

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES PROVIDING FOR AND
GIVING NOTICE OF A SPECIAL TAX ELECTION TO BE
HELD IN THE COUNTY OF LOS ANGELES ON
NOVEMBER 5, 2002, AND CONSOLIDATING THE
SPECIAL TAX ELECTION WITH OTHER ELECTIONS
TO BE HELD ON NOVEMBER 5, 2002

WHEREAS, the Board of Supervisors recognizes that it is necessary and desirable that the County of Los Angeles (the "County") levy a special tax within the County to provide funding for the Countywide System of Trauma Centers, Emergency Medical Services, and Bioterrorism Response; and

WHEREAS, the Board of Supervisors deems it necessary and essential to submit the question of a special tax to the qualified voters within the County at a special tax election to be held on November 5, 2002, and to consolidate such election with the other elections to be held on that date;

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles as follows:

Section 1. A special tax election shall be held and the same is hereby called and ordered to be held in the County on the 5th day of November, 2002, 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.

Section 2. Commencing with Fiscal Year 2003-2004, an annual special tax to raise revenue to support the Countywide System of Trauma Centers, Emergency Medical Services, and Bioterrorism Response, is hereby imposed upon all improved parcels located within the County of Los Angeles. For the initial fiscal year, July 1, 2003 to June 30, 2004, the special tax shall be the sum of 3 cents per square foot of structural improvements, excluding the square footage of improvements used for parking. For each fiscal year after 2003-2004, the Board of

Supervisors shall by majority vote set the rate of the tax, which may be from \$0.00 to the highest amount authorized herein; however, in any fiscal year the rate may be set no higher than the amount of 3 cents per square foot, as adjusted by the cumulative increases, if any, to the medical component of the Western Urban Consumer Price Index from July 1, 2003, as established by the United States Bureau of Labor Statistics. If for any fiscal year the Board fails to set the rate, the tax shall continue at the same rate as the preceding year.

Section 3. As used in this resolution, the "Countywide System of Trauma Centers" refers to that System coordinated by the Department of Health Services, 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. The funds raised by this tax will be used, in part, to maintain all aspects of the Countywide System of Trauma Centers; to expand the System to cover all areas of the County; to provide financial incentives to keep existing Trauma Centers within the System; to pay for the costs of Trauma Centers, including physician and other personnel costs; to defray administrative expenses related to the foregoing, including the payment of salaries and benefits of Department of Health Services 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.

Section 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. In the case of private hospitals, "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.

Section 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. It is observed that in the 1990s there has been a decline in the number of facilities available in the County which provide Trauma Care or Emergency Medical Services, while at the same time the number of emergency and critical visits has dramatically increased. In addition, there is a growing percentage of emergency patients who are uninsured, such that emergency facilities are frequently uncompensated for their services. Eighty percent of California licensed emergency departments lost money during the 1998-99 fiscal year. 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.

Section 6. The funds raised by this tax will be used, in part, to coordinate and maintain a countywide system of Emergency Medical Services; 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 Department of Health Services 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.

Section 7. As used in this resolution, "Bioterrorism Response" refers to activities undertaken, directly or through contract, or coordinated by, the County Department of Health Services to address the medical needs of persons exposed to bioterrorist or chemical attack. The funds raised by this tax will be used, in part, to enable the stockpiling of safe and appropriate medicines to treat persons affected by a bioterrorist or chemical attack; to train healthcare workers and other emergency personnel in dealing with the medical needs of those exposed to a bioterrorist or chemical attack; to provide medical screenings and treatment for exposure to biological or chemical agents in the event of bioterrorist or chemical attack; to ensure the availability of mental health services in the event of terrorist attacks; to defray administrative expenses related to the foregoing including the payment of salaries and benefits of Department of Health Services personnel and other incidental expenses; and to recover the costs of the special election called pursuant to Section 1 hereof, and reasonable costs incurred by the County in spreading, billing and collecting the special tax.

Section 8. The Auditor-Controller of the County of Los Angeles 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, 2005, and by January 1 of each year thereafter, stating the amount of funds collected and expended pursuant to this measure, and also the status of the projects required or authorized to be funded pursuant to sections 3, 6 and 7 herein.

Section 9. The Department of Health Services of the County of Los Angeles shall expend the revenues raised from this special tax only for the purposes identified in sections 3, 6 and 7 herein.

Section 10. The Treasurer and Tax Collector of the County of Los Angeles shall collect the special tax authorized herein, for the initial Fiscal Year 2003-2004 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 the County of Los Angeles.

Section 11. 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 Assessor shall establish and administer an appeals process to address and correct potential errors or inequities in the levy of the special tax authorized herein.

Section 12. The Proposition for the County to levy a special tax shall appear on the ballot substantially as follows:

PRESERVATION OF TRAUMA CENTERS
AND EMERGENCY MEDICAL SERVICES;
BIOTERRORISM RESPONSE.

To avoid the life-threatening shutdown of Los Angeles County's trauma network, maintain and expand the trauma network countywide, ensure more timely response to critical and urgent medical emergencies and respond effectively to biological or chemical terrorism, shall all property owners pay an annual tax of three cents per square foot of improvements (buildings) on developed property?

YES _____

NO _____

Section 13. The votes cast for and against the Proposition shall be separately counted and if the Proposition receives the required number of votes, two-thirds of the votes of the qualified electors voting on the Proposition, the special tax in the amounts and for the purposes stated herein shall be effective and levied by the County.

Section 14. All qualified 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.

Section 15. The special election called by this resolution shall be consolidated with the elections conducted by the Registrar-Recorder/County Clerk to be held in the County of

Los Angeles on November 5, 2002, and the Proposition 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.

Section 16. 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:

A. It is not a project as defined by 14 California Code of Regulations Section 15378 (b)(3) relating to ballot measures submitted to a vote of the people. The proposal for a special tax is required by law to be submitted to a vote as set out in this Resolution.

B. It is not a project as defined by 14 California Code of Regulations Section 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.

Further, the Board finds that the submission of this question to the voters also would be exempt from CEQA, if it were a project, on the independent basis of the following exemptions:

A. It is exempt based upon Public Resources Code Section 21080 (b)(8) and 14 California Code of Regulations Section 15273 (a) because the Board of Supervisors finds as specifically set out in this Resolution, that the special tax is for the purpose of (A) meeting operating expenses, including employee wage rates and fringe benefits, (B) purchasing or leasing supplies, equipment or materials, (C) meeting financial reserve needs and requirements, and (D) obtaining funds for capital projects necessary to maintain service within existing service areas;

B. It is exempt based upon 14 California Code of Regulations Section 15301 relating

to the operation and minor alteration of existing public or private structures with a negligible expansion of an existing use;

C. It is exempt based upon 14 California Code of Regulations Section 15061 (b)(3) which provides the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the submission of this question to the voters will have a significant effect on the environment.

The foregoing resolution was on the 30th day of July, 2002, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive Officer-Clerk of the Board of Supervisors of the County of Los Angeles

By: Charlotte R. Brasfield
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By: [Signature]
Deputy

