Morongo Valley
Community Services District

Fire Assessment Information

Attachment 2h

Official Assessment Ballot

Fire Protection & Paramedic/Firefighter Measure

by Morongo Valley Community Serivces District

You will receive a Ballot for each Parcel you own.

Please verify your parcel number

Each Ballot Counts!

Morongo Valley C.S.D.
P.O. Box 46
11207 Ocotillo Street
Morongo Valley, CA 92256

Detach Here

Morongo Valley C.S.D.
c/o Rapid Data
215 Fifth Street
Redlands, CA 92373

etach Here

Official Assessment Ballot

Fire Protection & Paramedic/Firefighter Measure

by Morongo Valley Community Serivces District

Instructions:

To count, this Ballot must be marked with your vote, signed and received before the end of the public input portion of the Public Hearing scheduled for Tuesday, August 6, 2002 at 7:00 p.m. at the Morongo Valley Elementary School, mulit-purpose room, located at 10951 Hess Boulevard, Morongo Valley, CA. After completing this ballot, detach along dotted lines, fold at solid line, tape the edges and mail or deliver it as described on the other side of this notice.

Fold along line in the middle so that your vote is on the INSIDE. Tape along edges to secure ballot.

Fold Here

Detach H...

☐ YES, I approve the proposed Fire Protection & Paramedic/Firefighter Assessment.

☐ NO, I do not approve the proposed Fire Protection & Paramedic/Firefighter Assessment.

I hereby declare, under penalty of perjury, that I am the record property owner of the parcel identified on this notice and ballot.

SIGNED X _____

Signature of Record Property Owner

WHY DID YOU RECEIVE THIS BALLOT?

The Morongo Valley Community Services District is proposing:

A Fire Protection and **Paramedic/Firefighter** measure for Morongo Valley that will be decided by mailed ballots.

Each and every **property owner** will receive a ballot for **every parcel** they may own.

The Measure will provide funding for **Fire Department salaries and benefits** which the current Morongo Valley CSD Fire Department budget can not support.

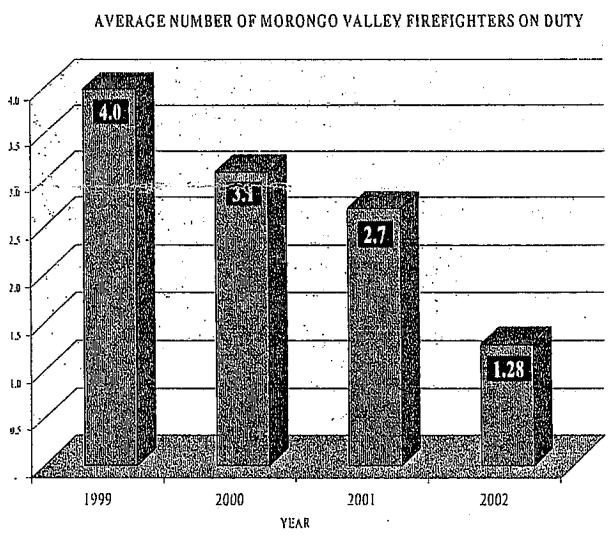
If approved by Morongo Valley property owners, this measure would provide funding to:

- ☞ Ensure a minimum of 2 paid Fire Personnel on duty 24 hours a day, 7 days a week.
- ☞ Upgrade Emergency Medical Service from EMT/Firefighter (Basic Life Support) to Paramedic/Firefighter (Advance Life Support).
- ☞ Significantly improve response time for Advanced Life Support (Paramedic). Currently, the private ambulance company is allowed up to 30 minutes to respond with a paramedic. A Morongo Valley Paramedic/Firefighter would respond directly with the engine.
- ☞ Guard against possible increases in Fire and Home Insurance by protecting the District's Fire Risk Rating.
- ☞ With adequate staffing, work towards improving Fire Risk Rating in areas with highest insurance rates (Zone 9) by establishing a "Water-Haul System" as recommended by Insurance Service Office (ISO).

WHY IS THE DISTRICT PROPOSING A MEASURE?

The Morongo Valley CSD Fire Department faces **TWO** *distinct problems.*

The First Problem is critically low Firefighter staffing. Morongo Valley has traditionally utilized basic Firefighter/EMT personnel as apprentice Firefighters to staff its station. These non-paid employees worked one 24-hour shift per week to receive valuable hands-on training and experience. This volunteer staff provided an average of 4 Firefighters per shift up until 1999. Just as Fire Departments across the US that rely upon nonpaid/volunteer personnel began experiencing declining numbers, so did Morongo Valley. *(Please see Chart).* Additionally, Paramedic training is rapidly becoming a standard entry level requirement for the fire service. Academy graduates who may have come to Morongo Valley in the past, are directly attending paramedic school upon graduating. The CSD has responded to the low numbers by attempting an aggressive recruiting campaign including a web page with on-line application and visits with local academies. These attempts have been unsuccessful. Presently, an average of 5 days a week, there is only one Firefighter at the station. The critically low staffing places the community, the Firefighters, and the CSD at risk. The District's Fire Risk Rating, which determines the community's insurance rates, is also endangered.



The Second Problem is the 30 minute response time allowed for the private ambulance company located in Joshua Tree to respond to Morongo Valley with a Paramedic. Community members have expressed concern over this lengthy response time. The response time criteria is based on U.S. Census information that designates Morongo Valley as rural. Morongo Valley's unique location places it between 2 large populated areas including Palm Springs, which has a hospital 20 minutes away. Residents experiencing a medical emergency are faced with a difficult choice: whether to drive to a hospital or wait for paramedics. Currently, all Morongo Valley Firefighters are EMT's. They are able to provide Basic Life Support while awaiting the arrival of paramedics. In 2001, Morongo Valley Firefighter/EMT's responded to over 325 calls requiring medical attention. Over 90% of these required advanced life support that can NOT be provided by the EMT. Paramedics have over 1,100 hours of training as opposed to the EMT'S 106 hours. Paramedics extend the emergency room capabilities to the scene of the actual emergency, bringing much needed Advanced Medical Treatment to the patient in their greatest time of need (Please see chart.) For example, documented studies of the impact of paramedics on the scene in rural areas as compared to EMT's, indicate that a cardiac victim has a 38% chance of survival to Intensive Care Unit admission if treated by a Paramedic, compared to a 15% chance if treated by an EMT (Study by Kriegsman WE Jr, Mace SE City of Ketchikan Fire Department, 1987-1996 data from rural areas).

EMT: Basic Life Support (106 Hours of Training)	Paramedic: Advanced Life Support (1,100 Hours of Training)
1. Care for broken bones.	1. EMT requirements + minimum 6 months ambulance experience.
2. Stop bleeding.	2. Administer medications via IV.
3. CPR/defibilator.	3. Use cardiac monitor.
4. Provide oxygen.	4. Provide IV fluids.
5. Monitor Blood Pressure/Pulse.	5. Intubate. (Obtain access to lungs by placing a tube into airway.)
6. Assist Paramedic	

PLEASE RETURN YOUR BALLOT. ONLY RETURNED BALLOTS WILL BE COUNTED.

Morongo Valley C.S.D.
P.O. Box 46
11207 Ocotillo Street
Morongo Valley, CA 92256

Official Assessment Ballot

For Fire Protection & Paramedic/Firefighters in Morongo Valley

APN#: 0582-281-11-0000
MILLER, ROBERT
PO BOX 520
MORONGO VALLEY CA, 92256

92256+0520 05

About the Morongo Valley Community Services District

The Morongo Valley Community Services District is an independent public agency responsible for providing fire protection services and parks/recreation to the Morongo Valley community. In 2001, the District responded to over 500 emergency calls, with over 325 of those being emergency medical.

How was the proposedAssessment determined ?

The total cost of fire protection services to be funded by the propossed Assessment is allocated to each property based on estimated special benefit received. The method of benefit allocation is based on the relative benefit to a property in relation to a single family home, the type of property, and its size.

An Engineer's Report describing the proposed fire protection services, method of assessment, budgets, and assessments for each parcel is available for review at the Morongo Valley Community Services District office located at 11207 Ocotillo Street, Morongo Valley, California 92256. (next to the Fire Department

Method of Voting

Complete the attached postage paid ballot and return it prior to the Tuesday, August 6, 2002, Public Hearing deadline (meeting to begin at 7:00 p.m.). You may either mail your ballot to the address on the ballot, or deliver it prior to the end of the public input portion of the Public Hearing on August 6, being held at the Morongo Valley Elementary School multi-purpose room located at 10951 Hess Bouldvard, Morongo Valley, California.

According to the provision of Proposition 218, only returned ballots which are signed and marked with the property owner's support or oppositon will count. Ballots are weighted by the amount of assessment paid and will be tabulated accordingly by Rapid Data, an independent firm. If a majority of weighted ballots returned are opposed, this Assessment will not be levied. If a majority of weighted ballots returned are in support, the Assessment may be levied for fiscal year 2002-03 and may be continued in future years.

Why are you Receiving a Ballot by Mail?

Proposition 218 specifies that property owners must determine, by mailed ballot, whether the community supports this proposed Assessment for fire protection services.

Your ballot will help decide the future level of funding for fire protection and emergency medical serivces in Morongo Valley.

How much is the proposed Assessment?

The proposed Assessment for your property for fiscal year 2002-03 is shown on your ballot with your mailed address. The SFE (single family equivalent) as determined by the Civil Engineer is a single family home on a 1/2 acre or less with an assessment of $113.82. All other properties are assessed according to property type and size. The total amount that would be raised by the proposed Assessment for fiscal year 2002-03 is $204, 882.00. If approved, <u>these funds can only be used for fire/emergency medical serivces.</u>

The assessment cannot be increased in future years, without approval from property owners in another assessment ballot proceeding, except for an annual cost of living adjustment tied to the Consumer Price Index not to exceed 3%.

Public Hearing

You are invited to attend the Public Hearing held on August 6, 2002, at 7:00 p.m. at the Morongo Valley Elementary School. You will have the opportunity to ask questions, obtain more information, and give input to the Board of Directors. A representative from Rapid Data will be available to collect and tabulate any outstanding ballots. Tabulation results are expected to be announced at a Special Board Meeting on August 7, 2002, 7:00 p.m. at Covington Park. Based on the outcome of the ballot count, the Board will consider appropriate action.

Detach Here

RESOLUTION NO. 02-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORONGO VALLEY COMMUNITY SERVICES DISTRICT ADOPTING PROPOSITION 218 ASSESSMENT BALLOT PROCEEDINGS PROCUDURES

WHEREAS, Proposition 218 was adopted on May 23, 2002, adding Articles XIIIC and XIIID to the California Constitution; and

WHEREAS, Articles XIIIC and XIIID of the California Constitution impose certain procedural and substantive requirements relating to assessments (as defined); and

WHEREAS, some of the requirements of Proposition 218 are unclear and require judicial interpretation or legislative implementation; and

WHEREAS, the Board of Directors believes it to be in the best interest of the Morongo Valley Community Services District to record its decisions regarding implementation of the provisions of Proposition 218 relating to assessments and to provide the community with a guide to those decisions and how they are reached.

NOW, THEREFORE, the Board of Directors of the Morongo Valley community Services District does hereby resolve as follows:

SECTION 1. **Statement of Legislative Intent.** It is the Governing Board's intent in adopting this resolution, to adopt assessment ballot proceedings which are consistent, and in compliance with, Articles XIIIC and XIIID of the California Constitution and with the Proposition 218 Omnibus Implementation Act. It is not the intent of the Governing Board to vary in any way from the requirements of either the California Constitution or the state law.

SECTION 2. **Definition of Assessment.** Proposition 218 defines "assessment" as any levy or charge upon real property by an agency for a special benefit conferred upon the real property. "Assessment" includes, but is not limited to, "special assessment," "benefit assessment," "maintenance assessment," and "special assessment tax." In other words, an assessment which is not a charge upon real property for a special benefit conferred upon the real property is not an "assessment" for the purposes of article XIIID, section 2(b) of the California Constitution.

SECTION 3. **Assessment Ballot Proceeding.** The following procedures shall be used in an assessment ballot proceeding required by Article XIIID, section 4 of the California Constitution:

A. **Amount of Assessment** Only special benefits are assessable. The amount of each assessment shall be each identified parcel's proportionate share of the public improvement or property-related service based upon that parcel's special benefit from the improvement or service. The amount shall be proportional to and no greater than the benefits conferred on the property.

B. **Special Benefit** For purposed of determining the amount of the assessment:

1. Special benefit means a particular and distinct benefit over and above general benefits conferred on real property located in the assessment district or to the public at large.

2. Special benefits are those that the property assessed received, due to the improvement or service, in excess of the general public benefit.

3. The fact that the other property within the district or within the area will be, to a greater or lesser extent specially benefited by the improvement or service, will not have the effect of depriving assessed property of its character as specially benefited property.

4. Special benefit is immediate and of such a character as can be seen and traced. General benefits are remote and sometimes contingent.

C. **Engineer's Report** The Governing Board shall direct the filing of an engineer's report that shall comply with the applicable state statute authorizing the assessment and with Article XIIID, section 4 of the California Constitution. The engineer's report shall explain the special benefit, as defined in Section 3B of this resolution, conferred by the improvement or property-related service. The engineer's report shall also provide the evidence upon which the Governing Board may find that a special benefit exists. If the improvement or service confers a general benefit, the engineer's report shall describe the general benefit and explain how it will be funded.

D. **Notice** The following guidelines shall apply to giving notice of an assessment:

1. The record owner(s) of each parcel to be assessed shall be determined from the last equalized property tax roll. If the property tax roll indicates more than one owner, each owner shall receive notice. Only property owners shall receive notice.

2. The notice shall be sent at least forty-five (45) days prior to the date set for the public hearing on the assessment.

3. The notice provided by this section and in accordance with Article XIIID, section 4 of the California Constitution, shall supersede and be in lieu of any other statutes requiring notice to levy or increase an assessment, including but not limited to the notice required by the state statute authorizing the assessment and Government Code section 54954.6

4. Failure of any person to receive notice shall not invalidate the proceedings.

5. The cost of providing notice shall be included as a cost of the assessment district.

E. **Assessment Ballot** The following guidelines shall apply to the assessment:

1. The ballot required by Article XIIID, section 4(d) of the California Constitution shall be mailed to all property owners of record within the assessment district at least forty-five (45) days prior to the date of the public hearing on the proposed assessment.

2. All ballots must be returned either by mail or by hand delivery; and received by the District not later than the date for return of ballots stated on the notice described in section 3(D). (Postmarks will not be recognized.) Mailed ballots must be returned to the Morongo Valley Community Services District, c/o the entity delegated by the district to tabulate the ballots, at the address shown on the ballots. Hand delivered ballots must be returned to District offices at 11207 Ocotillo, P.O. Box 46, Morongo Valley, California 92256 or, if delivered at the time of the public hearing, to the Community Building, Covington Park, 11165 Vale Drive, Morongo Valley. *(see attached addendum)

3. Each ballot must be signed under penalty of perjury. For properties with more than one owner of record, ballots will be accepted from each owner of record. Each owner of record is entitled to vote. Voting rights for a single piece of property shall be apportioned between the owners based upon the respective record interests as is deemed correct, proper, and appropriate. However, if only one owner of record votes, the vote shall be tabulated as a vote on behalf of the entire parcel.

4. A tenant of real property shall not have the power or authority to submit an assessment ballot.

5. If a parcel has multiple owners, any owner may request a proportional assessment ballot. If the ownership interest of the owner is not shown on the last equalized secured property tax assessment roll, such request must include evidence, satisfactory to the District, of the owner's proportional rights in the parcel. The District, or the District's agent will provide the proportional ballot to the owner at the address shown on the assessment roll. Any request for a ballot to be mailed to another location must be made in writing and must include evidence, satisfactory to the District, of the identity of the person requesting the ballot. Each proportional ballot will be marked to show the date on which the ballot was provided, to identify it as a proportional ballot and to indicate the owner's proportional rights in the parcel. The District, or the District's agent will keep a record of each proportional ballot provided to an owner.

6. The District will only accept ballots mailed or otherwise provided to owners by the District. Photocopies or other reproductions will not be allowed.

7. If an assessment ballot is lost, withdrawn, destroyed or never received, the Assessment Engineer will mail or otherwise provide a duplicate ballot to the owner upon receipt of a request in writing delivered to the District Secretary. The duplicate ballot will be marked to show the date on which the ballot was mailed or provided and to identify it as a duplicate ballot or a duplicate proportional ballot. The same procedure applies to duplicate ballots or duplicate proportional ballots which are lost, withdrawn, or destroyed, or never received.

8. An assessment ballot proceeding is not an election.

9. An assessment ballot is disclosable "public record" as that phrase is defined by Government Code section 6252 during and after tabulation of the ballots.

10. To complete an assessment ballot, the owner of the parcel must (1) stamp or mark the appropriate box supporting or opposing the proposed assessment, and (2) sign, under penalty of perjury, the statement on the ballot that the person completing the ballot is the owner of the parcel or the owner's authorized representative, and (3) return the ballot as provided for herein. Only one box may be stamped or marked on each ballot.

11. After returning an assessment ballot to the District, the person who signed the ballot may withdraw the ballot by submitting a written statement to the District Secretary directing the District Secretary to withdraw the ballot. Such statement must be received by the District Secretary prior to the close of the public input portion of the public hearing on the proposed assessment. When ballots for the assessment are tabulated, the District Secretary will segregate withdrawn ballots from all other returned ballots. The District Secretary will retain all withdrawn ballots and will indicate on the face of such withdrawn ballots that they have been withdrawn.

12. In order to change the contents of a ballot that has been submitted, the person who has signed that ballot may (1) request that such ballot be withdrawn, (2) request that a duplicate ballot be issued, and (3) return the duplicate ballot fully completed. Each of these steps must be completed according to the procedures set forth above.

F. **Tabulating Ballots** The following guidelines shall apply to tabulating assessment ballots:

1. A neutral party shall tabulate the assessment ballots. If a third party entity is designated by the Governing Board to tabulate ballots ("Tabulator"), then such entity shall determine the validity of all ballots. All ballots shall be accepted as valid except those in the following categories:

    a. A photocopy of a ballot, a letter or other form of a ballot that is not an official ballot provided by the District;

    b. An unsigned ballot, or ballot signed by an unauthorized individual;

    c. A ballot which lacks an identifiable mark in the box for a "yes" or "no" vote or with more than one box marked, will not be counted;

    d. A ballot which appears tampered with or otherwise invalid based upon its appearance or method of delivery or other circumstances;

    e. A ballot for which the barcode representing the parcel number is damaged or obstructed, unless the parcel number is legible.

    The decision of the District's General Manager, after consultation with the District 's attorney that a ballot is invalid shall be final and may not be appealed to the Governing Board.

2. In the event of a dispute regarding whether the signer of a ballot is the owner of the parcel to which the ballot applies, the District will make such determination from the last equalized assessment roll and any evidence of ownership submitted to the District prior

to the conclusion of the public hearing. The District will be under no duty to obtain or consider any other evidence as to ownership of property and its determination of ownership will be final and conclusive.

3. In the event of a dispute regarding whether the signer of a ballot is an authorized representative of the owner of the parcel, the District may rely on the statement on the ballot signed under penalty of perjury that the person completing the ballot is the owner's authorized representative and any evidence submitted to the District prior to the conclusion of the public hearing. The District will be under no duty to obtain or consider any other evidence as to whether the signer of the ballot is an authorized representative of the owner and its determination will be final and conclusive.

4. A property owner who has submitted an assessment ballot may withdraw the ballot and submit a new or changed ballot up until the conclusion of the public input portion of the public hearing on the assessment.

5. A property owner's failure to receive an assessment ballot shall not invalidate the proceedings conducted under this section and section 4, Article XIIID of the California Constitution.

6. The District shall retain the ballots for a period of three (3) years from the date of the public hearing.

G. **Public Hearing**

1. At the public hearing, the Governing Board shall hear all public testimony regarding the proposed assessment and accept ballots until the close of the public hearing.

2. Reasonable time limits may be imposed on both the length of the entire hearing and the length of each speaker's testimony.

3. At the conclusion of the hearing, the Tabulator shall begin tabulation of the ballots, including those received during the public hearing.

4. If it is not possible to tabulate the ballots on the day of the public hearing, or if additional time is necessary for public testimony, the Governing Board may continue the public hearing to a later date to receive additional testimony, information, or to finish tabulating the ballots.

5. If according to the final tabulation of the ballots, ballots submitted against the assessment exceed the ballots submitted in favor of the assessment, weighted according to the proportional financial obligation of the affected property, a "majority protest" exists and the Governing Board shall not impose the assessment.

PASSED AND ADOPTED this May 23, 2002 by the following vote:

AYES: 3

NOES: 0

ABSENT: 2

ABSTAIN: 0

Morongo Valley Board of Directors President

Morongo Valley Secretary of the Board of Directors

*ADDENDUM:

The Morongo Valley Board of Directors unanimously voted at the June 17, 2002, Regular Board Meeting to employ Rapid Data as a third party for the acceptance and tabulation of assessment ballots. Additionally, a Rapid Data representative will be available at the August 6, 2002 meeting to receive any outstanding ballots. The Board feels the additional expense is justified and will insure a reliable and indisputably honest tabulation of the assessment ballots.

MORONGO VALLEY COMMUNITY SERVICES DISTRICT
11207 Ocotillo Street
P.O. Box 46
Morongo Valley, California 92256

Phone: (760) 363-6454 Fax: (760) 363-6774 mvcsdman@earthlink.net

AGENDA
SPECIAL MEETING
BY THE BOARD OF DIRECTORS OF THE MORONGO VALLEY COMMUNITY SERVICES DISTRICT

TUESDAY, AUGUST 6, 2002

CALL TO ORDER AT 7:00 P.M. – MORONGO VALLEY ELEMEMTARY SCHOOL IN THE MULTI-PURPOSE ROOM AT 10951 HESS BLVD., MORONGO VALLEY, CA

PLEDGE OF ALLEGIANCE
ROLL CALL OF DIRECTORS
APPROVAL OF AGENDA

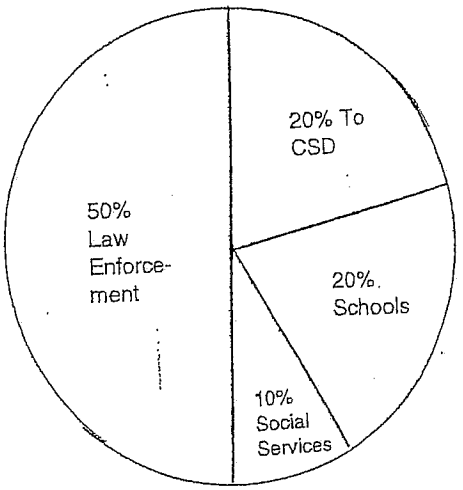
SPECIAL MEETING:

1. QUESTION AND ANSWER SESSION PERTAINING TO PROPOSED FIRE ASSESSMENT BY THE MORONGO VALLEY CSD.
2. REVIEW OF FINAL VOTING PROCEDURES AND CHANGE OF BALLOT PROCEDURES.
3. OPPORTUNITY FOR VOTING AND/OR CHANGE OF BALLOT UNTIL COMPLETION OF PUBLIC HEARING PORTION OF MEETING.
4. PUBLIC HEARING: PUBLIC INPUT ON PROPOSED FIRE ASSESSMENT.

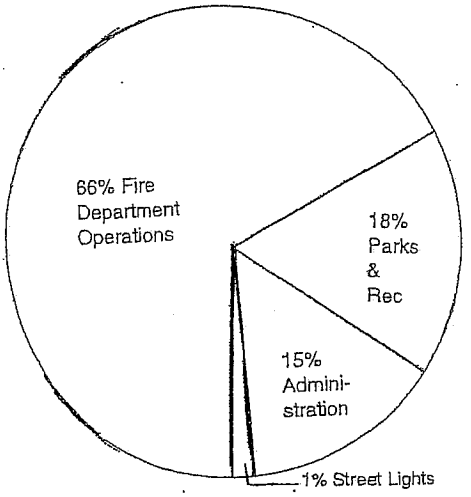
Kathy Greco, Secretary

How are your property taxes spent?

You Pay Your Property Tax To The SBCO Assessor



100 % of Your Taxes



CSD's Portion (20%)

- The proposed assessment will provide a paid fire department with a total of 2 Firefighter/ Paramedics, 1 Engineer/Paramedic, 2 Engineer/EMT's, 1 Fire Chief. Scheduling will provide a minimum of 1 Firefighter/Paramedic and 1 Engineer/EMT on every 24/hr. shift, 7 days a week.
- Presently, paramedics are provided by a private ambulance located in Joshua Tree. They are permitted to take up to 30 minutes to respond to a medical emergency in M.V.
- The CSD employs 1 general manager, 1 fire captain, 1 parks maintenance and 1 part-time administrative assistant. No employees have benefits or retirement. The interim fire chief is a volunteer position and the Board members do not receive compensation. The MVCSD is audited annually by an outside CPA firm. The audit is then submitted to the State Controller's Office for scrutinizing, as required by law.
- The Fire Assessment mail-out ballot and the voting process follow the rules and regulations established by Proposition 218. As a "Special Benefit Assessment" a Civil Engineers Report was completed. A final copy with required signatures is on file with the CSD office and available to the public for review.
- If you have questions or need additional information, please contact the CSD Office at (760) 363-6454. Please vote.

The Morongo Valley CSD Board of Directors & General Manager

Sponsored by Morongo Valley C.S.D.
Morongo Valley, CA 92256

BULK RATE
U.S. Postage
PAID
PERMIT NO. 4
MORONGO VLY, CA

CAR-RT SORT
**RR01
RESIDENT/BOXHOLDER
MORONGO VALLEY, CA
92256

M.V. Property Owners

Vote at Public Hearing

Vote by August 6, 2002

Vote by Mail

(Fire Department Assessment)

How to Vote?

- Mail-In your Ballot by Aug. 6th.

or

- Deliver Ballot to Public Hearing on Aug. 6 at 7:00p.m. being held at the Morongo Valley Elementary School.

No Ballot? Lost Ballot?

- Contact CSD Office by 5pm on Aug. 6th to obtain a ballot (all ballots are tabulated by parcel # to ensure 1 vote per parcel).

or

- Attend Public Hearing on Aug. 6th. at 7:00p.m. at the M.V.E.S. to obtain a ballot and vote that evening.

Change Your Mind?

- Contact CSD Office by 5pm on Aug. 6th. Submit a written retraction of your original vote. Ask for a "reissued ballot". Vote.

or

- Attend Public Hearing on Aug. 6th. at 7:00p.m. at the M.V.E.S. to submit written request for change, and vote.

How to change your vote:

- Come into CSD Office, put in writing requesting to change vote
- Office personnel will re-issue ballot
- Ballot will be stamped with "Re-issued Ballot"
- Ballot and copy of written request to be sent to Redlands for tabulation

What to do if you've not yet received a ballot:

- Please contact CSD Office for a duplicate ballot

Submitting a Ballot:

- Ballots may be submitted two ways
  - Mailed to Rapid Date office of Redlands
  - Submitted on August 6, 2002, at the public hearing to be held at the MVES.

What happens if you do not vote?:

- Not sending in a Ballot means that no money would be tabulated in either the Yes or No column. This essentially would work against the passing of the Assessment

What will it take for the Assessment to pass?:

- The net amount to be Assessed is $204,882.00 for the entire community. The Assessment would pass if the weighted YES votes totaled $102,442.00 or more.

Why on the Engineer's Report, is the seal's date later than the date indicated for the Board's acceptance of the preliminary report?:

- The preliminary Engineer's report was completed by William Murray and Associates and was accepted on June 17, 2002, by the Board of Directors without any modifications required. The General Manager was directed to act on this report to establish fire assessment district for Morongo Valley. A sealed copy with the required appendixes (the California Constitution of Proposition 218) along with the tax rolls was submitted in person on June 30, 2002 by William Murray. This final copy is on file at the CSD Office for review and/or duplication.
- Results of vote to be discussed/announced at Special Board Meeting on Wednesday August 7, 2002, at 7:00p.m. at Covington Park.

Colantuono & Levin, PC
11406 Pleasant Valley Road
Penn Valley, CA 95946-9024
Main: (530) 432-7357
FAX: (530) 432-7356
WWW.CLLAW.US

Michael G. Colantuono
MColantuono@CLLAW.US
(530) 432-7359

June 1, 2006

Board of Directors
Morongo Valley Community Services District
c/o Meg Foley, General Manager
11207 Ocotillo Street
P.O. Box 46
Morongo Valley, CA 92256

Re: Morongo Valley Fire and Rescue Assessment District

Dear Members of the Board:

Introduction and Summary of Conclusion. As you asked, we have reviewed the materials provided by your staff regarding this proposed assessment and write to express our opinion whether the District may collect this assessment via the San Bernardino County property tax roll for Fiscal Year 2006-07. We conclude that the District may impose this assessment.

Statement of Facts. Our opinion is based on the following facts, which we have gleaned from the documents Ms. Foley provided for our review and our conversations with Ms. Goldberg. If the facts that follow are incorrect or materially incomplete, please let me know, as different facts may require that we alter our opinion and advice to you.

In 2002, in response to declining numbers of volunteer firefighters and to community concerns regarding 30-minute response times by the County-franchised ambulance service, the District proposed the Morongo Valley Fire and Rescue Assessment pursuant to Government Code Sections 50078 et seq. The Board adopted Resolution No. 02-08 on May 23, 2002 to set forth the procedures for the consideration of the assessment. That resolution correctly stated that the measure would be approved if ballots were marked and returned by property owners in support of the measure which, when weighted by the dollar amount of assessment each owner was to pay, outweighed ballots marked and returned by property owners in opposition to the measure, also weighted by the dollar amount of assessment each owner was to pay. The Board adopted Resolution No. 02-09 on June 17, 2002 to approve the engineer's report and to authorize a majority protest ballot proceeding as required by Article XIII D, Section 4 of the California Constitution, a provision of 1996's Proposition 218. The District distributed notices and ballots to all property owners in its boundaries entitled, "Official Assessment Ballot for Fire Protection and Paramedic / Firefighters in Morongo Valley." The notice also correctly stated the formula

Section 53753 and Article XIII D of the California Constitution require a majority protest proceeding of the type the District completed in 2002. Accordingly, the District is not required to conduct another such proceeding to implement the assessment "unless the assessment methodology is changed to increase the assessment, or the amount of that assessment is proposed to exceed an assessment formula or range of assessments adopted by an agency." Thus, the District can implement the assessment, including its provisions (at page 15 of the engineer's report) for inflation adjustment according to the annual change in the Los Angeles Consumer Price Index, capped at 3% each year.

Conclusion. In sum, we conclude the District can commence collection of the assessment approved in 2002 commencing with the 2006-07 fiscal year. Thank you for the opportunity to assist. If we can provide further advice or assistance on this subject, please let me know.

Very truly yours,

Michael G. Colantuono

MGC:mmi

RESOLUTION NO. 07-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORONGO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DECLARING THE RESULTS OF A PROPERTY OWNER PROTEST PROCEEDING FOR THE MORONGO VALLEY FIRE SUPPRESSION ASSESSMENT SERVICE AREA AND TAKING CERTAIN RELATED ACTIONS

WHEREAS, on August 6, 2002, the Board of Directors of the Morongo Valley Community Services District (CSD), California (hereafter referred to as Board of Directors) held a full and fair public hearing with respect to the proposed annual Morongo Valley Fire Suppression Assessment (hereafter referred to as FSA) pursuant to the provisions of *Title 5, Division 1, Part 1, Article 3.6 of the Government Code of California, beginning with Section 50078* (hereafter referred to as the Code), and *California Constitution Articles XIIIC and XIIID,*; and,

WHEREAS, notice of the public hearing, was mailed to the owners of lots and parcels affected by the proposed assessment as required by law; and

WHEREAS, an assessment ballot was sent to each such property owner along with the notice; and

WHEREAS, following the close of the public input portion of the public hearing, all ballots properly returned and not withdrawn were tabulated, and the results of the tabulation were determined to be as follows (in weighted dollar amounts of assessments):

In Support: $53,323.81

In Opposition: $52,597.89

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORONGO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE, ORDER AND DETERMINE:

Section 1 The above recitals are true and correct.

Section 2 The Board of Directors determines that there is no majority protest with respect to the assessment and overrides all oral and written protests presented to t he Board of Directors and all prior findings of the Board inconsistent with this Section. The Board of Directors determines that it has complied with each of the requirements of applicable law, and has now acquired authority to annually levy the assessment, at a rate no higher than that presented to property owners in connection with the August 6, 2002 balloting (including any scheduled of increases and adjustments) without conducting further mail ballot proceedings.

Section 3 The Board Clerk is hereby directed to enter this Resolution on the minutes of the Board of Directors' meeting which shall constitute the official declaration of the result of such property owner protest proceeding.

Section 4 This Resolution shall become effective immediately upon its adoption.

Section 5 The Board Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 18TH day of JULY, 2006.

_____,
Board President
Morongo Valley Community Services District

Mary Doty,
Board Clerk
Morongo Valley Community Services District

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
MORONGO VALLEY COMMUNITY SERVICES DISTRICT)

I, Mary Doty, Board Clerk of the Morongo Valley Community Services District, County of San Bernardino, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the Board of Directors of the Morongo Valley CSD at a regular meeting of said board held on the 18TH day of JULY, 2006 by the following vote:

AYES: OSBORNE; GOLDBERG; BREWER; SWARAT

NOES: -0-

ABSENT: EGAN

ABSTAINED:

Mary Doty
Board Clerk
Morongo Valley Community Services District

RESOLUTION NO. 07-12

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORONGO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF FIRE SUPPRESSION ASSESSMENTS WITHIN THE MORONGO VALLEY FIRE SUPPRESSION ASSESSMENT SERVICE AREA FOR FISCAL YEAR 2006/2007

WHEREAS, The Board of Directors has by prior Resolutions initiated proceedings and declared its intention to levy special benefit assessments against parcels of land within the Morongo Valley Fire Suppression Assessment (FSA) service area; pursuant to the provisions of *Title 5, Division 1, Part 1, Article 3.6 of the Government Code of California, beginning with Section 50078* (hereafter referred to as the Code), and *California Constitution Articles XIIIC and XIIID* to pay the costs and expenses of operating, maintaining and servicing fire suppression services and appurtenant equipment located within the Morongo Valley FSA service area; and,

WHEREAS, The Board of Directors, by prior Resolution, approved an Engineer's Report with respect to an assessment for Fiscal Year 2006/07 (the "Report"), which is on file and available for public inspection in the Offices of the District, and is incorporated herein by reference; and,

WHEREAS, The Board of Directors desires to levy and collect assessments against parcels of land within the Morongo Valley FSA service area for the fiscal year commencing July 1, 2006 and ending June 30, 2007, to pay the costs and expenses of operating, maintaining and servicing fire suppression services and appurtenant equipment located within the Morongo Valley FSA service area; and,

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS FOR THE MORONGO VALLEY COMMUNITY SERVICES DISTRICT, AS FOLLOWS:

Section 1 Following notice duly given, the Board of Directors has held a full and fair Public Hearing regarding the levy and collection of assessments, and considered all oral and written statements, protests and communications made or filed by interested persons. The Board of Directors has determined that the property owners in accordance with the requirements of the California State Constitution, Article XIIID have approved the assessments as presented in the Engineer's Report.

Section 2 Based upon its review of the Report, the Board of Directors hereby finds and determines that:

a) The land within the Morongo Valley FSA service area will receive special benefit by the operation, maintenance and servicing of fire suppression services and appurtenant equipment within the boundaries of the Morongo Valley FSA service area.

b) The net amount to be assessed upon the lands within the Morongo Valley FSA service area is in accordance and apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2006 and ending June 30, 2007.

c) The assessment complies with the requirements of Government Code Section 50078.2 and applicable law, including, but not limited to, Article XIIID, Section 4 of the California Constitution.

Section 3 The Report and assessment as presented to the Board of Directors and on file in the office of the Board Clerk are hereby confirmed as filed.

Section 4 The Board of Directors hereby orders the provision of fire suppression services and the levy of the proposed assessment for Fiscal Year 2006/07, each as described in the Engineer's Report.

Section 5 The County Auditor of San Bernardino County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the Morongo Valley Community Services District.

Section 6 The Board Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 31st day of July, 2006.

Board President
Morongo Valley Community Services District

Board Clerk
Morongo Valley Community Services District

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.

MORONGO VALLEY COMMUNITY SERVICES DISTRICT)

I, Mary Doby, Board Clerk of the Morongo Valley Community Services District, County of San Bernardino, State of California do hereby certify that the foregoing Resolution No. 07-12 was regularly adopted by the Board of Directors of said Morongo Valley Community Services District at a regular meeting of said board held on the 31st day of July, 2006 by the following vote:

AYES: Egan; Osborne; Goldberg; Brewer; ~~Brewer~~ Swart

NOES: 0

ABSENT: 0

ABSTAINED: 0

Mary Doby
Board Clerk
Morongo Valley Community Services District

Ricks [redacted]
Copy of I-5

Morongo Valley Community Services District

11207 Ocotillo Street, Morongo Valley, CA 92256

June 15, 2012

For: Morongo Valley Board of Directors Meeting of June 20, 2012

From: General Manager Rick Lebel

Agenda Item: Consideration for Adoption of a Resolution providing for the annual Fire Suppression Assessment levy for Fiscal Year 2012-2013 as prepared by the District's consultant service, Willdan Financial Services

Recommendation: That the Board of Directors considers adoption of the agenda item as noted.

Background: Over the past several years, Willdan Financial Services has provided the District with the calculations for the Board Resolution to provide for the annual Fire Suppression Assessment levy. This year, the Los Angeles Consumer Price Index (CPI) for the prior year was 2.09% which would increase our levy from the current $145.60 per improved parcel to $148.65 or a total increase of $3.05 for the 2012-2013 fiscal year levies.

The results of this increase will not produce additional revenues until 2013, as application to the tax rolls occurs during the latter part of this calendar year. Based on the current allocation, the benefits of this increase would be expected to provide $5895 total additional funding for next year from our Fire Suppression Assessment levy.

Currently, we receive an estimated $281,444 from the levy (depends on level of payment of taxes and property assessments) to apply against our current Fire Department budget of $470,700. The added $5800 from this levy will help support our fire department operations.

RESOLUTION NO. 01-06-2012

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORONGO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, APPROVING THE ASSESSMENT FEE AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS WITHIN THE MORONGO VALLEY FIRE SUPPRESSION ASSESSMENT SERVICE AREA FOR FISCAL YEAR 2012/2013

The Board of Directors of the Morongo Valley Community Services District, California (hereafter referred to as "Board of Directors") hereby finds, determines, resolves and orders as follows:

WHEREAS, the Morongo Valley Community Services District (hereafter referred to as the "District") has by previous resolutions or other proceedings declared its intent to levy charges or assessments for the purpose of fire protection in accordance with *Title 5, Division 1, Part 1, Article 3.6 of the Government Code of California, beginning with Section 50078* (hereafter referred to as the "Code"), and *California Constitution Articles XIIIC and XIII.*

WHEREAS, The Board of Directors desires to levy and collect assessments against parcels of land within the Morongo Valley Fire Suppression Assessment (hereafter referred to as "FSA") service area for the fiscal year commencing July 1, 2012 and ending June 30, 2013, to pay the costs and expenses of operating, maintaining and servicing fire suppression services and appurtenant equipment located within the Morongo Valley FSA service area; and,

WHEREAS, The Board of Directors conducted a property owner protest ballot proceeding on August 6, 2002 for the Fire Suppression Assessments in the Morongo Valley FSA service area pursuant to the provisions of *Title 5, Division 1, Part 1, Article 3.6 of the Government Code of California, beginning with Section 50078,* and *California Constitution Articles XIIIC and XIIID* (hereafter referred to as the "Code"), and said assessments are described in the approved Engineer's Report, and the assessments as described comply with applicable provisions of the California State Constitution Article XIIID.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS FOR THE MORONGO VALLEY COMMUNITY SERVICES DISTRICT, AS FOLLOWS:

Section 1 The charge shall be levied at a rate not to exceed $148.65 per unit of benefit (based on Single Family Equivalent methodology) on each property within the Morongo Valley FSA service area according to the Assessment Apportionment Methodology as described in the Engineer's Report on file at the Office of the Board Clerk.

Section 2 The charge for fiscal year 2012/2013 will be set at the maximum allowed.

Section 3 The Board of Directors hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of fire suppression services within the Morongo Valley FSA service area and appurtenant equipment related thereto.

Section 4 The maintenance, operation and servicing of fire suppression services and appurtenant equipment shall be performed pursuant to the Code and the County Auditor of San Bernardino County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the Morongo Valley Community Services District.

Section 5 The Morongo Valley Community Services District shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the Morongo Valley FSA service area of the Morongo Valley Community Services District, and such money shall be expended only for the maintenance, operation and servicing of fire suppression services and appurtenant equipment as described in Section 3.

Section 6 The adoption of this Resolution constitutes the Fire Suppression Assessment levy for the fiscal year commencing July 1, 2012 and ending June 30, 2013.

Section 7 The Board Clerk or their designee is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of June, 2012.

Board President
Morongo Valley Community Services District

Board Clerk
Morongo Valley Community Services District

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
MORONGO VALLEY COMMUNITY SERVICES DISTRICT)

I, Rich E Zebel, Board Clerk of the Morongo Valley Community Services District, County of San Bernardino, State of California do hereby certify that the foregoing Resolution No. 01-06-2012 was regularly adopted by the Board of Directors of said Morongo Valley Community Services District at a regular meeting of said Board held on the 6th day of June, 2012 by the following vote:

AYES: Tolbert, Brooks, Osborne, Shepherd, Frances

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE

Board Clerk
Morongo Valley Community Services District