

MOUNTAIN COMMUNITIES HEALTHCARE DISTRICT

RESOLUTION 2016-03

**RESOLUTION TO CONTINUE VOTER-APPROVED FUNDING
WITH A TAX RATE REDUCTION**

WHEREAS, The Mountain Communities Healthcare District (“District”) was formed in 2006 pursuant to LAFCO Resolution No. 06-03 consistent with the powers granted by Health and Safety Code section 32121; and

WHEREAS, pursuant to Government Code sections 50075 et seq., the District has the authority to impose a special tax, as it has been doing since 2006; and

WHEREAS, on November 7, 2006 the registered voters within the boundaries of the District approved the formation of the District and the imposition of a special tax (“Original Tax”) to provide Trinity County residents access to basic emergency medical services, with a doctor on duty 24-hours a day; and

WHEREAS, on June 7, 2011 the registered voters within the boundaries of the District approved the extension of the Original Tax (“Existing Tax”) to provide Trinity County residents access to basic emergency medical services, with a doctor on duty 24-hours a day; and

WHEREAS, the Existing Tax expires on November 30, 2016; and

WHEREAS, existing community funding has been instrumental in keeping Trinity Hospital and its Emergency Room open, ensuring residents 24-hour access to a doctor on duty, and maintaining additional locally-based healthcare clinics and services throughout the District, which covers a majority of Trinity County; and

WHEREAS, the District finds it necessary to propose a renewal of the Existing Tax (“Measure”) to eligible voters for approval; and

WHEREAS, keeping Trinity Hospital open, continuing to provide 24-hour emergency care at Trinity Hospital with a doctor on duty, and maintaining these additional healthcare services is critical to serving the healthcare needs of our communities, with residents viewing Trinity Hospital as the place they rely on for emergency care for themselves and their families; and

WHEREAS, in a life-threatening emergency, such as a heart attack, logging or car accident, Trinity Hospital’s Emergency Room is critical to saving local lives; and

WHEREAS, the next-closest hospital may take anywhere from an hour to 90 minutes to travel to, risking the life and safety of local patients who need it the most; and

WHEREAS, Trinity Hospital is the only hospital and emergency room in Trinity County, allowing our residents to receive 24-hour emergency care without needing to travel more than 90 minutes to Redding or Sacramento; and

WHEREAS, it is essential that our communities continue to have 9-1-1 and emergency medical clinics and services nearby, rather than transporting patients to Redding or Sacramento; and

WHEREAS, local doctors, nurses, firefighters, and emergency first responders strongly support keeping Trinity Hospital open; and

WHEREAS, Trinity Hospital's Emergency Room is critical to saving local lives. In the past three and a half (3-1/2) years alone, Trinity Hospital has saved people's lives 142 times – people who may not have survived transportation to the next closest hospital, which is about an hour or more away, in good weather; and

WHEREAS, continuing community funding will maintain 175 jobs at Trinity Hospital, which are essential to our local economy. Additionally, local businesses agree that it is important for their workforce to have access to important services such as an Emergency Room and 24-hour emergency care; and

WHEREAS, renewing this Measure will keep our local clinics in Hayfork and Weaverville open, serving 14,000 patients a year for preventative care, lab work, and other routine visits, and maintain services such as urgent care, women's health and additional services so residents don't have to travel all the way to Redding; and,

WHEREAS, this Measure will help significantly improve Trinity Hospital's long-term financial stability, putting Trinity Hospital on the path to self-sufficiency; and

WHEREAS, this Measure will reduce the tax rate currently paid by voters; and

WHEREAS, to ensure all funds are spent efficiently and as promised, this Measure requires public disclosure of all expenditures, annual independent audits, and oversight by a Board of Directors elected by local voters; and

WHEREAS, District finds it necessary to continue and reduce the Existing Tax for another 5 year period, to continue to provide special services set forth in paragraph 18 of this Resolution, including, but not limited to, keeping Trinity Hospital and its emergency room open, ensuring residents 24-hour access to a doctor on duty, and maintaining additional locally-based healthcare services throughout the District consistent with the powers of the District; and

WHEREAS, the District held a properly noticed public hearing regarding this matter as required by law; and

WHEREAS, the District requests that the Trinity County Registrar of Voters

consolidate this election and submit this Measure to all eligible voters within the boundaries of the District on the November 8, 2016 statewide election ballot; and

WHEREAS, a special tax requires approval of two-thirds (2/3) of the votes cast by voters voting upon the Measure; and

WHEREAS, the District acknowledges that the election will be conducted in the manner as prescribed in Elections Code section 10418; and

WHEREAS, the proposition to be placed on the ballot shall read substantially as follows:

**TRINITY HOSPITAL EMERGENCY ROOM TAX
REDUCTION MEASURE**

To continue providing 24-hour emergency medical care locally with a doctor on duty; improve Trinity Hospital's long-term financial stability; maintain / improve local healthcare services throughout Trinity County, including urgent care; shall Mountain Communities Healthcare District reduce its existing parcel tax to \$30 per undeveloped parcel, \$114 per dwelling unit / improved non-residential parcel annually providing \$825,000 per year for five years, with rates analyzed after 2 years for additional possible reductions; with annual independent audits?

NOW, THEREFORE, IT IS RESOLVED that the Board of the District hereby continues the Existing Tax (hereafter referred to as "the Tax") within the boundaries of the District, with no increase in tax rate, subject to the approval of 2/3 of the votes cast by voters voting on the Measure as set forth below, for the purpose of assisting the District in meeting the costs of keeping Trinity Hospital and its Emergency Room open, ensuring residents 24-hour emergency access to a doctor on duty, and maintaining and expanding additional locally-based healthcare services throughout the District as set forth in paragraph 18 of this Resolution as follows:

1. The existing tax rate will be reduced. There shall be imposed annually on all parcels within the District's boundaries a special tax for a period of five (5) years beginning December 1, 2016 and ending on November 30, 2021 at the following rates:
 - a) \$30.00 for each undeveloped parcel;
 - b) \$114.00 for each dwelling unit;
 - c) \$114.00 for each non-residential development.
2. The term "undeveloped parcel" as used in this resolution shall be defined as any unit of land located in the District which is identified on the latest Equalized Tax Roll by the County Assessor's office or any parcel that has not been deemed a "dwelling unit" or "non-residential development".

3. The term “dwelling unit” as used in this resolution shall be defined as any structure or portion thereof, whether fixed on a permanent foundation, floating, or mobile, that is used or permitted for use as a shelter for a person or persons, including sleeping, preparation of meals, and personal hygiene.
4. The term “non-residential development” as used in this resolution shall be defined as any unit of land located within the District which is identified on the latest Equalized Tax Roll by the County Assessor’s office and has improvements not identified as a "dwelling unit".
5. Should one or more parcels share a Dwelling Unit or Non-Residential Development, then the Dwelling Unit or Non-Residential Development tax shall apply only to the largest of the parcels; however, each smaller parcel shall pay the Undeveloped Parcel tax.
6. The Tax shall be billed once a year by the District, shall be collected by the District, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes collected by the County of Trinity; provided, however, that the District may provide for other appropriate methods of collection of the Tax by appropriate resolutions(s) of the District. The amount of the Tax, any penalty, and any interest imposed under the provisions of this Measure shall be deemed a debt to the District. Any person owing money under provisions of this Measure shall be personally liable to pay all costs and fees of any action brought in the name of the District, at its option, for the recovery of such amount.
7. When the amount of Tax, any penalty, or any interest has been paid more than once, or has been erroneously or illegally collected or received by the District under this Measure, it may be refunded provided a verified claim in writing, stating the specific ground(s) upon which the claim is founded is filed with the District within one (1) year from the date of payment. If the claim is approved by the District, the excess amount collected or paid may be refunded or may be credited against any amounts then due and payable from the person from whom it was collected, or by whom paid, and the balance may be refunded to such person, his/her heirs, successors, assigns and personal representatives.
8. The provisions of this Measure shall not apply to any person, or to any property as to whom or which it is beyond the power of the District to impose the tax herein provided. If any provision, sentence, clause, section or part of this Measure is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such provision, sentence, clause, section or part of this Measure and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Measure. It is hereby declared to be the intention of the District that this Measure would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included

herein.

9. The rates for the Tax identified in this Measure may at any time within the term authorized by this Measure be reduced further by adoption of an ordinance by the District's Board of Directors. In no event shall the tax rate exceed the amounts approved by the voters residing in the District's boundaries. Rates will be analyzed after two years for possible additional reductions.
10. The District shall establish an administrative review process to consider appeals of amounts billed under this Measure, and as it deems appropriate, to determine the applicable tax rate(s).
11. The proceeds of the Tax shall be applied only to the specific purposes identified in this Resolution.
12. The District shall create a separate account in which the proceeds from the Tax shall be deposited.
13. The District's independent auditors shall prepare at least once a year an annual report containing the amount of funds collected and expended and the status of the District services funded by the Tax, and make this report public for community review.
14. The authority to collect this Tax under this resolution shall cease upon the District's inability to provide 24-hour emergency medical care with a doctor on duty.

NOW, THEREFORE, IT IS FURTHER RESOLVED AND ORDERED that an election be held within the territory included in the District on the 8th of November **2016**, for the purpose of approving the levy of the special parcel tax hereby approved by the Board. The election shall be conducted in accordance with the following specifications:

15. This Board hereby requests and consents to the consolidation of this election with other elections which may be held in whole or in part of the territory of the District, pursuant to Elections Code 10400 et seq. In the event consolidation is not possible, the District shall proceed with a special election in accordance with law.
16. The Board hereby acknowledges that the consolidated election will be conducted in the manner as prescribed in Elections Code section 10418.
17. The election shall be held on Tuesday, the Eighth (8) of November, 2016.
18. The ballot Proposition shall read as substantially set forth a follows:

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19. The Chief Executive Officer is authorized and directed to make non-substantive changes to the ballot proposition language for the purposes of clarity and for the purposes of addressing any concerns that may be raised by the County Elections Official.
20. The Clerk of this District Board is ordered to deliver copies of the Resolution to the Registrar of Voters.

THE FOREGOING RESOLUTION WAS ADOPTED upon motion of Director Brasuell, Seconded by Director Moore, at a special meeting on July 27, 2016 by the following roll call vote:

Ayes: Dero Forslund; Gerald Brasuell; Jerry H. Cousins; Lynn Jungwirth; Francis Moore
Noes: None
Absent: None
Abstain: None

Attest:



Dero Forslund, Clerk



Jerry H. Cousins, President