Resolution # 1819-13

RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKEPORT FIRE PROTECTION DISTRICT CALLING FOR A MAIL BALLOT ELECTION FOR VOTER APPROVAL OF A PARCEL TAX

WHEREAS, the Lakeport Fire Protection District ("District") is a public agency of the State of California, formed and existing pursuant to the California Health and Safety Code (HSC § 13800 *et seq.*); and

WHEREAS, on November 22, 1999 Local Agency Formation Commission (LAFCO) of Lake County completed the annexation of the City of Lakeport Fire Department by the Lakeport County Fire Protection District; and

WHEREAS, on November 2002 the District Board of Directors ("Board") approved changing the District's name to the Lakeport Fire Protection District and

WHEREAS, the District provides fire protection services to the Lakeport and Finley areas of Lake County; and

WHEREAS, current funding is not adequate to cover the costs of administering and operating the District; and

WHEREAS, a proposed new local parcel tax measure would provide funds needed to meet the costs of continuing to provide fire and emergency medical services; and

WHEREAS, mandatory fiscal accountability provisions and independent financial audits will ensure that all funds are spent to support the District and programs in the District; and

WHEREAS, Section 4 of Article XIIIA of the California Constitution, Section 13913 of the California Health and Safety Code, and 53978 of the California Government Code authorize the District to adopt such a local funding measure in the form of a parcel tax, subject to two-thirds approval of the voters voting on the measure; and

WHEREAS, the parcel tax may be varied to each parcel, improvement, or use of property based on the degree of availability of fire protection and prevention; and

WHEREAS, Sections 4000 and 4108 of the California Elections Code authorize the District to call a mail ballot election for May 7, 2019; and

WHEREAS, the Board has conducted a noticed public hearing, as required by law, on the question of whether or not to request the District's voters to authorize funding for the purposes identified below; and

WHEREAS, the Board has determined in its best judgment that it is advisable to call an election and submit to the voters of the District the question of whether to continue a local funding measure in order to continue to provide fire and emergency medical services to all local residents; and

WHEREAS, the purpose of the election is for the voters of the District to vote on a local funding ballot measure. As required by California Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto as ***Exhibit B.*** A notice of public hearing and information is attached hereto as ***Exhibit C***. The full Ordinance of the local funding measure is attached hereto as ***Exhibit A*** ("Measure").

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

1. **Recitals.** The foregoing recitals are true, correct and a substantive part of this Resolution.

2. **Order of Election; Authority.** The Board of Directors hereby requests that the Lake County Registrar of Voters (the "County Registrar") call and conduct an all-mail election within the Lakeport Fire Protection District's boundaries on May 7, 2019, and submit to the District's voters the question of whether to adopt the Measure. This mailed ballot may be implemented by a private firm under the auspices and with the cooperation of the County Registrar. The authority for the specifications of this election order is contained in Sections 61121(a) and 50075 of the California Government Code, and Sections 4000 and 4108 of the California Elections Code. The Board requests that this election be conducted as a mail ballot election as permitted by California Elections Code sections 4000 and 4108.

3. **Specifications of Ballot Measure.** The purpose of the election is for the voters of the District to vote on the Measure, a full copy of which is attached hereto as ***Exhibit A***. As required by California Elections Code section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto as ***Exhibit B***.

4. **Transmittal of Resolution.** The Secretary of the Board is hereby authorized and directed to certify to the adoption of this Resolution and to transmit or deliver a copy hereof so certified to the County Registrar, and to file copies hereof so certified with the Lake County Board of Supervisors (the "Board of Supervisors"), so that the copies are received no later than February 8, 2019.

5. **Election Services.** The County Registrar is hereby requested to take all steps incident to the preparation for and the holding of the election as an all mail election in accordance with law and these specifications. The District will reimburse Lake County for the cost of election services as required by law. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding district elections.

6. **Additional Actions.** The Chairman of the Board, or his or her designee, is hereby authorized and directed to take all actions 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. The Board hereby designates the following two (2) Board members to draft the argument for the Measure on behalf of the Board: Alan Flora and Don Davidson. All actions heretofore taken by the District's officers and agents that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

7. **Severability.** The Board hereby declares, and the voters by approving this local funding measure concur, that every section and part of this Measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision

hereof. Upon approval of this Measure by the voters, should any part of the Measure or tax rates be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the Measure or tax rates will remain in full force and effect to the fullest extent allowed by law.

PASSED AND ADOPTED at the special meeting of the Board of Directors of the Lakeport Fire Protection District held this 5th day of February 2019.

Chairman of the Board, Board of Directors
Lakeport Fire Protection District

ATTEST:

Linda K. Buckner,
Secretary of the Lakeport Fire Protection District
and the Board of Directors