



AGENDA ITEM
NO. **C-10**

COUNTY OF HUMBOLDT

For the meeting of: July 25, 2017

Date: July 6, 2017

To: Board of Supervisors

From: Kelly Sanders, Clerk/Recorder/Registrar of Voters *KS.*

Subject: Resolution from Blue Lake Fire Protection District Requesting Consolidation of the Special Election with Humboldt County's Consolidated Districts Election on November 7, 2017, and Placing the Special Tax Measure on the Ballot.

RECOMMENDATION(S):

That the Board of Supervisors approve the request for election consolidation with the condition that Blue Lake Fire Protection District reimburse the County of Humboldt for costs incurred pursuant to this request, and request that the clerk of the board forward the signed board order and copy of Blue Lake Fire Protection District resolution #2017-1 to the Humboldt County Office of Elections.

SOURCE OF FUNDING: Blue Lake Fire Protection District

DISCUSSION:

On June 26, 2017, the Blue Lake Fire Protection District Board of Directors approved resolution 2017-1 requesting the Board of Supervisors approve the consolidation of their special election with the Consolidated Districts Election to be held on November 7, 2017, in the County of Humboldt and calling for an election, and placing one measure on the ballot calling for submission to the voters a question relating to the increase of the fire protection special tax.

Prepared by Judith Hedgpeth

CAO Approval *[Signature]*

REVIEW:

Auditor _____ County Counsel *[Signature]* Human Resources _____ Other _____

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Wilson* Seconded by Supervisor *Fennell*

Ayes *Fennell, Wilson, Sundberg*

Nays

Abstain

Absent *Bass, Bohn*

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *July 25, 2017*

By: *[Signature]*
Kathy Hayes, Clerk of the Board

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

“To ensure ongoing fire protection, rescue, and emergency medical services for our community, including the cost of maintaining current staffing levels, making station repairs and renovations, and replacing aging apparatus and equipment, shall Blue Lake Fire Protection District’s voter-approved special tax be increased in accordance with Ordinance No. 2017-1?”

This special tax increase requires a two-thirds voter approval to pass.

FINANCIAL IMPACT: No financial impact to the county as Blue Lake Fire Protection District shall reimburse the county for costs associated with their measure.

This item meets the Board of Supervisors’ 2017 Strategic Framework by providing community-appropriate levels of service and building interjurisdictional and regional cooperation.

OTHER AGENCY INVOLVEMENT: Blue Lake Fire Protection District

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion

ATTACHMENTS:

Attachment 1: Resolution 2017-1

Attachment 3: Ordinance No. 2017-1

RESOLUTION NO. 2017-1

**A RESOLUTION OF THE BLUE LAKE FIRE PROTECTION DISTRICT
CALLING A SPECIAL ELECTION FOR SUBMISSION TO THE VOTERS OF
THE DISTRICT AN ORDINANCE ADJUSTING THE RATE OF A FIRE
PROTECTION SPECIAL TAX, AND REQUESTING THE SPECIAL
ELECTION BE CONSOLIDATED WITH THE UNIFORM DISTRICT
ELECTION TO BE HELD ON NOVEMBER 7, 2017**

WHEREAS, Government Code Section 53978 and Article XIII A of the California Constitution authorizes the Blue Lake Fire Protection District (“District”) to determine and levy a special tax for fire protection, rescue, and emergency medical services; and

WHEREAS, pursuant to Ordinance No. 99-1, approved by the qualified voters of the District on March 7, 2000, the District currently imposes a fire protection special tax of \$9 per unit of benefit to provide fire protection, rescue, and emergency medical services; and

WHEREAS, the District Board has determined that it is in the best interest of the community to provide the appropriate level of fire protection, rescue, and emergency response services; that the cost to maintain such adequate levels of service is beyond the reach of the District absent an increase of the existing special tax; and that a special tax increase is therefore necessary for public protection and public safety; and

WHEREAS, all special taxes which are imposed, extended or increased require two-thirds voter approval in accordance with Proposition 218 requirements; and

WHEREAS, pursuant to the California Elections Code, the District Board desires to place a special tax measure on the consolidated district election on Tuesday, November 7, 2017, for the purpose of submitting Ordinance No. 2017-1 to the qualified voters of the District, thereby adjusting the rate of the existing fire protection special tax in order to continue providing quality fire protection, rescue, and emergency response services; 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 BE IT RESOLVED by the Board of Directors of the Blue Lake Fire Protection District as follows:

SECTION 1. The foregoing findings are true and correct:

It’s been nearly 18 years since the \$9 per unit of benefit parcel tax was approved by voters. Since this time, the community of Blue Lake has grown and changed with the times and the Blue Lake Volunteer Fire Department can’t keep up with the emergency response needs of the community at the current 18-year old tax rate. All aspects of the fire department’s operations have seen a large increase in cost during this time. Call volume has increased as well as the number of

retirement age community members needing special and increased medical care. The District is proposing a special tax increase to meet current department needs including the cost of maintaining current staffing levels, making station repairs and renovations, and replacing aging apparatus and equipment. The tax would be collected in the same manner and subject to the same penalty as other taxes collected by Humboldt County on behalf of the District, and the effective date would begin with the 2018-19 fiscal year.

SECTION 2. Pursuant to Elections Code Section 12001 and Government Code Section 53978, an election is hereby called and ordered to be held within the District on November 7th, 2017, for the purpose of submitting the following question to the qualified voters of the District:

Measure __, Blue Lake Fire Protection District Special Tax Measure. To ensure ongoing fire protection, rescue, and emergency medical services for our community, including the cost of maintaining current staffing levels, making station repairs and renovations, and replacing aging apparatus and equipment, shall Blue Lake Fire Protection District's voter-approved special tax be increased in accordance with Ordinance No. 2017-1?	YES	
	NO	

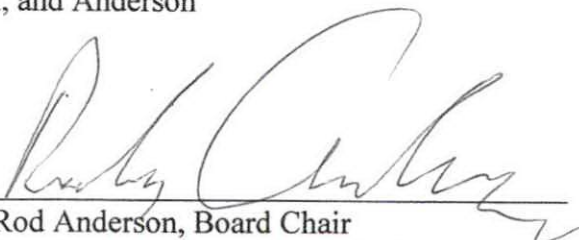
SECTION 3. The proposed measure shall be as set forth in Exhibit "A" to this Resolution and such attachment is hereby incorporated by reference into this Resolution.

SECTION 4. Pursuant to Elections Code Section 10400 et seq., the election called by this resolution is requested to be consolidated with the uniform district election to be held on November 7th, 2017.

SECTION 5. The District recognizes that additional costs will be incurred by the County by reason of providing election services and agrees to reimburse the County for such costs.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2017, by the following vote:

AYES: Jackson, Jones, Kindred, Shull, and Anderson
 NOES: None
 ABSENT: None


 Rod Anderson, Board Chair
 Blue Lake Fire Protection District

ATTEST:


 Terri Stonebarger, Board Secretary
 Blue Lake Fire Protection District

ORDINANCE NO. 2017-1

**AN ORDINANCE OF THE BLUE LAKE FIRE PROTECTION DISTRICT
ADJUSTING THE RATE OF A FIRE PROTECTION SPECIAL TAX IN ORDER
TO CONTINUE TO PROVIDE QUALITY LOCAL FIRE PROTECTION,
RESCUE, AND EMERGENCY MEDICAL SERVICES**

The Board of Commissioners of the Blue Lake Fire Protection District hereby ordains as follows:

SECTION 1. Authority. Pursuant to the authority of Government Code Section 53978 and Article XIII A of the California Constitution, this Ordinance, if passed by two-thirds voter approval, would increase the Blue Lake Fire Protection District's existing voter-approved special tax levied for fire protection, rescue, and emergency medical services and would supersede the existing special tax rate of \$9 per unit of benefit approved by qualified voters of the District in 2000 (Ordinance No. 99-1).

SECTION 2. Purpose and Intent. The proceeds from this special tax shall be used solely for the purpose of providing fire protection, rescue, and emergency medical services within the District, and for any responses outside of the District under automatic/mutual aid agreements with other fire or emergency service agencies. In particular, the special tax will be used to maintain and improve the current level of community-based fire protection services provided by the Blue Lake Volunteer Fire Department. This includes annual budget support to help expand volunteer recruitment and retention programs, maintain current fire station staffing, and provide for adequate firefighting equipment, apparatus, and necessary capital improvements, consistent with the needs of the residents of the District and the Fire Protection District Law of 1987, with emphasis on mandated and statutory requirements for personnel and equipment safety.

SECTION 3. Special Tax Rate. Beginning with the 2018-19 fiscal year, the special tax shall be levied at flat rates based on the use of each taxable parcel of real property, in accordance with the schedule below:

<u>Parcel Use Category</u>	<u>Total Annual Charge 2018-19 (base year)</u>
A. Vacant/Unimproved:	\$75 per year
B. Single-Family Residential:	\$125 per year
C. Rural Residential/Improved:	\$175 per year
D. Multi-Family Residential (2-4 units):	\$250 per year
E. Multi-Family Residential (5+ units):	\$300 per year
F. Commercial:	\$300 per year
G. Industrial:	\$400 per year

- A. **Vacant/Unimproved:** Any vacant land or unimproved property.
- B. **Single-Family Residential:** A dwelling unit designed for occupancy by one household, located on a single parcel that does not contain any other dwelling unit (except an accessory dwelling unit, where permitted).
- C. **Rural Residential/Improved:** Low density residential or agricultural structures that generally rely upon onsite water systems, requiring the use of trucked-in water for fire suppression.
- D. **Multi-Family Residential (2-4 units):** 2 to 4 dwelling units within a single building, or structures on a parcel. Types of multiple-unit dwellings include duplexes, apartments, condominiums, and bed and breakfasts.
- E. **Multi-Family Residential (5+ units):** 5 or more dwelling units within a single building, or structures on a parcel. Types of multiple-unit dwellings include apartments, condominiums, bed and breakfasts, and manufactured home park developments.
- F. **Commercial:** Commercial or institutional uses including but not limited to stores and retail businesses, offices, restaurants and bars, service stations, auto repair, hotels, bed and breakfast, day care facilities, professional business parks, and similar uses.
- G. **Industrial:** Industrial uses including but not limited to manufacturing, packaging, shipping, recycling, industrial parks, wood products, energy production, and similar uses.

SECTION 4. Exempt Properties. The special tax shall not be imposed upon a federal or state governmental agency or other local public agency pursuant to Government Code Section 53978.

SECTION 5. Appeals. Any property owner 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 written appeal with the District. Any such appeal shall be filed by December 1st of the calendar year for which the tax is levied. The appeal 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 6. Method of Collection. On or about July 1st of each year, but in any event in sufficient time to include the levy of the special tax on the County's secured tax roll, the District shall determine the use category and related tax amount representing each parcel of real property within the District subject to the special tax. Parcels subject to levy shall be determined based upon the records of the Humboldt County Assessor or, in lieu thereof, upon such other reliable public records available to the District.

The special tax shall be collected in the same manner and subject to the same penalty as, or with, other taxes fixed and collected by Humboldt County on behalf of the Blue Lake Fire Protection District. The County of Humboldt may deduct reasonable expenses incurred for such service before remitting the balance to the District.

SECTION 7. Special Account. 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 50075.1. Funds deposited into this account cannot be used for any other purpose than those outlined in Section 2 of this Ordinance.

SECTION 8. Annual Report. In accordance with Government Code Section 50075.3, the District's Fire Chief, as the chief fiscal officer of the District, shall file a report with the District Board at least once a year. The annual report shall contain 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.

SECTION 9. Severability. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the remaining portion of this Ordinance.

SECTION 10. Effective Date. This Ordinance shall be effective only at such time as the District Board has declared that the Ordinance has been approved by two-thirds of the voters voting at an election to be held on November 7, 2017. Should this Ordinance not be approved, Ordinance No. 99-1 (approved by voters on March 7, 2000) will remain in full force and effect. Notwithstanding the above, if this Ordinance is approved, the special tax shall be collected at the rates established by this Ordinance beginning with the 2018-19 fiscal year until repealed.

SECTION 11. Certification. The District Secretary shall certify to the passage and adoption of this Ordinance and shall cause a copy of the full text of the Ordinance to be posted.

PASSED, APPROVED AND ADOPTED this 26th day of June, 2017, by the following vote:

AYES: Jackson, Jones, Kindred, Shull, and Anderson
NOES: None
ABSENT: None



Rodney Anderson, Board Chair
Blue Lake Fire Protection District

ATTEST:



Terri Stonebarger, Board Secretary

I, Terri Stonebarger, Secretary of the Blue Lake Fire Protection District DO HEREBY CERTIFY that the foregoing Ordinance was duly passed, approved and adopted by the Board of Fire Commissioners of the Blue Lake Fire Protection District on the 26th day of June, 2017.



Terri Stonebarger, Board Secretary