

RESOLUTION NO. BFPD 2024-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BURNEY FIRE PROTECTION DISTRICT, COUNTY OF SHASTA, STATE OF CALIFORNIA, CALLING A SPECIAL DISTRICT ELECTION FOR NOVEMBER 5, 2024, ORDERING THAT A QUESTION RELATING TO THE LEVY OF A SPECIAL PARCEL TAX BE SUBMITTED TO THE VOTERS AT THE SPECIAL ELECTION, AND REQUESTING THAT THE BOARD OF SUPERVISORS OF SHASTA COUNTY CONSOLIDATE THE DISTRICT ELECTION WITH THE GENERAL ELECTION TO BE CONDUCTED ON THE SAME DATE

WHEREAS, 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 has the authority to call a Special Election to be held in the District on November 5, 2024, 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, pursuant to Section 10403 of the California Elections Code, the District may request that the Board of Supervisors consolidate the District election with the statewide election on November 5, 2024.

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.

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 5, 2024

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 5, 2024, and orders the following question to be submitted to the voters at the Special District Election.

<p>Burney Fire Protection District Services Measure. A YES vote would allow the Burney Fire Protection District to continue to provide existing ambulance/emergency medical care, fire protection services, rescue and hazardous material response. Shall an ordinance be adopted authorizing an annual, parcel tax on all nonexempt parcels within the District, with rates based on land use, including a maximum rate of \$75 per single-family home, with approximately \$237,994 annually, until ended by voters?</p>	<p>YES</p> <p>_____</p>	<p>NO</p> <p>_____</p>
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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. A two-thirds vote of the qualified voters of the District voting in an election on the issue is required to adopt the ordinance.

SECTION 5. Pursuant to Elections Code Section 10403, the Board of Directors hereby requests that the District election called herein be consolidated with, and appear on the same ballot as, the statewide election to be conducted on November 5, 2024. The Board of Directors acknowledges that the election will be held and conducted in the manner prescribed in Elections Code Section 10418. The ballots to be used at the election shall be in the form and content as required by law.

SECTION 6. Pursuant to Elections Code Section 10411, the Board of Supervisors is authorized to canvass the results of the election. The District staff is hereby authorized to contract with the Shasta County Registrar of Voters for election-related services and the District shall reimburse the County for any costs incurred, promptly upon the receipt of invoices.

SECTION 7. 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 8. Notice of the time and place of holding the Special District Election is hereby given and the District Secretary, in cooperation with the County Registrar of Voters, is authorized and directed to give further or additional notice of the election, in the time, form and manner as required by law.

SECTION 9. The Chair of the Board of Directors shall sign, and the District Secretary shall certify to the passage and adoption of this Resolution and enter it into the official records of the District. The District Secretary shall file this resolution with the Shasta County Board of Supervisors, and a copy with the Registrar of Voters, forthwith and at least 88 days prior to the November 5, 2024, election.

PASSED, APPROVED, AND ADOPTED on this 18th day of June 2024, by the following vote:

AYES: R. Valinoti, F. Bartell, I. May, K. VanCleave


NOES: None

ABSTAIN: None

ABSENT: P. Grant


Board Chair

ATTEST:


District Secretary