

Shall Ordinance No. 08-09-1-R of the Gold Ridge Fire Protection District authorizing it to impose and levy a new special tax of \$45.00 on all improved parcels of real property within the Fire Protection District to assist in meeting costs of providing services and exercising rights and powers be approved?

Full Text of Measure O: Appendix "A", Ordinance No. 08-09-1

An ordinance of the Gold Ridge Fire Protection District authorizing the district to impose and levy a new special \$45.00 parcel tax on all improved parcels of real property to assist the district in meeting the costs of providing authorized services and exercising other rights and powers of the district.

The people of the Gold Ridge Fire Protection District ordain as follows:

Section I, Definitions:

For the purposes of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section unless the context clearly requires a different meaning. The definition of a word or phrase applies to any of that word's or phrases variants.

"Board of Directors" means the Board of Directors of the Gold Ridge Fire Protection District.

"District" means the Gold Ridge Fire Protection District in Sonoma County, California.

"New special tax" means the special tax authorized by and imposed pursuant to this ordinance. The new special tax is a special tax within the meaning of article XIII, section 4 and article XIII C, section 1 of the California Constitution.

"Parcel of real property" means a separate parcel of real property having a separate Assessor's parcel number as shown on the secured tax rolls of the County of Sonoma, or an assessment of a structural property on the unsecured tax rolls of the County of Sonoma, or an assessment made by the State Board of Equalization.

"Improved Parcel" means a parcel of real property with a permanent building or portion thereof, including manufactured and mobile homes designated or used exclusively as a residence or business. Improved parcel does not include a tent, travel trailer, recreational vehicle, or similar vehicle or structure.

Section II. Authority

This ordinance is adopted pursuant to article XIII A, section 4, article XIII B, section 4, and article XIII C, section 2 of the California Constitution, Government Code sections 50075 et seq. and 53720 et seq., and Health and Safety Code section 13911.

Section III. Determination of Necessity

The amount of revenue available to the District from property taxes and the existing special tax is inadequate to meet the cost of providing services pursuant to Health and Safety Code section 13862. Therefore, the District must establish a larger stable source of supplementary revenue to assist in meeting the costs of providing such service and exercising other rights and powers of the District.

Section IV. Purpose of New Special Tax

The purpose for which the new special tax shall be imposed and levied is to raise revenue for the District to use in meeting the costs of (i) providing services pursuant to Health and Safety Code section 13862, and (ii) exercising other rights and powers granted to the District pursuant to Health and Safety Code section 13860 et seq.

Section V. Special Tax Authorization and Limit

The Board of Directors is authorized to impose and levy the new special tax each year on each parcel of real property within the District, except parcels of real property owned by a federal state, or local agency, based on the use or right of use of the parcel. The proceeds of the new special tax shall be used only for the purpose stated in section IV of this ordinance.

Section VI. Collection

The new special tax shall be collected in the same manner and subject to the same penalty as other charges and taxes collected by or on behalf of the District by the County of Sonoma. The proceeds of the new special tax shall be deposited into a fund held by the Sonoma County Treasurer – Tax Collector. The Sonoma County Treasurer – Tax Collector may deduct reasonable administrative costs incurred in collecting the new special tax and deposit the amounts deducted in the Sonoma Country General Fund.

Section VII. Severability Clause

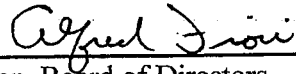
If any section, subsection, sentence clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The people of the Gold Ridge Fire Protection District hereby declare that they would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section VIII. Effective Date

This ordinance shall take effect the day following its approval by two-thirds of the District's qualified voters voting for or against the same at the general election on November 04, 2008.

APPROVED, by a two-thirds vote of the voters of the District at the general election held on November 04, 2008, and

SO ORDERED.



Chairman, Board of Directors
Gold Ridge Fire Protection District

ATTEST:



Clerk of the Board of Directors

T/C 53201
New

RESOLUTION NO. 08-09-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE GOLD RIDGE FIRE PROTECTION DISTRICT CALLING AN ELECTION FOR TUESDAY, NOVEMBER 04, 2008, ON AN ORDINANCE AUTHORIZING THE DISTRICT TO IMPOSE AND LEVY A NEW SPECIAL TAX TO ASSIST THE DISTRICT IN MEETING THE COSTS OF PROVIDING AUTHORIZED SERVICES AND EXERCISING OTHER RIGHTS AND POWERS OF THE DISTRICT, AND REQUESTING THAT THE ELECTION BE CONSOLIDATED WITH ANY OTHER ELECTION HELD ON THE SAME DATE IN TERRITORY THAT IS THE SAME OR IS IN PART THE SAME

RESOLVED, by the Board of Directors (“the Board”) of the Gold Ridge Fire Protection District (“the District”), that:

Whereas, the amount of revenue available to the District from property taxes and the District’s existing special tax is inadequate to meet the costs of providing authorized services and exercising other rights and powers of the District; and

Whereas, a new special tax would provide a larger stable source of supplementary revenue to assist in meeting such costs; and

Whereas, article XIII A, section 4 and article XIII C, section 2 of the California Constitution, Government Code sections 50075 et seq. and 53720 et seq., and Health and Safety Code section 13911 authorize the Board, following notice and hearing, to propose the adoption of a new special tax and to submit the proposition to the voters of the District; and

Whereas, the Board desires to propose an ordinance authorizing the District to impose and levy a new special tax to assist the District in meeting the costs of providing authorized services and exercising other rights and powers of the District, and

Whereas, state law requires that such an ordinance be submitted to the voters of the District for their approval, and authorizes the Board to call a special election for that purpose and to request consolidation of the election with any other election held on the same date in territory that is the same or is in part the same;

NOW, THEREFORE, the Board hereby resolves and orders as follows:

1. The Board finds and declares that the amount of revenue available to the District from property taxes and the District's existing special tax is inadequate to meet the costs of providing authorized services and exercising other rights and powers of the District.

2. The Board finds and declares that imposing a new special tax is necessary to establish a larger stable source of supplementary revenue to assist the District in meeting the costs of providing authorized services and exercising other rights and powers of the District.

3. The Board finds and declares that the District has complied with all laws requiring notice of the actions contained herein, and has held a public hearing as required by law.

4. The Board determines that an ordinance authorizing the District to impose and levy a new special tax having a rate of \$45.00 on all improved parcels of real property within the Fire Protection District to assist the District in meeting the costs of providing authorized services and exercising other rights and powers of the District, shall be presented to the voters of the District. The Board further determines that the form of the ordinance, which is hereby designated Ordinance No. 08-09-1-R, shall be as set forth in Appendix 'A,' attached hereto and incorporated herein by this reference. Pursuant to state law, Ordinance No. 08-09-1-R shall not go into effect unless it is approved by two-thirds of the votes cast by voters of the District voting upon the question of its approval.

5. The Board hereby calls an election for Tuesday, November 04, 2008, and directs that the foregoing proposition shall be submitted to voters of the District at the election in the following manner:

(a) There shall be included on the ballot to be marked by the voters of the District, in addition to any other matters required by law, ballot language in the following form:

Shall Ordinance No. 08-09-1-R of the Gold Ridge Fire Protection District authorizing it to impose and levy a new special tax of \$45.00 on all improved parcels of real property within the Fire Protection District to assist in meeting costs of providing services and exercising rights and powers be approved?

(b) The ballot to be used at the election shall be both as to form and matter contained therein such as may be required by law. On the ballot, in addition to any other printed matter required by law, opposite the question to be voted upon and to its right, the words "yes" and "no" shall be printed on separate lines with voting squares.

(c) The Sonoma County Registrar of Voters is hereby authorized, instructed, and directed to provide and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary to properly and lawfully conduct the election.

(d) The Sonoma County Registrar of Voters is hereby further directed to take the necessary and appropriate actions to provide the necessary election officers, polling places, and voting precincts for the election.

(e) The polls for the election shall be open during the hours required by law, and the election shall be held and conducted as provided by law.

(f) All notices required by law shall be given by the Sonoma County Registrar of Voters.

(g) Arguments for and against the measure may be, and other analyses provided for by law shall be submitted in accordance with law.

(h) It is hereby requested that the election be consolidated with any other election held on the same date in territory that is the same or in part the same.

(i) The canvass of ballots cast at the election shall be conducted in accordance with law.

6. The Clerk of the Board is directed to forward a certified copy of this resolution to the Sonoma County Board of Supervisors and to the Sonoma County Registrar of Voters.

THE FOREGOING RESOLUTION was introduced at a meeting of the Board on July 9, 2008, and ordered adopted by the following vote:

DIRECTORS:

NAME	VOTE	NAME	VOTE
Ronald Balzer	<u>aye</u>	Robert Gloeckner	<u>aye</u>
Gary Petersen	<u>aye</u>	Charles Lachman	<u>aye</u>
Domenic Carinalli	<u>aye</u>	Patrick Farrell	<u>aye</u>
Al Fiori	<u>aye</u>		

AYES: 7 NOES: 0 ABSENT OR NOT VOTING 0

WHEREUPON, the Chairman declared the foregoing resolution adopted, and

SO ORDERED.

Al Fiori
Al Fiori
Chairman of the Board