

RESOLUTION NO. 20-6

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**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE WOODBRIDGE RURAL FIRE PROTECTION DISTRICT
CALLING AN ELECTION ON NOVEMBER 3, 2020, TO SUBMIT
A SPECIAL TAX MEASURE TO THE VOTERS OF THE DISTRICT
AND REQUESTING CONSOLIDATION OF THE ELECTION WITH THE
STATEWIDE ELECTION TO BE HELD ON THAT DATE**

WHEREAS, the Board of Directors (the "Board") of the Woodbridge Rural Fire Protection District (the "District"), on August 6, 2020, held a noticed public hearing on the subject of obtaining additional revenues to enable the District to keep all local fire stations open, including Fire Station 72; maintain emergency rescue services; keep its firefighting and lifesaving facilities and equipment up-to-date; and restore firefighter and emergency responder positions in order to maintain rapid response times for fire protection and 9-1-1 emergency medical services;

WHEREAS, Health and Safety Code section 13911 authorizes the District to levy a special tax pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, upon approval of two-thirds of the votes cast at an election;

WHEREAS, following consideration of comments received from the public at the hearing, the Board has determined that it is in the best interests of the community to call an election to submit to the voters of the District the question of whether the District shall levy a special tax;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Woodbridge Rural Fire Protection District as follows:

Section 1. Recitals. The Board finds and determines that the foregoing recitals are true and correct.

Section 2. Election Order; Ballot Measure. Pursuant to Government Code section 50077, an election shall be held within the boundaries of the District on Tuesday, November 3, 2020, submitting to the voters of the District the measure set forth in Exhibit A hereto. If the measure is approved by at least two-thirds of the qualified voters voting thereon, the special tax shall be levied annually, commencing fiscal year 2021-22 and continuing until repealed by the voters. Exhibit A hereto comprises the full text of the measure.

Section 3. Abbreviated Statement of the Measure. Pursuant to Elections Code section 13247, the statement of the measure submitted to the voters shall be abbreviated on the ballot as follows:

To maintain local fire protection and 911 emergency medical rapid response times; keep all fire stations open; maintain emergency rescue services; keep firefighting, lifesaving equipment/facilities up-to-date and restore/retain firefighter/emergency medical positions; shall Woodbridge Rural Fire Protection District's measure levying 8¢ per building square foot on improved parcels and \$45 per unimproved parcel annually for fire protection/emergency response, until ended by voters, providing

\$1,200,000 annually, requiring independent oversight, and all funds for Woodbridge Rural Fire Protection District services, be adopted?

Section 4. Full Text of the Measure. The District hereby requests the San Joaquin County Registrar of Voters to publish the full text of the measure, which is set forth in Exhibit A, in the ballot pamphlet materials.

Section 5. Changes to Text. The District's Fire Chief, or designee, is hereby authorized and directed to make any changes to the text of the measure, or to the abbreviated statement of the measure, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of elections officials, and the requirements of law.

Section 6. Request for Consolidation. Pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the San Joaquin County Board of Supervisors is requested to order consolidation of the special tax election with such other election or elections as may be held on the same day in the same territory or in territory that is in part the same. The Secretary of the Board is hereby directed to deliver, not later than 88 days prior to the date set for the election, a copy of this Resolution to the San Joaquin County Board of Supervisors and the San Joaquin County Registrar of Voters. The District acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418 of the Elections Code.

Section 7. Services of Registrar of Voters. Pursuant to Elections Code section 10002, the Board hereby requests that the San Joaquin County Registrar of Voters render all services relating to the election, including, but not limited to, printing and mailing sample ballots, arguments and applications for absentee ballots, canvassing election returns and certifying the results of the election to the Board. The Board hereby agrees to reimburse the County of San Joaquin in full for any services performed for the District upon presentation of an invoice to the District.

Section 8. Ballot Argument. The members of the Board are hereby authorized, but not directed, to prepare and file with the San Joaquin County Registrar of Voters/Elections Department a ballot argument in favor of the special tax measure, by no later than the time authorized by law.

Section 9. California Environmental Quality Act. Based upon all of the facts before it on this matter, the Board finds that the submission of this question of a special tax to the voters is not subject to, or is exempt from, the California Environmental Quality Act ("CEQA") because it is not a project as defined by State CEQA Guidelines section 15378(b)(4) as it relates to the creation of government funding mechanisms that do not involve commitment to any specific project that may result in a potentially significant physical impact on the environment.

Section 10. Separability. The special tax shall not apply to any person, entity, or property as to whom or which it is beyond the power of the District to impose the special tax. If for any reason any provision of this Resolution or the application thereof is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the District by a court of competent jurisdiction, such provision or application shall be severed from, and does not affect the

validity of, all remaining portions of this Resolution and the measure that can be given effect without the severed portion.

Section 11. General Authorization with Respect to the Election. The members of the District's Board, the District's Fire Chief, and the other officers of the District, and each of them individually, are hereby authorized and directed to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution. All actions heretofore taken by the officers and agents of the District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

The foregoing Resolution was adopted by the Board of Directors of the Woodbridge Rural Fire Protection District on August 6, 2020, by the following vote:

AYES: Duke, Manna, Moore, Gerlack

NOES: None

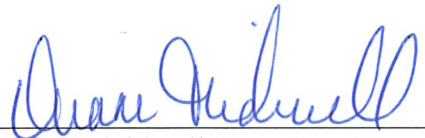
ABSENT: Alexander

ABSTAIN: None



David Duke, President, Board of Directors

ATTEST:



Diana K. Tidwell, Secretary, Board of Directors

EXHIBIT A

MEASURE ____
Woodbridge Rural Fire Protection District
Special Tax

Purpose of the Special Tax

The Woodbridge Rural Fire Protection District shall be authorized to levy a special tax as described herein to provide funding to:

- Maintain rapid response times for fire protection and 9-1-1 emergency medical services;
- Keep all fire stations open, including Fire Station 72;
- Keep firefighting and lifesaving equipment and facilities up-to-date;
- Maintain emergency rescue services;
- Increase firefighter staff levels to meet minimum national standards;
- Restore firefighter and emergency medical responder positions;
- Attract and retain qualified firefighters;
- Equip firefighters to better respond to wildland fires;
- Replace aging fire engines;
- Repair and maintain aging fire stations;
- Prevent firefighter layoffs;
- Maintain fire prevention services; and
- Prepare for future medical emergencies and natural disasters.

Rate of the Special Tax; Duration

The special tax shall be levied annually in the following amounts on each taxable parcel of land within the District, commencing fiscal year 2021-22 and continuing until repealed by the voters:

Property Type	Rate
Improved property	\$0.08 per building square foot
Unimproved property	\$45.00 per parcel

Taxable parcels are those parcels that appear on the annual secured San Joaquin County property tax roll and are billable for District services.

Method of Collection

The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same procedure, sale, and lien priority in case of delinquency as is provided for *ad valorem* taxes; provided, however, that the District Board of Directors may authorize other appropriate methods of collection of the special tax by resolution.

Accountability Measures

In accordance with the requirements of Government Code sections 50075.1 and 50075.3, the following accountability measures apply to the special tax levied in accordance with this measure:

- (a) the specific purposes of the special tax are those purposes identified above;
- (b) the proceeds of the special tax shall be applied only to those specific purposes identified above;
- (c) a separate, special restricted fund shall be created into which the proceeds of the special tax must be deposited; and
- (d) an annual written report shall be made to the Board of Directors of the District showing (i) the amount of funds collected and expended from the proceeds of the special tax and (ii) the status of any projects or programs authorized to be funded from the proceeds of the special tax, as identified above.

The District shall establish an independent citizens' oversight committee, which shall conduct an annual, independent performance audit to ensure that the special taxes are expended only for the purposes set forth in this measure.

Approval of Measure and Resolution

For purposes of Government Code section 50077.5, approval of the measure by two-thirds of the qualified voters voting thereon will be deemed to be voter approval of the resolution that proposed the measure, and the resolution shall be deemed to levy the special tax. The special tax set forth in this measure and the resolution shall be considered as approved and effective upon the date that the results of the election are declared by the Board of Directors of the District.

Appeals

Any property owner who is assessed a special tax as provided for herein 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 notice of appeal at the District's office. Any such appeal must be filed by December 1 of the tax year for which the tax is levied. The appeal must be filed on the form provided by the District and contain a statement by the property owner of the nature and basis for the appeal in accordance with the District's appeal procedure.