

1 **NORTHSHORE FIRE PROTECTION DISTRICT**
2 **LAKE COUNTY, CALIFORNIA**

3
4 **RESOLUTION 2017-17**

5
6 **A RESOLUTION OF THE BOARD OF DIRECTORS AMENDING RESOLUTION 2017-16, THAT ORDERED CALLING A**
7 **SPECIAL ELECTION FOR THE PURPOSE OF IMPOSING A SPECIAL TAX INCREASE FOR FIRE PROTECTION AND**
8 **PREVENTION, RESCUE, EMERGENCY MEDICAL SERVICES AND TRANSPORTATION, HAZARDOUS MATERIAL,**
9 **OTHER SERVICES RELATED TO THE PROTECTION OF LIVES AND PROPERTY, AND APPROVING AND INCREASE IN**
10 **THE DISTRICT'S SPENDING LIMIT**

11
12 **WHEREAS**, the Northshore Fire Protection District Board of Directors adopted Resolution 2017-16, on
13 November 15, 2017, ordering and calling an election to be held proposing a special tax and spending
14 limit increase to the registered voters within the Northshore Fire Protection District, and

15 **WHEREAS**, the Board of Directors may amend the order of election no later than the 88th day prior to
16 the election, and

17 **WHEREAS**, the Northshore Fire Protection District Board of Directors wishes to modify the question
18 submitted to the registered voters that is included in Section 5 of Resolution 2017-16 and Section 9
19 Submission of Special Tax to Voters of Ordinance 2017-001, and

20 **WHEREAS**, Section 5 of Resolution 2017-16 and Section 9 of Ordinance 2017-001 Submission of
21 Special Tax to Voters includes the question submitted to the voters and shall be amended to read
22 substantially as follows:

23
24 "Shall Northshore Fire (NFPD), by Ordinance, repeal the existing special tax for (1996) Lucerne,
25 Nice and Upper Lake Fire, and (2004) Clearlake Oaks Fire, replacing it with a special property
26 tax to be approved by voters to fund the continuation of locally controlled and operated
27 advanced life support ambulance within the NFPD. This would amount to \$4.00 per
28 benefit unit per year, and a corresponding increase in the District's spending limit be
29 approved?"
30

31 The words "Yes" and "No" shall be printed on the ballots so the qualified electors may express their
32 choices on Measure "E".
33

34 **NOW, THEREFORE, BE IT RESOLVED**, by the Northshore Fire Protection District Board of Directors
35 that Resolution 2017-16 and Ordinance 2017-001, adopted November 15, 2017 are hereby amended to
36 include this question in Section 5 of Resolution 2017-16 and Section 9 of Ordinance 2017-001 as
37 stated in the preamble hereto.

38 **THIS RESOLUTION WAS PASSED AND ADOPTED** by the Board of Directors of Northshore Fire
39 Protection District at a special meeting held on November 28, 2017, by the following vote:
40

41 AYES: Barnette, Ringuette, Burton, Haas

42 NOES: None

43 ABSENT: Shepherd

44 ABSTAIN: None
45

46 
47 John T. Barnette
48 Chairman of the Board

49 Attest:

50 
51 Jamie Main
52 Clerk to the Board

1
2 **NORTHSHORE FIRE PROTECTION**
3 **DISTRICT**
4 **LAKE COUNTY, CALIFORNIA**

5
6 **RESOLUTION 2017-16**

7
8 **A RESOLUTION OF THE BOARD OF DIRECTORS CALLING A SPECIAL ELECTION FOR THE PURPOSE OF**
9 **IMPOSING A SPECIAL TAX INCREASE FOR FIRE PROTECTION AND PREVENTION, RESCUE, EMERGENCY**
10 **MEDICAL SERVICES AND TRANSPORTATION, HAZARDOUS MATERIAL, OTHER SERVICES RELATED TO THE**
11 **PROTECTION OF LIVES AND PROPERTY, AND APPROVING AND INCREASE IN THE DISTRICT'S SPENDING LIMIT**
12

13 **WHEREAS**, this Board has called for a special election to be held on April 10, 2018
14

15 **WHEREAS**, this Board, pursuant to section 53978 of the California Government Code, approved
16 Ordinance 2017-001 on November 15, 2017, imposing a special tax increase to be used to maintain
17 and improve the current level of fire protection and prevention, rescue, emergency medical services
18 and transportation, hazardous material, and other services related to the protection of lives and
19 property; and,
20

21 **WHEREAS**, Ordinance 2017-001 must, by law, be submitted to qualified voters of the District, whose
22 approval by a two-thirds vote of those casting ballots is required for the tax to become effective; and,
23

24 **WHEREAS**, the Board of Directors of the Northshore Fire Protection District wishes to place the
25 Ordinance Repealing Clearlake Oaks Fire Protection District Ordinance No. 2004-1, Lucerne
26 Recreation and Park District Ordinance No. 96-11, Nice Community Services District Ordinance No. 96-
27 1, and Upper Lake Fire Protection District Ordinance No. 9611-1 and Imposing a Special Tax Increase
28 for Fire Protection and Prevention, Rescue, Emergency Medical Services and Transportation,
29 Hazardous Material, and Other Services Relating to the Protection of Live and Property before the
30 voters pursuant to Health and Safety Code section 13913 and Government Code section 53978; and
31

32 **WHEREAS**, if approved by two-thirds of the registered voters in the District voting on the measure, the
33 Ordinance will become effective for the 2018/2019 fiscal year for parcels with a lien date of January 1,
34 2018
35

36 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**
37

- 38
- 39 1. The foregoing recitals are true and correct and incorporated herein by reference.
 - 40 2. This Board hereby proposes the imposition of a special tax increase to \$4.00 per unit of benefit
41 for the first year and adjusted each year thereafter by the change in the consumer price index,
42 to maintain and improve the current level of fire protection and prevention, rescue, emergency
43 medical services and transportation, hazardous material, and other services related to the
44 protection of lives and property. The special tax imposed shall be collected by the Lake County
45 Treasurer-Tax Collector biannually in the same manner as other taxes fixed and collected by
46 the County of Lake
 - 47 3. The net proceeds of this tax will be used for fire protection and prevention, rescue, emergency
48 medical services and transportation, hazardous material, any responses outside of the District
49 under mutual aid agreements with other fire suppression agencies and other services related to
50 the protection of lives and property for the benefit of the residents of the Northshore Fire
51 Protection District.
 - 52 4. The full text of the Ordinance 2017-001 is attached hereto as Exhibit "A" and is to be included in
53 the election materials provided to qualified electors.
 - 54 5. This Board hereby authorizes placement of Measure E on the April 10, 2018 ballot submitting to
the qualified electors of the Northshore Fire Protection District the question of imposing a

1 special tax increase and hereby instruct the Registrar of Voters to place the question on the
2 ballot at said election as follows:

3
4 "Shall the Northshore Fire Protection District, by Ordinance, (1) Repeal the existing 1996 special
5 tax for Lucerne Recreation and Park District, Nice Community Services District and Upper Lake
6 Fire Protection District, and 2004 special tax for Clearlake Oaks Fire Protection District (2)
7 Replacing it with a special property tax to be approved by voters to fund the continuation
8 of a locally controlled and operated North Shore advanced life support ambulance within
9 the Northshore Fire Protection District. This would amount to \$4.00 per benefit unit per
10 year, averaging an increase of \$55 per dwelling, and a corresponding increase in the
11 District's spending limit be approved?"
12

13 The words "Yes" and "No" shall be printed on the ballots so the qualified electors may express
14 their choices on Measure "E".
15

- 16 **6.** The Registrar of Voters shall publish a notice of this election in accordance with the Elections
17 Code and give any other required notices.
- 18 **7.** The election shall be held and conducted, the returns canvassed, and the results declared in the
19 same manner as provided by law for special elections. The election shall be held on April 10,
20 2018, from the hour of 7:00 a.m. to the hour of 8:00 p.m., during which period of time the polls
21 will remain continuously open. At 8:00 p.m., the polls will be closed except as provided in
22 Section 14401 of the Elections Code. The Registrar of Voters shall prepare and mail to each
23 eligible voter in the Northshore Fire Protection District a sample ballot and a voter's pamphlet
24 containing to the text of the measure and the ordinance providing for the imposition of a special
25 tax increase. The Registrar of Voters shall establish election precincts, designate the polling
26 places, and provide election officers for each precinct at the April 10, 2018 election in
27 accordance with the election laws of the State of California. The election on this proposed
28 measure shall be consolidated with any and all other elections to be held on April 10, 2018.
- 29 **8.** That in all particulars not recited in this resolution the election shall be held and conducted as
30 provided by law.
- 31 **9.** Northshore Fire Protection District shall reimburse the County of Lake in full for the services
32 performed by the Registrar of Voters upon presentation of a bill to Northshore Fire Protection
33 District.
- 34 **10.** The Clerk of this Board is directed to forthwith deliver a copy of this Resolution to the Clerk of
35 the Board of Supervisors and the Registrar of Voters of the County of lake.
36
37

38 **THIS RESOLUTION WAS PASSED AND ADOPTED** by the Board of Directors of Northshore Fire
39 Protection District at a regular meeting held on November 15, 2017, by the following vote:
40

41 AYES: Burton, Haas, Barnette, Shepherd, Ringuette

42 NOES: None

43 ABSENT: None

44 ABSTAIN: None
45

46 
47 John T. Barnette
48 Chairman of the Board

49 Attest:

50 
51 Jamie Main
52 Clerk to the Board
53

Northshore Fire Protection District

AN ORDINANCE ORDERING AN ELECTION; REQUESTING REPEALING CLEARLAKE OAKS FIRE PROTECTION DISTRICT ORDINANCE NO. 2004-1; REPEALING LUCERNE RECREATION AND PARK DISTRICT ORDINANCE NO. 96-11; REPEALING NICE COMMUNITY SERVICES DISTRICT ORDINANCE NO. 96-1; REPEALING UPPER LAKE FIRE PROTECTION DISTRICT ORDINANCE NO. 9611-1 AND REQUESTING CONSOLIDATION OF THE ELECTION TO IMPOSE A SPECIAL TAX AGAINST REAL PROPERTY FOR THE PURPOSE OF PROVIDING FIRE PROTECTION, RESCUE, EMERGENCY MEDICAL, AMBULANCE AND OTHER SERVICES, AND APPROVING AN INCREASE IN THE DISTRICT'S SPENDING LIMIT AND CALLING AN ELECTION THEREON

ORDINANCE NO: 2017-001

The Board of Directors of the Northshore Fire Protection District does ordain as follows:

Section 1. Authority

Section 4 of Article XIII A of the California Constitution permits special district by two-thirds vote of their qualified electorate to impose a special tax on property. Health and Safety Code Section 13913 authorizes a fire protection district to impose a special tax pursuant to Government Code Section 53978 for fire protection and prevention services.

Section 2. Purpose and Intent

It is the purpose of this Ordinance to authorize the levy of a special tax on parcels of real property on the secured property tax rolls of Lake County that are within the Northshore Fire Protection District and to expend the revenues therefrom, in order to augment funding for fire protection and prevention, rescue, emergency medical services and transportation, hazardous material, and other services relating to the protection of lives and property. This special tax shall repeal existing 1996 & 2004 special tax for Clearlake Oaks Fire Protection District, Lucerne Recreation and Park, Nice Community Services District and Upper Lake Fire Protection District.

The special property taxes shall be used solely for the purpose of providing fire protection, rescue, emergency medical, ambulance and other services within the District, any responses outside of the District under mutual aid agreements with other fire suppression agencies and any incidental expense relating thereto including expenses related to the collection of the tax.

Because the burden of this falls on property, it is a property tax, but is not determined according to, nor is it in any manner passed on the value of the property. This tax is based, to the extent practical, upon the risk of fire or emergency services and the need for services to each parcel and the improvements thereon. Insofar as not inconsistent with this Ordinance, such provisions of the California Revenue and Taxation Code as related to ad valorem

property taxes are intended to apply to the collection and administration of this tax. As authorized by Government Code Section 53978, this tax is not an ad valorem tax; the exemptions contained in or authorized by Article XIII of the California Constitution shall not apply.

Section 3. Definitions

The following definitions shall apply throughout this Ordinance:

1. "Parcel" means the land and improvements thereon, designated by a parcel number on an assessor's parcel map and carried on the secured property tax roll of Lake County. For purposes of this Ordinance, parcel does not include any land or improvements outside the boundaries of the Northshore Fire Protection District.
2. "Developed Parcel" means any parcel upon which an improvement exists.
3. "Improvement" means those items included within Revenue and Taxation Code Section 105 definition of improvements, except for:
 - a. Fences, poles and walls that are not a part of or connected to a structure
4. "Year" or "Fiscal Year" means the period of July 1 through the following June 30.
5. "Taxpayer" means the assessee of the property shown on the secured tax roll or the person or legal entity actually paying the tax, if different from the assessee.
6. "District" means the Northshore Fire Protection District.

Section 4. Special Tax & Tax Rate

The Board of Directors of the Northshore Fire Protection District is authorized to levy a special tax, for the purpose as specified in Section 2, on each parcel of real property located within the boundaries of the District at a rate not to exceed \$4.00 per benefit unit for the first year and is to be adjusted each year thereafter by the change in the consumer price index. Provided that if at any time the consumer prices index resulted in anything less than zero, the special tax rate would remain at the previous year's rate in an effort to maintain the current level of services. However provided, that such a special tax shall not be imposed upon property of a federal, state or local government agency.

The special tax shall be imposed in accordance with the schedule for Units of Benefit attached hereto as Exhibit A. Each land use within a parcel is subject to Units of Benefit computation and the total of all uses on a parcel shall be computed to be the tax due to the District.

Section 5. Setting the Tax Rate

At a regularly scheduled Board Meeting in May of each year, the Board of Directors will set the tax rate for the next fiscal year by adoption of resolution, not to exceed the amount per benefit unit as set forth in Section 4 above.

Section 6. Collection

The special tax shall constitute a lien against each parcel for which the tax is collected in accordance with Revenue and Taxation Code Section 2187.

The County of Lake shall be charged with the collection of this tax and shall deduct the reasonable costs incurred by the County from the taxes collected.

Section 7. Ambulance billing for property owners

Northshore Fire Protection District will accept a property owner's medical insurance payment as payment in full for any emergency medical services rendered. This is to help subsidize the out of pocket medical expenses incurred by the individual.

Section 8. Authorization for Spending Limit Increase

To the extent that the revenue from the special property taxes enacted by this Ordinance are in excess of the spending 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 property tax by the voters shall constitute approval to increase the District's spending limit in the amount equal to the revenue derived from the special property tax for the maximum period of time as allowed by law.

Section 9. Submission of Special Tax to Voters

The special tax and corresponding increase in the District's spending limit established by this Ordinance shall be submitted to the registered voters within the Northshore Fire Protection District at an election for their approval or rejection. The special tax shall not become effective unless approved by two-thirds of the registered voters of the Northshore Fire Protection District voting thereon. The question submitted to the voters shall read substantially as follows:

"Shall the Northshore Fire Protection District, by Ordinance, (1) Repeal the existing 1996 special tax for Lucerne Recreation and Park District, Nice Community Services District and Upper Lake Fire Protection District, and 2004 special tax for Clearlake Oaks Fire Protection District (2) Replacing it with a special property tax to be approved by voters to fund the continuation of a locally controlled and operated North Shore advanced life support ambulance within the Northshore Fire Protection District. This would amount to \$4.00 per benefit unit per year, averaging an increase of \$55 per dwelling, and a corresponding increase in the District's spending limit be approved?"

Section 10. Severability

If any section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Directors of the District hereby declare that they would have adopted the Ordinance and each section despite the fact that any one or more sections, subsections, phrases or clauses be declared invalid.

Section 11. Effective Date

This Ordinance shall take effect for the 2018/19 fiscal year for parcels with a lien date of January 1, 2018, upon its approval and confirmation of two-thirds of the registered voters in the District.

Section 12. Adoptions

All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict and no further.

This Ordinance before the expiration of fifteen days after its passage shall be published at least once in a newspaper of general circulation in the County of Lake.

The forgoing ordinance was introduced before the Board of Directors on the 11th day of October 2017 and passed on the 15th day of November 2017 by the following vote:

AYES: Burton, Haas, Barnette, Shepherd, Ringuette

NOES: None

ABSENT: None

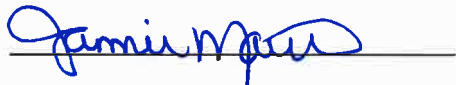
ABSTAIN: None



John T. Barnette

Chairman of the Board

Attest:



Jamie Main

Clerk to the Board

Northshore Fire Protection District

Ordinance No: 2017-001

EXHIBIT A

Units of Benefit Table

The amount of tax shall be determined by the following units of benefits per assessor parcel.

All Land Uses	Units	Description
Vacant Land 0 to 1 Acre	10	Undeveloped Land
Vacant Land 1.01 to 5 Acres	11	Undeveloped Land
Vacant Land 5.01 to 10 Acres	12	Undeveloped Land
Vacant Land 10.01 - 50 Acres	13	Undeveloped Land
Vacant Land +50.01 Acres	14	Undeveloped Land

Orchards/Vinyards/Field Crops	Units	Description
0 to 1 Acre	16	
1.01 to 5 Acres	17	
5.01 to 10 Acres	18	
10.01 to 50 Acres	19	
+50.01 Acres	20	

Residential/Agricultural	Units	Description
Misc. Building	25	Multiple use structure that does not include a bathroom or kitchen improvements
Single Family Dwelling	30	
Single Parcel w/Multiple Dwellings	10	Per additional dwelling in addition to 30 unit base charge
Duplex	40	
Triplex	45	
Mobile Homes	30	Must have wheels & axles attached & not in a park
Multi Family/Apts.	45	Plus 5 units for each living unit
Convalescent & Rest Homes	70	

Commercial/Industrial Properties	Units	Description
Hotels/Motels	30	Plus 5 units per room
Mobile Home Park/Campground	75	Plus 5 units per space occupied of vacant
Building 0-999 Sq. Ft.	50	

Building 1,000 -4,999 Sq. Ft.	75	
Building 5,000 - 9,999 Sq. Ft.	100	
Building 10,000 + Sq. Ft.	150	
Multiple Businesses within a Building	25	Per business in addition to Sq. Ft base charge

Institutional	Units	Description
Building 0 - 999 Sq. Ft.	50	
Building 1,000 - 4,999 Sq. Ft.	75	
Building 5,000 - 9,999 Sq. Ft.	100	
Building 10,000 + Sq. Ft.	150	