

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
BOARD CHAMBERS, ADMINISTRATION BUILDING, 1025 ESCOBAR STREET
MARTINEZ, CALIFORNIA 94553-1229

KAREN MITCHOFF, CHAIR
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MONICA NINO, CLERK OF THE BOARD AND COUNTY ADMINISTRATOR, (925) 655-2075
LEWIS T. BROSCARD III, FIRE CHIEF

The Board meeting will be accessible in-person, via television, and via live-streaming to all members of the public. Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at www.contracosta.ca.gov.

Persons who wish to address the board during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing **888-278-0254** followed by the access code **843298#**. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link: <https://cccouny-us.zoom.us/j/87344719204>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. To provide contact information, please contact Clerk of the Board at clerkoftheboard@cob.cccouny.us or call 925-655-2000.

Meetings of the Board are closed-captioned in real time. Public comment generally will be limited to two minutes. Your patience is appreciated. A Spanish language interpreter is available to assist Spanish-speaking commenters.

A lunch break or closed session may be called at the discretion of the Board Chair. Staff reports related to open session items on the agenda are also accessible online at www.contracosta.ca.gov.

AGENDA
April 26, 2022

1:00 P.M. Convene and call to order.

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.5 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Director or on request for discussion by a member of the public. **Items removed from the Consent Calendar will be considered with the Discussion Items.**

DISCUSSION ITEMS

- D.1** RECEIVE a report on the Fiscal Year 2022-23 Contra Costa County Fire Protection District Recommended Budget. (Lewis T. Broschard III, Fire Chief)
- D.2** HEARING to consider establishment of a Mello-Roos Community Facilities District and levy of a special tax to fund citywide fire protection and emergency response services in the City of Antioch; adoption of Resolution Nos. 2022/5, 2022/6, and 2022/7, relating to the formation of the District, calling for a special election, and declaring results of the special election; introduction of Ordinance No. 2022-17 authorizing the levy of taxes within the new District, waiving reading, and fixing May 10, 2022 for adoption; and taking related actions, as recommended by the Fire Chief. (Lewis T. Broschard III, Fire Chief)
- D.3** RATIFY the Contra Costa County Fire Protection District's grant application for grant funding from the U.S. Department of Homeland Security, Federal Emergency Management Agency in an amount not to exceed \$11,500,000 over a three-year period, for the FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) grant program. (100% Federal Funding) (Lewis T. Broschard III, Fire Chief)
- D.4** CONSIDER accepting a report from the Deputy Fire Chief providing a status summary for Contra Costa County Fire Protection District fire station construction projects. (Aaron J. McAlister, Deputy Fire Chief)
- D.5** CONSIDER accepting a report from the Fire Chief providing a status summary for ongoing Fire District activities and initiatives. (Lewis T. Broschard III, Fire Chief)

D. 6 CONSIDER Consent Items previously removed.

D. 7 PUBLIC COMMENT (2 Minutes/Speaker)

CONSENT ITEMS

- C.1** APPROVE and AUTHORIZE the Fire Chief, or designee, to execute an amendment to the ambulance purchase agreement with Halcore Group, Inc, an Indiana Corporation, to increase the payment limit by \$99,000 to a new payment limit of \$2,799,000 for the manufacture of 20 ambulance vehicles. (100% CCCFPD EMS Transport Fund)
- C.2** APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Golden State Fire Apparatus for the sale of one Type 1 Pierce Enforcer 1500 Pumper Engine in an amount not to exceed \$730,000 for emergency response. (100% CCCFPD General Operating Fund Balance) (Consider with C.8)

- C.3** Contra Costa County Fire Protection District (7300): APPROVE Appropriation and Revenue Adjustment No. 5043 authorizing revenue in the amount of \$730,000 from CCCFPD General Operating Fund Balance and appropriating it in the Contra Costa County Fire Protection District for the purchase of one Type 1 fire engine. (100% CCCFPD General Operating Fund Balance) (Consider with C.7)
- C.4** APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Golden State Fire Apparatus for the manufacture and sale of one Type I Pierce Velocity 1500 GPM Pumper Engine in an amount not to exceed \$930,000. (100% Measure X Funds)
- C.5** APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Golden State Fire Apparatus for the manufacture and sale of one Type 3 Model 34 Wildland Firefighting Engine in an amount not to exceed \$393,000 for emergency response. (70% Measure X Funds, 30% Special District Revenue)

GENERAL INFORMATION

The Board meets in its capacity as the Board of Directors of the Contra Costa County Fire Protection District pursuant to Ordinance Code Section 24-2.402. Persons who wish to address the Board of Directors should complete the form provided for that purpose and furnish a copy of any written statement to the Clerk.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to a majority of the members of the Board of Directors less than 72 hours prior to that meeting are available for public inspection at 1025 Escobar Street, First Floor, Martinez, CA 94553, during normal business hours. All matters listed under CONSENT ITEMS are considered by the Board of Directors to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time the Commission votes on the motion to adopt. Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for comments from those persons who are in support thereof or in opposition thereto. After persons have spoken, the hearing is closed and the matter is subject to discussion and action by the Board. Comments on matters listed on the agenda or otherwise within the purview of the Board of Directors can be submitted to the office of the Clerk of the Board via mail: Contra Costa County Fire Protection District Board of Directors, 1025 Escobar Street first floor, Martinez, CA 94553; by fax: 925-655-2006 or to clerkoftheboard@cob.cccounty.us.

The District will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk of the Board at least 24 hours before the meeting, at (925) 655-2000. An assistive listening device is available from the Clerk, First Floor. Copies of recordings of all or portions of a Board meeting may be purchased from the Clerk of the Board. Please telephone the Office of the Clerk of the Board, (925) 655-2000, to make the necessary arrangements. Applications for personal subscriptions to the Board Agenda may be obtained by calling the Office of the Clerk of the Board, (925) 655-2000. The Board of Directors' agenda and meeting materials are available for inspection at least 96 hours prior to each meeting at the Office of the Clerk of the Board, 1025 Escobar Street, First floor, Martinez, California.

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www.co.contra-costa.ca.us

ADVISORY COMMISSION

The Contra Costa County Fire Protection District Advisory Fire Commission is scheduled to meet next on Monday, May 9, 2022, at 7:00 p.m. at their Administrative Office, 4005 Port Chicago Highway, Suite 250, Concord, CA 94520.

AGENDA DEADLINE: Thursday, 12 noon, 12 days before the Tuesday Board meetings.

Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):

The Contra Costa County Fire Protection District has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

AB Assembly Bill

ABAG Association of Bay Area Governments

ACA Assembly Constitutional Amendment

ADA Americans with Disabilities Act of 1990

AFSCME American Federation of State County and Municipal Employees

ARRA American Recovery & Reinvestment Act of 2009

BAAQMD Bay Area Air Quality Management District

BART Bay Area Rapid Transit District

BayRICS Bay Area Regional Interoperable Communications System

BGO Better Government Ordinance

BOC Board of Commissioners

CALTRANS California Department of Transportation

CAER Community Awareness Emergency Response

CAL-EMA California Emergency Management Agency

CAO County Administrative Officer or Office

CCE Community Choice Energy

CBC California Building Code

CCCPFD (ConFire) Contra Costa County Fire Protection District

CCHP Contra Costa Health Plan

CCTA Contra Costa Transportation Authority

CCRMC Contra Costa Regional Medical Center

CCWD Contra Costa Water District

CFC California Fire Code

CFDA Catalog of Federal Domestic Assistance

CEQA California Environmental Quality Act

CIO Chief Information Officer

COLA Cost of living adjustment

ConFire (CCCFPD) Contra Costa County Fire Protection District
CPA Certified Public Accountant
CPF – California Professional Firefighters
CPI Consumer Price Index
CSA County Service Area
CSAC California State Association of Counties
CTC California Transportation Commission
dba doing business as
EBMUD East Bay Municipal Utility District
ECCFPD East Contra Costa Fire Protection District
EIR Environmental Impact Report
EIS Environmental Impact Statement
EMCC Emergency Medical Care Committee
EMS Emergency Medical Services
et al. et alii (and others)
FAA Federal Aviation Administration
FEMA Federal Emergency Management Agency
FTE Full Time Equivalent
FY Fiscal Year
GIS Geographic Information System
HCD (State Dept of) Housing & Community Development
HHS (State Dept of) Health and Human Services
HOV High Occupancy Vehicle
HR Human Resources
HUD United States Department of Housing and Urban Development
IAFF International Association of Firefighters
ICC International Code Council
IFC International Fire Code
Inc. Incorporated
IOC Internal Operations Committee
ISO Industrial Safety Ordinance
JPA Joint (exercise of) Powers Authority or Agreement
Lamorinda Lafayette-Moraga-Orinda Area
LAFCo Local Agency Formation Commission
LLC Limited Liability Company
LLP Limited Liability Partnership
Local 1 Public Employees Union Local 1
Local 1230 Contra Costa County Professional Firefighters Local 1230
MAC Municipal Advisory Council
MBE Minority Business Enterprise
MIS Management Information System
MOE Maintenance of Effort
MOU Memorandum of Understanding
MTC Metropolitan Transportation Commission
NACo National Association of Counties
NEPA National Environmental Policy Act
NFPA National Fire Protection Association
OES-EOC Office of Emergency Services-Emergency Operations Center

OPEB Other Post Employment Benefits
OSHA Occupational Safety and Health Administration
PACE Property Assessed Clean Energy
PARS Public Agencies Retirement Services
PEPRA Public Employees Pension Reform Act
RFI Request For Information
RFP Request For Proposal
RFQ Request For Qualifications
SB Senate Bill
SBE Small Business Enterprise
SEIU Service Employees International Union
SUASI Super Urban Area Security Initiative
SWAT Southwest Area Transportation Committee
TRANSPAC Transportation Partnership & Cooperation (Central)
TRANSPLAN Transportation Planning Committee (East County)
TRE or **TTE** Trustee
TWIC Transportation, Water and Infrastructure Committee
UASI Urban Area Security Initiative
UCOA United Chief Officers Association
vs. versus (against)
WAN Wide Area Network
WBE Women Business Enterprise
WCCTAC West Contra Costa Transportation Advisory Committee



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
Date: April 26, 2022

Subject: Fiscal Year 2022-23 Recommended Fire District Budget

RECOMMENDATION(S):

RECEIVE a report on the Fiscal Year 2022-23 Contra Costa County Fire Protection District Recommended Budget.

FISCAL IMPACT:

Presentation only. The Contra Costa County and Special District Budgets hearing was conducted on April 12, 2022.

BACKGROUND:

On April 12, 2022, a public hearing was opened and conducted to receive input on the FY 2022-23 Recommended County and Special District Budgets. The Contra Costa County Fire Protection District is providing the attached, more detailed presentation of its 2022-23 Special District Recommended Budget, including noteworthy activities and future plans and goals, at the regularly scheduled meeting of the Fire District Board of Directors on April 26, 2022.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 26, 2022

, County Administrator and Clerk of the Board of Supervisors

Contact: Jackie Lorrekovich, Chief Admin Svcs (925)
941-3300

By: , Deputy

cc:

ATTACHMENTS

Presentation on FY 2022-23 CCCFPD Budget

FY 2022-23 Recommended Special District Budget



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
FIRE • RESCUE • EMS

Contra Costa County Fire Protection District



Recommended Budget
Fiscal Year 2022-23

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Noteworthy 2021-22 Activities

- Annexation of East Contra Costa Fire Protection District (ECCFPD) into CCCFPD effective June 30, 2022
- Began work on Measure X funded programs and initiatives – heavy apparatus acquisition, capital construction, and wildland fire mitigation
- Added a staffed ladder truck company to Fire Station 70 in San Pablo in July 2021
- Updated FPB fee schedule and implemented new records management, inspection, and invoicing system
- Established CFD in area of new development within Antioch
- Hired and conducted Firefighter Academies 56 and 57
- Continued replacement of heavy fire apparatus and significant facility and grounds maintenance projects

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

FY 2022-23 Recommended Budget Summary

- Balanced using 6% AV growth factor
- Net increases of ten (10) FTEs:
 - Add one (1) Deputy Fire Chief in Administration
 - Add two (2) 56-Hour Assistant Fire Chiefs in Operations
 - Add three (3) 56-Hour Fire Captains in Training
 - Add one (1) Fire District Facilities Manager in Support Services
 - Add one (1) Fire Equipment Mechanic in Apparatus Shop
 - Cancel one (1) 40-Hour Battalion Chief position in Operations
 - Add three (3) Fire District Dispatchers in CCRFCC (EMS Transport Fund)
- Continue to meet fund balance goal of 50% reserves for the EMS Transport Fund
- Continue to meet fund balance goal of 10% of budgeted expenditures in the CCCFPD General Fund

FY 2022-23 Recommended Budget Summary

- Recommend Budget generally does not include the revenue and costs for ECCFPD operations
- In early FY 2022-23, the budget will be adjusted as necessary to reflect revenue and costs resulting from annexation
 - Note: The District's General Fund Recommended Budget does include appropriations to be used for new positions and added equipment expense due to the annexation. The budget does not include ECCFPD's routine operational costs (e.g. wages and benefits).
- Final year of any pension obligation bond debt related expenses
- Debt service continues on revenue bonds for fire station construction projects
- In contract with Local 1230 and UCOA through June 2023

Property Tax: Budgeted vs. Actual

AV increases by fiscal year - budgeted vs. actual - for secured/unsecured combined:



	<u>Budgeted</u>	<u>Actual</u>
2014-15	5.0%	9.2%
2015-16	6.0%	7.2%
2016-17	6.0%	6.0%
2017-18	6.0%	5.9%
2018-19	5.0%	6.6%
2019-20	5.0%	5.4%
2020-21	5.0%	5.1%
2021-22	5.0%	3.8%

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Recommendation FY 2022-23

	General Fund	EMS Transport Fund	Total CCCFPD
Expense			
Salaries & Benefits	139,930,000	4,535,000	144,465,000
Services & Supplies	16,332,000	47,884,000	64,216,000
Other Charges	10,462,000	1,893,000	12,355,000
Fixed Assets	2,165,000	1,918,000	4,083,000
Expenditure Transfers	6,605,000	1,000,000	7,605,000
Expense Total	175,494,000	57,230,000	232,724,000
Revenue			
Other Local Revenue	174,682,000	57,230,000	231,912,000
Federal Assistance	-	-	-
State Assistance	812,000	-	812,000
Revenue Total	175,494,000	57,230,000	232,724,000
Positions (FTEs)	458.6	16.0	474.6

2022-23 Plans and Goals

- Continuation of annexation work – organizational restructuring, budget adjustments, allocation of physical space, training and orientation, and other needs assessments
- Reopen Fire Station 4 in unincorporated Walnut Creek in July 2022
- Add three-person crew to Battalion 8 in Antioch (move Truck 81 to Fire Station 81) in March 2023
- Expand the wildland firefighting hand crew program by adding staffing, equipment, and supervisory continuity
- Additional fuels reduction and wildland fire mitigation programs aimed at keeping communities safer from wildland fire threat
- Complete construction and open new Fire Station 86 in Bay Point in July 2022

2022-23 Plans and Goals

- Continue to address issues with the potential construction site of a new Fire Station 9 at Buchanan Field Airport
- Initiate design and construction work on the communication center remodel and modernization project
- Hire and conduct Firefighter Recruit Academy 58 in October 2022
- If feasible, implement a contract for service to provide fire protection services to the City of Pinole
- Pursue funding mechanisms in areas of new development
- Continue disaster planning, internal preparation, and public education for large wildland fire and evacuation planning



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Questions?



Service • Leadership • Teamwork • Safety and Preparedness • Professionalism • Integrity

Contra Costa County Fire Protection District – Fire Protection Summary

CCCFPD Operating Fund	2020-21 Actuals	2021-22 Budget	2022-23 Baseline	2022-23 Recommended	Change
Expense					
Salaries And Benefits	113,828,692	127,023,000	138,337,000	139,930,000	1,593,000
Services And Supplies	9,570,933	18,964,000	15,532,000	16,332,000	800,000
Other Charges	6,360,545	9,182,000	10,462,000	10,462,000	0
Fixed Assets	1,716,061	3,498,000	2,165,000	2,165,000	0
Expenditure Transfers	19,718,488	14,057,000	6,605,000	6,605,000	0
Expense Total	151,194,720	172,724,000	173,101,000	175,494,000	2,393,000
Revenue					
Other Local Revenue	156,195,757	170,874,000	174,682,000	174,682,000	0
Federal Assistance	774,728	1,038,000	0	0	0
State Assistance	823,044	812,000	812,000	812,000	0
Revenue Total	157,793,529	172,724,000	175,494,000	175,494,000	0
Net Fund Cost (NFC):	(6,598,810)	0	(2,393,000)	0	2,393,000
Allocated Positions (FTE)					
	418.6	422.6	451.6	458.6	7.0
Financial Indicators					
Salaries as % of Total Exp	75%	74%	80%	80%	
% Change in Total Exp		14%	0%	1%	
% Change in Total Rev		9%	2%	0%	
% Change in NFC		(100%)	0%	(100%)	
Compensation Information					
Permanent Salaries	50,444,722	57,563,438	63,945,816	64,858,727	912,911
Temporary Salaries	1,085,670	1,495,980	2,170,980	2,170,980	0
Permanent Overtime	15,782,301	14,270,000	17,759,460	17,759,460	0
Deferred Comp	63,345	65,000	68,000	74,435	6,435
Comp & SDI Recoveries	(642,408)	0	0	0	0
FICA/Medicare	1,001,714	1,042,952	1,179,529	1,202,592	23,063
Retirement Expense	28,753,899	34,070,644	35,959,200	36,445,200	486,000
Excess Retirement	127,801	140,000	250,000	250,000	0
Employee Group Insurance	6,210,342	7,175,028	7,646,400	7,734,500	88,100
Retiree Health Insurance	5,417,758	5,743,000	5,625,000	5,625,000	0
OPEB Pre-Pay	2,208,109	2,220,210	0	0	0
Unemployment Insurance	0	0	0	0	0
Workers Comp Insurance	3,375,439	3,236,747	3,732,614	3,809,105	76,491

Contra Costa County FPD

Special District

Department Description

The preceding table presents information, in aggregate, summarizing expenditures and revenue for the fire suppression/emergency medical response crews, fire prevention bureau, communications center, apparatus shop, training section, fire-based emergency medical services, and administration functions section.

Major Department Responsibilities

The Contra Costa County Fire Protection District (CCCFPD) is responsible for providing fire suppression responses to both structure and wildland fires; emergency medical services including paramedic responses, rescue responses, hazardous materials responses; plan review, code enforcement, fire/arson investigation, weed abatement, public education, permits issuance required by Fire Code; and ensuring water supply needed for fire flow, compliance-based inspections, and training.

CCCFPD Operating Fund Summary		
Service:	Mandatory	
Level of Service:	Discretionary	
Expenditures:	\$175,494,000	
Financing:	175,494,000	
Net Fund Cost:	0	
Funding Sources:		
Property Taxes	85.9%	\$150,819,000
Charges for Svcs	6.4%	11,249,000
Measure X-Transfer	4.6%	8,000,000
Intergovernmental	2.5%	4,361,000
Misc. Revenue	0.6%	1,065,000
FTE:	458.6 (Including 11 funded from Measure X)	

Contra Costa County Fire Protection District – EMS Transport Summary

CCCFPD EMS TRANSPORT FUND	2020-21 Actuals	2021-22 Budget	2022-23 Baseline	2022-23 Recommended	Change
Expense					
Salaries And Benefits	3,277,275	3,718,000	3,944,000	4,535,000	591,000
Services And Supplies	43,410,349	89,806,449	47,884,000	47,884,000	0
Other Charges	962,059	1,660,000	1,893,000	1,893,000	0
Fixed Assets	1,039,923	935,000	1,918,000	1,918,000	0
Expenditure Transfers	825,517	1,000,000	1,000,000	1,000,000	0
Expense Total	49,515,124	97,119,449	56,639,000	57,230,000	591,000
Revenue					
Other Local Revenue	54,884,258	53,000,000	57,230,000	57,230,000	0
Revenue Total	54,884,258	53,000,000	57,230,000	57,230,000	0
Net Fund Cost (NFC):	(5,369,134)	44,119,449	(591,000)	0	591,000
Allocated Positions (FTE)	13.0	13.0	13.0	16.0	3.0
Financial Indicators					
Salaries as % of Total Exp	7%	4%	7%	8%	
% Change in Total Exp		96%	(42%)	1%	
% Change in Total Rev		(3%)	8%	0%	
% Change in NFC		(922%)	(101%)	(100%)	
Compensation Information					
Permanent Salaries	1,841,558	2,072,621	2,127,172	2,495,195	368,023
Permanent Overtime	353,940	389,550	500,000	534,770	34,770
Deferred Comp	7,020	6,720	7,320	7,320	0
FICA/Medicare	31,389	34,987	48,302	53,643	5,341
Retirement Expense	714,685	887,527	912,000	1,049,262	137,262
Employee Group Insurance	195,585	192,100	215,129	244,157	29,028
Retiree Health Insurance	16,229	19,235	17,885	17,885	0
OPEB Pre-Pay	6,780	6,679	0	0	0
Unemployment Insurance	(0)	0	0	0	0
Workers Comp Insurance	110,091	108,581	116,191	132,767	16,576

Description: The Emergency Medical Services (EMS) Transport Fund was created in 2015 following the award of a contract to the District by the County EMS Agency to provide emergency medical services throughout the county. The Fund allows the District to track reimbursement revenue from governmental, commercial and private payers for EMS services rendered along with expenditures associated with the provision of those services.

Contra Costa County FPD

Special District

CCCFPD EMS Transport Fund		
Service:		Discretionary
Level of Service:		Discretionary
Expenditures:		\$57,230,000
Financing:		57,230,000
Net Fund Cost:		0
Funding Sources:		
Cost Recovery	98.4%	\$56,300,000
Fund Reserves	1.6%	930,000
FTE:	16.0	

Contra Costa County FPD

Special District

Non-Operating Funds

Non-operating fund budget units include developer fee accounts that are restricted to capital needs necessitated by growth, Pension Obligation Bond (POB) Debt Service and Stabilization Fund budget units that were created pursuant to the issuance of pension obligation bonds in July 2005, a capital construction fund to track new fire station construction projects and the EMS Transport Fund (reported on the previous page) created in 2015 to track expenditures and reimbursement revenue associated with the provision of ambulance service.

CCCFPD Capital Outlay Fund

The Capital Outlay Fund includes funds collected during the building permit process and is intended to ameliorate the impact of new construction service demands on District capital needs. This fund is primarily intended for major capital outlay projects such as new fire stations.

CCCFPD Capital Outlay Fund			
Service:			Discretionary
Level of Service:			Discretionary
Expenditures:			\$422,000
Financing:			20,000
Net Fund Cost:			402,000
Funding Sources:			
Fund Balance	95.3%		\$402,000
Developer Fees	4.7%		20,000

Pittsburg Special Fund

The Pittsburg Special Fund is comprised of fees collected in the Pittsburg area and by agreement with the City of Pittsburg for capital purchases.

Pittsburg Special Fund			
Service:			Discretionary
Level of Service:			Discretionary
Expenditures:			\$142,000
Financing:			1,000
Net Fund Cost:			141,000
Funding Sources:			
Fund Balance	99.3%		\$141,000
Use of Money	0.7%		1,000

CCCFPD New Development Fee Fund

The CCCFPD New Development Fee Fund, established in August 2006, replaces both the CCCFPD and Riverview Fire Developer Fee Funds. This fund includes monies collected during the building permit process in all of the unincorporated areas of the District and is intended to mitigate the impact of new construction service demands on District capital needs.

CCCFPD New Development Fee Fund			
Service:			Discretionary
Level of Service:			Discretionary
Expenditures:			\$941,000
Financing:			100,000
Net Fund Cost:			841,000
Funding Sources:			
Fund Balance	90.4%		\$841,000
Developer Fees	9.6%		100,000

CCCFPD POB Debt Service Fund

The Pension Obligation Bond Debt Service Fund was created due to the issuance of Pension Obligation Bonds in July 2005 to refinance the District's Unfunded Actuarial Accrued Liability as of December 2004 with the Contra Costa County Employees' Retirement Association. The refinancing resulted in savings more than \$50

Contra Costa County FPD

Special District

million over 18 years as the POB interest rate paid to the bondholders was significantly lower than the interest rate charged by the Retirement Association. This fund is created to pay the bondholders via the trustee.

CCCFPD POB Debt Service Fund			
Service:	Discretionary		
Level of Service:	Discretionary		
Expenditures:	\$11,176,000		
Financing:	0		
Net Fund Cost:	11,176,000		
Funding Sources:			
Fund Balance	100.0%	\$11,176,000	

CCCFPD Stabilization Fund

The Pension Obligation Stabilization Fund was created pursuant to the issuance of Pension Obligation Bonds in July 2005. The savings realized from the lower interest rates are set-aside in the Stabilization Fund to extinguish new Retirement System Unfunded Actuarial Accrued Liabilities; replenish reserves; and, upon a unanimous vote of the full Board, for any other lawful purpose of the District.

CCCFPD Stabilization Fund			
Service:	Discretionary		
Level of Service:	Discretionary		
Expenditures:	\$27,423,000		
Financing:	2,609,000		
Net Fund Cost:	24,814,000		
Funding Sources:			
Fund Balance	90.5%	\$24,814,000	
Transfers	9.5%	2,604,000	
Use of Money	0.0%	5,000	

CCCFPD Capital Construction Fund

The Capital Construction Fund is used for major capital outlay projects such as new fire stations. Funding is primarily from lease revenue bonds issued in 2021 and from CCCFPD Operating fund reserves.

CCCFPD Capital Construction Fund			
Service:	Discretionary		
Level of Service:	Discretionary		
Expenditures:	\$6,000,000		
Financing:	6,000,000		
Net Fund Cost:	0,000		
Funding Sources:			
Misc. Revenue	100.0%	\$6,000,000	

CAO's Recommendation

The FY 2022-23 Recommended Budget provides for 27 fire stations, 30 fully functional engine or truck companies, 458.6 FTEs in the District's General Operating Fund, and 16 FTEs in the District's EMS Transport Fund.

As with prior years, the budget includes funding for wage increases, lease-purchase payments for apparatus replacement, debt service payments on revenue bonds for station construction projects, and the continuation of 1) the District's seasonal hand crew program, 2) four-person staffing at certain truck companies, and 3) a 24/7 hazardous materials team.

The District continues to invest in building and grounds maintenance and repair projects and to replace capital and non-capital equipment as needed.

Additionally, the District has completed new fire station construction projects in Lafayette and San Pablo and will soon complete construction on a new fire station in Bay Point.

The District is primarily funded by property tax revenue. In FY 2021-22, the District experienced a 3.63% growth in secured property assessed valuation and a 3.79% growth in total assessed

valuation. The District received additional property tax distributions during the course of the fiscal year due to the dissolution of redevelopment agencies.

The FY 2022-23 Recommended Budget anticipates a 6% growth in secured property assessed valuation as well as revenue from the continued unwinding of the redevelopment areas. Moreover, the District will absorb all sources of revenue from the former East Contra Costa Fire Protection District (ECCFPD) upon annexation. Perhaps even more notable is the District's paying off of its Pension Obligation Bonds (POB) Series 2005. The final tax intercept for principal and interest payments of approximately \$11.4 million took place in FY 2021-22, freeing up significant funds for FY 2022-23. The additional revenue available from the elimination of POB debt service will, in part, fund positions to address necessary structural issues of the District's larger, more complex all-hazards organization.

The Recommended Budget also includes an allocation of sales tax revenue from Measure X. In addition to future new construction in east Contra Costa County and the acquisition of heavy fire apparatus, the Measure X allocation will support: 1) additional station staffing and 2) an emphasis on wildland fuel reduction and wildfire mitigation.

The District was able to budget for a one-time transfer of funds to its capital construction fund for future station replacement projects and possible land acquisition for those projects.

The District continues to be the County's exclusive operator of emergency ambulance service (excluding the areas covered by the Moraga-Orinda Fire Protection District and the San Ramon Valley Fire Protection District). The cost of providing this service is fully offset by the collection of ambulance service fees.

The FY 2022-23 Recommended Budget for the District's operating fund is balanced and requires no use of current year fund balance. The District meets its Board adopted policy to maintain a minimum reserve of 10% of general operating fund budgeted expenditures.

Performance Measurement

During FY 2021-22, the District:

- Continued to provide essential EMS, fire, and rescue first responder services during a pandemic while maintaining the health and safety of first responders, support staff, and the community.
- Responded to 82,561 incidents in calendar year (CY) 2021. This represents a 9.6% increase in call volume as compared to CY 2020.
- Completed a feasibility study regarding the potential annexation of the East Contra Costa Fire Protection District into the Contra Costa County Fire Protection District. Submitted an annexation application to LAFCo, participated in annexation hearings, and initiated the necessary planning and logistical elements to prepare for annexation.
- Applied for and received an allocation of Measure X funding to support new construction projects, fire apparatus acquisition, and new initiatives aimed at keeping the community safer from wildfire threat.
- Added a staffed ladder truck company to Fire Station 70 in the City of San Pablo (replacing a limited functionality two-person squad).
- Updated the fire prevention fee schedule.
- Established a community facilities district in an area of new development within the City of Antioch.
- Hired and conducted Firefighter Academy 56 and 57.
- Continued to fill new positions within the fire prevention bureau to better meet mandates and standards for code enforcement.

Contra Costa County FPD

Special District

- Continued converting to a new records management, inspection, and invoicing system in the fire prevention bureau.
- Continued to train and deploy fire personnel as first responders at the specialist level to hazardous materials incidents.
- Continued replacement of capital equipment, such as heavy fire apparatus and support equipment.
- Continued major facility and grounds maintenance projects such as new roofing and asphalt.
- Initiated a study for the establishment of a contract for service with the City of Pinole for fire protection services.
- making communities safer from wildfire threat.
- Complete construction on a new Fire Station 86 in Bay Point.
- Continue to address issues with the potential construction site of a new Fire Station 9 at the Buchanan Field Airport.
- Continue the communication center remodel and modernization project.
- Continue periodic replacement of capital equipment, such as heavy fire apparatus and support equipment.
- Continue facility and grounds maintenance projects, such as remodeling, painting, roofing, and asphalt repair.

Administrative and Program Goals

During FY 2022-23, the District will:

- Take actions needed to finalize the annexation of ECCFPD into the District, including organizational restructuring, budget adjustments, allocation of physical space, training, etc.
- Reopen Fire Station 4 in unincorporated Walnut Creek
- Add a three-person crew to Fire Station 81 in Antioch.
- Expand the wildland firefighting hand crew program by adding staffing, equipment, and supervisory continuity.
- Implement fuel reduction and wildfire mitigation programs with the goal of
- Pursue new funding mechanisms such as development impact fees and the creation of community facilities districts in areas of new development.
- Hire and conduct Firefighter Recruit Academy 58.
- Pursue grant funding opportunities as they become available.
- Continue disaster planning, internal preparation, and public education for large wildland fires and evacuation planning.
- If feasible, implement a contract for service to provide fire protection services to the City of Pinole.

Contra Costa County FPD
Special District

FY 2022-23
Program Modification List

Order	Reference to Mand/Disc	Program Name	Service	FTE	Net Fund Cost Impact	Impact
1	NA	Fire Protection	Salary and Benefits	8.0	\$1,993,000	Add 1 Deputy Fire Chief, 2 Assistant Fire Chief positions, 3 Fire Captain 56-hour, 1 Fire District Facilities Manager and 1 Fire Equipment Mechanic I.
2	NA	Fire Protection	Salary and Benefits	(1.0)	(400,000)	Cancels one Battalion Chief 40-hour position.
3	NA	Fire Protection	Services and Supplies	0.0	800,000	Increased operating costs for Community Risk Reduction (fire prevention).
			Total CCCFPD Operating Fund	7.0	2,393,000	
4	N/A	EMS Transport	Salary and Benefits	3.0	591,000	Adds three Fire District Dispatcher positions (one per shift) to the Communications Center.
			Total EMS Transport Fund	3.0	\$ 591,000	



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
 From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
 Date: April 26, 2022

Subject: Establish a Mello-Roos Community Facilities District

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Lewis T. Broschard III, Fire Chief (925)
 941-3300

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

1. OPEN public hearing on establishment of a Mello-Roos Community Facilities District and levy of a special tax to fund citywide fire protection and emergency response services in the City of Antioch, RECEIVE testimony, and CLOSE public hearing.
2. ADOPT Resolution No. 2022/5, a Resolution of Formation to establish Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) ("CFD No. 2022-1") and designating a future annexation area.
3. ADOPT Resolution No. 2022/6, calling for a special landowner election to levy a special tax within the boundaries of CFD No. 2022-1.
4. CONDUCT special landowner election and announce results.
5. ADOPT Resolution No. 2022/7, declaring the results of the special landowner election and directing recording of notices of special tax lien for CFD No. 2022-1.
6. INTRODUCE Ordinance No. 2022-17, authorizing the levy of a special tax on properties in CFD No. 2022-1, and establishing an appropriations limit for CFD No. 2022-1; WAIVE reading; and FIX May 10, 2022 for adoption.

FISCAL IMPACT:

Establishment of the CFD for The Ranch Project is expected to generate approximately \$448,000 in special taxes annually assuming 1,177 single family residential units using Fiscal Year 2021-2022 special tax rates. Upon annexation of additional future developments into the CFD, the anticipated revenue will increase based on the number and type of residential units within those developments.

BACKGROUND:

On March 8, 2022, the Board took action to approve a resolution of intent, Resolution 2022/4, to form a Community Facilities District (CFD) in the area of south Antioch, known as the Sand Creek Focus Area. This area is becoming developed with long range forecasts of 3,000 new homes to be added over the next several years. The District has worked with the City of Antioch and one of the developers, Richland Communities, to establish a Community Facilities District (CFD) for "The Ranch Project" in order to provide augmented funding for the cost of ongoing operations for fire and emergency response services as a result of new development in this area.

The Ranch Project is a master planned residential community consisting of 1,177 residential units on a 551.50-acre site in the Sand Creek Focus Area west of Deer Valley Road. The proposed project will include various housing types and densities, including low density, medium density, estate and age-restricted housing; a 5.0-acre Village Center site consisting of commercial, office, and retail space; 3.0 acres of public facilities (including a new fire station site and a trail staging area); over 20 acres of public parks and landscaped areas; 229.50 acres of open space, including a creek corridor averaging 450 feet wide and 6.0 miles of trails; and 38.00 acres of roadway per the final environmental impact report dated July 17, 2020.

The current allocation of the 1% basic property tax to the District ranges from 8%-9.5% in the tax rate areas being developed. This is well below the average rate of 14% throughout most of the District. A CFD is necessary within Antioch to sustain the ongoing costs of providing fire and emergency response services due to the low property tax allocation in many areas being considered for future development.

The landowner and developer, Richland Communities, executed a petition for the Board of Directors to create a community facilities district and related matters under the Mello-Roos Community Facilities Act of 1982. Establishment of the CFD for The Ranch Project will enable the District to work with the City of Antioch and other developers to annex future developments into this CFD in order to provide the necessary revenue to support District operations throughout areas of new development.

The special tax rate has been established at a maximum of \$381 per residential unit of single family residential property and \$267 per residential unit of multi-residential family property for fiscal year 2021-2022. For each subsequent fiscal year following fiscal year 2021-22, the Maximum Special Tax rates shall be increased from the Maximum Special Tax rate in effect for the prior fiscal year by the Annual Escalation Factor; the annual percentage increase of the All Urban Consumers Consumer Price Index ("CPI") or two percent (2%), whichever is greater. The annual CPI used shall be for the area of San Francisco-Oakland-Hayward as determined by the Bureau of Labor Statistics for the 12 months ending the preceding December 31, or such other replacement index as may be determined by the District.

This is the second of two required board meetings necessary to establish the CFD and Future Annexation Area. A third meeting will be necessary in May to adopt an ordinance levying the special tax.

At the March 8 meeting, the Board took actions to adopt District goals and financing policies for CFDs, adopted a Resolution of Intention to establish a Mello-Roos CFD, and set April 26, 2022, for the public hearing on the establishment of the proposed CFD.

Today's actions will include the public hearing on establishment of a Mello-Roos CFD and levy of a special tax, as well as additional action items to adopt a Resolution of Formation to establish Contra Costa County Fire Protection District Community Facilities District No. 2022-1 and designating a future annexation area, adopt an additional resolution calling for a special landowner election to levy a special tax within the boundaries of CFD No. 2022-1, conduct the special landowner election, adopt a resolution declaring the results of the special landowner election, and finally to introduce an ordinance authorizing the levy of a special tax on properties in CFD No. 2022-1, and establishing an appropriations limit for CFD No. 2022-1.

Pursuant to the Mello-Roos Act, the qualified electors for the proposed CFD are the landowners within the CFD, having one vote for each acre or portion thereof that each landowner owns in the CFD. The proposed CFD consists of a single landowner, the developer Richland Communities, which owns all of the approximately 554 acres included within the proposed CFD boundary. Accordingly, a single ballot for the special landowner election to the levy the special tax was issued. Richland Communities, through its subsidiaries, has returned the ballot

and all votes in favor of levying the special tax within the CFD.

The third and final meeting will be scheduled for May 10, 2022, and will include an action item to adopt the ordinance authorizing the levy of special taxes within the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services).

CONSEQUENCE OF NEGATIVE ACTION:

If unapproved, the CFD formation process will not move forward. Additional revenue necessary for providing ongoing operations as a result of new development within Antioch will not be obtained. New development will be constructed and populated in the years ahead without adequate funding for fire and emergency response services.

ATTACHMENTS

Resolution 2022/5

Petition

Community Facilities District Report w/Exhibits

Resolution No. 2022/5, Resolution of Formation

Resolution No. 2022/6, Calling the Special Landowner Election

Resolution No. 2022/7, Declaring Results of Special Landowner Election

Notice of Special Tax Lien

Ordinance No. 2022-17

THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

Adopted this Resolution on 04/26/2022 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2022/5

Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services);

A. On March 8, 2022, the Board of Directors (the "Board") of the Contra Costa County Fire Protection District (the "District") adopted Resolution No. 2022/4 (the "Resolution of Intention") stating its intention to establish the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, California Government Code Section 53311 et seq. (the "Law").

B. The Resolution of Intention, Exhibit A, to which contained a copy of the map of the proposed boundaries of the CFD and the territory proposed for future annexation to the CFD, Exhibit B to which described the services eligible to be funded by the CFD (the "Services"), and Exhibit C to which set forth the rate and method of apportionment of the special tax to be levied within the CFD to pay the costs of the Services (the "Rate and Method"), is on file with the Clerk of the Board and the provisions thereof are incorporated herein by this reference.

C. The Resolution of Intention called for a public hearing on the CFD and the possible future annexation of territory to the CFD to be held on April 26, 2022, and on this date the Board held the public hearing as required by the Law and the Resolution of Intention relative to the proposed formation of the CFD and the possible future annexation of territory to the CFD.

D. At the hearing, all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the Services eligible to be funded by the CFD, the levy of the special tax, and the possible future annexation of territory to the CFD were heard and a full and fair hearing was held.

E. At the hearing, evidence was presented to the Board on the matters before it, including a report by the Fire Chief as to the Services eligible to be funded by the CFD and possible future annexation area, and the costs thereof (the "Report"), a copy of which is on file with the Clerk of the Board, and the Board at the conclusion of the hearing was fully advised regarding the CFD.

F. Written protests with respect to the formation of the CFD and/or the furnishing of specified types of Services as described in the Report have not been filed with the Clerk of the Board by fifty percent (50%) or more of the registered voters residing within the proposed boundaries of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

G. The special tax proposed to be levied in the CFD to pay for costs of the Services, as set forth in Exhibit A to the Resolution of Intention, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

H. No written protests with respect to the possible future annexation of territory to the CFD have been filed with the Clerk of the Board.

1. The foregoing recitals are true and correct.
2. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Law.
3. All prior proceedings taken by the Board in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are found and determined to be valid and in conformity with the Law. On March 8, 2022, the Board adopted goals and policies for Community Facilities Districts, and the Board finds and determines that the CFD is in conformity with those goals and policies.

4. The community facilities district designated “Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)” is established pursuant to the Law.

5. The boundaries of the CFD and of the territory proposed for annexation to the CFD, as set forth in a copy of the boundary map for the CFD attached as Exhibit A to the Resolution of Intention and set forth in the boundary map of the CFD recorded at 11:31 a.m. on April 22, 2022, in the County Recorder’s Office in Book 22 of Maps of Assessment and Community Facilities Districts at Pages 25-26 (Instrument No. 22-0061816), are approved, are incorporated herein by this reference, and shall be the boundaries of the CFD and the boundaries of the proposed annexation area, respectively.

6. The types of services eligible to be funded by the CFD pursuant to the Law are as described in Exhibit B to the Resolution of Intention, which Exhibit is incorporated herein by this reference. The Board finds that the Services are necessary to meet increased demands placed upon local agencies as the result of development occurring in the CFD.

7. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof (“Special Tax”), secured by the recordation of a continuing lien against all nonexempt property in the CFD, will be levied within the CFD and collected in the same manner as ordinary ad valorem property taxes or in such other manner as the Board shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit C to the Resolution of Intention, which Exhibit is incorporated herein by this reference. The Board hereby finds that the basis for the levy and apportionment of the special tax, as set forth in the Rate and Method, is reasonable.

8. The Fire Chief, or his or her designee, 4005 Port Chicago Hwy, Suite 250, Concord, CA 94520, telephone number (925) 941-3300, is authorized to take any action necessary and proper to effectuate the intent of this resolution, including, without limitation, preparing annually and whenever otherwise necessary a current roll of the levy of the Special Tax obligations by assessor’s parcel number, and is responsible for estimating future levies of the Special Tax pursuant to Section 53340.2 of the Law.

9. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the Special Tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until collection of the Special Tax by the District ceases, if ever. It is hereby acknowledged that it is expected that the Special Tax will be levied and collected in perpetuity.

10. In accordance with Section 53325.7 of the Law, the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at \$1,000,000 and the appropriations limit shall be submitted to the voters of the CFD as provided below. The proposition establishing the appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted, without further action by the Board, in accordance with the applicable provisions of the Law and the Constitution.

11. Pursuant to the provisions of the Law, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election, the time, place, and conditions of which election shall be as specified by a separate resolution of the Board.

12. All or any portion of the territory proposed for annexation to the CFD, as described in the Resolution of Intention and on the map of the CFD described in Section 5 above, may be annexed to the CFD upon the unanimous approval of the owner or owners of each parcel or parcels in the specific portion of the area to be annexed, without additional hearings, as permitted by Section 53339.7(a) of the Law.

13. This Resolution shall take effect immediately upon its adoption.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Lewis T. Broschard III, Fire Chief (925)
941-3300**

ATTESTED: April 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)

PETITION
(With Waivers)

To Create a Community Facilities District and Related Matters

This is a petition to the Contra Costa County Fire Protection District (the "CCCFPD") Board of Directors to create a community facilities district and related matters under the Mello-Roos Community Facilities Act of 1982 (the "Act").

1. Petitioner. This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land described in Exhibit A, which is attached (the "Property"). The Petitioner warrants to the CCCFPD that the Petitioner is the record owner or is legally authorized to execute this Petition for and on behalf of the record owner(s).

2. Proceedings Requested. This Petition asks that the CCCFPD Board of Directors undertake proceedings under the Act to create a community facilities district to be designated "Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)" (the "Community Facilities District") to levy special taxes in the Community Facilities District.

3. Boundaries. This Petition asks that the territory to be included in the boundaries of the Community Facilities District consist of that territory shown on a map of the proposed boundaries of the Community Facilities District filed with the CCCFPD Clerk of the Board and attached as Exhibit B. The territory to be included in the boundaries of the Community Facilities District includes the Property.

4. Purpose. This Petition asks that the Community Facilities District be created and that the special taxes be levied to finance all or part of the (a) fire protection and suppression services and (b) ambulance and paramedic services authorized under the Act (the "Authorized Services")

5. Special Tax. The Petitioner agrees that the CCCFPD will, subject to the approval of the Petitioner in the proceedings for the Community Facilities District, be authorized to levy a special tax in the Community Facilities District to pay for the Authorized Services (the "Special Tax"), subject to the completion of all proceedings by the CCCFPD under the Act.

6. Election. The Petitioner asks that the special property-owner election to be held under the Act to authorize the Special Tax and to establish any appropriations limits for the Community

Facilities District be conducted by the CCCFPD and its officials, using a mailed or hand delivered ballot, and that the ballot be canvassed and the results certified at the same meeting of the CCCFPD Board of Directors as the public hearing on the Community Facilities District under the Act or as soon thereafter as possible.

7. Waivers. To expedite the completion of the proceedings for the Community Facilities District, the Petitioner waives all notices of hearing, notices regarding the establishment of the Community Facilities District, notices of election, applicable waiting periods under the Act for the holding of any public hearing and for election, and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all the referenced notices and waiting periods are for the benefit of the Petitioner and may be waived.

8. Authority Warranted. The Petitioner warrants to the CCCFPD that the presentation of this Petition, any waivers made by Petitioner, casting of ballots at the property owner election, and other actions mandated by the CCCFPD for the formation of the Community Facilities District shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the CCCFPD, the Petitioner agrees, at its expense, to supply to the CCCFPD current title evidence so that the CCCFPD may supply any notice and ballot required under the Act for the establishment of the Community Facilities District.

9. Due Diligence and Disclosures. The Petitioner agrees to cooperate with the CCCFPD, its attorneys and consultants, and to provide all information and disclosures required by the CCCFPD about the Special Tax to purchasers of the Property or any part of it.

10. Agreements. The Petitioner further agrees to execute any additional or supplemental agreements as may be required by the CCCFPD and acceptable to the Petitioner to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the CCCFPD's costs in establishing the Community Facilities District, not to exceed \$50,000.00. Petitioner agrees that this Petition shall not be considered as filed with the CCCFPD for purposes of commencing proceedings for the Community Facilities District under the Act unless and until deemed filed by the CCCFPD in its discretion.

DATED: March 2, 2022

The Petitioner (record owner) is:

American Superior Land, LLC,
a Delaware limited liability company

EPC Holdings 820 LLC,
a Washington limited liability company

By: 

John C. Troutman, Vice President

By: 

John C. Troutman, Vice President

EXHIBIT A

DESCRIPTION OF THE PROPERTY

(see attached)

EXHIBIT A

LEGAL DESCRIPTION

Real property in the City of Antioch , County of Contra Costa, State of California, described as follows:

PARCEL ONE:

THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN.

EXCEPTING FROM PARCEL ONE:

1- THAT 2.25 ACRE PARCEL OF LAND DESCRIBED IN THE DEED TO M.J. ALEXANDER, RECORDED FEBRUARY 4, 1928 IN BOOK 111 OF OFFICIAL RECORDS, PAGE 455.

2- THAT PORTION OF THE PREMISES LYING WITHIN SNODGRASS LANE.

3- THE INTEREST CONVEYED TO THE CITY OF ANTIOCH BY DEED RECORDED OCTOBER 21, 2002, INSTRUMENT NO. 2002-381492, OFFICIAL RECORDS.

PARCEL TWO:

THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN.

PARCEL THREE:

LOTS 1 AND 2 IN THE NORTHWEST ¼ AND THE NORTH ½ OF LOTS 1 AND 2 IN THE SOUTHWEST ¼ OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN.

EXCEPTING FROM PARCEL THREE:

1. AS TO THE NORTHWEST ¼ OF SECTION 7:

(A) THAT PARCEL OF LAND "FOR ROAD PURPOSES" GRANTED IN THE DEED TO BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, RECORDED DECEMBER 8, 1875, IN BOOK 29 OF DEEDS, PAGE 304.

(B) THAT PARCEL OF LAND DESCRIBED IN THE DEED TO M.W. BELSHAW, ET AL, RECORDED MAY 5, 1877 IN BOOK 32 OF DEEDS, PAGE 460.

2. AS TO THE SOUTHWEST ¼ OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 EAST, RIGHTS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED FEBRUARY 13, 1871, IN BOOK 1 OF PATENTS, PAGE 237, CONTRA COSTA COUNTY RECORDS, AS FOLLOWS:

"EXCLUDING AND EXCEPTING FROM THE TRANSFER BY THESE PRESENTS, ALL MINERAL LANDS SHOULD ANY SUCH BE FOUND TO EXIST IN THE TRACTS DESCRIBED IN THE FOREGOING, BUT THIS EXCEPTION AND EXCLUSION ACCORDING TO THE TERMS OF THE STATUTE SHALL NOT BE CONSTRUED TO INCLUDE IRON LAND."

EXCEPTING FROM PARCELS TWO AND THREE ABOVE:

AS TO THE NORTH ½ OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 EAST, RIGHTS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED APRIL 6, 1874, IN BOOK 2 OF PATENTS,

EXHIBIT A

PAGE 50, CONTRA COSTA COUNTY RECORDS, AS FOLLOWS:

"AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBONS AND MINERAL SUBSTANCES BELOW A POINT 500 FEET BELOW THE SURFACE OF SAID LAND, TOGETHER WITH THE RIGHT TO TAKE, REMOVE, MINE, PASS THROUGH AND DISPOSE OF OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBONS AND MINERAL SUBSTANCES, BUT WITHOUT ANY RIGHT EXCEPT AS IS HEREINAFTER RESERVED TO ENTER UPON THE SURFACE OF SAID LAND OR UPON ANY PART OF SAID LAND WITHIN THE UPPER 500 FEET OF THE SUBSURFACE OF SAID LAND."

APN: 057-021-003-9 (Parcel One), 057-010-003-2 (Parcel Two) and 057-010-002-4 (Parcel Three)

EXHIBIT B
BOUNDARY MAP

(see attached)

PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

FILED IN THE OFFICE OF THE ADMINISTRATIVE OFFICER OF THE
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT THIS
____ DAY OF _____, 2022.

ADMINISTRATIVE OFFICER _____
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE
PROPOSED BOUNDARIES AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE
PROTECTION AND EMERGENCY RESPONSE SERVICES) COUNTY
OF CONTRA COSTA STATE OF CALIFORNIA WAS APPROVED BY
THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY
FIRE PROTECTION DISTRICT AT REGULAR MEETING
THEREOF HELD ON THE ____ DAY OF _____, 2022 BY
ITS RESOLUTION NO(S) _____.

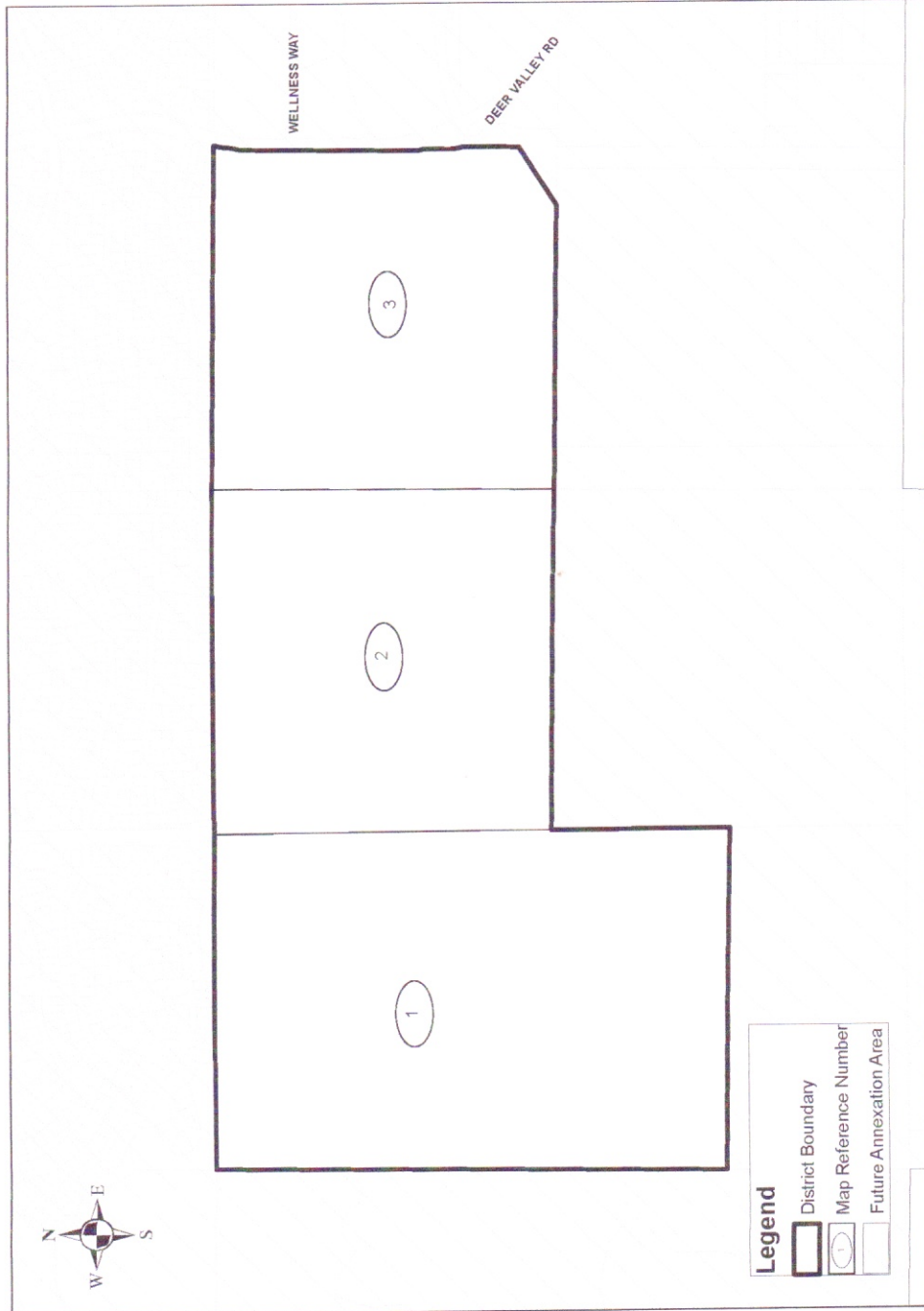
ADMINISTRATIVE OFFICER _____
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FILED THIS ____ DAY OF ____ M. IN BOOK ____ AT THE
HOUR OF ____ O'CLOCK ____ AND COMMUNITY
FACILITIES DISTRICT NO. 2022-1 AS INSTRUMENT NO. ____
IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

BY DEPUTY
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL
ENCOMPASSED BY THIS MAP SHALL BE THOSE LINES AND
DIMENSIONS AS SHOWN ON THE CONTRA COSTA COUNTY
ASSESSOR'S MAPS.

THE CONTRA COSTA COUNTY ASSESSOR'S MAPS SHALL GOVERN
FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF
SUCH LOTS OR PARCELS.

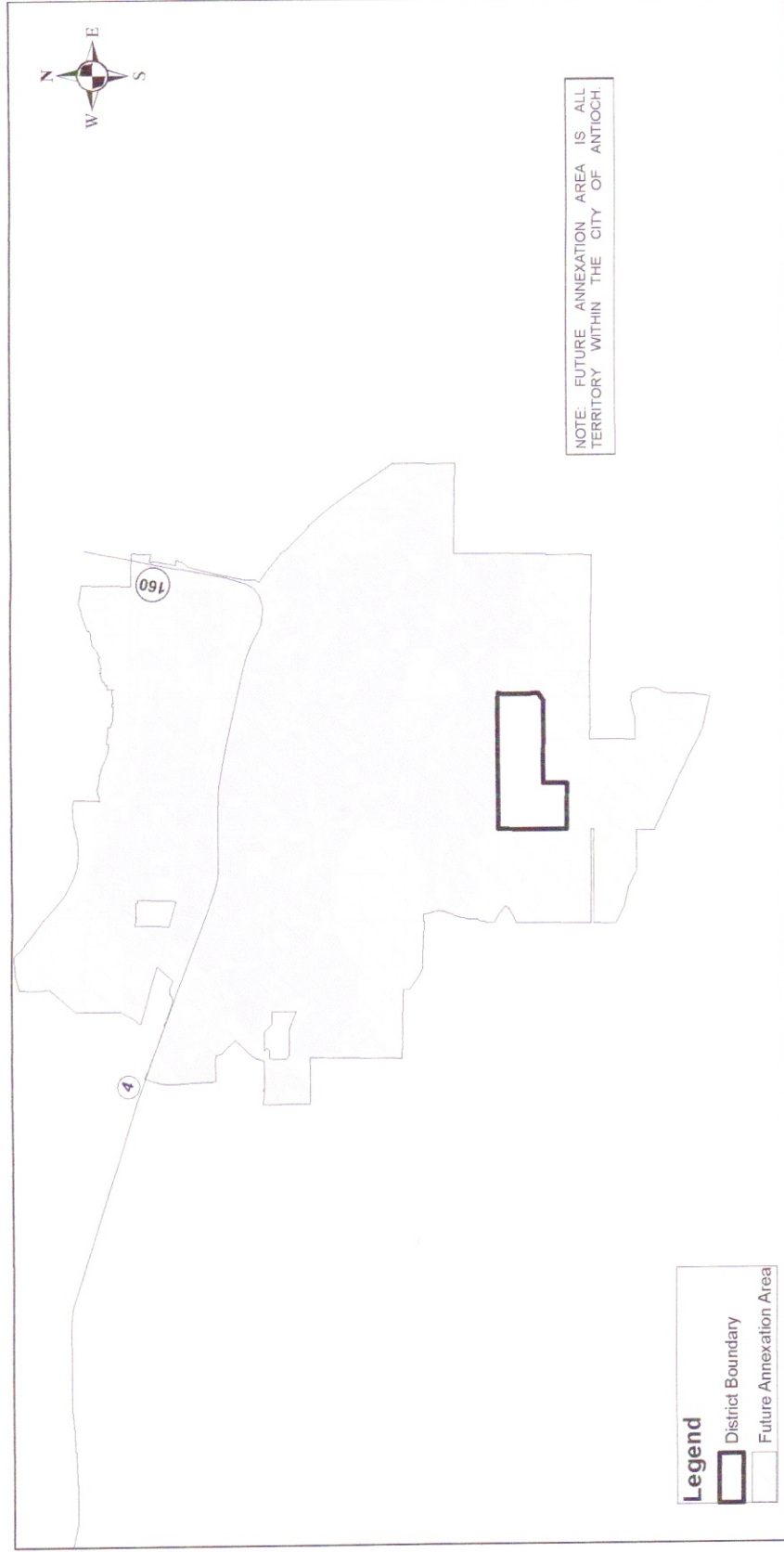


MAP REFERENCE	ASSESSOR'S
1	057-010-002
2	057-010-003
3	057-021-003



**PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)**

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA





CFD Report

**Contra Costa County Fire Protection
District (CCCFPD)**

Community Facilities District

**No. 2022-1 (Antioch Fire Protection and
Emergency Response Services)**

Prepared by:



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I. Introduction

On March 8, 2022, the Board of Directors (the “Board”) of the Contra Costa County Fire Protection District (the “District”) adopted Resolution No. 2022/4 (the “Resolution of Intention”) declaring its intention to establish the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the “CFD”) pursuant to the Mello-Roos Community Facilities Act of 1982, California Government Code Section 53311 et seq. (the “Law”). In the Resolution of Intention, the Board ordered the preparation of a written Community Facilities Report (the “Report”) for the proposed CFD.

The Resolution of Intention ordering the Report directed that the Report contain the following:

1. A description of the Services that will be required to adequately meet the needs of CFD No. 2022-1; and
2. An estimate of the fair and reasonable cost of the Services and the incidental expenses in connection therewith, and all other related costs.

II. Proposed Boundaries of CFD No. 2022-1

The proposed boundaries of the CFD are those properties and parcels on which special taxes may be levied to pay for the costs of the services eligible to be funded by the CFD. The proposed boundaries of the CFD are described in the map of the CFD, a copy of which map was attached as Exhibit A to the Resolution of Intention, and which map was recorded with the County Recorder of Contra Costa County on April 8, 2022, in Book 89 at Pages 25-26 of Maps of Assessment and Community Facilities Districts as Instrument No. 22-0061816. The map also identifies the future annexation area, indicating territory that may be added to the CFD in the future with the consent of the applicable landowner. A copy of the map is attached as Exhibit A.

III. Description of Services

Service:

The services to be funded, in whole or in part, by the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the "CFD") include: (a) fire protection and suppression services, and (b) ambulance and paramedic services ("Services"). The Services include all direct and incidental costs related to providing for the maintenance of public infrastructure within the area of the CFD and areas adjacent to or in the vicinity of such areas. The CFD may fund any of the following related to the Services: furnishing, operating, and maintaining equipment, apparatus, or facilities related to providing the Services, paying the salaries and benefits of personnel necessary or convenient to provide the Services, payment of insurance costs and other related expenses, and the provision of reserves for repairs and replacements and for the future provision of Services. It is expected that the Services will be provided by the Contra Costa County Fire Protection District (the "District"), either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The administrative expenses to be funded by the CFD include the direct and indirect expenses incurred by the District in carrying out its duties with respect to the CFD (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of Contra Costa County related to the CFD or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto and a proportionate amount of the District's general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to the CFD or the services authorized to be financed by the CFD, and expenses incurred by the District in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the District in any way related to the CFD.

Other:

The incidental expenses that may be funded by the CFD include, in addition to the administrative expenses identified above, the payment or reimbursement to the District of all costs associated with the establishment and administration of the CFD.

IV. Service Cost Estimates

It is expected that the costs of providing the services eligible to be funded by the CFD will vary for each parcel included in the CFD based upon its land use (single-family or multi-family residential property), and will increase over time. See the Rate and Method of Apportionment of Special Taxes for the CFD, attached as Exhibit B, for the maximum special tax rates that are estimated to provide funding needed to pay for the Services eligible to be funded by the CFD.

The annual operating cost of a new fire station will be approximately \$3.5 million annually. Allocated to the estimated 3,000 units planned for the Sand Creek Focus Area, this results in an annual cost of \$1,167 per housing unit.

The CFD is anticipated to generate approximately \$448,000 (2022 dollars) in additional funding for fire and EMS services.

EXHIBIT A

Boundary Map

PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)

Sheet 1 of 2

FILED IN THE OFFICE OF THE ADMINISTRATIVE OFFICER OF THE
 CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT THIS
 DAY OF 2022.

COUNTY OF CONTRA COSTA
 STATE OF CALIFORNIA

ADMINISTRATIVE OFFICER
 CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE
 PROPOSED BOUNDARIES AND FUTURE ANNEXATION AREA OF
 CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT ANTIOCH FIRE
 COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE
 PROTECTION AND EMERGENCY RESPONSE SERVICES) COUNTY
 OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY
 THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY
 FIRE PROTECTION DISTRICT AT A REGULAR MEETING
 THEREOF, HELD ON THE DAY OF 2022, BY
 ITS RESOLUTION NO(S) _____

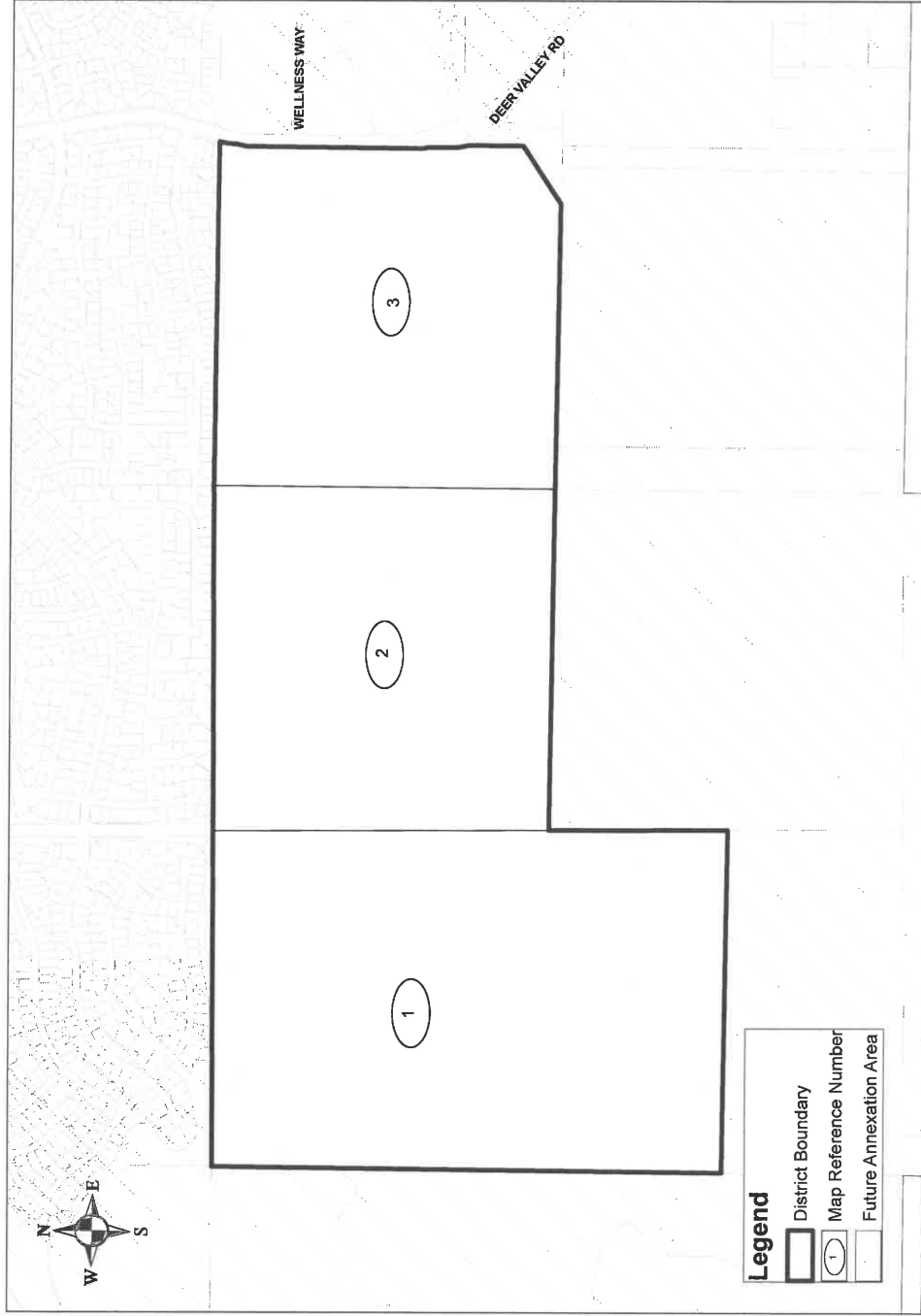
ADMINISTRATIVE OFFICER
 CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FILED THIS DAY OF M. IN BOOK PAGE
 HOUR OF O'CLOCK OF MAPS OF ASSESSMENT AND COMMUNITY
 FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER
 IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

BY DEPUTY
 COUNTY RECORDER
 COUNTY OF CONTRA COSTA
 STATE OF CALIFORNIA

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL
 ENCOMPASSED BY THIS MAP SHALL BE THOSE LINES AND
 DIMENSIONS AS SHOWN ON THE CONTRA COSTA COUNTY
 ASSESSOR'S MAPS.

THE CONTRA COSTA COUNTY ASSESSOR'S MAPS SHALL GOVERN
 FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF
 SUCH LOTS OR PARCELS.



MAP REFERENCE	ASSESSOR'S
1	057-010-002
2	057-010-003
3	057-021-003



**PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)**

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

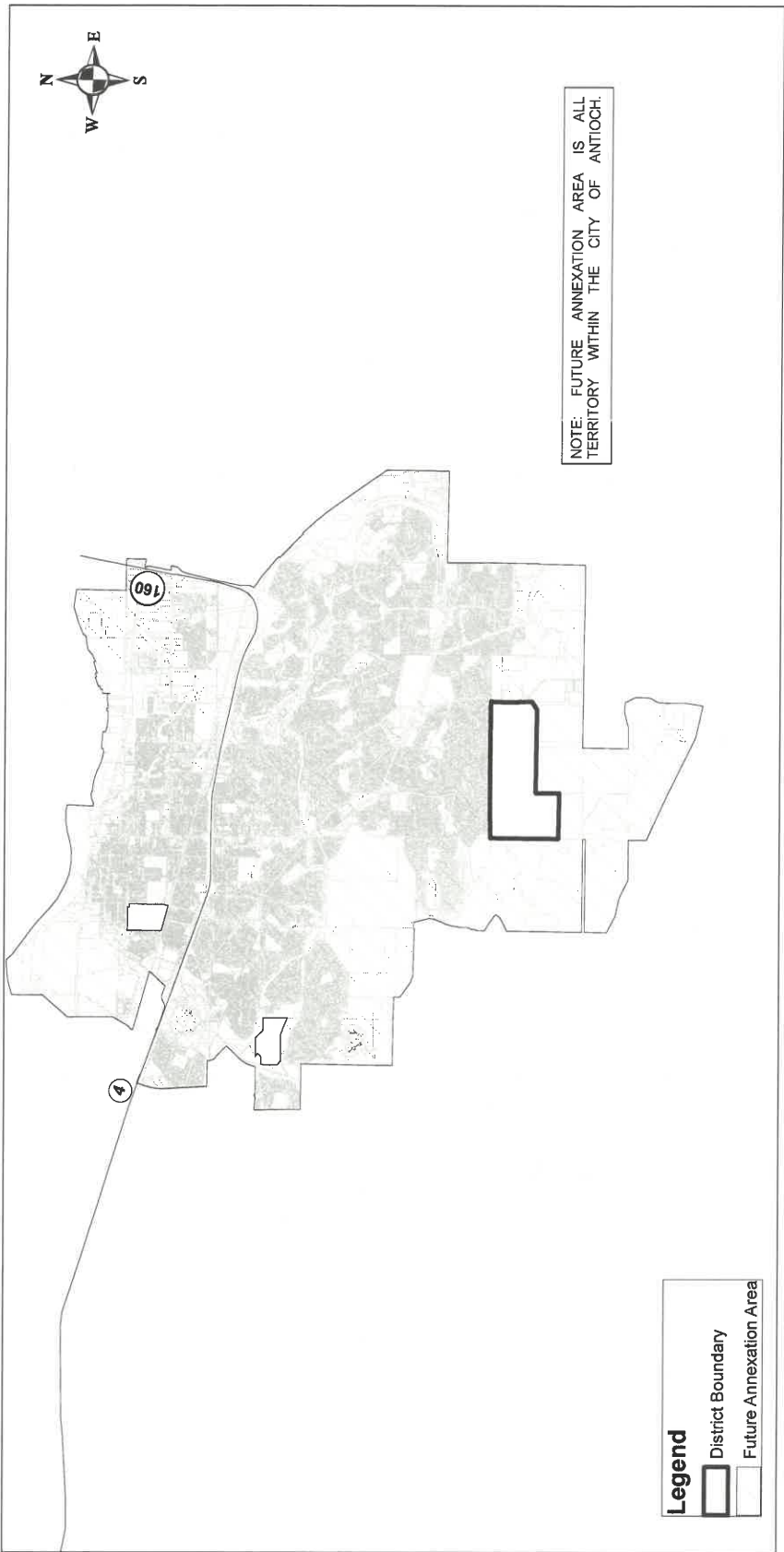


EXHIBIT B

Rate and Method of Apportionment

CFD No. 2022-1 (Antioch Fire Protection and Emergency Response
Services)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

For the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), County of Contra Costa, State of California

The Special Tax as hereinafter defined shall be levied on all Assessor's Parcels within the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), ("CFD 2022-1"), other than Assessor's Parcels classified as Exempt Property as defined herein, and collected each Fiscal Year commencing in Fiscal Year 2021-22, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within CFD 2022-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated expenses related to the administration of CFD 2022-1: the costs of determining the amount of the levy of the Special Tax, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the payment of a proportional share of salaries and benefits of any District employee and District overhead whose duties are directly related to the administration of CFD 2022-1, fees and expenses for counsel, audits, costs associated with responding to public inquiries regarding CFD 2022-1, and any and all other costs incurred in connection with the administration of CFD 2022-1.

"Annual Escalation Factor" means the annual percentage increase of the All Urban Consumers Consumer Price Index ("CPI") or two percent (2%), whichever is greater. The annual CPI used shall be for the area of San Francisco-Oakland-Hayward, CA as determined by the Bureau of Labor Statistics for the twelve (12) months ending the preceding December 31, or such other replacement index as may be determined by the District.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by assessor's parcel number.

"Building Permit" means a permit issued for new construction of a residential dwelling or non-residential structure. For purposes of this definition, "Building Permit" shall not include permits

for construction or installation of retaining walls, grading, utility improvements, or other such improvements not intended for human habitation.

“CFD Administrator” means an official of the District, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax for CFD 2022-1.

“CFD 2022-1” means Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) established by the Board under the Act.

“District” means the Contra Costa County Fire Protection District.

“Board” means the Board of Directors of the Contra Costa County Fire Protection District, acting as the legislative body of CFD 2022-1.

“County” means the County of Contra Costa.

“Developed Property” means an Assessor’s Parcel of Taxable Property for which a Building Permit was issued on or before May 1 preceding the Fiscal Year for which the Special Tax is being levied.

“Exempt Property” means all Assessor’s Parcels within CFD 2022-1 that are exempt from the Special Tax pursuant to the Act or Section F herein.

“Fiscal Year” means the period commencing on July 1 of any year and ending the following June 30.

“Land Use Type” means any of the land use types listed in Table 1 below.

“Maximum Special Tax” means the maximum Special Tax determined in accordance with Section C, which may be levied in any Fiscal Year on an Assessor’s Parcel of Taxable Property.

“Multi-Family Residential Property” means all Assessor’s Parcels of Residential Property for which a Building Permit has been issued for the purpose of constructing a building or buildings comprised of attached Residential Units available for rental by the general public, not for sale to an end user, and under common management.

“Non-Residential Property” means any Assessor’s Parcel classified as Developed Property, which is not classified as any, Residential Property, Public Property and Property Owner Association Property.

“Property Owner Association Property” means for each Fiscal Year any property within the boundaries of CFD 2022-1 that was owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to a property owner association, including any master or sub-association, as of June 1.

“Proportionately” means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels within each Land Use Class.

“Public Property” means any property that is owned by, dedicated or irrevocably dedicated to a city, the federal government, the State of California, the County, or any other public agency (each, a “Public Entity”); provided, however, that any such property is leased by such a Public Entity to a private entity and is thereby subject to taxation pursuant to Section 53340.1 of the Act, such leasehold estate shall be classified and taxed according to the use thereof.

“Public Safety Services” means those authorized services that may be funded by CFD 2022-1 pursuant to the Act, as amended including but not limited to fire suppression services.

“Residential Property” means all Assessor’s Parcels of Developed Property within CFD 2022-1 for which a Building Permit has been issued for purposes of constructing one or more Residential Unit(s).

“Residential Unit” means any residence in which a person or persons may live, which is not considered to be used for non-residential purposes.

“Single Family Residential Property” means all Assessor’s Parcels of Residential Property not classified as Multi-Family Residential Property.

“Special Tax” means the special tax authorized to be levied within CFD 2022-1 pursuant to the Act, to fund the Special Tax Requirement.

“Special Tax Requirement” means the amount, as determined by the CFD Administrator, for any Fiscal Year to: (i) pay the costs of providing the Public Safety Services during such Fiscal Year, (ii) pay Administrative Expenses associated with the Special Tax, (iii) establish or replenish any operational reserve fund established for Public Safety Services, (iv) pay incidental expenses related to the Public Safety Services as authorized pursuant to the Act, (v) fund an amount equal to a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied (“Estimated Special Tax Delinquency Amount”) and (vi) fund the shortfall, if any, in the Special Tax revenues collected in the preceding Fiscal Year necessary to fund the Special Tax Requirement for such Fiscal Year where such shortfall resulted from delinquencies in the payment of the Special Tax in such Fiscal Year that exceeded the Estimated Special Tax Delinquency Amount included in the Special Tax Requirement for such Fiscal Year.

“Taxable Property” means all Assessor’s Parcels that are not exempt from the Special Tax pursuant to the Act or Section F.

“Undeveloped Property” means an Assessor’s Parcel of Taxable Property which is not classified as Developed Property.

B. CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2021-22, using the definitions above, each Assessor’s Parcel within CFD 2022-1 shall be classified by the CFD Administrator as Taxable Property or Exempt Property. In addition, each such Fiscal Year, each Assessor’s Parcel of Taxable Property shall be further classified by the CFD Administrator as Developed Property or Undeveloped Property. Commencing with Fiscal Year 2021-22 and for each subsequent Fiscal Year, all Taxable Property shall be assigned a Land Use Type and subject to the levy of the Special Tax pursuant to Section C below.

C. SPECIAL TAX RATES

1. Developed Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor's Parcel of Developed Property shall be subject to the Special Tax.

The Maximum Special Tax for Developed Property for Fiscal Year 2021-22 is shown below in Table 1.

TABLE 1

Land Use Type	Maximum Special Tax
Single Family Residential Property	\$381 per Residential Unit
Multi-Family Residential Property	\$267 per Residential Unit

For each subsequent Fiscal Year following Fiscal Year 2021-22, the Maximum Special Tax rates shall be increased from the Maximum Special Tax rate in effect for the prior Fiscal Year by the Annual Escalation Factor.

2. Undeveloped Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor's Parcel classified as Undeveloped Property shall be exempt from the levy of the Special Tax.

3. Exempt Property

No Special Tax shall be levied on Exempt Property as defined in Section F.

For each Fiscal Year, if the use or ownership of an Assessor's Parcel or Exempt Property changes so that such Assessor's Parcel is no longer classified as one of the uses set forth in Section F, therefore making such Assessor's Parcel no longer eligible to be classified as Exempt Property, such Assessor's Parcel shall be deemed to be Taxable Property and shall be taxed pursuant to the provisions of Section C.

D. METHOD OF APPORTIONMENT OF SPECIAL TAX

Commencing in Fiscal Year 2021-22 and for each subsequent Fiscal Year, the CFD Administrator shall levy the Special Tax on all Taxable Property of CFD 2022-1 until the total amount of Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property within CFD 2022-1 up to 100% of the Maximum Special Tax to satisfy the Special Tax Requirement.

Notwithstanding any provision of this Section D to the contrary, under no circumstances will the Special Tax levied against any Assessor's Parcel of Developed Property that is classified as Residential Property be increased by more than ten percent (10%) per Fiscal Year as a consequence of delinquency or default in the payment of the Special Tax by the owner of any other Assessor's Parcel.

E. PREPAYMENT OF SPECIAL TAX

The Special Tax shall be levied in perpetuity for the purpose of financing ongoing authorized services and therefore may not be prepaid.

F. EXEMPTIONS

The Board shall classify as Exempt Property: (i) Public Property, (ii) Property Owner Association Property, (iii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, including but not limited to property designated for open space, trails, pathways, parks or park and recreation related facilities, (iv) property reasonably designated by the District or CFD Administrator as Exempt Property due to deed restrictions, conservation easement, or similar factors.

G. APPEALS

Any property owner claiming that the amounts or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator not later than twelve months after having paid the first installment of the Special Tax. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the CFD Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

H. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the Special Tax may be billed and collected at a different time or in a different manner if necessary to meet the financial obligations of CFD 2022-1.

I. DURATION OF TAX

The Special Tax shall be levied in perpetuity to fund the Special Tax Requirement unless such tax is no longer required as determined by the Board.

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO. 2022/5

RESOLUTION OF FORMATION TO ESTABLISH THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES), AND AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE CFD

Recitals

- A. On March 8, 2022, the Board of Directors (the “Board”) of the Contra Costa County Fire Protection District (the “District”) adopted Resolution No. 2022/4 (the “Resolution of Intention”) stating its intention to establish the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the “CFD”) pursuant to the Mello-Roos Community Facilities Act of 1982, California Government Code Section 53311 et seq. (the “Law”).
- B. The Resolution of Intention, Exhibit A to which contained a copy of the map of the proposed boundaries of the CFD and the territory proposed for future annexation to the CFD, Exhibit B to which described the services eligible to be funded by the CFD (the “Services”), and Exhibit C to which set forth the rate and method of apportionment of the special tax to be levied within the CFD to pay the costs of the Services (the “Rate and Method”), is on file with the Clerk of the Board and the provisions thereof are incorporated herein by this reference.
- C. The Resolution of Intention called for a public hearing on the CFD and the possible future annexation of territory to the CFD to be held on April 26, 2022, and on this date the Board held the public hearing as required by the Law and the Resolution of Intention relative to the proposed formation of the CFD and the possible future annexation of territory to the CFD.
- D. At the hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the Services eligible to be funded by the CFD, the levy of the special tax, and the possible future annexation of territory to the CFD were heard and a full and fair hearing was held.
- E. At the hearing, evidence was presented to the Board on the matters before it, including a report by the Fire Chief as to the Services eligible to be funded by the CFD and possible future annexation area, and the costs thereof (the “Report”), a copy of which is on file with the Clerk of the Board, and the Board at the conclusion of the hearing was fully advised regarding the CFD.
- F. Written protests with respect to the formation of the CFD and/or the furnishing of specified types of Services as described in the Report have not been filed with the Clerk of the Board by fifty percent (50%) or more of the registered voters residing within the proposed boundaries of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

- G. The special tax proposed to be levied in the CFD to pay for costs of the Services, as set forth in Exhibit A to the Resolution of Intention, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax
- H. No written protests with respect to the possible future annexation of territory to the CFD have been filed with the Clerk of the Board.

NOW, THEREFORE, the Board of Directors of the Contra Costa County Fire Protection District resolve as follows:

1. The foregoing recitals are true and correct.
2. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Law.
3. All prior proceedings taken by the Board in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are found and determined to be valid and in conformity with the Law. On March 8, 2022, the Board adopted goals and policies for Community Facilities Districts, and the Board finds and determines that the CFD is in conformity with those goals and policies.
4. The community facilities district designated "Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)" is established pursuant to the Law.
5. The boundaries of the CFD and of the territory proposed for annexation to the CFD, as set forth in a copy of the boundary map for the CFD attached as Exhibit A to the Resolution of Intention and set forth in the boundary map of the CFD recorded at 11:31 a.m. on April 22, 2022, in the County Recorder's Office in Book 22 of Maps of Assessment and Community Facilities Districts at Pages 25-26 (Instrument No. 22-0061816), are approved, are incorporated herein by this reference, and shall be the boundaries of the CFD and the boundaries of the proposed annexation area, respectively.
6. The types of services eligible to be funded by the CFD pursuant to the Law are as described in Exhibit B to the Resolution of Intention, which Exhibit is incorporated herein by this reference. The Board finds that the Services are necessary to meet increased demands placed upon local agencies as the result of development occurring in the CFD.
7. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof ("Special Tax"), secured by the recordation of a continuing lien against all nonexempt property in the CFD, will be levied within the CFD and collected in the same manner as ordinary ad valorem property taxes or in such other manner as the Board shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the CFD to estimate the maximum amount such owner will have to pay, are

described in Exhibit C to the Resolution of Intention, which Exhibit is incorporated herein by this reference. The Board hereby finds that the basis for the levy and apportionment of the special tax, as set forth in the Rate and Method, is reasonable.

8. The Fire Chief, or his or her designee, 4005 Port Chicago Hwy, Suite 250, Concord, CA 94520, telephone number (925) 941-3300, is authorized to take any action necessary and proper to effectuate the intent of this resolution, including, without limitation, preparing annually and whenever otherwise necessary a current roll of the levy of the Special Tax obligations by assessor's parcel number, and is responsible for estimating future levies of the Special Tax pursuant to Section 53340.2 of the Law.
9. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the Special Tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until collection of the Special Tax by the District ceases, if ever. It is hereby acknowledged that it is expected that the Special Tax will be levied and collected in perpetuity.
10. In accordance with Section 53325.7 of the Law, the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at \$1,000,000 and the appropriations limit shall be submitted to the voters of the CFD as provided below. The proposition establishing the appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted, without further action by the Board, in accordance with the applicable provisions of the Law and the Constitution.
11. Pursuant to the provisions of the Law, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election, the time, place, and conditions of which election shall be as specified by a separate resolution of the Board.
12. All or any portion of the territory proposed for annexation to the CFD, as described in the Resolution of Intention and on the map of the CFD described in Section 5 above, may be annexed to the CFD upon the unanimous approval of the owner or owners of each parcel or parcels in the specific portion of the area to be annexed, without additional hearings, as permitted by Section 53339.7(a) of the Law.
13. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on April 26, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Board Chair

ATTEST:

Clerk of the Board

Attachments: Resolution of Intention

Exhibit A Boundary Map

Exhibit B Description of Proposed Services

Exhibit C Rate and Method of Apportionment

EXHIBIT A

**CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)**

BOUNDARY MAP

PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)

Sheet 1 of 2

FILED IN THE OFFICE OF THE ADMINISTRATIVE OFFICER OF THE
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT THIS _____
DAY OF _____, 2021.

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

ADMINISTRATIVE OFFICER _____
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE
PROPOSED BOUNDARIES AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT NO. 2022-1 (ANTIOCH FIRE
PROTECTION AND EMERGENCY RESPONSE SERVICES) COUNTY
OF CONTRA COSTA, STATE OF CALIFORNIA WAS APPROVED BY
THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY
FIRE PROTECTION DISTRICT AT A REGULAR MEETING
THEREOF, HELD ON THE _____ DAY OF _____, 2021,
BY ITS RESOLUTION NO(S) _____.

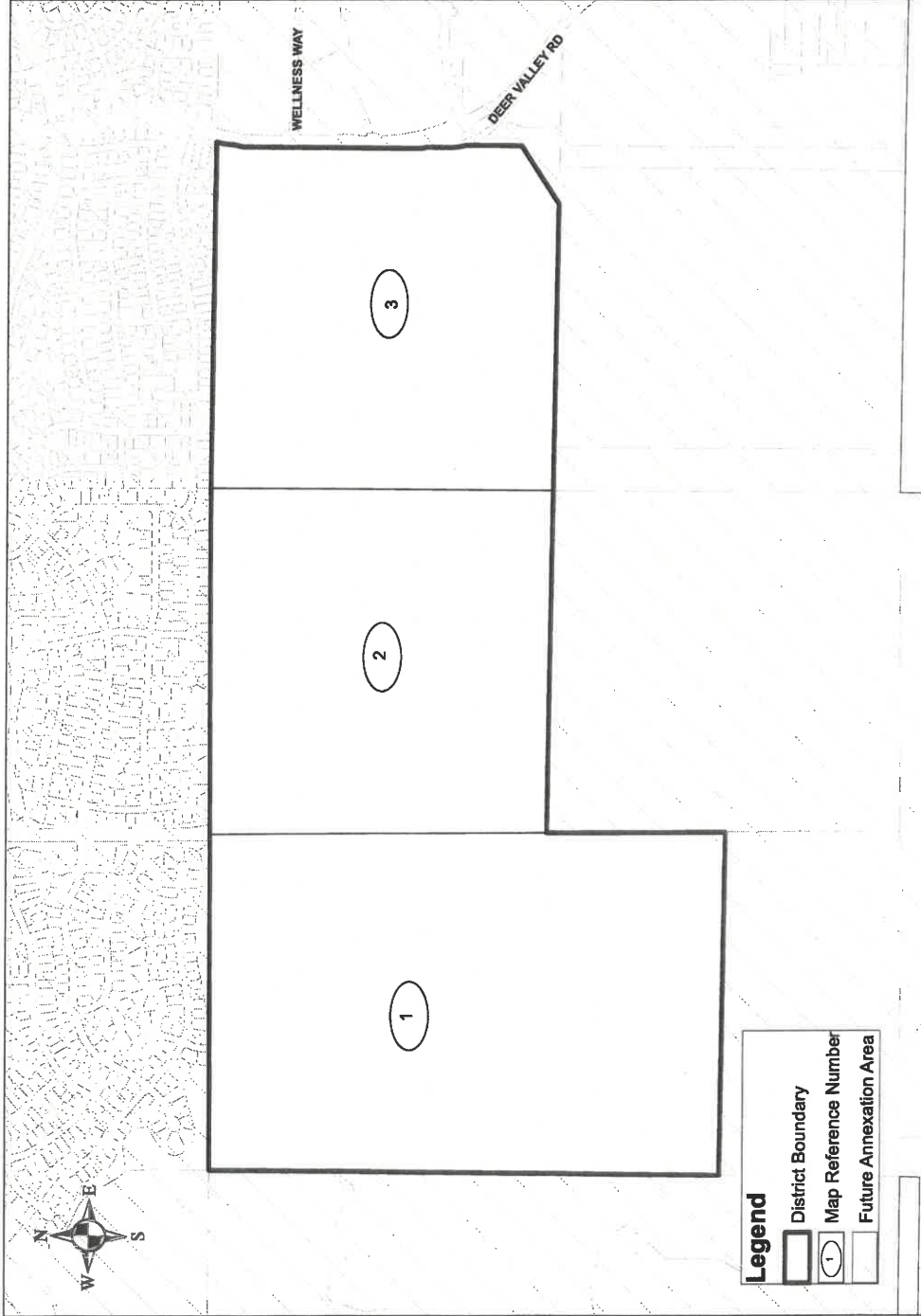
ADMINISTRATIVE OFFICER _____
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FILED THIS _____ DAY OF _____, M., IN BOOK _____, AT THE
HOUR OF _____ OF _____ MAPS OF _____ AND _____ PAGE
FACILITIES _____ DISTRICTS _____ AND AS INSTRUMENT NO. _____
IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

BY DEPUTY
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL
ENCOMPASSED BY THIS MAP SHALL BE THOSE LINES AND
DIMENSIONS AS SHOWN ON THE CONTRA COSTA COUNTY
ASSESSOR'S MAPS.

THE CONTRA COSTA COUNTY ASSESSOR'S MAPS SHALL GOVERN
FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF
SUCH LOTS OR PARCELS.



MAP REFERENCE	ASSESSOR'S
1	057-010-002
2	057-010-003
3	057-021-003



**PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)**

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

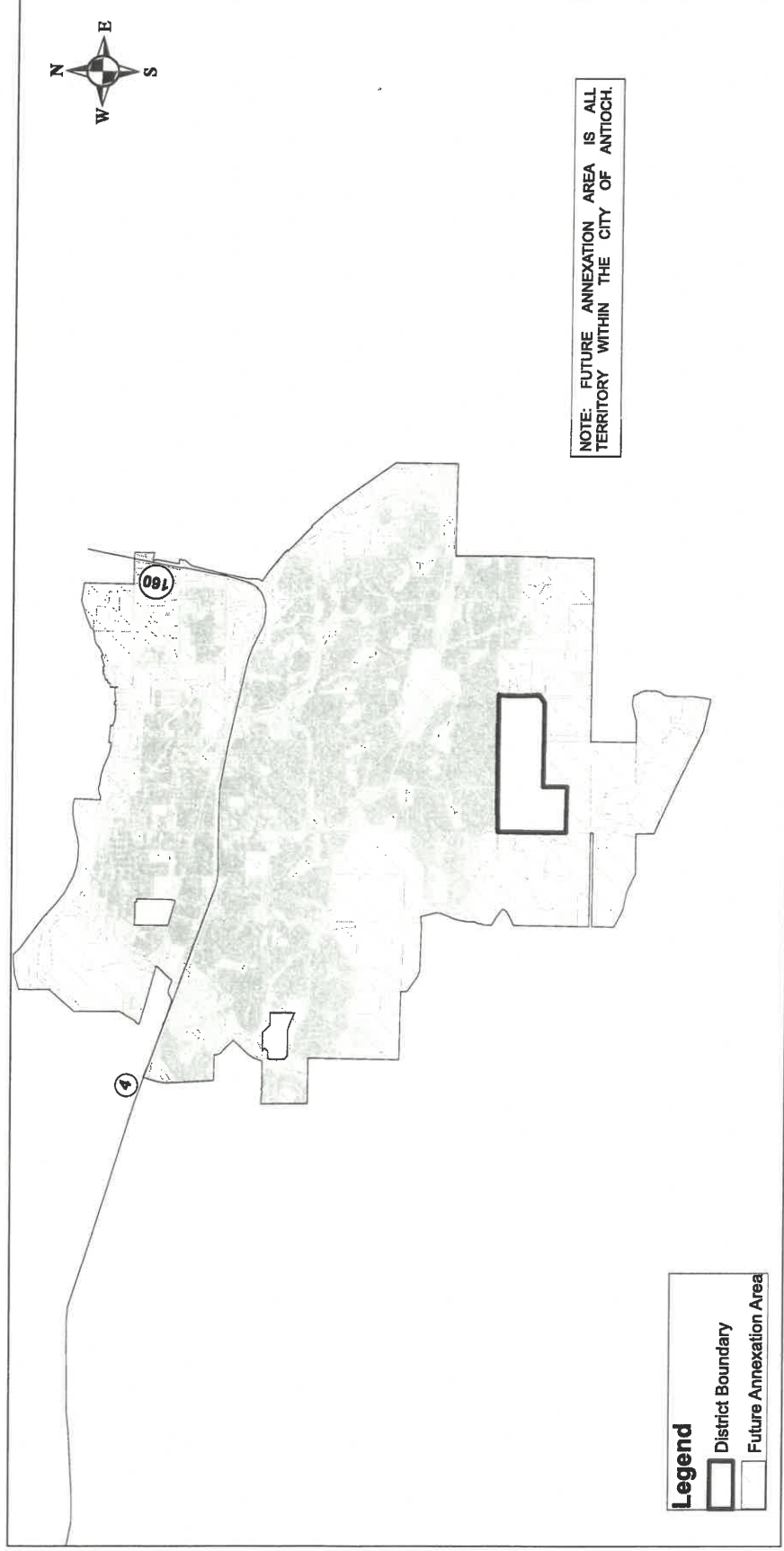


EXHIBIT B

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)

DESCRIPTION OF PROPOSED SERVICES

Services:

The services to be funded, in whole or in part, by the community facilities district (the "CFD") include: (a) fire protection and suppression services, and (b) ambulance and paramedic services ("Services"). The Services include all direct and incidental costs related to providing for the maintenance of public infrastructure within the area of the CFD and areas adjacent to or in the vicinity of such areas. The CFD may fund any of the following related to the Services: furnishing, operating, and maintaining equipment, apparatus, or facilities related to providing the Services, paying the salaries and benefits of personnel necessary or convenient to provide the Services, payment of insurance costs and other related expenses, and the provision of reserves for repairs and replacements and for the future provision of Services. It is expected that the Services will be provided by the Contra Costa County Fire Protection District (the "District"), either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The administrative expenses to be funded by the CFD include the direct and indirect expenses incurred by the District in carrying out its duties with respect to the CFD (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of Contra Costa County related to the CFD or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto and a proportionate amount of the District's general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to the CFD or the services authorized to be financed by the CFD, and expenses incurred by the District in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the District in any way related to the CFD.

Other:

The incidental expenses that may be funded by the CFD include, in addition to the administrative expenses identified above, the payment or reimbursement to the District of all costs associated with the establishment and administration of the CFD.

EXHIBIT C

**CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)**

RATE AND METHOD OF APPORTIONMENT

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

For the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), County of Contra Costa, State of California

The Special Tax as hereinafter defined shall be levied on all Assessor's Parcels within the boundaries of Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), ("CFD No. 2022-1"), other than Assessor's Parcels classified as Exempt Property as defined herein, and collected each Fiscal Year commencing in Fiscal Year 2021-22, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within the boundaries of CFD No. 2022-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated expenses related to the administration of CFD No. 2022-1: the costs of determining the amount of the levy of the Special Tax; the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures; the payment of a proportional share of salaries and benefits of any District employee, including District overhead, whose duties are directly related to the administration of CFD No. 2022-1; fees and expenses for counsel, audits, and costs associated with responding to public inquiries regarding CFD No. 2022-1; and any and all other costs incurred in connection with the administration of CFD No. 2022-1.

"Annual Escalation Factor" means the annual percentage increase of the All Urban Consumers Consumer Price Index ("CPI") or two percent (2%), whichever is greater. The annual CPI used shall be for the area of San Francisco-Oakland-Hayward as determined by the Bureau of Labor Statistics for the 12 months ending the preceding December 31, or such other replacement index as may be determined by the District.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by assessor's parcel number.

"Building Permit" means a permit issued for new construction of a residential dwelling or non-residential structure. For purposes of this definition, "Building Permit" shall not include permits

for construction or installation of retaining walls, grading, utility improvements, or other such improvements not intended for human habitation.

“CFD Administrator” means an official of the District, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax for CFD No. 2022-1.

“CFD No. 2022-1” means Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) established by the Board under the Act.

“District” means the Contra Costa County Fire Protection District.

“Board” means the Board of Directors of the Contra Costa County Fire Protection District, acting as the legislative body of CFD No. 2022-1.

“County” means the County of Contra Costa.

“Developed Property” means an Assessor’s Parcel of Taxable Property for which a Building Permit was issued on or before the May 1 preceding the Fiscal Year for which the Special Tax is being levied.

“Exempt Property” means all Assessor’s Parcels within CFD No. 2022-1 that are exempt from the Special Tax pursuant to the Act or Section F herein.

“Fiscal Year” means the period commencing on July 1 of any year and ending the following June 30.

“Land Use Type” means any of the land use types listed in Table 1 below.

“Maximum Special Tax” means the maximum Special Tax determined in accordance with Section C, which may be levied in any Fiscal Year on an Assessor’s Parcel of Taxable Property.

“Multi-Family Residential Property” means all Assessor’s Parcels of Residential Property for which a Building Permit has been issued for the purpose of constructing a building or buildings comprised of attached Residential Units available for rent by the general public, not for sale to an end user, and under common management.

“Non-Residential Property” means any Assessor’s Parcel classified as Developed Property, which is not classified as Residential Property, Public Property, or Property Owner Association Property.

“Property Owner Association Property” means for each Fiscal Year any property within the boundaries of CFD No. 2022-1 that was owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to, a property owner association, including any master or sub-association, as of June 1.

“Proportionately” means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels within each Land Use Class.

“Public Property” means any property that is owned by, dedicated to, or irrevocably dedicated to, a city, the federal government, the State of California, the County, or any other public agency.

“Public Safety Services” means those authorized services that may be funded by CFD No. 2022-1 pursuant to the Act, as amended, including but not limited to (a) fire protection and suppression services and (b) ambulance and paramedic services.

“Residential Property” means all Assessor’s Parcels of Developed Property within CFD No. 2022-1 for which a Building Permit has been issued for purposes of constructing one or more Residential Unit(s).

“Residential Unit” means any residence in which a person or persons may live, which is not used for non-residential purposes.

“Single-Family Residential Property” means all Assessor’s Parcels of Residential Property not classified as Multi-Family Residential Property.

“Special Tax” means the special tax authorized to be levied within CFD No. 2022-1 pursuant to the Act to fund the Special Tax Requirement.

“Special Tax Requirement” means the amount, as determined by the CFD Administrator, for any Fiscal Year to: (i) pay the costs of providing the Public Safety Services during the Fiscal Year, (ii) pay Administrative Expenses associated with the Special Tax, (iii) establish or replenish any operational reserve fund established for Public Safety Services, (iv) pay incidental expenses related to the Public Safety Services as authorized pursuant to the Act, (v) fund an amount equal to a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied (“Estimated Special Tax Delinquency Amount”) and (vi) fund the shortfall, if any, in the Special Tax revenues collected in the preceding Fiscal Year necessary to fund the Special Tax Requirement for the preceding Fiscal Year where the shortfall resulted from delinquencies in the payment of the Special Tax in the preceding Fiscal Year that exceeded the Estimated Special Tax Delinquency Amount included in the Special Tax Requirement for the preceding Fiscal Year.

“Taxable Property” means all Assessor’s Parcels that are not exempt from the Special Tax pursuant to the Act or Section F.

“Undeveloped Property” means an Assessor’s Parcel of Taxable Property which is not classified as Developed Property.

B. CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2021-22, each Assessor’s Parcel within the boundaries of CFD No. 2022-1 shall be classified by the CFD Administrator as Taxable Property or Exempt Property. In addition, for each Fiscal Year, each Assessor’s Parcel of Taxable Property shall be further classified by the CFD Administrator as Developed Property or Undeveloped Property. Commencing with Fiscal Year 2021-22 and for each subsequent Fiscal Year, all Taxable Property shall be assigned a Land Use Type and be subject to the levy of the Special Tax pursuant to Section C below.

C. SPECIAL TAX RATES

1. Developed Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor's Parcel of Developed Property shall be subject to the Special Tax.

The Maximum Special Tax for Developed Property for Fiscal Year 2021-22 is shown below in Table 1.

TABLE 1

Land Use Type	Maximum Special Tax
Single-Family Residential Property	\$381 per Residential Unit
Multi-Family Residential Property	\$267 per Residential Unit

For each subsequent Fiscal Year following Fiscal Year 2021-22, the Maximum Special Tax rates shall be increased from the Maximum Special Tax rate in effect for the prior Fiscal Year by the Annual Escalation Factor.

2. Undeveloped Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor's Parcel classified as Undeveloped Property shall be exempt from the levy of the Special Tax.

3. Exempt Property

No Special Tax shall be levied on Exempt Property as defined in Section F.

For each Fiscal Year, if the use or ownership of an Assessor's Parcel of Exempt Property changes so that the Assessor's Parcel is no longer classified as one of the uses set forth in Section F, therefore making the Assessor's Parcel no longer eligible to be classified as Exempt Property, the Assessor's Parcel shall be deemed to be Taxable Property and shall be taxed pursuant to the provisions of Section C.

D. METHOD OF APPORTIONMENT OF SPECIAL TAX

Commencing in Fiscal Year 2021-22 and for each subsequent Fiscal Year, the CFD Administrator shall levy the Special Tax on all Taxable Property within the boundaries of CFD No. 2022-1 until the total amount of Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property within the boundaries of CFD No. 2022-1 up to 100% of the Maximum Special Tax to satisfy the Special Tax Requirement.

Notwithstanding any provision of this Section D to the contrary, under no circumstances will the Special Tax levied against any Assessor's Parcel of Developed Property that is classified as Residential Property be increased by more than ten percent (10%) per Fiscal Year as a consequence of delinquency or default

in the payment of the Special Tax by the owner of any other Assessor's Parcel within the boundaries of CFD No. 2022-1.

E. PREPAYMENT OF SPECIAL TAX

The Special Tax shall be levied in perpetuity for the purpose of financing ongoing authorized services and therefore may not be prepaid.

F. EXEMPTIONS

Notwithstanding any other provision of the Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on any of the following Exempt Property: (i) Public Property, provided that if the public entity owning or controlling a Public Property grants a lease or other possessory interest in the Public Property to a private entity, and the Public Property is thereby subject to taxation pursuant to Section 53340.1 of the Act, the leasehold or possessory interest shall be classified and taxed according to the use thereof; (ii) Property Owner Association Property; (iii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, including but not limited to property designated for open space, trails, pathways, parks, or park and recreation-related facilities; (iv) property reasonably designated by the District or CFD Administrator as Exempt Property due to deed restrictions, conservation easement, or similar factors.

G. APPEALS

Any property owner claiming that the amounts or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator not later than 12 months after having paid the first installment of the Special Tax. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the CFD Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

H. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the Special Tax may be billed and collected at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2022-1.

I. DURATION OF TAX

The Special Tax shall be levied in perpetuity to fund the Special Tax Requirement unless such tax is no longer required as determined by the Board.

THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

Adopted this Resolution on 03/08/2022 by the following vote:

AYE: ☒ 5 **John Gioia**
Candace Andersen
Diane Burgis
Karen Mitchoff
Federal D. Glover

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2022/4

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO. 2022/4

RESOLUTION OF INTENTION TO ESTABLISH CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)

Recitals

- A. The Contra Costa County Fire Protection District ("District") provides fire protection and emergency response services throughout its service areas.
- B. The Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 et seq.) (the "Act") and the Fire Protection District Law of 1987 (Health and Safety Code Section 13800 et seq.) authorize the District to form community facilities districts and impose special taxes within those community facilities districts.
- C. The District has received a petition (the "Petition") satisfying the requirements of Section 53319 of the Government Code, submitted on behalf of the landowners, Richland Communities, Inc., requesting that the Board of Directors conduct proceedings under the Act to create a community facilities district to be designated "Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)."
- D. Pursuant to Section 53339.2 of the Government Code, the Board of Directors desires to undertake proceedings to provide for the future annexation of territory to the proposed community facilities district.

NOW, THEREFORE, the Board of Directors of the Contra Costa County Fire Protection District resolves as follows:

1. Intention to Establish CFD. The Board of Directors proposes to conduct proceedings to establish a community facilities district pursuant to the Act, and determines that public convenience and necessity require the formation of the community services district and a future annexation area to fund public services.
2. Name of Proposed CFD; Name of Future Annexation Area. The name proposed for the community facilities district is "Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)" ("CFD No. 2022-1"). The name proposed for the territory proposed to be annexed into CFD No. 2022-1 in the future is "Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (Future Annexation Area)" (the "Future Annexation Area").
3. Proposed Boundaries. The proposed boundaries of CFD No. 2022-1 and the Future Annexation Area are as shown on the

map ("Boundary Map") on file with the District Clerk of the Board, a copy of which is attached as Exhibit A and incorporated herein by reference. The proposed boundaries and Boundary Map are preliminarily approved. The Clerk of the Board is directed to record, or cause to be recorded, the map of the boundaries of CFD No. 2022-1 and the Future Annexation Area in the office of the Contra Costa County Recorder as soon as practicable after the adoption of this Resolution.

4. Annexation of Territory. Parcels within the Future Annexation Area may be annexed to CFD No. 2022-1 only with unanimous approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings.
5. Proposed Services. The types of services (the "Services") proposed to be funded within CFD No. 2022-1 and the Future Annexation Area by proceeds of special taxes of CFD No. 2022-1 are set forth in Exhibit B, which is attached and incorporated herein by reference.

The Board of Directors determines that the Services are necessary to meet increased demands for these services placed upon local agencies due to development occurring within CFD No. 2022-1 and the Future Annexation Area. The Services are in addition to those provided in the territory of CFD No. 2022-1 and the Future Annexation Area as of the date of adoption of this resolution and will not supplant services already available within the territory of CFD No. 2022-1 and the Future Annexation Area as of the date of adoption of this resolution.

The proposed community facilities district shall also finance administrative expenses associated with the determination of the amount of and the levy and collection of special taxes that are levied to provide the Services, and costs otherwise incurred to carry out the authorized purposes of the community facilities district.

6. Special Tax. Except to the extent that funds are otherwise available to CFD No. 2022-1 to pay for the Services and administrative expenses of CFD No. 2022-1, a special tax (the "Special Tax") sufficient to pay the costs of the Services, secured by recordation of a continuing lien against all non-exempt property in CFD No. 2022-1, will be annually levied within the proposed community facilities district. The Special Tax shall be collected in the same manner as ordinary ad valorem property taxes or in such other manner as this Board of Directors or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax (the "Rate and Method") among the parcels of real property within CFD No. 2022-1, in sufficient detail to allow each landowner within the proposed community facilities district to estimate the maximum amounts the owner will have to pay, are described in Exhibit C, which is attached and incorporated herein by reference. All matters pertaining to the calculation, levy, collection, administration, and duration of the Special Tax shall be governed by the applicable provisions of the Rate and Method as supplemented, if necessary, by the applicable provisions of the Act. The Board of Directors finds that the provisions of Section 53313.6, 53313.7, and 53313.9 of the Government Code (relating to adjustments to ad valorem property taxes and schools financed by a community facilities district) are inapplicable to CFD No. 2022-1.

The Board of Directors determines that the Special Tax proposed to pay for the Services to be supplied within the Future Annexation Area shall be equal to any special tax levied to pay for the same Services in the existing CFD No. 2022-1, except that a higher or lower tax may be levied within the Future Annexation Area to the extent that the actual cost of providing the Services in the Future Annexation Area is higher or lower than the cost of providing those Services in the existing CFD No. 2022-1. In so finding, the Board of Directors does not intend to limit its ability to levy a special tax within the Future Annexation Area to provide new or additional services beyond those supplied within the existing CFD No. 2022-1.

7. Exempt Properties. Except as may otherwise be provided by law or by the Rate and Method, all lands owned by any public entity, including the United States, the State of California, Contra Costa County, the City of Antioch, and any departments or political subdivisions of any thereof, shall be omitted from the levy of the Special Tax.
8. Voting Procedures. The levy of the proposed Special Tax shall be subject to the approval of the qualified electors of the proposed CFD No. 2022-1 at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballots among the landowners in the proposed CFD No. 2022-1, with each owner having one vote for each acre or portion of an acre of land such owner owns within the boundaries of CFD No. 2022-1.

The Special Tax shall be levied in the Future Annexation Area only with unanimous approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings.

9. Report. The Fire Chief, or designee, is directed to study the proposed CFD No. 2022-1 and the proposed Services and to make, or cause to be made, and file with the Clerk of the Board a report in writing (the "Report"), presenting the following:

- a. A description of the Services that will be required to adequately meet the needs of CFD No. 2022-1.
- b. An estimate of the fair and reasonable cost of the Services and the incidental expenses in connection therewith, and all other related costs.

The Report shall be made a part of the record of the public hearing provided for below.

10. Public Hearing. The Board of Directors sets April 26, 2022 at 1pm, or as soon as possible thereafter, in the Board Chambers, Administration Building, 1025 Escobar Street, Martinez, California, as the time and place to conduct a public hearing on the establishment of CFD No. 2022-1 and the Future Annexation Area. The public hearing will be accessible to the public for participation via teleconference (Dial 888-251-2949, followed by Access Code 1672589#) and Zoom (the meeting agenda will include Zoom log-in information and will be posted to the following website, under agendas for the current year, in advance of the meeting: <https://www.contracosta.ca.gov/4664/Board-Meeting-Agendas-and-Videos>).

At the hearing, testimony of all interested persons for or against establishment of CFD No. 2022-1 and the Future Annexation Area, the extent of CFD No. 2022-1 and the Future Annexation Area, the proposed list of Services to be authorized, the proposed Rate and Method of Apportionment, or any other aspect of the proposed CFD No. 2022-1 and the Future Annexation Area will be heard and protests will be considered. As provided by the Act, written protests by the owners of a majority in area of the land within the proposed CFD No. 2022-1 will constitute a "majority protest" and will require the suspension of proceedings for at least one year. Written protests must be filed with the Clerk of the Board at or before the time fixed for the hearing. If such majority protests are directed only against certain elements of the proposed Services or proposed Special Tax, only those elements shall be deleted from the proceedings.

11. Notice. The Clerk of the Board is directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of CFD No. 2022-1 and the Future Annexation Area. The publication shall be completed at least seven days before the date of the public hearing specified above. The notice of the public hearing shall be substantially in the form specified in Section 53322 of the Government Code.

The Clerk of the Board may also cause notice of the hearing to be given to each property owner within CFD No. 2022-1 by first class mail, postage prepaid, to each owner's address as it appears on the most recent tax records of the County or as otherwise known to the Clerk of the Board to be correct. The mailing shall be completed not less than 15 days before the date of the public hearing.

Effective Date. This resolution shall take effect upon its adoption.

Contact: Lewis Broschard, 925-941-3300
x1100

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 8, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy



EXHIBIT A

**CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)**

BOUNDARY MAP

PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)

Sheet 1 of 2

FILED IN THE OFFICE OF THE ADMINISTRATIVE OFFICER OF THE
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT THIS _____
DAY OF _____, 2021.

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

ADMINISTRATIVE OFFICER _____
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE
PROPOSED BOUNDARIES AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE
PROTECTION AND EMERGENCY RESPONSE SERVICES), COUNTY
OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY
THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY
FIRE PROTECTION DISTRICT AT A REGULAR MEETING
THAT TOOK PLACE ON THE _____ DAY OF _____, 2021,
BY ITS RESOLUTION NO(S) _____.

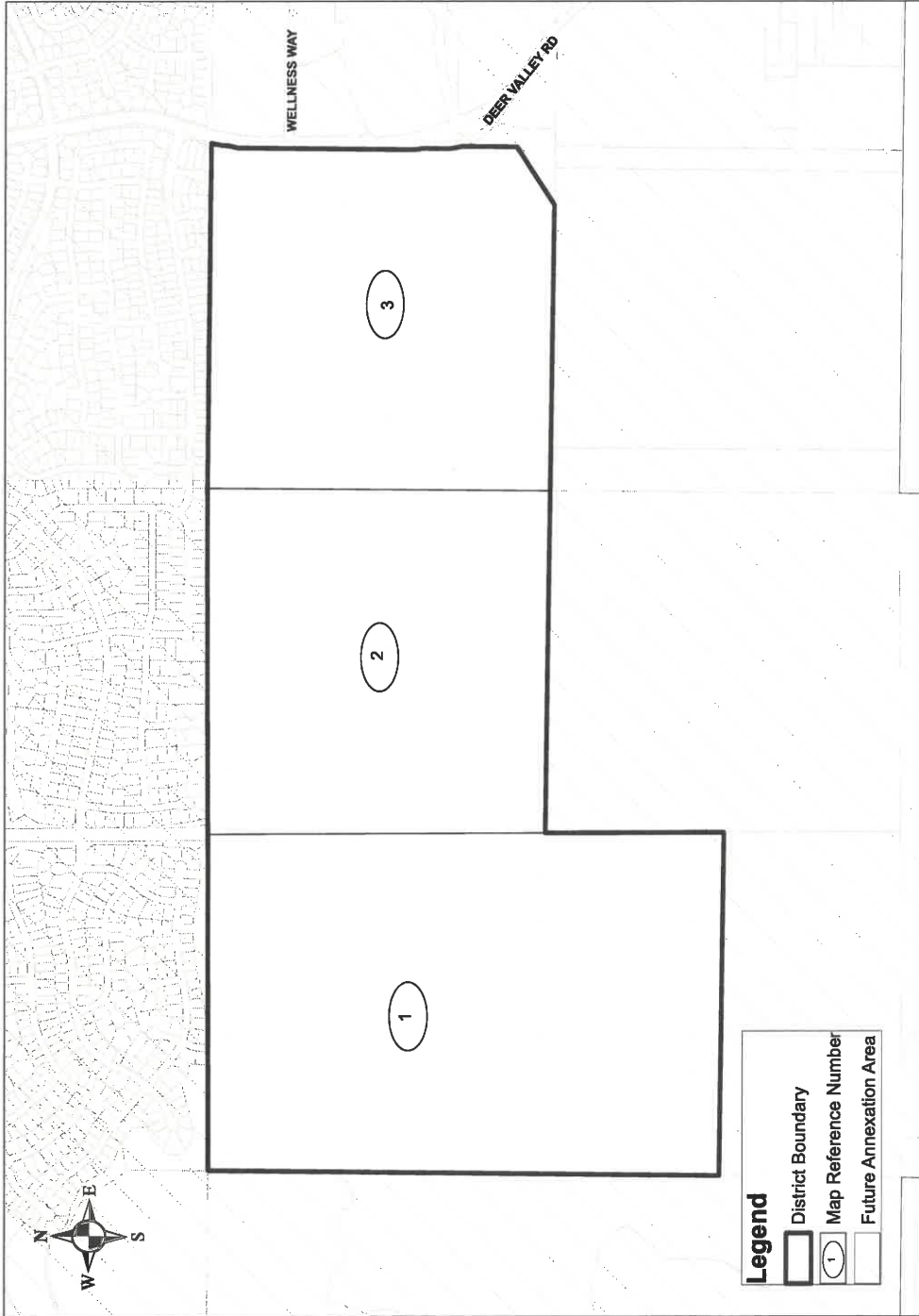
ADMINISTRATIVE OFFICER _____
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FILED THIS _____ DAY OF _____, 20____, AT THE
HOUR OF _____ O'CLOCK _____ M., IN BOOK _____, PAGE _____
OF _____ MAPS OF ASSESSMENT AND COMMUNITY
FACILITIES DISTRICTS AND AS INSTRUMENT NO. _____
IN THE OFFICE OF THE COUNTY RECORDER
IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

BY DEPUTY
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL
ENCOMPASSED BY THIS MAP SHALL BE THOSE LINES AND
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**PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)**

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

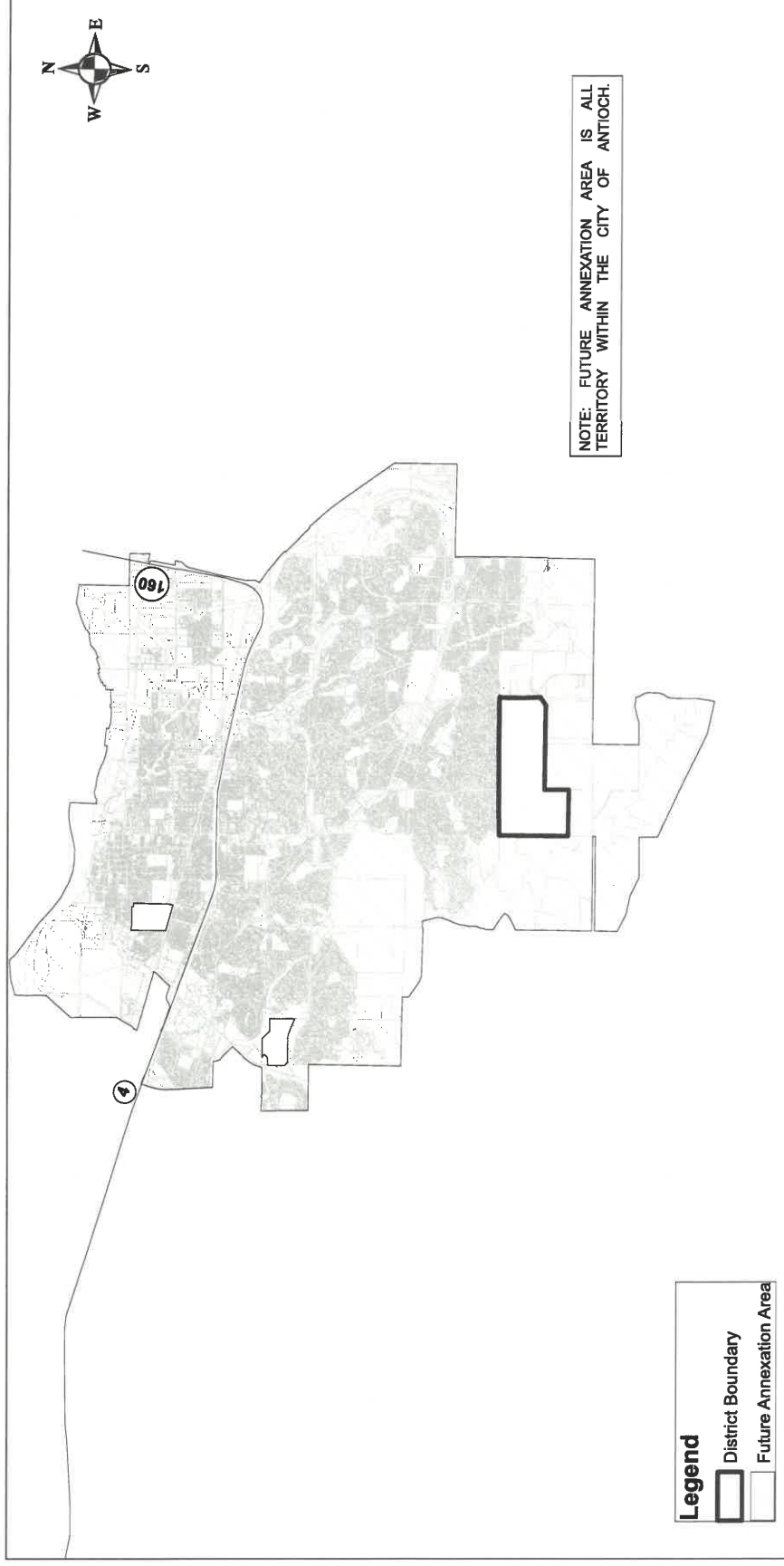


EXHIBIT B

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

Community Facilities District No. 2022-1

(Antioch Fire Protection and Emergency Response Services)

DESCRIPTION OF PROPOSED SERVICES

Services:

The services to be funded, in whole or in part, by the community facilities district (the "CFD") include: (a) fire protection and suppression services, and (b) ambulance and paramedic services ("Services"). The Services include all direct and incidental costs related to providing for the maintenance of public infrastructure within the area of the CFD and areas adjacent to or in the vicinity of such areas. The CFD may fund any of the following related to the Services: furnishing, operating, and maintaining equipment, apparatus, or facilities related to providing the Services, paying the salaries and benefits of personnel necessary or convenient to provide the Services, payment of insurance costs and other related expenses, and the provision of reserves for repairs and replacements and for the future provision of Services. It is expected that the Services will be provided by the Contra Costa County Fire Protection District (the "District"), either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The administrative expenses to be funded by the CFD include the direct and indirect expenses incurred by the District in carrying out its duties with respect to the CFD (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of Contra Costa County related to the CFD or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto and a proportionate amount of the District's general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to the CFD or the services authorized to be financed by the CFD, and expenses incurred by the District in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the District in any way related to the CFD.

Other:

The incidental expenses that may be funded by the CFD include, in addition to the administrative expenses identified above, the payment or reimbursement to the District of all costs associated with the establishment and administration of the CFD.

EXHIBIT C

**CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)**

RATE AND METHOD OF APPORTIONMENT

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

For the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), County of Contra Costa, State of California

The Special Tax as hereinafter defined shall be levied on all Assessor's Parcels within the boundaries of Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), ("CFD No. 2022-1"), other than Assessor's Parcels classified as Exempt Property as defined herein, and collected each Fiscal Year commencing in Fiscal Year 2021-22, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within the boundaries of CFD No. 2022-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated expenses related to the administration of CFD No. 2022-1: the costs of determining the amount of the levy of the Special Tax; the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures; the payment of a proportional share of salaries and benefits of any District employee, including District overhead, whose duties are directly related to the administration of CFD No. 2022-1; fees and expenses for counsel, audits, and costs associated with responding to public inquiries regarding CFD No. 2022-1; and any and all other costs incurred in connection with the administration of CFD No. 2022-1.

"Annual Escalation Factor" means the annual percentage increase of the All Urban Consumers Consumer Price Index ("CPI") or two percent (2%), whichever is greater. The annual CPI used shall be for the area of San Francisco-Oakland-Hayward as determined by the Bureau of Labor Statistics for the 12 months ending the preceding December 31, or such other replacement index as may be determined by the District.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by assessor's parcel number.

"Building Permit" means a permit issued for new construction of a residential dwelling or non-residential structure. For purposes of this definition, "Building Permit" shall not include permits

for construction or installation of retaining walls, grading, utility improvements, or other such improvements not intended for human habitation.

“CFD Administrator” means an official of the District, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax for CFD No. 2022-1.

“CFD No. 2022-1” means Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) established by the Board under the Act.

“District” means the Contra Costa County Fire Protection District.

“Board” means the Board of Directors of the Contra Costa County Fire Protection District, acting as the legislative body of CFD No. 2022-1.

“County” means the County of Contra Costa.

“Developed Property” means an Assessor’s Parcel of Taxable Property for which a Building Permit was issued on or before the May 1 preceding the Fiscal Year for which the Special Tax is being levied.

“Exempt Property” means all Assessor’s Parcels within CFD No. 2022-1 that are exempt from the Special Tax pursuant to the Act or Section F herein.

“Fiscal Year” means the period commencing on July 1 of any year and ending the following June 30.

“Land Use Type” means any of the land use types listed in Table 1 below.

“Maximum Special Tax” means the maximum Special Tax determined in accordance with Section C, which may be levied in any Fiscal Year on an Assessor’s Parcel of Taxable Property.

“Multi-Family Residential Property” means all Assessor’s Parcels of Residential Property for which a Building Permit has been issued for the purpose of constructing a building or buildings comprised of attached Residential Units available for rent by the general public, not for sale to an end user, and under common management.

“Non-Residential Property” means any Assessor’s Parcel classified as Developed Property, which is not classified as Residential Property, Public Property, or Property Owner Association Property.

“Property Owner Association Property” means for each Fiscal Year any property within the boundaries of CFD No. 2022-1 that was owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to, a property owner association, including any master or sub-association, as of June 1.

“Proportionately” means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels within each Land Use Class.

“Public Property” means any property that is owned by, dedicated to, or irrevocably dedicated to, a city, the federal government, the State of California, the County, or any other public agency.

“Public Safety Services” means those authorized services that may be funded by CFD No. 2022-1 pursuant to the Act, as amended, including but not limited to (a) fire protection and suppression services and (b) ambulance and paramedic services.

“Residential Property” means all Assessor’s Parcels of Developed Property within CFD No. 2022-1 for which a Building Permit has been issued for purposes of constructing one or more Residential Unit(s).

“Residential Unit” means any residence in which a person or persons may live, which is not used for non-residential purposes.

“Single-Family Residential Property” means all Assessor’s Parcels of Residential Property not classified as Multi-Family Residential Property.

“Special Tax” means the special tax authorized to be levied within CFD No. 2022-1 pursuant to the Act to fund the Special Tax Requirement.

“Special Tax Requirement” means the amount, as determined by the CFD Administrator, for any Fiscal Year to: (i) pay the costs of providing the Public Safety Services during the Fiscal Year, (ii) pay Administrative Expenses associated with the Special Tax, (iii) establish or replenish any operational reserve fund established for Public Safety Services, (iv) pay incidental expenses related to the Public Safety Services as authorized pursuant to the Act, (v) fund an amount equal to a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied (“Estimated Special Tax Delinquency Amount”) and (vi) fund the shortfall, if any, in the Special Tax revenues collected in the preceding Fiscal Year necessary to fund the Special Tax Requirement for the preceding Fiscal Year where the shortfall resulted from delinquencies in the payment of the Special Tax in the preceding Fiscal Year that exceeded the Estimated Special Tax Delinquency Amount included in the Special Tax Requirement for the preceding Fiscal Year.

“Taxable Property” means all Assessor’s Parcels that are not exempt from the Special Tax pursuant to the Act or Section F.

“Undeveloped Property” means an Assessor’s Parcel of Taxable Property which is not classified as Developed Property.

B. CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2021-22, each Assessor’s Parcel within the boundaries of CFD No. 2022-1 shall be classified by the CFD Administrator as Taxable Property or Exempt Property. In addition, for each Fiscal Year, each Assessor’s Parcel of Taxable Property shall be further classified by the CFD Administrator as Developed Property or Undeveloped Property. Commencing with Fiscal Year 2021-22 and for each subsequent Fiscal Year, all Taxable Property shall be assigned a Land Use Type and be subject to the levy of the Special Tax pursuant to Section C below.

C. SPECIAL TAX RATES

1. Developed Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor's Parcel of Developed Property shall be subject to the Special Tax.

The Maximum Special Tax for Developed Property for Fiscal Year 2021-22 is shown below in Table 1.

TABLE 1

Land Use Type	Maximum Special Tax
Single-Family Residential Property	\$381 per Residential Unit
Multi-Family Residential Property	\$267 per Residential Unit

For each subsequent Fiscal Year following Fiscal Year 2021-22, the Maximum Special Tax rates shall be increased from the Maximum Special Tax rate in effect for the prior Fiscal Year by the Annual Escalation Factor.

2. Undeveloped Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor's Parcel classified as Undeveloped Property shall be exempt from the levy of the Special Tax.

3. Exempt Property

No Special Tax shall be levied on Exempt Property as defined in Section F.

For each Fiscal Year, if the use or ownership of an Assessor's Parcel of Exempt Property changes so that the Assessor's Parcel is no longer classified as one of the uses set forth in Section F, therefore making the Assessor's Parcel no longer eligible to be classified as Exempt Property, the Assessor's Parcel shall be deemed to be Taxable Property and shall be taxed pursuant to the provisions of Section C.

D. METHOD OF APPORTIONMENT OF SPECIAL TAX

Commencing in Fiscal Year 2021-22 and for each subsequent Fiscal Year, the CFD Administrator shall levy the Special Tax on all Taxable Property within the boundaries of CFD No. 2022-1 until the total amount of Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property within the boundaries of CFD No. 2022-1 up to 100% of the Maximum Special Tax to satisfy the Special Tax Requirement.

Notwithstanding any provision of this Section D to the contrary, under no circumstances will the Special Tax levied against any Assessor's Parcel of Developed Property that is classified as Residential Property be increased by more than ten percent (10%) per Fiscal Year as a consequence of delinquency or default

in the payment of the Special Tax by the owner of any other Assessor's Parcel within the boundaries of CFD No. 2022-1.

E. PREPAYMENT OF SPECIAL TAX

The Special Tax shall be levied in perpetuity for the purpose of financing ongoing authorized services and therefore may not be prepaid.

F. EXEMPTIONS

Notwithstanding any other provision of the Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on any of the following Exempt Property: (i) Public Property, provided that if the public entity owning or controlling a Public Property grants a lease or other possessory interest in the Public Property to a private entity, and the Public Property is thereby subject to taxation pursuant to Section 53340.1 of the Act, the leasehold or possessory interest shall be classified and taxed according to the use thereof; (ii) Property Owner Association Property; (iii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, including but not limited to property designated for open space, trails, pathways, parks, or park and recreation-related facilities; (iv) property reasonably designated by the District or CFD Administrator as Exempt Property due to deed restrictions, conservation easement, or similar factors.

G. APPEALS

Any property owner claiming that the amounts or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator not later than 12 months after having paid the first installment of the Special Tax. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the CFD Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

H. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the Special Tax may be billed and collected at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2022-1.

I. DURATION OF TAX

The Special Tax shall be levied in perpetuity to fund the Special Tax Requirement unless such tax is no longer required as determined by the Board.

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO. 2022/6

**RESOLUTION CALLING SPECIAL ELECTION WITHIN THE CONTRA COSTA
COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT
NO. 2022-1 (ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE
SERVICES)**

Recitals

- A. On this date, April 26, 2022, the Board of Directors (the “Board”) of the Contra Costa County Fire Protection District (the “District”), adopted Resolution No. 2022/5 (the “Resolution of Formation”) ordering the formation of the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the “CFD”), authorizing the levy of a special tax on property within the CFD, and preliminarily establishing an appropriations limit for the CFD.
- B. Pursuant to the provisions of the Resolution of Formation, the propositions of the levy of the special tax and the establishment of the appropriations limit are to be submitted to the qualified electors of the CFD as required by the Mello-Roos Community Facilities Act of 1982, California Government Code Section 53311 et seq. (the “Law”).

NOW, THEREFORE, the Board of Directors of the Contra Costa County Fire Protection District resolve as follows:

- 1. Pursuant to Sections 53325.7 and 53326 of the Law, the propositions of the levy of the special tax and the establishment of the appropriations limit shall be submitted to the qualified electors of the CFD at an election called therefor as provided below. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Law.
- 2. As authorized by Section 53353.5 of the Law, the two propositions described in Section 1 above shall be combined into a single ballot measure with a separate ballot for each owner of property in the CFD, the forms of which are attached hereto as Exhibit A, and by this reference incorporated herein. The forms of the ballots are approved.
- 3. The Board finds that fewer than 12 persons have been registered to vote within the territory of the CFD for each of the ninety (90) days preceding the close of the public hearing previously conducted and concluded by the Board for the purposes of these proceedings. Accordingly, and pursuant to Section 53326(b) of the Law, the Board finds that for purposes of these proceedings, the qualified electors for the CFD are the landowners within the CFD and that the vote shall be by the landowners or their authorized representatives, having one vote for each acre or portion thereof each landowner owns in the CFD as of the close of the public hearing.

4. The Board hereby calls a special election to consider the measure described in Section 2 above, which election shall be held immediately following adoption of this Resolution in the regular meeting place of the Board. The Clerk of the Board (the "Clerk") is hereby designated as the official to conduct the election. It is acknowledged that the Clerk has on file the Resolution of Formation, a map of the boundaries of the CFD (a copy of which was attached as Exhibit A to the Resolution of Intention described in the Resolution of Formation), and a sufficient description to allow the Clerk to determine the boundaries of the CFD. The voted ballots shall be returned to the Clerk no later than immediately following the adoption of this Resolution; and when the qualified voters have voted, the election shall be closed.
5. Pursuant to Section 53327 of the Law, the election shall be conducted by mail or hand delivered ballot pursuant to the California Elections Code.
6. The Board acknowledges that the Clerk has caused to be delivered to the respective qualified electors of the CFD a ballot in the applicable form set forth in Exhibit A hereto. Each ballot indicated the number of votes to be voted by the respective landowner.

Analysis and arguments with respect to the ballot measures were waived by the landowners in their petitions to form the CFD and in their voted ballots, as permitted by Section 53327(b) of the Law.

7. The Clerk shall accept the ballots of the qualified electors upon and prior to the adoption of this Resolution, whether the ballots be personally delivered or received by mail. The Clerk shall have available ballots which may be marked in the Board of Directors meeting room on the election day by the qualified electors.
8. The Board further finds that the provision of the Law requiring a minimum of 90 days following the adoption of the Resolution of Formation to elapse before the special election is for the protection of the qualified electors of the CFD. The petition of the landowners to form the CFD and the voted ballots of the only qualified electors of the CFD contain an acknowledgment of a waiver of any time limit pertaining to the conduct of the election and of a waiver of any requirement for analysis and arguments in connection with the election. Accordingly, the Board finds and determines that the qualified electors have been fully apprised of and have agreed to the shortened time for the election and waiver of ballot analysis and arguments, and have thereby been fully protected in these proceedings. The Board also finds and determines that the Clerk has concurred in the shortened time for the election.
9. Pursuant to Section 50075.1 of the California Government Code, (a) the ballot measure referred to in Sections 2 and 4 above contains a statement indicating the specific purposes of the special tax, (b) the proceeds of the special tax will be applied only to the purposes specified in the ballot measure, (c) the Fire Chief of the District shall create or cause to be created an account into which proceeds of the special tax levies will be deposited, and (d) the Fire Chief, or his or her designee, is directed to prepare and provide an annual report to the Board as required by Section 50075.3 of the California Government Code.

10. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on April 26, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Board Chair

ATTEST:

Clerk of the Board

Attachments: Exhibit A Official Ballot

EXHIBIT A

**CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)**

OFFICIAL BALLOT

Special Tax Election
(April 26, 2022)

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)

OFFICIAL BALLOT

Special Tax Election
(April 26, 2022)

This ballot is for a special, landowner election. You must return this ballot in the enclosed postage paid envelope to the Clerk of the Board of Directors of the Contra Costa County Fire Protection District no later than immediately after adoption of the resolution of the Board of Directors calling said election, either by mail or in person.

To vote, mark a cross (X) on the voting line after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the Clerk of the Board of Directors of Contra Costa County Fire Protection District and obtain another.

BALLOT MEASURE: Shall the measure authorizing the Contra Costa County Fire Protection District (the "District") to annually levy a special tax solely on lands within the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation establishing the CFD adopted by the District Board of Directors on April 26, 2022, commencing in the District's fiscal year 2021/22, to pay for the services authorized to be funded by the CFD, and establishing the annual appropriations limit of the CFD in the initial amount of \$1,000,000, be adopted?

Yes: _____

No: _____

By execution in the space provided below, you also indicate your waiver of the time limit pertaining to the conduct of the election and any requirement for analysis and arguments with respect to the ballot measure, as such waivers are described and permitted by Section 53326(a) and 53327(b) of the California Government Code.

Contra Costa County
APN of land owned
in the CFD:

Number of Votes: 554

057-010-002
057-010-003
057-021-003

Landowner:

American Superior Land, LLC,
a Delaware limited liability company

By: _____
John C. Troutman
Vice President

Landowner:

EPC Holdings 820 LLC,
a Washington limited liability company

By: _____
John C. Troutman
Vice President

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO. 2022/7

**RESOLUTION DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING
RECORDING OF NOTICE OF SPECIAL TAX LIEN FOR THE CONTRA COSTA
COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT
NO. 2022-1 (ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE
SERVICES)**

Recitals

- A. On this date, April 26, 2022, the Board of Directors (the “Board”) of the Contra Costa County Fire Protection District (the “District”), pursuant to the Mello-Roos Community Facilities Act of 1982, California Government Code Section 53311 et seq. (the “Law”), adopted Resolution No. 2022/6, calling for a special election of the qualified electors within the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the “CFD”).
- B. Pursuant to the provisions of Resolution No. 2022/6, which are by this reference incorporated herein, the special election was held on this date, and the Clerk of the Board (the “Clerk”) has on file a Canvass and Statement of Results of Election, a copy of which is attached as Exhibit A.
- C. The Board has reviewed the canvass and hereby approves it.

NOW, THEREFORE, the Board of Directors of the Contra Costa County Fire Protection District resolve as follows:

- 1. The issues presented at the special election were the levy of a special tax within the CFD to be levied in accordance with the rate and method of apportionment of special taxes previously approved by the Board by its Resolution No. 2022/5, adopted on this date and ordering the formation of the CFD (the “Resolution of Formation”), and the approval of an appropriations limit of \$1,000,000 pursuant to the Resolution of Formation.
- 2. Pursuant to the canvass of the special election on file with the Clerk, the issues presented at the special election were approved by the votes cast by the qualified electors of the CFD.
- 3. Pursuant to the voter approval, the CFD is hereby declared to be fully formed with the authority to levy special taxes as previously provided in these proceedings and in the Law.
- 4. The Board finds that all prior proceedings and actions taken by the Board with respect to the CFD were valid and in conformity with the Law.
- 5. The Clerk is directed to execute and cause to be recorded in the office of the County Recorder of the County of Contra Costa a notice of special tax lien in the form required by

the Law, the recording to occur no later than 15 days following adoption of this Resolution.

6. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on April 26, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Board Chair

ATTEST:

Clerk of the Board

Attachments: Exhibit A Canvass and Statement of Results of Election

EXHIBIT A

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)

CANVASS AND STATEMENT OF RESULT OF ELECTION

I hereby certify that on April 26, 2022, I canvassed the returns of the special election held on that date, in the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the "CFD"), and the total number of ballots cast in the CFD and the total number of votes cast for and against the measure are as follows, and the totals as shown for and against the measure are full, true, and correct:

	Qualified Landowner Votes	Votes Cast	YES	NO
Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) Special Tax Election April 26, 2022	554			

BALLOT MEASURE: Shall the measure authorizing the Contra Costa County Fire Protection District (the "District") to annually levy a special tax solely on lands within the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation establishing the CFD adopted by the District Board of Directors on April 26, 2022, commencing in the District's fiscal year 2021/22, to pay for the services authorized to be funded by the CFD, and establishing the annual appropriations limit of the CFD in the initial amount of \$1,000,000, be adopted?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on 26th day of April, 2022.

Clerk of the Board

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Clerk of the Board
Contra Costa County Fire Protection District
4005 Port Chicago Hwy, Suite 250
Concord, CA 94520

No fee for recording pursuant to
Government Code Sections 6103 and 27383

NOTICE OF SPECIAL TAX LIEN

**CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(Antioch Fire Protection and Emergency Response Services)**

Pursuant to the requirements of Section 3114.5 of the California Streets and Highways Code and the Mello-Roos Community Facilities Act of 1982, California Government Code Section 53311 et seq. (the "Law"), the Clerk of the Board of Directors of the Contra Costa County Fire Protection District hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Directors (the "Board") of the Contra Costa County Fire Protection District (the "District"). The name(s) of the owner(s) and the assessor's tax parcel number(s) of the real property included within the CFD and not exempt from the special tax are set forth in Exhibit A, attached and incorporated herein.

The special tax is authorized to be levied within the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the "CFD"), that has now been officially formed, and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and that shall continue in force and effect until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Law.

The special tax secured by this lien is authorized to be levied for the purpose of paying for the services described in Exhibit B (the "Services"), attached and incorporated herein. The rate, method of apportionment, and manner of collection of the authorized special tax is set forth in Exhibit C (the "Rate and Method"), attached and incorporated herein. There are no conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied and the lien of the special tax canceled.

Notice is further given that upon the recording of this notice in the office of the County Recorder of the County of Contra Costa, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within the CFD in accordance with Section 3115.5 of the California Streets and Highways Code.

Reference is made to the boundary map of the CFD recorded on April 8, 2022 as Instrument Number 22-0061816 in Book 89 of Maps of Assessment and Community Facilities Districts at Pages 25-26, in the office of the County Recorder for the County of Contra Costa,

California, which map is now the final boundary map of the CFD. All of the property which is subject to this special tax lien is situated within the boundary of the CFD as shown on the boundary map.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Contra Costa County Fire Protection District, 4005 Port Chicago Hwy, Suite 250, Concord, California, 94520, telephone number (925) 941-3300.

Dated: April 26, 2022

By: _____
Clerk of the Board

EXHIBIT A

**CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)**

Assessor's Parcel Numbers

ASSESSOR'S PARCEL NUMBER/ LEGAL DESCRIPTION	LANDOWNER
057-010-002	AMERICAN SUPERIOR LAND, LLC; EPC HOLDINGS 820 LLC
057-010-003	AMERICAN SUPERIOR LAND, LLC; EPC HOLDINGS 820 LLC
057-021-003	AMERICAN SUPERIOR LAND, LLC; EPC HOLDINGS 820 LLC

EXHIBIT B

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)

DESCRIPTION OF SERVICES

Services:

The services to be funded, in whole or in part, by the community facilities district (the “CFD”) include: (a) fire protection and suppression services, and (b) ambulance and paramedic services (“Services”). The Services include all direct and incidental costs related to providing for the maintenance of public infrastructure within the area of the CFD and areas adjacent to or in the vicinity of such areas. The CFD may fund any of the following related to the Services: furnishing, operating, and maintaining equipment, apparatus, or facilities related to providing the Services, paying the salaries and benefits of personnel necessary or convenient to provide the Services, payment of insurance costs and other related expenses, and the provision of reserves for repairs and replacements and for the future provision of Services. It is expected that the Services will be provided by the Contra Costa County Fire Protection District (the “District”), either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The administrative expenses to be funded by the CFD include the direct and indirect expenses incurred by the District in carrying out its duties with respect to the CFD (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorney, any fees of Contra Costa County related to the CFD or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto and a proportionate amount of the District’s general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to the CFD or the services authorized to be financed by the CFD, and expenses incurred by the District in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the District in any way related to the CFD.

Other:

The incidental expenses that may be funded by the CFD include, in addition to the administrative expenses identified above, the payment or reimbursement to the District of all costs associated with the establishment and administration of the CFD.

EXHIBIT C

**CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)**

RATE AND METHOD OF APPORTIONMENT

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

For the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), County of Contra Costa, State of California

The Special Tax as hereinafter defined shall be levied on all Assessor's Parcels within the boundaries of Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), ("CFD No. 2022-1"), other than Assessor's Parcels classified as Exempt Property as defined herein, and collected each Fiscal Year commencing in Fiscal Year 2021-22, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within the boundaries of CFD No. 2022-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated expenses related to the administration of CFD No. 2022-1: the costs of determining the amount of the levy of the Special Tax; the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures; the payment of a proportional share of salaries and benefits of any District employee, including District overhead, whose duties are directly related to the administration of CFD No. 2022-1; fees and expenses for counsel, audits, and costs associated with responding to public inquiries regarding CFD No. 2022-1; and any and all other costs incurred in connection with the administration of CFD No. 2022-1.

"Annual Escalation Factor" means the annual percentage increase of the All Urban Consumers Consumer Price Index ("CPI") or two percent (2%), whichever is greater. The annual CPI used shall be for the area of San Francisco-Oakland-Hayward as determined by the Bureau of Labor Statistics for the 12 months ending the preceding December 31, or such other replacement index as may be determined by the District.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by assessor's parcel number.

"Building Permit" means a permit issued for new construction of a residential dwelling or non-residential structure. For purposes of this definition, "Building Permit" shall not include permits

for construction or installation of retaining walls, grading, utility improvements, or other such improvements not intended for human habitation.

"CFD Administrator" means an official of the District, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax for CFD No. 2022-1.

"CFD No. 2022-1" means Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) established by the Board under the Act.

"District" means the Contra Costa County Fire Protection District.

"Board" means the Board of Directors of the Contra Costa County Fire Protection District, acting as the legislative body of CFD No. 2022-1.

"County" means the County of Contra Costa.

"Developed Property" means an Assessor's Parcel of Taxable Property for which a Building Permit was issued on or before the May 1 preceding the Fiscal Year for which the Special Tax is being levied.

"Exempt Property" means all Assessor's Parcels within CFD No. 2022-1 that are exempt from the Special Tax pursuant to the Act or Section F herein.

"Fiscal Year" means the period commencing on July 1 of any year and ending the following June 30.

"Land Use Type" means any of the land use types listed in Table 1 below.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C, which may be levied in any Fiscal Year on an Assessor's Parcel of Taxable Property.

"Multi-Family Residential Property" means all Assessor's Parcels of Residential Property for which a Building Permit has been issued for the purpose of constructing a building or buildings comprised of attached Residential Units available for rent by the general public, not for sale to an end user, and under common management.

"Non-Residential Property" means any Assessor's Parcel classified as Developed Property, which is not classified as Residential Property, Public Property, or Property Owner Association Property.

"Property Owner Association Property" means for each Fiscal Year any property within the boundaries of CFD No. 2022-1 that was owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to, a property owner association, including any master or sub-association, as of June 1.

"Proportionately" means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels within each Land Use Class.

“Public Property” means any property that is owned by, dedicated to, or irrevocably dedicated to, a city, the federal government, the State of California, the County, or any other public agency.

“Public Safety Services” means those authorized services that may be funded by CFD No. 2022-1 pursuant to the Act, as amended, including but not limited to (a) fire protection and suppression services and (b) ambulance and paramedic services.

“Residential Property” means all Assessor’s Parcels of Developed Property within CFD No. 2022-1 for which a Building Permit has been issued for purposes of constructing one or more Residential Unit(s).

“Residential Unit” means any residence in which a person or persons may live, which is not used for non-residential purposes.

“Single-Family Residential Property” means all Assessor’s Parcels of Residential Property not classified as Multi-Family Residential Property.

“Special Tax” means the special tax authorized to be levied within CFD No. 2022-1 pursuant to the Act to fund the Special Tax Requirement.

“Special Tax Requirement” means the amount, as determined by the CFD Administrator, for any Fiscal Year to: (i) pay the costs of providing the Public Safety Services during the Fiscal Year, (ii) pay Administrative Expenses associated with the Special Tax, (iii) establish or replenish any operational reserve fund established for Public Safety Services, (iv) pay incidental expenses related to the Public Safety Services as authorized pursuant to the Act, (v) fund an amount equal to a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied (“Estimated Special Tax Delinquency Amount”) and (vi) fund the shortfall, if any, in the Special Tax revenues collected in the preceding Fiscal Year necessary to fund the Special Tax Requirement for the preceding Fiscal Year where the shortfall resulted from delinquencies in the payment of the Special Tax in the preceding Fiscal Year that exceeded the Estimated Special Tax Delinquency Amount included in the Special Tax Requirement for the preceding Fiscal Year.

“Taxable Property” means all Assessor’s Parcels that are not exempt from the Special Tax pursuant to the Act or Section F.

“Undeveloped Property” means an Assessor’s Parcel of Taxable Property which is not classified as Developed Property.

B. CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2021-22, each Assessor’s Parcel within the boundaries of CFD No. 2022-1 shall be classified by the CFD Administrator as Taxable Property or Exempt Property. In addition, for each Fiscal Year, each Assessor’s Parcel of Taxable Property shall be further classified by the CFD Administrator as Developed Property or Undeveloped Property. Commencing with Fiscal Year 2021-22 and for each subsequent Fiscal Year, all Taxable Property shall be assigned a Land Use Type and be subject to the levy of the Special Tax pursuant to Section C below.

C. SPECIAL TAX RATES

1. Developed Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor's Parcel of Developed Property shall be subject to the Special Tax.

The Maximum Special Tax for Developed Property for Fiscal Year 2021-22 is shown below in Table 1.

TABLE 1

Land Use Type	Maximum Special Tax
Single-Family Residential Property	\$381 per Residential Unit
Multi-Family Residential Property	\$267 per Residential Unit

For each subsequent Fiscal Year following Fiscal Year 2021-22, the Maximum Special Tax rates shall be increased from the Maximum Special Tax rate in effect for the prior Fiscal Year by the Annual Escalation Factor.

2. Undeveloped Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor's Parcel classified as Undeveloped Property shall be exempt from the levy of the Special Tax.

3. Exempt Property

No Special Tax shall be levied on Exempt Property as defined in Section F.

For each Fiscal Year, if the use or ownership of an Assessor's Parcel of Exempt Property changes so that the Assessor's Parcel is no longer classified as one of the uses set forth in Section F, therefore making the Assessor's Parcel no longer eligible to be classified as Exempt Property, the Assessor's Parcel shall be deemed to be Taxable Property and shall be taxed pursuant to the provisions of Section C.

D. METHOD OF APPORTIONMENT OF SPECIAL TAX

Commencing in Fiscal Year 2021-22 and for each subsequent Fiscal Year, the CFD Administrator shall levy the Special Tax on all Taxable Property within the boundaries of CFD No. 2022-1 until the total amount of Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property within the boundaries of CFD No. 2022-1 up to 100% of the Maximum Special Tax to satisfy the Special Tax Requirement.

Notwithstanding any provision of this Section D to the contrary, under no circumstances will the Special Tax levied against any Assessor's Parcel of Developed Property that is classified as Residential Property be increased by more than ten percent (10%) per Fiscal Year as a consequence of delinquency or default

in the payment of the Special Tax by the owner of any other Assessor's Parcel within the boundaries of CFD No. 2022-1.

E. PREPAYMENT OF SPECIAL TAX

The Special Tax shall be levied in perpetuity for the purpose of financing ongoing authorized services and therefore may not be prepaid.

F. EXEMPTIONS

Notwithstanding any other provision of the Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on any of the following Exempt Property: (i) Public Property, provided that if the public entity owning or controlling a Public Property grants a lease or other possessory interest in the Public Property to a private entity, and the Public Property is thereby subject to taxation pursuant to Section 53340.1 of the Act, the leasehold or possessory interest shall be classified and taxed according to the use thereof; (ii) Property Owner Association Property; (iii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, including but not limited to property designated for open space, trails, pathways, parks, or park and recreation-related facilities; (iv) property reasonably designated by the District or CFD Administrator as Exempt Property due to deed restrictions, conservation easement, or similar factors.

G. APPEALS

Any property owner claiming that the amounts or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator not later than 12 months after having paid the first installment of the Special Tax. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the CFD Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

H. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the Special Tax may be billed and collected at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2022-1.

I. DURATION OF TAX

The Special Tax shall be levied in perpetuity to fund the Special Tax Requirement unless such tax is no longer required as determined by the Board.

ORDINANCE NO. 2022-17
(Uncodified)

ORDINANCE LEVYING A SPECIAL TAX WITHIN THE CONTRA COSTA COUNTY
FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)

The Contra Costa County Board of Supervisors, as and constituting the Board of Directors of the Contra Costa County Fire Protection District, ordains as follows:

SECTION I. Authority. This ordinance is enacted pursuant to Health and Safety Code section 13912.

SECTION II. Background.

- A. On March 8, 2022, the Board of Directors (the "Board") of the Contra Costa County Fire Protection District (the "District") adopted Resolution No. 2022/4 (the "Resolution of Intention"), stating its intention to establish the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, California Government Code Section 53311 et seq. (the "Law"), to levy a special tax to fund certain services (the "Services"), and identifying territory that may be annexed to the CFD in the future (the "Future Annexation Area"). The CFD and Future Annexation Area are identified in the map attached as Exhibit A. The Services to be funded by the special tax are described in Exhibit B.
- B. On April 26, 2022, in accordance with the Resolution of Intention and the Law, the Board held a noticed public hearing for the purpose of establishing the CFD and to authorize the levying of a special tax within the CFD to provide for the costs of the Services. At the public hearing, all persons desiring to be heard on all matters pertaining to the formation of the CFD and the levy of the special tax were heard, substantial evidence was presented and considered by the Board, and a full and fair hearing was held.
- C. Upon conclusion of the hearing, the Board adopted Resolution No. 2022/5 (the "Resolution of Formation"), to establish the CFD and authorize the levy of a special tax within the CFD (the "Special Tax"), and Resolution No. 2022/6, to call an election within the CFD on the proposition of levying the Special Tax and establishing an appropriations limit for the CFD.
- D. On April 26, 2022, an election was held within the CFD in which the eligible landowner electors approved the propositions, and the Board adopted Resolution No. 2022/7, to declare the results of the election.

SECTION III. Levy of Special Tax. The Board hereby authorizes and levies the Special Tax within the CFD, pursuant to the Law, at the rate and in accordance with the method of

apportionment of the Special Tax as set forth in Exhibit C (the "Rate and Method"). The Special Tax is to be levied commencing in fiscal year 2021/22, and in each fiscal year thereafter.

SECTION IV. Determination of Special Tax Rate. The Fire Chief, or his or her designee, is hereby authorized and directed each fiscal year to determine, or to cause to be determined, the specific Special Tax to be levied for the next ensuing fiscal year for each parcel of real property within the CFD, including any parcel in the Future Annexation Area that is annexed into the CFD, in the manner and as provided in the Rate and Method.

SECTION V. Exempt Properties. Exemptions from the levy of the Special Tax are as provided in the Rate and Method. In no event shall the Special Tax be levied on any parcel within the CFD in excess of the maximum tax specified in the Rate and Method.

SECTION VI. Use of Special Tax. All proceeds of the Special Tax shall be used as provided for in the Law and in the Resolution of Formation, including the payment of costs of the Services, the payment of costs incurred by the District in administering the CFD, and the payment of costs of collecting and administering the Special Tax.

SECTION VII. Collection on Tax Roll. The Special Tax shall be collected in the same manner as ordinary ad valorem taxes and shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes; provided, however, that the Board may provide for other appropriate methods of collection by resolution(s) of the Board. In addition, the provisions of Section 53356.1 of the California Government Code shall apply to delinquent special tax payments. The Fire Chief is authorized and directed to provide all necessary information to the Auditor-Controller of the County of Contra Costa in order to effect proper billing and collection of the Special Tax, so that the Special Tax will be included on the secured property tax roll of the County of Contra Costa for fiscal year 2021/22, and for each fiscal year thereafter, until no longer required to pay for the Services or until otherwise terminated by the District.

SECTION VIII. Accountability. Under Section 50075.1 of the Government Code, the following accountability provisions shall apply to the Special Tax: (a) the provision and/or acquisition of the Services and the incidental costs thereof, all as defined in the Resolution of Formation, shall constitute the specific single purpose of the special tax; (b) the proceeds shall be applied only to the specific purposes identified in (a) above; (c) the Fire Chief of the District shall create or cause to be created a special account into which the proceeds shall be deposited; (d) the Fire Chief, or his or her designee, is directed to prepare and provide an annual report to the Board as required by Section 50075.3 of the Government Code.

SECTION IX. Severability. If for any reason any portion of this ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel within the CFD, by a Court of competent jurisdiction, the balance of this ordinance and the application of the Special Tax to the remaining parcels within the CFD shall not be affected.

SECTION X. Effective Date. This ordinance becomes effective 30 days after passage. Within 15 days after its passage, this ordinance shall be published once with the names of the directors voting for and against it in the East Bay Times, a newspaper published in this County.

PASSED ON April 26, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: MONICA NINO,
Clerk of the Board of Supervisors
and County Administrator

Board Chair

By: _____
Deputy

[SEAL]

EXHIBIT A
BOUNDARY MAP

PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)

Sheet 1 of 2

FILED IN THE OFFICE OF THE ADMINISTRATIVE OFFICER OF THE
 CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT THIS
 DAY OF 2022.

COUNTY OF CONTRA COSTA
 STATE OF CALIFORNIA

ADMINISTRATIVE OFFICER
 CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE
 PROPOSED BOUNDARIES AND FUTURE ANNEXATION AREA OF
 CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT ANTIOCH FIRE
 COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE
 PROTECTION AND EMERGENCY RESPONSE SERVICES) COUNTY
 OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY
 THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY
 FIRE PROTECTION DISTRICT AT A REGULAR MEETING
 THEREOF, HELD ON THE DAY OF 2022, BY
 ITS RESOLUTION NO(S) _____

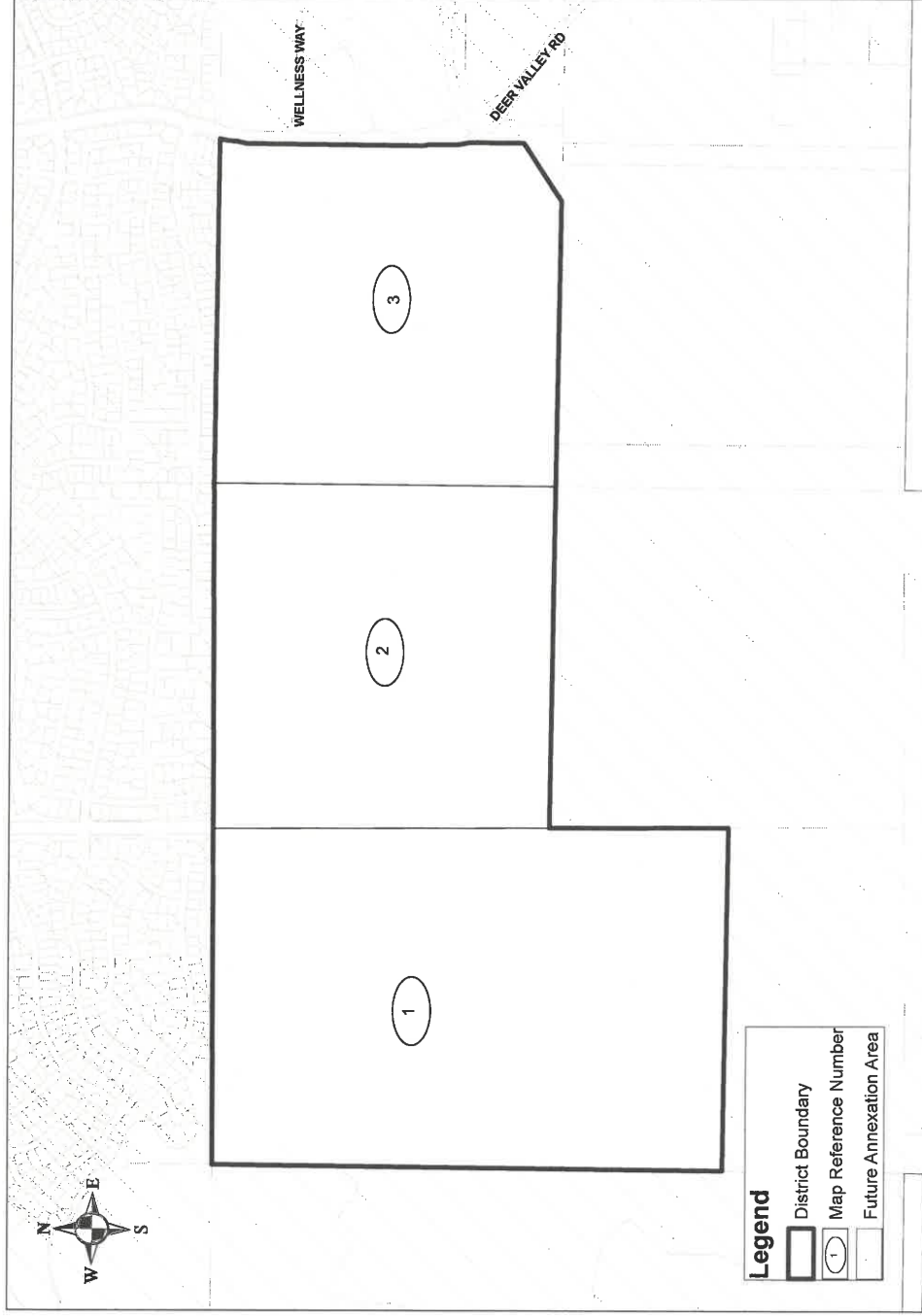
ADMINISTRATIVE OFFICER
 CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FILED THIS DAY OF M. IN BOOK PAGE
 HOUR OF O'CLOCK OF MAPS OF ASSESSMENT AND COMMUNITY
 FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER
 IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

BY DEPUTY
 COUNTY RECORDER
 COUNTY OF CONTRA COSTA
 STATE OF CALIFORNIA

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL
 ENCOMPASSED BY THIS MAP SHALL BE THOSE LINES AND
 DIMENSIONS AS SHOWN ON THE CONTRA COSTA COUNTY
 ASSESSOR'S MAPS.

THE CONTRA COSTA COUNTY ASSESSOR'S MAPS SHALL GOVERN
 FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF
 SUCH LOTS OR PARCELS.



MAP REFERENCE	ASSESSOR'S
1	057-010-002
2	057-010-003
3	057-021-003



**PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)**

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

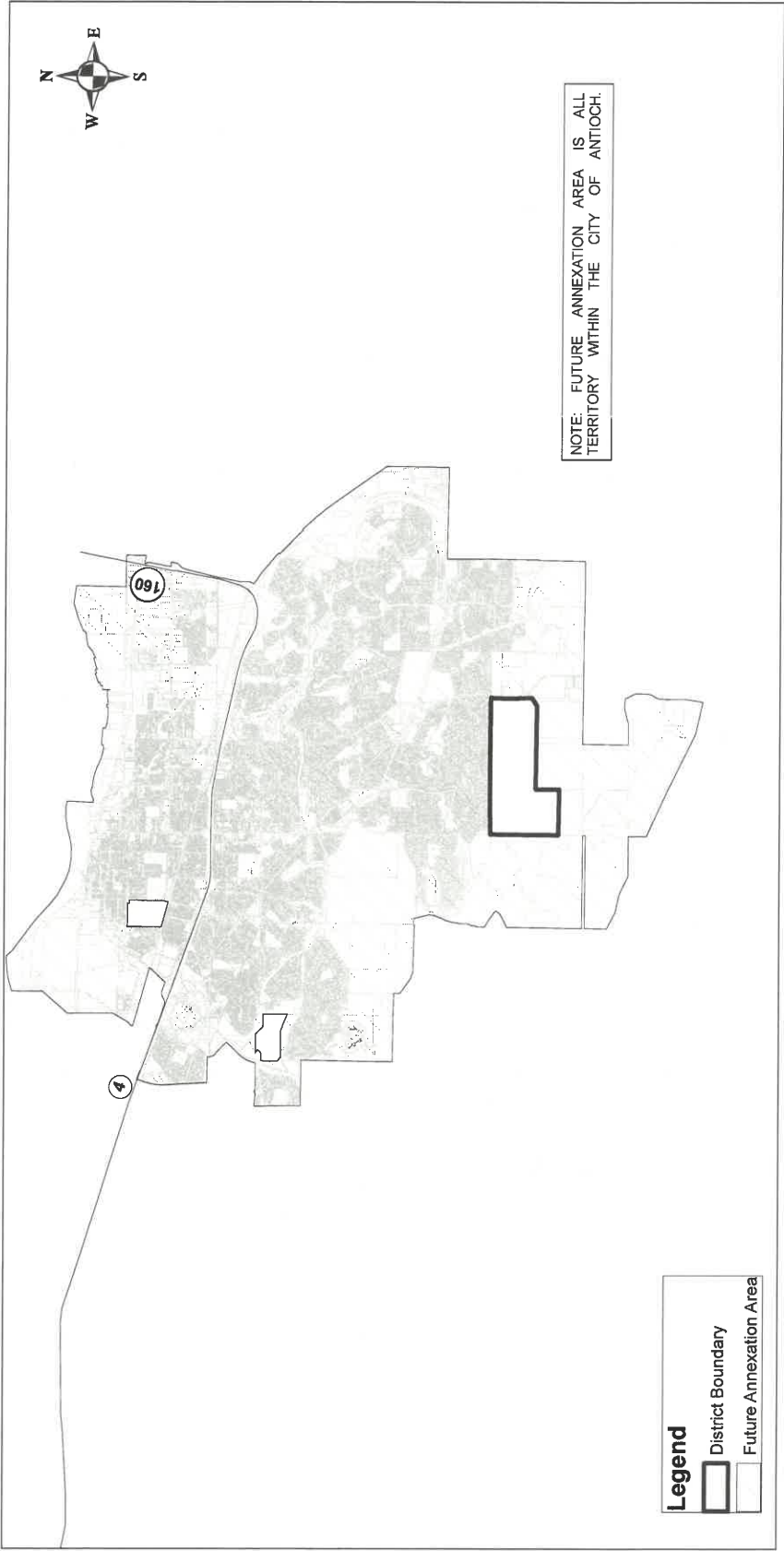


EXHIBIT B

DESCRIPTION OF SERVICES

Services:

The services to be funded, in whole or in part, by the community facilities district (the "CFD") include: (a) fire protection and suppression services, and (b) ambulance and paramedic services ("Services"). The Services include all direct and incidental costs related to providing for the maintenance of public infrastructure within the area of the CFD and areas adjacent to or in the vicinity of such areas. The CFD may fund any of the following related to the Services: furnishing, operating, and maintaining equipment, apparatus, or facilities related to providing the Services, paying the salaries and benefits of personnel necessary or convenient to provide the Services, payment of insurance costs and other related expenses, and the provision of reserves for repairs and replacements and for the future provision of Services. It is expected that the Services will be provided by the Contra Costa County Fire Protection District (the "District"), either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The administrative expenses to be funded by the CFD include the direct and indirect expenses incurred by the District in carrying out its duties with respect to the CFD (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of Contra Costa County related to the CFD or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto and a proportionate amount of the District's general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to the CFD or the services authorized to be financed by the CFD, and expenses incurred by the District in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the District in any way related to the CFD.

Other:

The incidental expenses that may be funded by the CFD include, in addition to the administrative expenses identified above, the payment or reimbursement to the District of all costs associated with the establishment and administration of the CFD.

EXHIBIT C

RATE AND METHOD OF APPORTIONMENT

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

For the Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), County of Contra Costa, State of California

The Special Tax as hereinafter defined shall be levied on all Assessor's Parcels within the boundaries of Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services), ("CFD No. 2022-1"), other than Assessor's Parcels classified as Exempt Property as defined herein, and collected each Fiscal Year commencing in Fiscal Year 2021-22, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within the boundaries of CFD No. 2022-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated expenses related to the administration of CFD No. 2022-1: the costs of determining the amount of the levy of the Special Tax; the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures; the payment of a proportional share of salaries and benefits of any District employee, including District overhead, whose duties are directly related to the administration of CFD No. 2022-1; fees and expenses for counsel, audits, and costs associated with responding to public inquiries regarding CFD No. 2022-1; and any and all other costs incurred in connection with the administration of CFD No. 2022-1.

"Annual Escalation Factor" means the annual percentage increase of the All Urban Consumers Consumer Price Index ("CPI") or two percent (2%), whichever is greater. The annual CPI used shall be for the area of San Francisco-Oakland-Hayward as determined by the Bureau of Labor Statistics for the 12 months ending the preceding December 31, or such other replacement index as may be determined by the District.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating parcels by assessor’s parcel number.

“Building Permit” means a permit issued for new construction of a residential dwelling or non-residential structure. For purposes of this definition, “Building Permit” shall not include permits for construction or installation of retaining walls, grading, utility improvements, or other such improvements not intended for human habitation.

“CFD Administrator” means an official of the District, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax for CFD No. 2022-1.

“CFD No. 2022-1” means Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services) established by the Board under the Act.

“District” means the Contra Costa County Fire Protection District.

“Board” means the Board of Directors of the Contra Costa County Fire Protection District, acting as the legislative body of CFD No. 2022-1.

“County” means the County of Contra Costa.

“Developed Property” means an Assessor’s Parcel of Taxable Property for which a Building Permit was issued on or before the May 1 preceding the Fiscal Year for which the Special Tax is being levied.

“Exempt Property” means all Assessor’s Parcels within CFD No. 2022-1 that are exempt from the Special Tax pursuant to the Act or Section F herein.

“Fiscal Year” means the period commencing on July 1 of any year and ending the following June 30.

“Land Use Type” means any of the land use types listed in Table 1 below.

“Maximum Special Tax” means the maximum Special Tax determined in accordance with Section C, which may be levied in any Fiscal Year on an Assessor’s Parcel of Taxable Property.

“Multi-Family Residential Property” means all Assessor’s Parcels of Residential Property for which a Building Permit has been issued for the purpose of constructing a building or buildings comprised of attached Residential Units available for rent by the general public, not for sale to an end user, and under common management.

“Non-Residential Property” means any Assessor’s Parcel classified as Developed Property, which is not classified as Residential Property, Public Property, or Property Owner Association Property.

“Property Owner Association Property” means for each Fiscal Year any property within the boundaries of CFD No. 2022-1 that was owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to, a property owner association, including any master or sub-association, as of June 1.

“Proportionately” means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels within each Land Use Class.

“Public Property” means any property that is owned by, dedicated to, or irrevocably dedicated to, a city, the federal government, the State of California, the County, or any other public agency.

“Public Safety Services” means those authorized services that may be funded by CFD No. 2022-1 pursuant to the Act, as amended, including but not limited to (a) fire protection and suppression services and (b) ambulance and paramedic services.

“Residential Property” means all Assessor’s Parcels of Developed Property within CFD No. 2022-1 for which a Building Permit has been issued for purposes of constructing one or more Residential Unit(s).

“Residential Unit” means any residence in which a person or persons may live, which is not used for non-residential purposes.

“Single-Family Residential Property” means all Assessor’s Parcels of Residential Property not classified as Multi-Family Residential Property.

“Special Tax” means the special tax authorized to be levied within CFD No. 2022-1 pursuant to the Act to fund the Special Tax Requirement.

“Special Tax Requirement” means the amount, as determined by the CFD Administrator, for any Fiscal Year to: (i) pay the costs of providing the Public Safety Services during the Fiscal Year, (ii) pay Administrative Expenses associated with the Special Tax, (iii) establish or replenish any operational reserve fund established for Public Safety Services, (iv) pay incidental expenses related to the Public Safety Services as authorized pursuant to the Act, (v) fund an amount equal to a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied (“Estimated Special Tax Delinquency Amount”) and (vi) fund the shortfall, if any, in the Special Tax revenues collected in the preceding Fiscal Year necessary to fund the Special Tax Requirement for the preceding Fiscal Year where the shortfall resulted from delinquencies in the payment of the Special Tax in the preceding Fiscal Year that

exceeded the Estimated Special Tax Delinquency Amount included in the Special Tax Requirement for the preceding Fiscal Year.

“Taxable Property” means all Assessor’s Parcels that are not exempt from the Special Tax pursuant to the Act or Section F.

“Undeveloped Property” means an Assessor’s Parcel of Taxable Property which is not classified as Developed Property.

B. CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2021-22, each Assessor’s Parcel within the boundaries of CFD No. 2022-1 shall be classified by the CFD Administrator as Taxable Property or Exempt Property. In addition, for each Fiscal Year, each Assessor’s Parcel of Taxable Property shall be further classified by the CFD Administrator as Developed Property or Undeveloped Property. Commencing with Fiscal Year 2021-22 and for each subsequent Fiscal Year, all Taxable Property shall be assigned a Land Use Type and be subject to the levy of the Special Tax pursuant to Section C below.

C. SPECIAL TAX RATES

1. Developed Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor’s Parcel of Developed Property shall be subject to the Special Tax.

The Maximum Special Tax for Developed Property for Fiscal Year 2021-22 is shown below in Table 1.

TABLE 1

Land Use Type	Maximum Special Tax
Single-Family Residential Property	\$381 per Residential Unit
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For each subsequent Fiscal Year following Fiscal Year 2021-22, the Maximum Special Tax rates shall be increased from the Maximum Special Tax rate in effect for the prior Fiscal Year by the Annual Escalation Factor.

2. Undeveloped Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor’s Parcel classified as Undeveloped Property shall be exempt from the levy of the Special Tax.

3. Exempt Property

No Special Tax shall be levied on Exempt Property as defined in Section F.

For each Fiscal Year, if the use or ownership of an Assessor's Parcel of Exempt Property changes so that the Assessor's Parcel is no longer classified as one of the uses set forth in Section F, therefore making the Assessor's Parcel no longer eligible to be classified as Exempt Property, the Assessor's Parcel shall be deemed to be Taxable Property and shall be taxed pursuant to the provisions of Section C.

D. METHOD OF APPORTIONMENT OF SPECIAL TAX

Commencing in Fiscal Year 2021-22 and for each subsequent Fiscal Year, the CFD Administrator shall levy the Special Tax on all Taxable Property within the boundaries of CFD No. 2022-1 until the total amount of Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property within the boundaries of CFD No. 2022-1 up to 100% of the Maximum Special Tax to satisfy the Special Tax Requirement.

Notwithstanding any provision of this Section D to the contrary, under no circumstances will the Special Tax levied against any Assessor's Parcel of Developed Property that is classified as Residential Property be increased by more than ten percent (10%) per Fiscal Year as a consequence of delinquency or default in the payment of the Special Tax by the owner of any other Assessor's Parcel within the boundaries of CFD No. 2022-1.

E. PREPAYMENT OF SPECIAL TAX

The Special Tax shall be levied in perpetuity for the purpose of financing ongoing authorized services and therefore may not be prepaid.

F. EXEMPTIONS

Notwithstanding any other provision of the Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on any of the following Exempt Property: (i) Public Property, provided that if the public entity owning or controlling a Public Property grants a lease or other possessory interest in the Public Property to a private entity, and the Public Property is thereby subject to taxation pursuant to Section 53340.1 of the Act, the leasehold or possessory interest shall be classified and taxed according to the use thereof; (ii) Property Owner Association Property; (iii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, including but not limited to property designated for open space, trails, pathways, parks, or park and recreation-related facilities; (iv) property reasonably designated by the District or CFD Administrator as Exempt Property due to deed restrictions, conservation easement, or similar factors.

G. APPEALS

Any property owner claiming that the amounts or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator not later than 12 months after having paid the first installment of the Special Tax. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral

evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the CFD Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

H. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the Special Tax may be billed and collected at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2022-1.

I. DURATION OF TAX

The Special Tax shall be levied in perpetuity to fund the Special Tax Requirement unless such tax is no longer required as determined by the Board.



**Contra
Costa
County**

To: Contra Costa County Fire Protection District Board of Directors
From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
Date: April 26, 2022

Subject: FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant

RECOMMENDATION(S):

RATIFY the Contra Costa County Fire Protection District's application for grant funding from the U.S. Department of Homeland Security, Federal Emergency Management Agency in an amount not to exceed \$11,500,000 over a three-year period, for the FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) grant program.

FISCAL IMPACT:

100% Federal. The District applied for SAFER grant funding in the amount of \$11.5 million. If awarded, the funding would cover a three-year performance period. The amount awarded may be less than the amount requested. There is no local agency match requirement or position cost caps for the FY21 SAFER grant program. This action is for the application only. Should the District be awarded the grant, staff will return to the Board for approval to accept the grant. At that time, an updated fiscal impact will be provided.

BACKGROUND:

The purpose of the Staffing for Adequate Fire and Emergency Response (SAFER) grant program is to provide funding directly to fire departments to assist them in maintaining or increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards. Within the District a fire engine is typically staffed with a captain, an engineer, and a firefighter, at least one of which is a paramedic. The District's ladder trucks are staffed with four personnel, two of which are at the firefighter rank. With funding from the FY 21 SAFER grant, the District would add a four-person dedicated rescue company consisting of a captain, engineer and two firefighters to assist with filling the need for additional, dedicated personnel for the increasing volume and complexity of rescue related incidents. A dedicated rescue company would consist of members with specialized training in rescue systems including confined space, technical rescue, high angle rope rescue, automobile extrication, building stabilization and shoring, and specialized training for incidents involving violence. Additionally, the rescue company would add system capacity to respond to structure fires, vehicle accidents, and emergency medical calls.

Due to deadlines, the application for this grant was submitted in early February. This action is to ratify submission of the District's application. This grant would result in the hiring of 12 new positions and the promotion of personnel into the engineer and captain rank. Historically, notifications of awards are made in September. Should the District be awarded the grant, staff will return to the Board to obtain approval for accepting the grant award. Staff will also need to return to the Board to approve a side letter with IAFF Local 1230 to outline the program and funding commitment of the grant program. If awarded, the District will be reimbursed on a quarterly basis for the cost of the SAFER funded positions.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 26, 2022

, County Administrator and Clerk of the Board of Supervisors

Contact: Aaron McAlister, Deputy Fire Chief (925)
941-3300 x1101

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Period of Performance: The period of performance for this grant is three years. Extensions to the period of performance are typically not available. Cost Share: SAFER grants previously required an applicant match. The FY 21 SAFER program does not have a cost share or match or position cost limit.

No Supplanting Allowed: SAFER grant funds may only be used to hire new, additional firefighters and may not be used to supplant funds that would otherwise be available from State or local sources.

Throughout the performance period of the grant, the District will need to maintain the total number of authorized and funded firefighter positions that existed at the time of award plus the total number of SAFER-funded firefighter positions. The District cannot lay off firefighters that would result in a reduction of staffing below these numbers during the period of performance. Additionally, vacancies that arise through attrition, such as openings created by retirements, must be filled within a reasonable time period to maintain compliance with the minimum number of firefighters required of the grant.

CONSEQUENCE OF NEGATIVE ACTION:

Due to deadlines, this application has already been filed. If this action is not approved, the District will notify FEMA that it is withdrawing the application.

ATTACHMENTS

FY 21 SAFER Grant



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
FIRE • RESCUE • EMS

FY 21 SAFER Grant Application



Service • Leadership • Teamwork • Safety and Preparedness • Professionalism • Integrity

FY 21 SAFER Grant – What is the need?

- Overall increased call volume of the District
 - Due to cross-staffing our rescues, the increased call volume results in delays and reduced availability of rescue companies
 - Number of rescue-related calls is increasing
- Complexity of rescue calls is increasing
 - Confined space and rope rescue
 - Auto extrication - vehicle disentanglements are becoming extended due to vehicle construction and increased speeds
- Technical expertise, training, and skills required for mitigating rescue calls is increasing
 - Large amount of specialized training required to become and remain technically competent

FY 21 SAFER Grant - Benefits

- Provides for constant availability of a dedicated, properly trained and staffed rescue company
- Maintains technical competencies of assigned personnel and provides technical expertise at incidents
- Increased ability to provide technical rescue training to other on duty personnel
- Increases fire based rescue capability
 - When assigned to a fire, provides an increase of 25% of personnel on a first alarm fire
 - Increases fireground capability and safety for fires involving rescue
- Allows an engine company to stay in service that would have in the past been used to cross staff the rescue

FY 21 SAFER Grant - Fiscal Impact

- Application in the amount of \$11.5 million
- If awarded, the funding would cover a three-year performance period
- There is no local agency match requirement or position cost caps for the FY 21 SAFER grant program
- The District would need to add 12 positions in early 2023
- This action is for the application only
 - Should the District be awarded the grant, staff will return to the Board for approval to accept the grant.
 - At that time, an updated fiscal impact will be provided
- A side letter with IAFF Local 1230 will be required to outline the program and funding commitment of the grant program
- Reimbursement during the period of performance would be on a quarterly basis



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FIRE • RESCUE • EMS

Questions?



Service • Leadership • Teamwork • Safety and Preparedness • Professionalism • Integrity



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
Date: April 26, 2022

Subject: Update on Fire Station Construction Projects - April 26, 2022

RECOMMENDATION(S):

ACCEPT a report from the Deputy Fire Chief providing a status summary for Contra Costa County Fire Protection District fire station construction projects.

FISCAL IMPACT:

Status report only. No fiscal impact.

BACKGROUND:

At the request of the Contra Costa County Fire Board of Directors, the Deputy Fire Chief is providing a report on the status and progress of District fire station construction projects.

CONSEQUENCE OF NEGATIVE ACTION:

The Board would not receive a status summary for Contra Costa County Fire Protection District fire station construction projects

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: April 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Aaron McAlister, Deputy Fire Chief (925)
941-3300 x1101

By: , Deputy

cc:

ATTACHMENTS

April Construction
Update



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

April 26, 2022

TO: Board of Directors

FROM: Aaron J. McAlister, Deputy Fire Chief

RE: Update on Fire Station Construction Projects

- **Fire Station 86 – Bay Point**

Recent work has turned to the building interior. Finishes are in progress with cabinetry and tile work progressing. The interior of the apparatus bay has been painted. The exterior flatwork work is in progress with the front apron now complete. Soon, landscape work will commence. There is a chance construction progress will stall in May as we wait for final utility hook ups to occur. We have been working with the utility provider to expedite the final power hook up.

- **Fire Station 9 – Pacheco**

The Federal Aviation Administration (FAA) has requested additional documentation, and that work is in progress. We continue to work with the Airport and Public Works to identify long-term solutions to drainage challenges in the area. These solutions will need to be identified in order to get through the California Environmental Quality Act (CEQA) process. *(No updates since February 2022 report.)*



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
From: Lewis T. Broschard, III, Chief, Contra Costa Fire Protection District
Date: April 26, 2022

Subject: Fire Chief's Report - April 26, 2022

RECOMMENDATION(S):

ACCEPT a report from the Fire Chief providing a status summary for ongoing Fire District activities and initiatives.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

At the request of the Contra Costa County Fire Board of Directors, the Fire Chief is providing a report on the status and progress of the various District initiatives.

CONSEQUENCE OF NEGATIVE ACTION:

The Board would not receive the most up to date information regarding ongoing Fire District activities and initiatives.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: April 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Lewis T. Broschard III, Fire Chief (925)
941-3300

By: , Deputy

cc:

ATTACHMENTS

Fire Chief's April
Report



CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

April 26, 2022

TO: Board of Directors

FROM: Lewis T. Broschard III, Fire Chief

RE: Fire Chief's Report

- Annexation Update. Last month, we received final approval from the LAFCo for our annexation of East Contra Costa County Fire. The LAFCo will now submit the annexation information to the State Board of Equalization and we anticipate the State will acknowledge the annexation in early May.

We continue our preparations for the June 30 effective date of the annexation and the subsequent transfer of East Contra Costa Fire resources, personnel, and responsibilities to Con Fire with a 90-day action item list of final preparations for this major event.

A change of command ceremony is being planned for July 1.

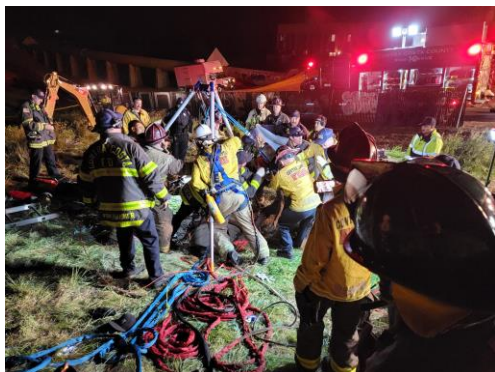
- Pinole Fire Contract for Service Initiative. We continue to work with City of Pinole executive staff and the LAFCo Executive Director to move this initiative forward. We anticipate joint planning meetings of City, Fire District, and CAO staff to begin in April.
- Operations Update. As we prepare for another early season of fire weather, we promoted several suppression personnel, including one captain to battalion chief and three engineers to captain.

New hires for our seasonal fire crew, Crew 12, completed their onboarding training last week, part of our continued preparation for another challenging and dangerous season of fire weather. Beginning last week, the off-season fuels mitigation crew that has been working to reduce danger across the County ahead of fire weather joined these newly trained fire control workers to provide full-week coverage as fire weather approaches.

Six firefighters began their sixth week of Hazardous Materials Specialist training this month. When they will complete training next month, they will be eligible to staff our highly specialized hazardous response team.

We began ground school for the REACH/Con Fire helicopter fire specialists last week. Over the summer, these personnel will assist in staffing our aerial firefighting capable helicopter on wildland fires.

On April 1, fire trail maintenance for the District's regional fire trails began in the open spaces, and several members of our heavy equipment program traveled to Southern California to participate in intensive hands-on training for fire dozer operations.



On March 20, we led a three-and-a-half-hour, nearly 50-person rescue effort that freed a man from an 18-inch underground storm water pipe where he had been stuck for up to two days. The rescue took place after passersby heard cries for help



coming from underground and reported this to 911. The complex, high risk, and rare “confined space” rescue was conducted by specially trained rescue technicians with support from City of Antioch Public Works and Antioch PD. Four Con Fire firefighters, connected by umbilical lines for breathing air and underground communications, made entry into the storm water infrastructure, locating the victim, clearing considerable debris blocking his path, and bringing him to the surface shortly before 9 p.m.

Greater alarm fires in the last month kept us busy and, unfortunately, resulted in the displacement of dozens of residents pointing out the continued dangers – to firefighters and civilians – of structure fires across the District. As we focus on the fire season that is fast approaching, it is also important to remain vigilant with ensuring smoke alarms are properly installed and maintained throughout the homes, apartments, and other residential living areas of our communities.

- EMS Update. Paramedic School classroom coursework was completed for three of our existing firefighters. They start their hospital clinical time in early April. Four additional firefighters start paramedic school in late April with the classroom portion occurring for the next seven months.

Robin Holcomb, EMS Secretary, has been elected to the position of Secretary of the Cal Chiefs Administrative Services Section.

In an effort to find solutions to our local ambulance patient offload time (APOT) delays, we collaborated to hold a meeting of Con Fire leadership, County EMS

Agency leaders, Hospital Council Representatives and local hospital executives and physician leadership. Agreement was reached to commit to quarterly meetings. We are seeking solutions from the hospitals that can be implemented in the short-term while also understanding the long-term nature of the APOT issues statewide. We will continue to work with our hospital leadership to seek out their proposed solutions to this critical issue. As previously stated in prior reports, APOT delays are a major factor in affecting overall emergency ambulance system performance and resource availability.

- Medical Director Update. Multiple initiatives are being pursued to reduce call volume burden on the ambulance system by reducing the need for some transports, including:
 - Researching the implementation of the Nurse in Dispatch and Doctor Telehealth programs in conjunction with AMR parent company Global Medical Response. This program has potential to reduce ambulance system overload by allowing use of alternate destinations such as urgent care clinics and physicians' offices, as well as alternate transportation methods such as taxis, ride sharing services, etc.
 - Participated in a state-wide multi-LEMSA effort to establish Assess and Refer policies in conjunction with CAL-ACEP, a political action committee representing Emergency Department Physicians.
 - Augmented our weekly Medical Director and EMS Chief field responses where the Medical Director evaluates and observes fire and ambulance responses in real-time during actual EMS calls. This real time evaluation in the field helps ensure we are sending the right resources to incidents and offers us a way to evaluate our dispatch center's ability to effectively triage medical calls.

The Fire District initiated a full review and revision of our Respirator, Aerosolized Transmissible Disease, and Communicable Disease policies.

This month, we entered the final phase of a several year project to replace our old narcotics safes on our apparatus. The new technologically advanced safes were trialed over the last year and found to be more user-friendly and secure. This will result in better oversight of our controlled substances and reduce risk of loss or diversion.

- Communications Update. Fire Communications Center staff are working with their Operations counterparts and other agencies to ensure everyone is prepared for the upcoming wildland fire season, expected to begin earlier than in recent years.

Information Systems staff continue to work on final details necessary to support the pending annexation of East Contra Costa Fire.

Recruitment efforts continue with both the vacant IS Tech II position and one of two vacant Fire Dispatcher positions being filled this month. The Fire Communications Manager position recruitment is now closed and two candidates participated in oral board interviews last week. We are hopeful of filling this position next month.

Final conceptual design drawings for the remodeled Fire Communications Center to be located in the old Fire Administration Building on Geary Road were approved this month. The architect is now completing all documents required for submission to the Pleasant Hill Planning Department, and we are working with County Capital Projects to issue a construction contract RFP. Current estimates call for construction to begin in early 2023. Once this project is complete, the plan is to move other Communications Division staff into the vacated Fire Communications Center.

We are pursuing accreditation of our communications center. This process has been ongoing for well over a year with emergency medical dispatch (EMD) process compliance and training being the main focus. Once accredited, we anticipate being able to work with the County EMS Agency to implement new response protocols for EMS incidents to provide further efficiencies and sustainability to the overall EMS and emergency ambulance programs.

- Training and Safety Division Update. Lateral Academy 57 began on March 28 with twenty-eight experienced firefighters including fifteen EMTs and thirteen paramedics. They are now in week five of an abbreviated eight-week training and orientation program. Graduation is scheduled for May 23.

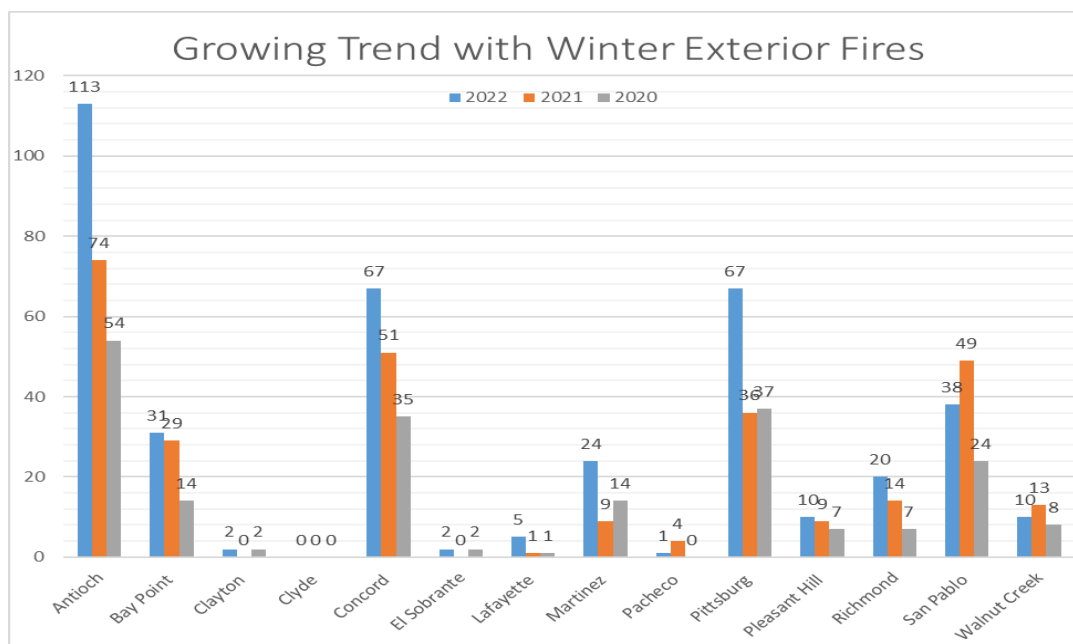
Annexation training academies have been completed for Battalion Chiefs, Captains, and Engineers in preparation for annexation. Live fire training has been a part of these academies. Multi-company drills are ongoing to ensure interoperability on day one of annexation.



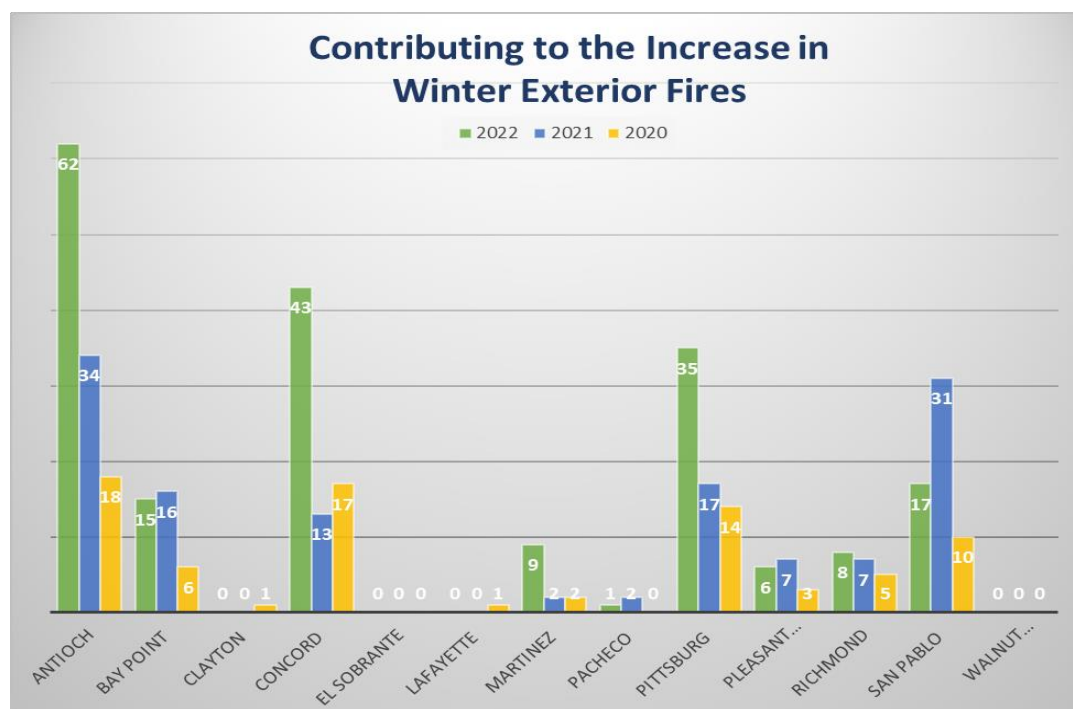
Pre-season wildland training is ongoing, including a Hand Crew Academy, operations and communications annual preparations, and drills. Live fire training is planned for May in anticipation of an early arrival of fire weather.

- Support Services Update. The Fire District took delivery of two Type 6 wildland fire engines, placed two new Battalion Chief vehicles into service, and continued with the many logistical preparations required for the annexation.
- Fire Prevention Update. Our Fire Investigation Unit's investigations at 79 fires resulted in the arrest of six arson suspects in March.

Analysis of exterior fire data by the Bureau shows a significant increase in winter exterior fires in the last three years. The trend is toward more of these destructive and dangerous fires with a 35 percent increase in the last year in all but two of the communities we serve. Exterior fires in and around homeless encampments, a significant contributor to the overall exterior fire problem, are also on the rise.



Above chart shows the growth in numbers of winter exterior fires across Con Fire communities since 2020.



Above chart shows the growth specifically in winter homeless-encampment-related exterior fires across Con Fire communities since 2020.



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
 From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
 Date: April 26, 2022

Subject: AEV purchase agreement increase for Ambulance Production

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Fire Chief, or designee, to execute an amendment to the ambulance purchase agreement with Halcore Group, Inc, an Indiana Corporation, to increase the payment limit by \$99,000 to a new payment limit of \$2,799,000 for the manufacture of 20 ambulance vehicles.

FISCAL IMPACT:

100% CCCFPD EMS Transport Fund

BACKGROUND:

On September 14, 2021, the Contra Costa County Fire Protection District (District) Board of Directors authorized the Fire Chief to execute a purchase contract with American Emergency Vehicle (AEV) in an amount not to exceed \$2,700,000 for the manufacture and sale of twenty ambulances. On September 21, 2021, the Fire Chief's designee executed this contract, and AEV began production. In February 2022, AEV notified the District of challenges in acquiring chassis for all twenty ambulances.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Aaron McAlister, Deputy Fire Chief
 925-383-5003

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The chassis market has been impacted by COVID conditions and computer chip availability. AEV was only able to acquire six of the 2022 model year chassis, and the remaining fourteen ambulances will be built using model year 2023 chassis. There is a corresponding increase in the cost of the chassis that is being passed along to the District. In addition to chassis pricing, there are other increases, due to market conditions, that are being passed on to the District. The net result of the total cost increase is \$99,000, and staff seeks Board approval to amend the current agreement and increase the total amount to \$2,675,180. This surcharge represents a 3.84 percent increase in the contract price.

These vehicles were purchased through a lease-purchase agreement. The Board approved the lease schedule for these ambulances on September 14, 2021. The District will continue with the financing of these vehicles through the lease-purchase schedule, with the exception of the aforementioned cost increase of \$99,000. That amount will be paid directly to AEV by the District upon approval of this item. The additional \$99,000 cost will be allocated to the 20 new ambulances on a per vehicle basis for capitalization purposes.

CONSEQUENCE OF NEGATIVE ACTION:

If this item is not approved, the District would need to terminate the existing contract and search for another vendor to purchase ambulances from. This would result in further delays.



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
Date: April 26, 2022

Subject: Golden State Fire Apparatus Contract for One Stock Type 1 Pierce Fire Engine

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Golden State Fire Apparatus for the sale of one (1) Type 1 Pierce Enforcer 1500 GPM Pumper Engine in an amount not to exceed \$730,000 for emergency response.

FISCAL IMPACT:

100% Contra Costa County Fire Protection District General Operating Fund Balance: The proposed purchase of one Type I Pierce Enforcer 1500 GPM Pumper Engine is \$730,000 includes all sales tax and associated charges. There is no financing involved in this purchase.

BACKGROUND:

The Contra Costa County Fire Protection District (District) maintains a fleet of both front line and reserve fire apparatus. As new engines are added to the fleet, older engines are moved to reserve status and eventually declared surplus as they reach end of life. The District has a replacement schedule in place and has multiple apparatus on order. Since the pandemic, apparatus acquisition has become challenging. The supply chain issues and labor shortages have caused manufacturers to experience significant delays in delivery times, and in some cases, several months beyond the original scheduled delivery.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: April 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Aaron McAlister, Deputy Fire Chief
925-383-5003

By: , Deputy

cc:

BACKGROUND: (CONT'D)

In recent months several new station openings have been announced, some related to Measure X, and others have been planned. These station openings have put additional pressure on the front line apparatus needs in addition to scheduled replacements. This, coupled with delays, have caused District staff to identify and secure a stock apparatus that can be delivered immediately. The acquisition of this stock apparatus will allow the district to put new apparatus in service without the 18 month manufacturing process, reducing pressure on the fleet. The vehicle purchased through this action is complete and can be delivered upon payment and will see front line service this summer.

CONSEQUENCE OF NEGATIVE ACTION:

If unapproved, The District would not be able to acquire this apparatus.



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
Date: April 26, 2022

Subject: Appropriation and Revenue Adjustment - Type 1 Pierce Stock Fire Engine

RECOMMENDATION(S):

APPROVE Appropriation and Revenue Adjustment No. 5043 authorizing revenue in the amount of \$730,000 from CCCFPD General Operating Fund Balance and appropriating it in the Contra Costa County Fire Protection District (7300) for the purchase of one Type 1 fire engine.

FISCAL IMPACT:

\$730,000 would be appropriated from fund balance reserves. 100% CCCFPD General Operating Fund Balance.

BACKGROUND:

The Contra Costa County Fire Protection District (District) maintains a fleet of both front line and reserve fire apparatus. As new engines are added to the fleet, older engines are moved to reserve status and eventually declared surplus as they reach end of life. The District has a replacement schedule in place and has multiple apparatus on order. Since the pandemic, apparatus acquisition has become challenging. The supply chain issues and labor shortages have caused manufacturers to experience significant delays in delivery times, and in some cases, several months beyond the original scheduled delivery.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: April 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Aaron McAlister, Asst Fire Chief (925)
941-3300

By: , Deputy

cc:

BACKGROUND: (CONT'D)

In recent months several new station openings have been announced, some related to Measure X, and others have been planned. These station openings have put additional pressure on the front line apparatus needs in addition to scheduled replacements. This, coupled with delays, have caused District staff to identify and secure a stock apparatus that can be delivered immediately. The acquisition of this stock apparatus will allow the district to put new apparatus in service without the 18 month manufacturing process, reducing pressure on the fleet. This action will appropriate fund balance reserves for the purchase of a Type I fire engine. A separate board action is being presented today for authorization to enter into a purchase agreement for this apparatus. The apparatus purchased through this action is complete and can be delivered upon payment. It is anticipated that this apparatus will be put into front line service this summer.

CONSEQUENCE OF NEGATIVE ACTION:

The District would not be able to acquire this apparatus.

ATTACHMENTS

TC24/27 AP005043

AUDITOR-CONTROLLER USE ONLY:
FINAL APPROVAL NEEDED BY:

☒ **BOARD OF SUPERVISORS**
☐ **COUNTY ADMINISTRATOR**
☐ **AUDITOR-CONTROLLER**

(M 129 Rev. 6/09)

**CONTRA COSTA COUNTY
ESTIMATED REVENUE ADJUSTMENT/
ALLOCATION ADJUSTMENT
TC/24**

AUDITOR-CONTROLLER USE ONLY:	
FINAL APPROVAL NEEDED BY:	
<input checked="" type="checkbox"/>	BOARD OF SUPERVISORS
<input type="checkbox"/>	COUNTY ADMINISTRATOR
<input type="checkbox"/>	AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: Contra Costa County Fire Protection District		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
7300	8981	Fund Balance	730,000.00	
TOTALS			730,000.00	0.00

APPROVED

AUDITOR – CONTROLLER
 By: [Signature] Date 4/20/22

COUNTY ADMINISTRATOR
 By: [Signature] Date 4/21/22

BOARD OF SUPERVISORS

YES:

NO:

By: _____ Date _____

EXPLANATION OF REQUEST

To appropriate revenue from fund balance for the purchase of one Type 1 fire engine.

PREPARED BY: Jackie Lorrekovich
 TITLE: Chief of Administrative Services
 DATE: 4/13/2022

REVENUE ADJ. JOURNAL NO. _____

RAOO 5043



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
Date: April 26, 2022

Subject: Golden State Fire Apparatus Contract for One Type I Pierce Fire Engine

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Golden State Fire Apparatus for the manufacture and sale of one (1) Type I Pierce fire engine in an amount not to exceed \$930,000 including indemnity by the Contra Costa County Fire Protection District.

FISCAL IMPACT:

The proposed order of one (1) fire apparatus is valued at approximately \$887,055 including sales tax and all associated charges. The maximum authorized expenditure is set at \$930,000 in order to allow for contingencies. The purchase price for the fire apparatus will be paid using Measure X funds. \$1.2 million was allocated for the purchase of 2 apparatus for Fire Station 54 in Brentwood.

BACKGROUND:

Fire Station 54 (Brentwood) in the East Contra Costa Fire District has been closed for several years. On July 1 2022, Contra Costa County Fire Protection District (District) will annex East Contra Costa Fire Protection District. As part of the annexation and consistent with the Measure X allocations, this station will be opened after the new construction is complete. This action will allow the District to place an order for the apparatus required to open this fire station.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: April 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Assistant Fire Chief Michael Quesada, (925) 941-3300

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Neither agency currently has sufficient apparatus to be assigned to front line service at this newly constructed station without acquiring new apparatus. New apparatus manufacture and delivery times are currently between 18 and 24 months. Placing this order now allows for the manufacture of apparatus to occur while the re-construction of Fire Station 54 is underway.

The Measure X allocation for Fire Station 54 apparatus was \$1.2 million. From this amount the District is ordering a Type 1 engine used for structural firefighting and a Type 3 engine for wildland firefighting. This action is to order the Type 1 engine. The Type 3 will be authorized under a separate board action.

CONSEQUENCE OF NEGATIVE ACTION:

The District would not be able to acquire the new fire apparatus. The current age and condition of the fleet will deteriorate and negatively impact the District's ability to provide safe, reliable, and effective emergency response. Maintenance costs and out-of-service times will increase due to mechanical breakdowns.



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
From: Lewis T. Broschard III, Chief, Contra Costa Fire Protection District
Date: April 26, 2022

Subject: Golden State Fire Apparatus Contract for One Type III Wildland Firefighting Engine

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Golden State Fire Apparatus for the manufacture and sale of one (1) Type 3 Model 34 Wildland Firefighting Engine in an amount not to exceed \$393,000 for emergency response.

FISCAL IMPACT:

The proposed order of one (1) wildland firefighting apparatus is valued at approximately \$374,800 including sales tax and all associated charges. The maximum authorized expenditure is set at \$393,000 to allow for contingencies. The purchase price for the fire apparatus will be paid using Measure X funds. The District received a \$1.2 million Measure X allocation for purchase of two pieces of apparatus for Fire Station 54 in Brentwood. The purchase price of the two pieces of fire apparatus exceed the Measure X allocated funding by approximately \$123,000. The District will fund that outstanding balance out of District General Fund revenue.

BACKGROUND:

Fire Station 54 (Brentwood) in the East Contra Costa Fire District has been closed for several years. On July 1 2022, Contra Costa County Fire Protection District (District) will annex East Contra Costa Fire Protection District. As part of the annexation and consistent with the Measure X allocations, this station will be opened after the new construction is complete.

This action will allow the District to place an order for the apparatus required to open this fire station. Neither agency currently has sufficient apparatus to be assigned to front line service at this newly constructed station without acquiring new apparatus. New apparatus manufacture and delivery times are currently between 18 and 24 months. Placing this order now allows for the manufacture of apparatus to occur while the re-construction of Fire Station 54 is underway.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/26/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 26, 2022

, County Administrator and Clerk of the Board of Supervisors

Contact: Assistant Chief Michael Quesada, (925)
941-3300

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The Measure X allocation for Fire Station 54 apparatus was \$1.2 million. From this amount the District is ordering a Type 1 engine used for structural firefighting and a Type 3 engine for wildland firefighting. This action is to order the Type 3 engine. The Type 1 will be authorized under a separate board action.

CONSEQUENCE OF NEGATIVE ACTION:

The District will not acquire the new fire apparatus at this time. The current age and condition of the fleet will deteriorate and negatively impact the District's ability to provide safe, reliable, and effective emergency response. Maintenance costs and out-of-service times will increase due to mechanical breakdowns.