casazza and Campbell

NOES: Ø

ABSTENTIONS:

ABSENT: Ø

Anna L. Anderson
Chair of the Board of Directors

Attest:

Deborah Bell
Secretary of the Board of Directors

Exhibit A

FULL TEXT OF BALLOT MEASURE

WEST CONTRA COSTA HEALTHCARE DISTRICT PARCEL TAX FOR EMERGENCY ROOM CARE, ACUTE HOSPITAL CARE AND OTHER MEDICAL SERVICES

The West Contra Costa Healthcare District will levy a special tax on each taxable parcel of land within the District at the following annual rates:

Single-family Residential / Vacant / Miscellaneous - $ 47 per parcel
This category includes the following Assessor's Use Codes: 10-19, 29, 61-62, 69, 81-85, 89

Small Multi-Unit Residential - $ 94 per parcel
This category includes the following Assessor's Use Codes: 20-24

Small Commercial / Industrial - $ 282 per parcel
This category includes the following Assessor's Use Codes: 25, 30-32, 34-37, 40, 48, 56, 63, 67, 80

Medium Commercial / Industrial - $ 470 per parcel
This category includes the following Assessor's Use Codes: 26, 33, 43-47, 49-50, 53, 64,

Large Commercial / Industrial - $ 940 per parcel
This category includes the following Assessor's Use Codes: 27-28, 38-39, 41-42, 51-52, 54-55, 68, 70, 76, 86

Taxable parcels are those parcels that appear on the annual secured Contra Costa County property tax roll. Assessor's Use Codes are those codes used by the Contra Costa County Assessor's Office to identify and categorize property.

The purpose of this parcel tax will be to ensure continued local access to emergency room care, acute hospital care and other medical services for residents of the District and visitors to the area. The revenues raised by this special tax will only be used to defray operating expenses, capital improvement expenditures and debt repayment to accomplish the foregoing purposes. In the event of permanent closure of Doctors Medical Center and its Emergency Room, this parcel tax will expire and the District will thereafter promptly cease imposition and collection of the tax authorized herein.

The District's appropriations limit will be increased by the amount of this voter-approved tax.

The special tax revenues shall be deposited into a separate account held by the Contra Costa County Treasurer, in accordance with Government Code Section 50075.1, and shall be expended solely for the above-stated purpose and according to a plan

developed annually by the District staff and approved and adopted by the District's Board of Directors. An independent citizens oversight committee will review annual audits and thereupon report to the public and the Board on the expenditure of tax proceeds.

The District will cause to be filed an annual report with its Board of Directors, which report shall include the amount of special tax revenues collected and expended, and which shall otherwise comply with the accountability measures established in Government Code Sections 50075.1 *et seq.*