

**NOTICE TO COUNTY CLERK
OF MEASURE(S) TO BE SUBMITTED TO THE VOTERS**

BOULDER CREEK FIRE PROTECTION DISTRICT

NAME OF DISTRICT/CITY
AS IT WILL APPEAR ON THE BALLOT

To the County Clerk of Santa Cruz County:

Notice is hereby given that the BOARD OF DIRECTORS OF BOULDER CREEK FIRE PROTECTION DISTRICT has approved a measure to be placed on the November 8, 2016 ballot.

- Attached is the 75-word or less ballot question(s) to appear on the November 8, 2016 ballot.
- Also attached is the measure text (for each measure) exactly as it is to be printed in the Voter's Pamphlet section of the Sample Ballot for the November 8, 2016 election. Cost of printing and distribution of the measure text will be paid for by the district/city.
- Do not print the measure text in the Voter's Pamphlet section of the Sample Ballot. Instead, send a copy to voters upon request at the cost of said district/city.

(Seal of the District/City)



Signature (District Secretary/City Clerk)

Dated: 6-24-16

To provide local fire protection and emergency medical services and to ensure prompt response times for 9-1-1 emergency calls, shall an ordinance establishing an annual parcel tax of \$35 per parcel for thirty years be established with all money going to protect local fire and emergency medical services, including the acquisition of new fire and emergency response vehicles, protective gear and equipment, and self-contained breathing apparatus be adopted by the Boulder Creek Fire Protection District?

The Boulder Creek Volunteer Fire Department is an independent special district formed in 1926 to provide emergency response and fire protection services to roughly 11,000 residents within a 21 square mile area. BCFD operates with 1.5 paid staff and 38 volunteer firefighters, who respond to calls 24 hours a day, 7 days a week. In 2015, BCFD responded to more than 850 calls, with an average response time of 7 minutes.

On July 14, 2015, the District passed Resolution 15-14, approving the Apparatus and Equipment Replacement Schedule. The schedule addresses emergency response vehicles (fire trucks/engines), structure personal protective equipment, and self-contained breathing apparatus. This schedule was projected out over a 30-year timeline, with a total estimated cost of \$5,205,000. The District's annual budget can't fully cover the cost of replacing outdated equipment as required by the replacement schedule.

The lack of sufficient emergency response equipment could not only compromise the ability of volunteer firefighters to respond effectively to local emergencies, but also lead to a reduced ISO rating, increased local fire insurance rates, and inability to obtain fire insurance that would adequately compensate policyholders in the event of a fire.

In order to protect BCFD volunteers and the community they serve, the District is requesting the community approve the first parcel tax in BCFD history, specifically to fund vehicles and equipment most critical to ongoing operations.

Proceeds of this parcel tax will not be used for any other purpose, and will not be used to offset other District obligations.

SECTION 1. PURPOSE AND INTENT.

It is the purpose and intent of this ordinance to authorize the levy of a special tax on parcels of real property on the secured property tax roll of Santa Cruz County that are within the Boulder Creek Fire Protection District (the "District") boundaries to raise revenue for the District to use in providing and enhancing necessary fire protection, including through acquisition, operation and maintenance for fire suppression and emergency response vehicles, protective gear and equipment, and self-contained breathing apparatus.

SECTION 2. 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; Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code; Article 3.7 (commencing with Section 53720) of Chapter 4 of Division 2 of Title 5 of the California Government Code; California

Government Code Section 53978; and Sections 13911 and 13913 of the California Health and Safety Code.

SECTION 3. AMOUNT AND LEVEL OF TAXES.

A special tax for the purpose specified in Section 1 of this ordinance shall be imposed on all parcels of real property in the Boulder Creek Fire Protection District for each fiscal year, commencing with fiscal year 2017-2018. The maximum amount of the special tax for fiscal year 2017-18 shall be \$35.00 per parcel.

Beginning with fiscal year 2018-19 and for each fiscal year thereafter, the maximum amount of the special tax shall increase by the lesser of (i) two percent or (ii) the percentage by which the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland- San Jose Area published by the Bureau of Labor Statistics of the United States Department of Labor, or any successor to that index, increased in the twelve months prior to March of the calendar year in which the adjustment is made.

The records of the Santa Cruz County Assessor as of March 1st of each year shall be used to identify each parcel for the calculation of the special tax applicable to that parcel in the following fiscal year.

For the purposes of this ordinance, the term "parcel" shall mean a parcel of real property having a separate assessor's parcel number as shown on the last equalized assessment roll of Santa Cruz County.

SECTION 4. COLLECTION.

The special tax levied on each parcel pursuant to this ordinance shall be a charge upon the parcel and shall be due and collectible as set forth in this section.

(a) Taxes as Liens Against the Property. The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

(b) Collection. The special tax levied on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes. The special tax shall be collected by Santa Cruz County on behalf of the District in the same manner in which Santa Cruz County collects secured roll ad valorem property taxes. The times and procedure regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collection for secured roll ad valorem property taxes apply to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

- (1) The secured roll tax bills shall be the only notices required for this tax; and
- (2) The homeowner and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount value.

SECTION 5. ACCOUNTABILITY MEASURES.

(a) Account. Upon the levy and collection of the tax authorized by this ordinance, an account shall be created into which the proceeds of the tax will be deposited. The proceeds of the tax authorized by this ordinance shall be applied only to the specific purposes identified in this ordinance.

(b) Annual Report. An annual report that complies with the requirements of Government Code section 50075.3 shall be filed with the District Board of Directors no later than January 1 of each fiscal year in which the tax is levied.

SECTION 6. APPROPRIATIONS LIMIT.

The appropriations limit of the District established under Article XIII B of the California Constitution shall be increased by the amount collected by the levy of this special tax in accordance with the applicable requirements of state law.

SECTION 7. 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 portion of this ordinance. The voters of the District hereby declare that they would have adopted the remainder of this ordinance, including each section, subsection, sentence, phrase or clause, irrespective of the invalidity of any other section, subsection, sentence, phrase or clause.

SECTION 8. EFFECTIVE DATE; EXPIRATION DATE.

This ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting thereon in an election to be held on November 8, 2016, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2017. This ordinance, and the levy of taxes authorized herein, shall terminate on June 30, 2048.

**Resolution Ordering an Election
Requesting County Elections to Conduct the Election,
And Requesting Consolidation of the Election**

Resolution No. 16-04

Boulder Creek Fire Protection District

WHEREAS, the Board of Directors (the "Board") of the Boulder Creek Fire Protection District (the "District") has determined that it is in the best interests of the District's citizens to provide the appropriate and an improved level of fire protection and emergency medical response services for the community, including through the acquisition of new fire and emergency response vehicles, and to provide the highest level of protection for the District's firefighters and emergency response personnel through the acquisition of new and improved protective gear and equipment, and self-contained breathing apparatus; and

WHEREAS, the amount of revenue available to the District from property taxes is inadequate to meet the cost of maintaining adequate levels of fire protection and emergency services and fund the acquisition and maintenance of the above-referenced items; and

WHEREAS, a special tax is necessary for public protection and public safety in order to assist in meeting the costs of providing these services, vehicles and equipment; and

WHEREAS, Article XIII A, Section 4 of the California Constitution and California Government Code sections 50075 et seq. authorize the District to propose the adoption of a special tax for specified purposes and to levy a parcel tax following approval by at least two-thirds of the voters voting on the measure; and

WHEREAS, the Board proposes to establish a levy of a parcel tax upon parcels of land within the District for the purpose of providing fire protection and emergency medical services and to ensure prompt response times for 9-1-1 emergency calls; and

WHEREAS, if approved by two-thirds of the voters voting on it, District Ordinance No. 2016-01 will establish an annual parcel tax of \$35 per parcel for thirty years and will, concurrently, raise the annual appropriations limit of the District to allow it to expend the amount raised by the tax for the purposes set forth therein; and

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or special district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city or special district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city, or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, the resolution requesting the consolidation shall be adopted and file at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 8, 2016;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED THAT THE governing body of the Boulder Creek Fire Protection District hereby orders and election to be called to be held on November 8, 2016 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the County of Santa Cruz requests the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Section 10401 and 10403; and

BE IT FURTHER RESOLVED AND ORDERED that said governing body hereby requests the Board of Supervisors to permit the Santa Cruz County Elections

Department to provide any and all services necessary for conducting the election and agrees to pay for said services; and

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department shall conduct the election for the following MEASURE to be voted on at the November 8, 2016 election:

"To provide local fire protection and emergency medical services and to ensure prompt response times for 9-1-1 emergency calls, shall an ordinance establishing an annual parcel tax of \$35 per parcel for thirty years with all money going to protect local fire and emergency medical services, including the acquisition of new fire and emergency response vehicles, protective gear and equipment, and self-contained breathing apparatus be adopted by the Boulder Creek Fire Protection District?"; and

BE IT FURTHER RESOLVED AND ORDERED THAT Santa Cruz County Elections Department is requested to print the attached measure text exactly as filed or indicated on the filed document in the Voter's Information Pamphlet for the November 8, 2016 election. Cost of printing and distribution of the measure text will be paid for by the city/district; and

BE IT FURTHER RESOLVED AND ORDERED THAT THE Board requests that the Santa Cruz County Registrar of Voters take all actions that are necessary or appropriate in connection with 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 Santa Cruz County Board of Supervisors. The Board agrees to reimburse Santa Cruz County in full for any services performed by the County for the District upon presentation of an invoice to the District; and

BE IT FURTHER RESOLVED AND ORDERED THAT the members of the Board are authorized to prepare and file with the Santa Cruz County Registrar of Voters a ballot argument in favor of the Measure, and prepare any ballot argument in connection with the election on the Measure, and including a rebuttal argument, within the time established by the Registrar of Voters; and

BE IT FURTHER RESOLVED AND ORDERED THAT the District Fire Chief or his designee is hereby authorized to execute any other documents and to perform all acts necessary to place the Measure on the ballot, including making alterations to the abbreviated text of the Measure in order to comply with the requirements of law and the Santa Cruz County Registrar of Voters.

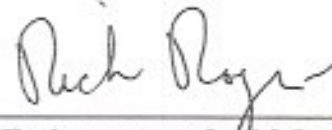
PASSED AND ADOPTED this 28th day of June 2016, by the following vote:

| **Ayes: Robustelli, Presswood, Currier, Rogers**

Noes: None

Abstentions: None

| **Absent: Locatelli**

A handwritten signature in black ink, appearing to read "Rich Rogers", written over a horizontal line.

Chairperson of said Governing Board

ORDINANCE NO. 2016-01

AN ORDINANCE OF THE BOULDER CREEK FIRE PROTECTION DISTRICT TO AUTHORIZE THE LEVY OF A SPECIAL TAX TO FINANCE FIRE PROTECTION AND EMERGENCY SERVICES, INCLUDING ACQUISITION OF EMERGENCY VEHICLES, PROTECTIVE GEAR AND SELF-CONTAINED BREATHING APPARATUS AND AUTHORIZING AN INCREASE IN THE APPROPRIATIONS

The people of the Boulder Creek Fire Protection District ordain as follows:

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- (2) The homeowner and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount value.

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This ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting thereon in an election to be held on November 8, 2016, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2017. This ordinance, and the levy of taxes authorized herein, shall terminate on June 30, 2048.

Within 15 days of passage, this ordinance shall be published once, with the names of the Directors voting for and against it, in the Santa Cruz Sentinel, a newspaper of general circulation published in this County.

PASSED AND ADOPTED at a regular meeting of the Board of Directors, Boulder Creek Fire

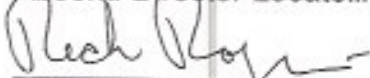
Protection District, State of California, on June 28th, 2016, by the following vote:

Ayes: Directors Robustelli, Presswood, Currier, Rogers

Noes: None

Abstentions: None

Absent: Director Locatelli



Chairperson of said Governing Board