

RESOLUTION NO. BFPD 2022-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BURNEY FIRE PROTECTION DISTRICT, COUNTY OF SHASTA, STATE OF CALIFORNIA, CALLING AND GIVING NOTICE OF A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, AND ORDERING THAT A QUESTION RELATING TO THE LEVY OF A SPECIAL PARCEL TAX BE SUBMITTED TO THE VOTERS AT THE SPECIAL ELECTION, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA

WHEREAS, the Board of Directors of the Burney Fire Protection District (“District”) provides rescue, emergency medical care and ambulance, hazardous material emergency response, and fire protection services through the use of transport ambulances and fire suppression apparatus, fire stations, fire and emergency medical equipment, and necessary personal protective equipment and gear; and

WHEREAS, the provision of the rescue, emergency medical care and ambulance, hazardous material emergency response, and fire protection services, including the provision of necessary personnel, the construction, acquisition, maintenance and replacement of necessary facilities, apparatus, equipment, gear, and vehicles, and related reserves are funded through ad valorem property taxes, grants, and fees for service; and

WHEREAS, due to increased costs, the ad valorem property taxes, grants, and fees do not provide revenues sufficient for the District to maintain and improve the current level of rescue, emergency medical care and ambulance, hazardous material emergency response, and fire protection services, including the provision of necessary personnel, the construction, acquisition, maintenance and replacement of necessary facilities, apparatus, equipment, gear, and vehicles, and related reserves; and

WHEREAS, pursuant to its rights and authority under State law, the Board of Directors may call a Special Election to be held in the District on November 8, 2022, for the purpose of submitting a ballot measure to the voters of the District (“Special District Election”); and

WHEREAS, pursuant to the authority of Sections 13911 and 13913 of the California Health and Safety Code, and other applicable law, the District may levy a special tax on parcels of real property in the District for the purpose of maintaining and improving the current level of rescue, emergency medical care and ambulance, hazardous material emergency response, and fire protection services, subject to the approval by a two-thirds vote of the qualified voters of the District voting in an election on the issue; and

WHEREAS, the Board of Directors finds that the placement of the proposed measure on the ballot is not subject to the California Environmental Quality Act (“CEQA”) pursuant to the State CEQA Guidelines Section 15060(c)(3), because the actions are not a project as defined by the CEQA Guidelines Section 15378 (b)(4). Adoption of the ordinance proposed by the ballot measure relates to the imposition of a parcel tax on parcels of real property in the District and

does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE BURNEY FIRE PROTECTION DISTRICT DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct, incorporated herein by this reference, and made an operative part hereof.

SECTION 2. Pursuant to California Health and Safety Code Section 13910, the Board of Directors hereby determines that the amount of revenue available to the District is inadequate to meet the costs of providing rescue, emergency medical care and ambulance, hazardous material emergency response, and fire protection services pursuant to California Health and Safety Code Section 13862 and deems it necessary and essential to submit a ballot measure regarding the levy of a special tax to the voters of the District at an election to be held on November 8, 2022.

SECTION 3. Pursuant to its rights, powers and authority, the Board of Directors of the District hereby calls a Special District Election to be held in the District on November 8, 2022, and orders the following question to be submitted to the voters at the Special District Election.

<p>Burney Fire Protection District Rescue, Emergency Medical Care and Ambulance, Hazardous Material Emergency Response and Fire Protection Services Measure. To maintain and improve rescue, emergency medical care and ambulance, hazardous material emergency response, and fire protection services, shall an ordinance be adopted authorizing an ongoing annual parcel tax on all nonexempt parcels within the District, based on land use, including a maximum rate of \$75 per single-family home, raising approximately \$237,994 annually, with audits and expenditure reports?</p>	<p>YES</p> <hr/>	<p>NO</p> <hr/>
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SECTION 4. The full text of the ordinance to be submitted to the District voters, as contemplated by the ballot question in Section 3 of this Resolution is attached to this Resolution as Exhibit A and incorporated herein by reference, and shall be printed in the voter pamphlet.

SECTION 5. The ballots to be used at the election shall be in the form and content as required by law.

SECTION 6. The Board of Directors hereby authorizes any of its members to submit a ballot argument in favor of the measure to be voted on at the Special District Election pursuant to California Elections Code Section 9282.

SECTION 7. Notice of the time and place of holding the Special District Election is hereby given and the District Secretary/Administrative Assistant is authorized and directed to give further or additional notice of the election, in the time, form and manner as required by law.

SECTION 8. The Chair of the Board of Directors shall sign and the District Administrative Assistant shall certify to the passage and adoption of this Resolution and enter it into the official records of the District.

PASSED, APPROVED, AND ADOPTED on this 19th day of July 2022, by the following vote:

AYES: 4
NOES: 0
ABSTAIN: 0
ABSENT: 1


Board Chair

ATTEST:


Administrative Assistant

EXHIBIT A

ORDINANCE NO. BFPD 2022-01

(See Attached)