

BEAR VALLEY COMMUNITY HEALTHCARE DISTRICT  
41870 GARSTIN  
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BIG BEAR LAKE, CA 92315  
909-866-6501

**FILED**

**AUG 14 2024**

BY  DEPUTY  
REGISTRAR OF VOTERS

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**RESOLUTION 24-477**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF BEAR VALLEY COMMUNITY HEALTHCARE DISTRICT CALLING AN ELECTION ON NOVEMBER 5, 2024 TO AUTHORIZE EXTENDING WITHOUT INCREASING A SPECIAL TAX UPON ALL TAXABLE PARCELS OF REAL PROPERTY WITHIN THE DISTRICT; ESTABLISHING A DEADLINE DATE FOR RECEIPT OF WRITTEN ARGUMENTS FOR AND AGAINST THE MEASURE, AND REQUESTING CONSOLIDATION WITH THE STATEWIDE ELECTION**

**WHEREAS**, Bear Valley Community Healthcare District (the “District”) was formed in 1974 pursuant to Health & Safety Code Section 32000 et seq., for the purpose of operating a hospital (the “Hospital”) and providing services to help promote the health of the residents of the District and

**WHEREAS**, the District has provided continuous emergency, medical, acute care and related health care services to local residents for nearly 50 years; and

**WHEREAS**, vital services must be continued in order for the District to meet the health care needs of the community; and

**WHEREAS**, the District's income from all sources, including current taxes and managed care contractual fees generated from patient care services, is inadequate for operating the Hospital and related services; and

**WHEREAS**, sufficient revenue cannot be raised through fees generated from patient care services because of low Hospital census, the need to provide services to indigent patients, cutbacks from third party payors (including Medicare, Medi-Cal, insurance plans, health maintenance organizations, and similar payors), and other reasons; and

**WHEREAS**, since November 8, 1994 when local voters approved Measure Q with over 66% support, authorizing a local parcel tax to support the District, thus establishing a local funding stream that has helped the District and its hospital - the only hospital within the Bear Valley community providing acute medical care and Emergency Room (ER) services – stay open and fully operational 24/7; and since 1994, in two additional elections conducted in November 2003 and June 2014, voters again overwhelmingly approved two additional ballot measures authorizing extensions (for ten years each) without increasing this vital funding stream, to support the District's hospital and ER for 25 continuous years; and

**WHEREAS**, pursuant to Government Code Sections 53720-53730.02, a special tax may be assessed in Bear Valley Community Healthcare District by an affirmative vote of two-thirds of the voters within the District voting upon a measure to authorize this special tax; and

**WHEREAS**, the Board of Directors has authority to place propositions on the ballot to be considered at a regular or special election of the District; and

**WHEREAS**, on June 3, 2014, the last election on record where voters approved an adjustment to the District's funding authorization, when over two-thirds of the qualified voters of the District voting in the election approved Measure F (with 80%+ support), extending this vital funding stream by an additional ten years; and

**WHEREAS**, the annual special tax expires on June 30, 2025; and

**WHEREAS**, this Board of Directors finds that the special tax would benefit all parcels within the District because keeping the Hospital open and continuing to provide other health care services (1) increases the value of all of the property located within the District, including unimproved, residential, commercial and industrial parcels; (2) helps promote the highest and best use of the land in the District, including recreational uses or development; (3) are essential to help promote the health of the residents of the District, particularly because the nearest other general acute care hospital is located at such a long distance from the homes of the District's residents; (4) promotes the local economy by employing a number of residents of the District; (5) improves access to better insurance coverage and lower premium rates; (6) improves the quality of life for residents of the District by providing health care services and programs for everyone from infants to senior citizens; (7) provides expeditious treatment for employees who become ill or are injured on the job, which is important because the nearest other acute care hospital is located at such a long distance from the businesses located in the District; (8) helps attract and retain new businesses; and (9) benefits commercial and industrial properties and their businesses by making the area more attractive to vacationers and residents, who may patronize or be employees of the businesses; and

**WHEREAS**, pursuant to Election Code Section 10400, the election to approve the special tax is to be consolidated with the general election; and

**WHEREAS**, on July 31, 2024, the Board of Directors held a regular meeting after due notice to consider calling a special election for the purpose of submitting to the qualified electors of the District a ballot measure proposing the extension of the annual special parcel tax for a ten-year period commencing July 1, 2025, to provide for the continued operation and maintenance by the District of a Hospital and its associated services;

**WHEREAS**, it is the desire of this Board of Directors to conduct an election on November 5, 2024 for the purpose of obtaining authorization for the imposition of a special tax within the District for a period of ten (10) years, to request consolidation with the general election, and to assist the County of San Bernardino to assure consolidation;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Directors of Bear Valley Community Healthcare District as follows:

1. An election shall be conducted within Bear Valley Community Healthcare District on November 5, 2024, to submit to the voters a measure authorizing the District to renew, without increasing, the annual special tax on each taxable parcel of real property within the District for ten (10) years, beginning July 1, 2025, at the end of Measure F (expiring on June 30, 2025). Pursuant to Government Code Section 50075.1, the special tax shall be used to operate Bear Valley Community Healthcare District only; and such special tax shall be in an amount determined annually by resolution of the Board of Directors of the District, provided that such amount does not exceed on an annual basis: Twenty Dollars (\$20.00) per parcel of unimproved taxable real property within the District and Forty Five Dollars (\$45.00) per parcel of improved taxable real property within the District.

2. The Healthcare Measure to be submitted to the voters shall be as follows:

<p><b><u>Maintaining Local Hospital and Emergency Healthcare Services Parcel Tax Measure:</u></b></p> <p>To continue maintaining local access to life-saving emergency medical care at Bear Valley Community Hospital, keep hospital medical technology/equipment up-to-date, and ensure the hospital has enough qualified doctors and nurses, shall Bear Valley Community Healthcare District extend without increasing its expiring parcel tax (\$20 for unimproved parcels, \$45 for improved) for 10 years only, with annual independent financial audits, no money for administrators, all funds dedicated to hospital services in Big Bear Valley?</p>	<p><b>YES</b></p>	
	<p><b>NO</b></p>	

3. The records of the San Bernardino County Assessor as of March 1 of each year preceding the applicable fiscal year shall determine for the purpose of the special tax authorized by the Healthcare Measure whether or not any particular parcel of real property is taxable or exempt from taxation, except that the Board of Directors may exempt any specific parcel upon request by the taxpayer in such form and procedure as may be determined by the District. "Parcel of real property" as used in this Resolution and Healthcare Measure shall be defined as any unit of real property in the District that receives a separate tax bill from the San Bernardino County Treasurer/Tax Collector, without regard to whether the real property constitutes a legally subdivided parcel in accordance with California law. An "improved parcel" for purposes of this Resolution and the Healthcare Measure, shall mean any parcel for which the San Bernardino County Assessor does assess tax for improvements on such parcel, whereas an "unimproved parcel" shall mean any parcel for which the San Bernardino County Assessor does not assess tax for improvements.

4. The tax imposed by the Healthcare Measure shall be a special tax upon all unimproved and improved parcels of real property, and the special tax shall not be measured by the value of the property.

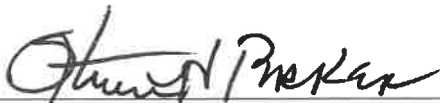
5. The Board of Directors shall be empowered to amend this Resolution by three (3) affirmative votes of the members thereof in order to carry out the general purposes of this measure, in order to conform to state law that permits the County Tax Collector, or other proper official, to collect a tax such as is levied by Healthcare Measure in conjunction with County taxes, or in order to assign duties pursuant to the measure to other officers; provided, however, that no amendment shall permit the levy of a tax in excess of the amount set forth in paragraph 1.
6. Beginning with the fiscal year 2025-2026 the special tax imposed hereby shall be collected in the same manner, on the same dates, and subject to the same penalties and interests in accordance with established dates as, or with, other charges and taxes fixed and collected by the County of San Bernardino on behalf of the Bear Valley Community Healthcare District, and the County may deduct its reasonable costs incurred for such services before remittal of the balance to the District.
7. The special tax, together with all penalties and interest thereon, shall constitute a lien upon the parcel upon which it is levied until it has been paid, and the special tax, together with all penalties and interest thereon, shall, until paid, constitute a personal obligation to the District by the persons who own the parcel on the date the tax is due.
8. The special tax imposed by the Healthcare Measure shall not be imposed upon any other local, federal, or state governmental agency.
9. The Healthcare Measure shall go into effect only if approved by two-thirds of the qualified voters voting in an election to be held on November 5, 2024, and shall become effective ten (10) days after the Board has by resolution declared that such measure was approved by two-thirds of the voters voting thereon.
10. The deadline date of August 19, 2024, at noon is hereby established for receipt of written arguments for or against the measure. The deadline date of August 23, 2024, at 5:00 PM is hereby established for the receipt of rebuttal arguments. Written arguments and rebuttals may be submitted by members of this Board of Directors, any voter or bona fide association of voters within the District, or any combination thereof. Arguments must be accompanied by form statement 9600. Written arguments shall not exceed 300 words in length and shall be filed with the San Bernardino County Registrar of Voters.
11. The San Bernardino County Board of Supervisors is hereby requested to order that the election on these measures be consolidated with the statewide election to be conducted on November 5, 2024, and that the County Registrar of Voters conduct the election for the District. The District shall reimburse the County of San Bernardino for services rendered in connection with the election upon presentation to the District of a properly approved bill. The District shall further assist the County of San Bernardino as needed to prepare for and conduct the consolidated election with the District.
12. Pursuant to Elections Code Section 10418, the consolidated election will be held and conducted, election officers appointed, voting precincts designed, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, certificates of election issued and all other proceedings incidental to and connected with the

election shall be regulated and done in accordance with the provisions of law regulating the statewide election with which the District election is consolidated.

13. If the ballot measure extending the District's special parcel tax for hospital and healthcare services is approved by the qualified voters of the District, the special parcel tax shall not apply to any person, entity, or property as to whom or which it is beyond the power of the District to impose the tax herein provided. If for any reason any provision of this Resolution, the Ballot Measure, or the application thereof is found to be invalid, or if the special parcel tax is found inapplicable to any particular parcel within the District by a Court of competent jurisdiction, the balance of this Resolution, the Ballot Measure, and the application of the special parcel tax to the remaining parcels within the District shall not be affected and, to the end, the provisions of this Resolution and the Ballot Measure are severable.
14. The Secretary of this Board of Directors, Ellen Clarke, shall file, or cause to be filed, certified copies of this Resolution with the Clerk of the Board of Supervisors of San Bernardino County and with the San Bernardino County Registrar of Voters on or before 5:00 PM on August 9, 2024. The Secretary shall also cause this Resolution to be published in a newspaper of general circulation printed and published in the District.
15. Pursuant to Government Code Section 50075.1(c), the District shall create a designated account into which the proceeds of the tax shall be deposited.
16. The Board of Directors shall, pursuant to Government Code Section 50075.2, file an annual report as provided therein, accounting for the tax collected and the manner in which it has been spent.

The Secretary of this Board of Directors and the District's Legal Counsel are authorized and instructed to take such further action as may be necessary in preparing for and conducting the consolidated election.

**Adopted** this 31st day of July 2024



Steven H. Baker  
Board of Directors of Bear Valley  
Community Healthcare District

**ATTEST:**



Ellen Clarke, Secretary  
Board of Directors of Bear Valley

Community Healthcare District

**BEAR VALLEY COMMUNITY HEALTH DISTRICT**

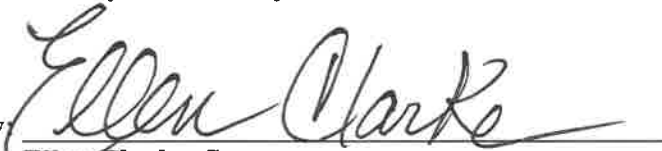
**CERTIFICATE OF SECRETARY**

**I, the undersigned, do hereby certify:**

- 1. That I am the duly elected and acting Secretary of Bear Valley Community Healthcare district (“District”).**
- 2. That the Directors of the above District held a regular meeting on July 31, 2024, that a quorum of the Directors were present, and a majority of the quorum duly adopted the foregoing resolution.**

**IN WITNESS WHEREOF, the undersigned has executed this Certificate of Secretary this 31<sup>st</sup> day of July, 2024.**

**Bear Valley Community Healthcare District**

By   
**Ellen Clarke, Secretary**