
MEASURE D

**PROPOSAL TO AUTHORIZE SPECIAL TAX FOR NORTH AUBURN-OPHIR FIRE
(CSA 28, ZONE 193) AREA**

Shall an ordinance be adopted to increase existing direct charges for residential development by \$40 per unit; for mobile home parks by \$20 per unit; for commercial/ industrial development by \$0.046 per square foot for fire protection, emergency medical, prevention services and equipment replacement in North Auburn - Ophir Fire (CSA 28, Zone 193) (Charges approved in this measure are subject to an annual cost of living adjustment not to exceed 3% in any year)?

YES _____

NO _____

IMPARTIAL ANALYSIS BY PLACER COUNTY COUNSEL

The North Auburn Fire Community Service Area 28, Zone 193 has determined that, due to reduced property values and the corresponding reduction in property tax revenues, a new special tax is necessary to sustain the current level of fire services. The tax revenue generated will be used for fire protection, emergency medical services, prevention services and equipment replacement.

If passed, the tax would be levied on residential development (an increase of \$40 per unit), mobile home parks (an increase of \$20 per unit), and commercial/industrial development (an increase of \$0.046 per square foot). The tax also has a measure that would allow for an annual cost of living adjustment not to exceed 3% in any given year.

Article XIII A of the California Constitution, passed by the electorate in 1978 as Proposition 13, requires approval by the electorate to levy special taxes. Government Code section 53978 authorizes a process to propose and submit a special tax to the voters. These provisions

require that the taxes be used solely for the specific purposes for the tax and not for any other purpose.

This proposed special tax must be approved by two-thirds of those voting in the district.

A "Yes" vote is a vote to authorize a new special tax for the stated purposes.

A "No" vote is a vote against a new special tax.

This analysis is submitted by the Office of the County Counsel of Placer County, pursuant to the requirements of section 9160 of the Elections Code of the State of California.

Anthony J. La Bouff
County Counsel

By: Brian R. Wirtz
Deputy County Counsel

**NO ARGUMENT AGAINST MEASURE D
WAS SUBMITTED BY THE DEADLINE**

RESOLUTION NO: 2012-028

IN THE MATTER OF A RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THAT A SPECIAL TAX MEASURE FOR FIRE PROTECTION, EMERGENCY MEDICAL AND PREVENTION SERVICES AND EQUIPMENT REPLACEMENT BE SUBMITTED TO THE VOTERS AT THE PRIMARY ELECTION TO BE HELD ON TUESDAY, JUNE 5, 2012.

WHEREAS, with reduced property values and the corresponding reduced property tax revenues, North Auburn-Ophir Fire (CSA 28, Zone 193) revenues are inadequate to fund the current level of fire services; and

WHEREAS, under California law, raising revenues can be accomplished through a special tax which will require approval by at least two-thirds of registered voters in the North Auburn-Ophir Fire (CSA 28, Zone 193) area; and

WHEREAS, prior to reducing services to levels that will impact the community, the Board of Supervisors of the County of Placer, under the authority of Government Code Section 53978, wishes to propose to the voters the adoption of a special tax as more fully set forth below; and

WHEREAS, the Board of Supervisors of the County of Placer desires to submit to the voters at the Primary Election to be held on June 5, 2012, a question to approve an ordinance that will levy a special tax for fire protection, emergency medical services, prevention services and equipment replacement.

NOW, THEREFORE, BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, CALIFORNIA DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The Placer County Board of Supervisors, pursuant to its right and authority, does hereby order submitted to the voters at the Primary Election to be held on June 5, 2012, the following measure:

Shall an ordinance be adopted to increase existing direct charges for residential development by \$40 per unit; for mobile home parks by \$20 per unit; for commercial/ industrial development by \$0.046 per square foot for fire protection, emergency medical, prevention services and equipment replacement in North Auburn - Ophir Fire (CSA 28, Zone 193) (Charges approved in this measure are subject to an annual cost of living adjustment not to exceed 3% in any year)?	YES _____	NO _____
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SECTION 2. The text of the proposed ordinance to be submitted to the voters is attached hereto and incorporated herein by reference.

SECTION 3. The ballots to be used at the election shall be in form and content as required by law.

SECTION 4. The Placer County election official is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election and is authorized to canvass the returns of the election.

SECTION 5. The polls for the election shall be open at seven o'clock a.m. on the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the California Elections Code.

SECTION 6. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. The Clerk of the Board of the County of Placer is hereby directed to certify to the passage and adoption of this Resolution and file a certified copy of this Resolution with the election official of the County of Placer, not later than February 1, 2012.

The following RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held, January 24, 2012, by the following vote on roll call:

Ayes: WEYGANDT, HOLMES,
UHLER, MONTGOMERY

Noes: NONE

Absent: DURAN

Signed and approved by me after its passage.

**Jennifer Montgomery
Chairman, Board of Supervisors**

**Attest:
Clerk of said Board
Ann Holman**