

**PLACER COUNTY
OFFICE OF EMERGENCY SERVICES**

M E M O R A N D U M

To: **Honorable Board of Supervisors**

From: Thomas Miller, County Executive Officer
 by: Rui Cunha, Assistant Director of Emergency Services

Date: January 24, 2012

Subject: A Resolution and Ordinance ordering that a special tax measure for fire protection, emergency medical and prevention services and equipment replacement within the North Auburn – Ophir Fire area be submitted to the voters at the primary election on June 5, 2012.

ACTION REQUESTED

That your Board approve a Resolution and adopt an Ordinance ordering that a special tax measure for fire protection, emergency medical and prevention services and equipment replacement within the North Auburn – Ophir Fire area be submitted to the voters at the primary election on June 5, 2012. The tax would be subjected to annual increases based on a defined cost escalator.

BACKGROUND

Your Board was briefed on December 13, 2011 on recently completed study efforts showing the long-term fiscal shortfalls of County Service Area 28, Zone of Benefit 193, aka North Auburn-Ophir Fire, (hereinafter "NAOF") for operations at current service levels. Some of that presentation is repeated here for continuity and clarity.

At the conclusion of the presentation, staff was directed to take all necessary steps to offer the NAOF community (map attached) the opportunity to ensure the future of its fire protection by voting to increase their existing Special Assessment for fire protection. The increase proposed herein does maintain existing service levels through FY 2020/21 which is the period covered by the aforementioned study.

Under current funding levels, NAOF would not be expected to achieve an operating surplus over the next ten years, and existing reserves would be exhausted by the end of FY 2013/14. The study projects that, by the end of FY 2020/21, NAOF will have a cumulative operating shortfall of approximately \$4,600,000. To avoid this situation, NAOF requires an additional \$570,000 in annual revenues which, without benefit of a tax increase, can only be realized by reducing annual operating expenses by that same amount. Only by this extreme measure will fiscal viability of NAOF be maintained over the full period of the study.

Board of Supervisors
North Auburn Ophir Fire Ordinance
Assistant Director of Emergency Services
Jan 24, 2012

As your Board recalls, NAOF comprises three stations operating three engines with a total of six firefighters and has a total annual call volume of approximately 2400 calls of which 84% are being met by NAOF resources. On all other calls, assistance from outside agencies is requested.

The Study examined service reduction options as a means to maintaining fiscal viability over the coming 10 years. The most likely scenario was reducing current staffing from six firefighters to four, which would realize over \$510,000 in annual savings. This reduction (when coupled with associated capital asset reductions), would ensure NAOF fiscal viability. However, staffing of three frontline engines requires more than four on-duty firefighters, and at any rate, that staff reduction would result in a lesser number of call responses even if the demand for service increases over time.

In sum, additional support would be required from outside the NAOF area, response times would increase, there would likely be an increase in bad outcomes, neighboring fire jurisdictions would be impacted, and insurance rates would in all likelihood, increase.

The alternative to service reductions is to increase revenues. As use of a fee-for-service option is clearly neither optimum nor preferred, the best method for a community to increase its revenues is for a super-majority (66.7%) of served, registered voters to agree to assessing themselves a special tax. A special tax initiative requiring a super-majority vote is difficult to achieve, but it will clearly lay out the community's support for sustaining services at current levels.

FISCAL IMPACT

There is no impact to the County General Fund as a result of this action. Elections costs will be borne by North Auburn-Ophir Fire.

Attachments:

Resolution with Attached Ordinance

Map of North Auburn – Ophir Fire (CSA 28, Zone 193)

Before the Board of Supervisors County of Placer, State of California

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.

Resolution No: _____

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

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Jennifer Montgomery
Chairman, Board of Supervisors

Attest:
Clerk of said Board

Ann Holman

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:

83

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 \$.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 _____
---	---------------------	--------------------

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.

**Before the Board of Supervisors
County of Placer, State of California**

**In the matter of: AN UNCODIFIED ORDINANCE
CALLING FOR AN ELECTION BY THE VOTERS OF
CSA 28, ZONE 193 TO IMPOSE A SPECIAL TAX IN
SUPPORT OF FIRE SUPPRESSION FUNDING**

Ordinance No: _____

First Reading: _____

The following **Uncodified Ordinance** was duly passed by the Board of Supervisors of the County at their regular meeting on _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Jennifer Montgomery
Chairman, Board of
Supervisors

Attest:
Clerk of said Board

Ann Holman

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings and Recitals

A. With reduced property values and the corresponding reduced property tax revenues, North Auburn-Ophir Fire (CSA28 Zone193) is receiving inadequate revenue to fund the current level of essential fire services.

B. 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.

C. Prior to reducing services to levels that will impact the community, the Placer County Board of Supervisors 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.

D. The Placer County Board of Supervisors has determined that it is appropriate to place the proposed measure before the voters for decision. The proposed measure augments and is in addition to any existing taxes applicable to North Auburn-Ophir Fire (CSA 28, Zone 193).

Section 2. Amount of Special Tax

Pursuant to California Government Code section 53978 there is hereby levied and assessed as a special tax by the County of Placer within North Auburn-Ophir Fire (CSA 28, Zone 193), the following:

- 1) An annual special tax of forty (\$40.00) dollars per single family residential unit.
- 2) An annual special tax of twenty (\$20.00) dollars for mobile homes in mobile home parks.
- 3) An annual special tax of \$.046 per square foot on all commercial/industrial development.
- 4) Following a public hearing, the special tax may be adjusted at the beginning of each fiscal year commencing July 1, 2012, by an amount not to exceed the annual change in the San Francisco-San Jose-Oakland regional consumer price index for the preceding twelve (12) months, not to exceed 3% in any year.
- 5) This special tax, as approved by the voters, shall be used only for the purpose of providing fire prevention, fire suppression, equipment and facilities replacement, and emergency medical services. The tax proceeds shall be placed in the general fund account for CSA 28, Zone 193.

Section 3. Collection of Tax

If approved by 2/3 of the registered voters of North Auburn-Ophir Fire at the election the special tax set forth above shall be collected annually by Placer County in the same manner and subject to the same penalties as other taxes collected by the County.

Section 4. Applicability of Tax

The public safety tax hereby imposed shall not be imposed upon a Federal or State Governmental agency or any local agency or upon any parcel of property that is exempt from the special tax imposed by this ordinance pursuant to any provision of the Constitution or any paramount law. The special tax, if approved by 2/3 of the registered voters of North Auburn-Ophir Fire (CSA 28, Zone 193) voting on the measure, will augment the previously approved special tax levied on improved properties within CSA 28, Zone 193.

Section 5. Ballot

The ballot proposition shall be presented and printed upon the ballot in the manner set forth in this section 5 and submitted to the voters at the Primary Election to be held on June 5, 2012, as follows:

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 \$.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.

Section 6. Election Services

The Placer County Elections Office will conduct the election at designated precinct voting places located within North Auburn Ophir Fire (CSA 28, Zone 193), with the cost of said election to be borne by North Auburn-Ophir Fire.

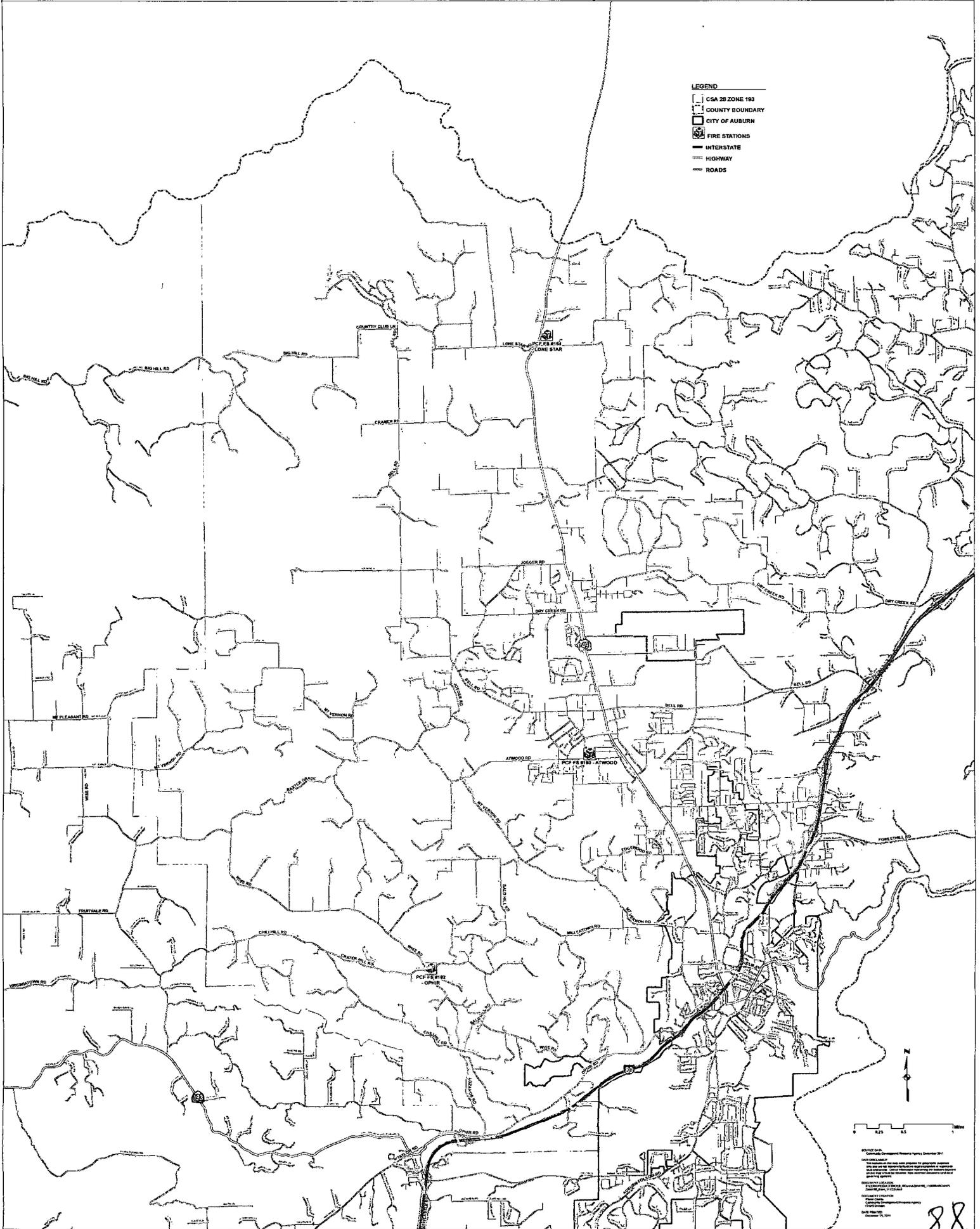
Section 7. Effective Date

This ordinance shall be effective only if approved as an initiative or referendum measured by two-thirds (2/3) of the voters of North Auburn-Ophir Fire (CSA 28, Zone 193) voting at an election to be held on June 5, 2012 and, in such case, shall go into effect immediately after the Board of Supervisors has, by resolution, declared that such measure was approved by two-thirds of the voters voting thereon.

Section 8. Summary Publication and Posting

The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code Section 25124. Within fifteen (15) days after adoption, the Clerk of the Board shall cause a true and correct copy of the ordinance to be posted in at least three (3) public places within North Auburn-Ophir Fire.

NORTH AUBURN-OPHIR FIRE (CSA 28, ZONE 193)



0 0.25 0.5
MILES

DATE: 10/15/01
BY: [illegible]
FOR: [illegible]