

RESOLUTION OF THE BOARD OF SUPERVISORS OF  
THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

RESOLUTION PROVIDING FOR AND  
GIVING NOTICE OF A SPECIAL TAX  
ELECTION TO BE HELD IN SANTA  
BARBARA COUNTY ON FEBRUARY 5, 2008  
FOR THE ADVANCEMENT OF THE  
COUNTYWIDE TRAUMA SYSTEM  
AND EMERGENCY MEDICAL  
SERVICES NETWORK;

RESOLUTION NO. \_\_\_\_\_

WHEREAS, California Health and Safety Code §§1797.98a-1797.98g identified that a “Maddy Emergency Medical Services (EMS) Fund” may be established in each county upon adoption by the Board of Supervisors; and

WHEREAS, the intent of the Maddy EMS Fund is to address the economic consequences to health care providers and emergency medical services for medical care to the uninsured and underinsured and to improve access to emergency medical and trauma care for all residents of Santa Barbara County; and

WHEREAS, SB 635 was enacted allowing Santa Barbara County to assess additional penalties to specifically fund a Maddy EMS Fund with a sunset date of January 1, 2007 that required the Board of Supervisors to report to the Legislature on the actions taken by the County to implement local sources of funding; and

WHEREAS, the County adopted Resolution No. # 91-682 establishing a Maddy EMS Fund, which currently produces approximately \$1.6 million in fees to partially mitigate the burden on healthcare providers for otherwise uncompensated emergency medical services; and

WHEREAS, Assembly Member Nava introduced legislation, AB 2256, which extended the Maddy EMS Fund sunset date until January 1, 2009, and states that the Legislature “*expects that the County of Santa Barbara shall place an appropriate proposed tax ordinance as a County measure on the ballot for or before the November 2008 election that will ensure the collection of sufficient funds to fully support the trauma center.*”; and

WHEREAS, the Board of Supervisors recognizes that to abide by AB 2256 it is necessary and desirable that Santa Barbara County place a measure on the ballot for a special tax within the County to provide funding for the Countywide Trauma System and Emergency Medical Services Network; and

WHEREAS, the Board of Supervisors deems it necessary and essential to submit the question of a special tax to the registered voters within the County to give them the choice in aiding our County’s emergency medical and healthcare system, through a special tax election to be held on February 5, 2008; and to consolidate such election with the other elections to be held on that date;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. A special tax election shall be held and the same is hereby called and ordered to be held in the County on the 5<sup>th</sup> day of February, 2008, for the purpose of submitting to the voters of the County the question of a special tax to be levied by the County in the amounts and for the purposes hereinafter set forth.

2. If passed by two-thirds of the registered voters in the County, an annual special tax to raise revenue to support the Countywide Trauma System and Emergency Medical Services Network will be imposed upon all parcels located within Santa Barbara County commencing with Fiscal Year 2008-2009. For purposes of this Resolution, "parcels" is defined as all Assessor parcels on the secured assessment roll with an assessment greater than zero after applying all relevant exemptions and exclusions. For the initial fiscal year, July 1, 2008 to June 30, 2009, the special tax shall be a flat rate of \$35.15. For each fiscal year after 2008-2009, the Board of Supervisors shall by majority vote set the rate of the tax; however, in any fiscal year the rate may increase only by an amount equal to the change in the Los Angeles Urban Consumer Price Index during the previous twelve months or 2%, whichever is greater. If for any fiscal year the Board fails to set the rate, the tax shall continue at the same rate as the preceding year.

3. As used in this Resolution, the "Countywide Trauma System and Emergency Medical Services Network" refers to that System developed and coordinated by the Public Health Department, Emergency Medical Services Agency, consisting of both public and privately operated resources, that seeks to build and sustain a Countywide system of prehospital and hospital trauma care including care provided in, or en route to, from, or between acute care hospitals, Trauma Centers, or other health care facilities.

4. As used in this Resolution, the term "Trauma Center" refers to a hospital that maintains specialized equipment and a panel of physician specialists, including a trauma surgeon available 24 hours a day, 7 days a week to treat trauma patients. "Trauma Centers" are designated by the County and operate pursuant to a contract with the County. Trauma is a critical injury most often caused by a physical force, frequently the consequence of motor vehicle crashes, falls, drowning, gun shots, fires and burns, stabbing, or blunt assault. Trauma is the leading cause of death in the first four decades of life, and the cost of maintaining a Trauma Center is often not fully reimbursed by insurance, even when a trauma patient has insurance. Santa Barbara County's Level II Trauma Center remains the last designated Trauma Center on the Central Coast of California and functions as a vital link in maintaining the integrity of the Statewide trauma system.

5. As used in this Resolution, "Emergency Medical Services" refers to pre-hospital and hospital critical and urgent emergency care, including care provided in, or en route to, from or between acute care hospitals or other health care facilities. With the closure of two hospitals, there has been a decline in the number of facilities available in the County that provide Trauma Care or Emergency Medical Services, while at the same time the number of emergency and critical visits continues to increase. In addition, there is a growing percentage of emergency patients who are uninsured and underinsured such that emergency facilities are frequently uncompensated for their services. These conditions have left many hospitals with no alternative but to close the doors of their emergency departments. As emergency care is often provided by the nearest available facility, such closures impact everyone in the County, whether or not they are insured.

6. The funds raised by this tax will be used as follows: to maintain all aspects of the Countywide Trauma System and Emergency Medical Services Network; to provide partial compensation to healthcare providers for uncompensated trauma and emergency medical services; to pay for the costs of Trauma Center designation and to ensure system standards are maintained; to pay for the costs of Emergency Medical Services, including physician and other personnel costs; to defray administrative expenses related to the foregoing, including the payment of salaries and benefits of Public Health Department Emergency Services Agency personnel and other incidental expenses; and to recover the costs of the special election called pursuant to Section 1 hereof, and the reasonable costs incurred by the County in spreading, billing and collecting the special tax.

7. The Auditor-Controller of Santa Barbara County shall create a new account into which the proceeds from the special tax authorized herein shall be deposited. The Auditor-Controller shall file a report with the County Board of Supervisors, by no later than January 1, 2010, and by January 1 of each year thereafter, stating the amount of funds collected and disbursed pursuant to this measure.

8. The Santa Barbara County Public Health Department shall provide to the Auditor-Controller a list of all parcels with the associated tax on an annual basis. The Santa Barbara County Public Health Department shall expend the revenues raised from this special tax only for the purposes identified in Section 6 herein.

9. The Treasurer and Tax Collector of Santa Barbara County shall collect the special tax authorized herein, for the initial Fiscal Year 2008-2009 and for subsequent fiscal years, on the tax roll at the same time and in the same manner, and subject to the same penalties as the ad valorem property taxes fixed and collected by or on behalf of Santa Barbara County.

10. Insofar as feasible, all laws and procedures regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens and collections for secured roll ad valorem property taxes shall be applicable to the collection of this special tax. The secured roll tax bills shall be the only notices required for any special tax levied. The County shall establish and administer an appeals process to address and correct potential errors in the levy of the special tax authorized herein.

11. The Measure for the County to levy a special tax shall appear on the ballot in a form approved by the Office of the County Counsel which in substance shall state:

SHALL a special property tax of \$35.15 per parcel of property be approved to preserve, complete and support Santa Barbara County's Trauma System and Emergency Medical Services Network in order to provide rapid emergency medical and trauma care to all people residing in the County?

12. The votes cast for and against the Measure shall be separately counted and if the Measure receives the required number of votes, two-thirds of the votes of the registered voters voting on the Measure, the special tax in the amounts and for the purposes stated herein shall be effective and levied by the County.

13. All registered voters residing within the County shall be permitted to vote in the election and in all particulars not recited in this Resolution, the election shall be held as nearly as practicable in conformity with the Elections Code of the State of California.

14. The election called by this Resolution shall be consolidated with the elections conducted by the County Clerk-Recorder-Assessor to be held in Santa Barbara County on February 5, 2008, and the Measure shall be placed on the same ballot to the extent the elections are concurrent, and the same precincts, polling places, election officers and facilities shall be used for the elections.

15. Based upon all of the facts before it on this matter, the Board of Supervisors finds that the submission of this question of a special tax to the voters is not subject to, or is exempt from, the California Environmental Quality Act (CEQA) on the independent grounds that it is not a project as defined by 14 California Code of Regulations §15378(b)(4) relating to the creation of government funding mechanisms which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

16. This Resolution is effective on the date it is passed and adopted by the Board of Supervisors.

The foregoing Resolution was on the 9th day of October, 2007, adopted by the Board of Supervisors of Santa Barbara County and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By \_\_\_\_\_  
Chair, Board of Supervisors

ATTEST:  
MICHAEL F. BROWN  
CLERK OF THE BOARD

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
STEPHEN SHANE STARK  
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:  
ROBERT GEIS  
AUDITOR-CONTROLLER

By \_\_\_\_\_  
Celeste Andersen  
Deputy County Counsel

By \_\_\_\_\_  
Robert Geis  
Auditor-Controller