



## FORESTHILL FIRE PROTECTION DISTRICT

### RESOLUTION 2019-01

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE FORESTHILL FIRE PROTECTION DISTRICT ADOPTING INTENDED BALLOT LANGUAGE, AND CALLING AND PROVIDING FOR AN ELECTION TO BE HELD IN SAID DISTRICT ON MAY 7, 2019, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS THE QUESTION OF THE ADOPTION OF A SPECIAL FIRE TAX FOR EMERGENCY MEDICAL RESPONSE AND FIRE PROTECTION SERVICES, TO APPROVE AN INCREASE IN THE DISTRICT'S SPENDING LIMIT, REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE WITH ANY OTHER ELECTION CONDUCTED ON SAID DATE, AND REQUESTING ELECTION SERVICES BY THE PLACER COUNTY ELECTIONS DEPARTMENT**

**WHEREAS**, the Board of Directors (the "Board") of the Foresthill Fire Protection District (the "District") is authorized and charged to provide emergency response and fire protection services; and

**WHEREAS**, the Board of the Foresthill Fire Protection District has determined that it is in the best interest of the District's citizens to end significant service cutbacks and provide the appropriate level of fire protection and emergency medical response services for our community; that the cost to maintain such adequate levels of service is beyond the reach of the District absent this proposed special tax, and that this tax is therefore necessary for public protection and public safety; and

**WHEREAS**, pursuant to the provisions of California Health & Safety Code section 13911 and Government Code sections 50075-50077.5, the Board of Directors is authorized to adopt this resolution which shall, subject to the approval of the voters, adopt a special tax, which shall be applied against all taxable real property within the District; and

**WHEREAS**, the Board has also determined that it is in the best interest of the community to seek voter approval, which will require approval by two-thirds voters voting thereon, for the proposed special tax in order to be able to maintain appropriate fire protection and emergency medical response services; and

**WHEREAS**, if approved by the voters, the special tax will be used solely for the purpose of providing fire protection and emergency medical response services within the District; and

**WHEREAS**, if this special tax is approved by the voters, the District may exceed the appropriations limit as previously established for the District in accordance with the provisions of Article XIII B of the California Constitution; and

**WHEREAS**, Sections 9160 and 9313 of the Elections Code authorize the filing of an impartial analysis, and Section 9600 et seq. of said code authorizes the filing of written arguments for or against any ballot proposition and rebuttal arguments.

**NOW THEREFORE**, the Board of Directors of the Foresthill Fire Protection District resolves that:

**SECTION 1. Consolidation of Election.** An election is hereby called for the purpose of submitting to the qualified voters within the District, the question of the adoption of a special tax for fire protection and emergency response services. This election shall be consolidated with any other applicable election conducted on the same day.

**SECTION 2. Submission of the Special Tax to Voters.** The special tax and corresponding increase in the District's appropriations limit established by this Resolution shall be submitted to the District's registered voters within Foresthill Fire Protection District for their approval or rejection. The special tax shall not become effective unless approved by two-thirds of the registered voters of the District voting thereon. The full text of the proposed ballot measure is attached as Exhibit A and incorporated herein. If approved by the voters, the special tax shall continue until December 2034, or earlier if repealed by the Board of Directors or by the voters.

**SECTION 3. Call of Election.** The Board of Directors hereby calls an election at which the question of the approval of the proposed special tax and spending limit increase shall be submitted to the registered voters within the District. The Board directs that the special election be held on May 7, 2019, pursuant to Elections Code section 1500 as a special mail ballot election, with the ballot prepared by the Registrar of Voters of the County of Placer (the "Election Official"). The exact form of said question is set forth in Exhibit A. Said election shall be held and conducted in all respects as nearly as practicable in conformity with the uniform District Election Law (Election Code Section 10500 et seq.) and with the Mail Ballot Election provisions of the Elections Code (sections 4000 et seq.). The County Elections Department is authorized to canvass the returns of this election.

**SECTION 4. Authorization for Appropriations Limit Increase.** To the extent that the revenue from the special taxes enacted by this Resolution are in excess of the appropriations limit for the District, as calculated in accordance with the provisions of Article XIII B of the California Constitution and applicable statutory provisions, the approval of this special tax by the voters shall constitute approval to increase the District's spending limit in an amount equal to the revenue derived from the special tax, for the maximum period of time as allowed by law.

**SECTION 5. Effective Date of the Special Tax.** This special tax shall be deemed established and shall be in effect as of July 1, 2019, upon certification of the election results evidencing approval by at least two-thirds of the participating registered voters and approved by the Board of Directors of the District. The special tax shall be levied against all taxable real property within the District beginning with the 2019-2020 fiscal year. If approved by the voters, the special tax shall continue until December 2034 or earlier if repealed by the Board of Directors or by the voters.

**SECTION 6. Use and Accountability of the Special Tax Proceeds.** The special tax shall be used solely for the purpose of providing fire protection, both prevention and suppression, for emergency medical response services within the District, and for any responses outside of the District under automatic/mutual aid agreements with other fire suppression or emergency service agencies, and for any incidental expenses related to the collection of the tax.

**SECTION 7. Annual Reporting.** In accordance with Government Code Section 50075.1 et seq., the District's Fire Chief, as the chief fiscal officer of the District, shall file a report with the District Board of Directors at least once a year, no later than January 1 of each year. The annual report shall contain both of the following: (a) the amount of funds collected and expended; and (b) the

status of any project required or authorized to be funded with the proceeds of the special tax in accordance with this Section.

**SECTION 8. Adjustment of Tax Rate.** To ensure the District can continue to serve the residents within its jurisdiction as costs increase through inflation, the tax will be increased by \$7.00 each year. Such annual adjustments may not be adopted more frequently than once in any twelve (12) month period. Annual adjustments shall require two-thirds approval of the District Board at a regular meeting following a duly noticed public hearing.

**SECTION 9. Levy, Collection, and Deposit of the Special Tax.** Unless otherwise ordered pursuant to a resolution adopted by the Board, the special taxes shall annually be collected on the County of Placer property tax bill in the same manner and subject to the same penalty as the county property taxes are collected. The District Board shall annually take such steps as are necessary to have the special tax collected through the property tax bill and shall coordinate with the County Auditor and Tax Collector in this regard. The County shall be entitled to deduct its reasonable costs incurred in collecting the special tax before the balance of the tax is remitted to the District.

Upon receipt of the special taxes the District shall cause same to be deposited in a special tax account or such other account established by the District which allows the District to properly account for the special taxes in compliance with the provisions of Government Code Section 50075.3.

**SECTION 10. Appeals.** Owners of property designated as not developable by the County of Placer and any property owner who is assessed a special tax as provided for herein may appeal any determination by the District concerning the nature of the use of the property or the calculation of the amount of the tax by filing a notice of appeal with the District offices. Any such appeal shall be filed by December 1st of the calendar year for which the tax is levied. The appeal shall be filed on the form provided by the District and shall contain a statement by the property owner as to the nature and basis for the appeal in accordance with the District's appeal procedure.

**SECTION 11. Validation Pursuant to Code of Civil Procedure Section 860 et seq.** Pursuant to the provisions of Government Code Section 50077.5, any judicial action or proceeding to attack, review, set aside, void, or annul this resolution and/or the approval of the subject special tax and/or increase in the spending limitation pertaining to the special tax, shall be commenced, if at all, within 60 days of the date of the adoption hereof.

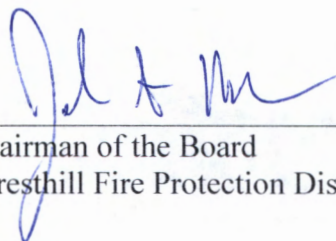
The foregoing Resolution was duly passed at an official meeting of the Foresthill Fire Protection District on 22 January 2019 by the following roll call vote:

AYES: Michelini, Reams, Simonick, Miller

NOES: None

ABSTAIN: None

ABSENT: Harkness



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Chairman of the Board  
Foresthill Fire Protection District

ATTEST:



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Secretary to the Board

**EXHIBIT A**

**TEXT OF THE BALLOT MEASURE**

The question submitted to the voters shall read substantially as follows:

To maintain local emergency medical response, fire protection and to reinstate previously reduced resources within Foresthill Fire District, shall a special property tax of \$240.38 per year per parcel, raising approximately \$800,000.00 annually, with all revenue being spent on emergency medical response and fire protection in Foresthill, be adopted by the District, with an annual adjustment of \$7.00 to allow for inflation, that expires December 2034 (15 years) or until ended earlier by voters?



**FULL TEXT OF SPECIAL TAX MEASURE  
FORESTHILL FIRE PROTECTION DISTRICT PARCEL TAX  
FOR FIRE SUPPRESSION, PROTECTION AND  
EMERGENCY MEDICAL RESPONSE SERVICES**

The Foresthill Fire Protection District is responsible for fire protection and emergency medical response services to the rural areas within Placer County encompassing just over 6,900 residents, covering 500 square miles.

In order to maintain prompt local fire protection and emergency medical response services within Foresthill Fire Protection District, to maintain adequate fire station staffing, and to ensure firefighters are available to respond to emergencies, to keep property insurance rates manageable, and to adequately train and equip firefighters, the District proposes to levy a special tax on each taxable parcel of land within the District at the annual rate of \$240.38 per parcel until December 2034, or earlier, if repealed by the Board of Directors or the voters.

To ensure the District can continue to serve the residents within its jurisdiction as costs increase through inflation, the tax will be increased by \$7.00 each year. Such annual adjustments may not be adopted more frequently than once in any twelve (12) month period. Annual adjustments shall require two-thirds approval of the District Board at a regular meeting following a duly noticed public hearing.

Taxable parcels are those parcels that appear on the annual secured Placer County property tax roll and are billable for Foresthill Fire Protection District services.

The purpose of this parcel tax will be to ensure continued local fire suppression and protection as well as rapid emergency response services for all residents, employees, and visitors in the District. The revenues raised by this special tax will only be used to defray operating expenses and capital improvement expenditures to accomplish the foregoing purposes.

If the special tax is approved by two-thirds of the voters voting on the measure, the District's appropriations limit will be increased by the amount of this voter-approved tax.

The special tax revenues shall be deposited into a separate account for exclusive use by the Foresthill Fire Protection District, in accordance with Government Code Section 50075.1, and shall be expended by the District according to a plan developed annually by the District's staff and approved and adopted by the District's Board of Directors.

The District will cause to be filed an annual report with its Board of Directors, which report shall include the amount of special tax revenues collected and expended, and which shall otherwise comply with the accountability measures established in Government Code Sections 50075.1 et seq.

Owners of property designated as not developable by the County of Placer and any property owner who is assessed a special tax as provided for herein may appeal any determination by the District concerning the nature of the use of the property or the calculation of the amount of the tax by filing a notice of appeal with the District offices. Any such appeal shall be filed by December 1st of the calendar year for which the tax is levied. The appeal shall be filed on the form provided by the

District and shall contain a statement by the property owner as to the nature and basis for the appeal in accordance with the District's appeal procedure.