

Groveland Community Services District

Resolution No. 1-12

RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT PROPOSING SPECIAL TAX TO FUND WAGES AND BENEFITS FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES PERSONNEL; CALLING AN ELECTION TO BE HELD TO SEEK REGISTERED VOTER APPROVAL OF A MEASURE TO AUTHORIZE LEVY OF THE SPECIAL TAX; PRESCRIBING THE WORDING OF THE MEASURE; REQUESTING CONSOLIDATION OF SAID ELECTION WITH THE STATEWIDE ELECTION TO BE HELD ON TUESDAY, JUNE 5, 2012; AND REQUESTING THAT THE TUOLUMNE COUNTY ELECTIONS DEPARTMENT PROVIDE SERVICES IN CONNECTION WITH THE CONDUCT OF THE ELECTION

WHEREAS, in furtherance of providing fire protection and emergency medical services to the inhabitants of the Groveland Community Services District (the "District"), the District currently has a paid full time Fire Chief, three paid full time Fire Captains, three paid full time Fire Engineers, a paid full time administrative staff person, fifteen part-time Firefighter Reserves and a volunteer Assistant Fire Chief; and

WHEREAS, two sources of the funding of these positions are ending as of June 30, 2012, namely (a) proceeds of a benefit assessment, which terminates as a matter of law, and (b) a discretionary allocation of general fund property tax revenues of the District, which allocation this Board of Directors of the District (this "Board") has determined needs to be terminated in order to provide needed funding for other services of the District which are increasingly underfunded due to the overall decline in property tax revenues received by the District; and

WHEREAS, in order to preserve the current level of fire protection and emergency medical services provided by the District, an additional source of funding is needed; and

WHEREAS, absent future events resulting in revenue losses not presently anticipated, a special tax of \$107 per improved parcel and \$53 per unimproved (vacant) parcel would provide a sufficient amount of supplementary revenue to enable the District to reasonably expect to continue providing fire protection and emergency medical services to the inhabitants of the District at current levels; and

WHEREAS, Article 3.5 (commencing with section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code (the "Government Code"), together with Section 61121 of the Government Code, authorize this Board, following notice and hearing, to propose the adoption of such a special tax and to call an election for submission of a measure to the registered voters of the District (the "District Voters") to authorize the levy of the proposed special tax; and

WHEREAS, as required by Section 50077 of the Government Code, this Board has conducted a public hearing to consider the proposed special tax, preceded by mailed notice of the public hearing; and

WHEREAS, this Board, by this resolution, wishes to do the following:

- (a) propose the levy of a special tax as previously-described, with the proceeds of the special tax to fund only wages and benefits for the District's fire protection and emergency medical services personnel;
- (b) call an election for June 5, 2012, for submission of a measure to the District Voters to authorize the levy of the proposed special tax;
- (c) request consolidation of the election with the statewide election taking place on June 5, 2012;
- (d) request services of the Tuolumne County Clerk, in her capacity as the County Registrar of Voters (the "County Elections Official"), in the scheduling and implementation of the election, including the preparation and submission to the District of an official canvass of the election results;
- (e) provide for the method of collection of the special tax, if authorized by the District Voters; and
- (f) provide for compliance with certain accountability measures and reporting, as prescribed by Sections 50075.1 and 50075.3 of the Government Code;

NOW THEREFORE, the Board of Directors of the Groveland Community Services District hereby finds, determines and resolves as follows:

Section 1. The foregoing recitals are true and correct, and this Board hereby so finds and determines.

Section 2. This Board hereby proposes the levy of a special tax in the amount of \$107 per improved parcel and \$53 per unimproved (vacant) parcel per year for each Fiscal Year commencing with 2012-2013 and continuing through and terminating after 2021-2022, subject to an annual increase of \$3.00 in the amount of the special tax, commencing with 2013-2014, and continuing through and terminating when the special tax terminates after 2021-2022.

Section 3. This Board hereby calls an election to be conducted on June 5, 2012, for the purpose of submitting to the District Voters the following measure:

"Shall the Groveland Community Services District (the "District") be authorized to levy an annual special tax of \$107 per improved parcel and \$53 per unimproved parcel on each non-exempt parcel in the District for ten years, subject to an annual increase of \$3.00 in the amount of the special tax, with the

proceeds of the special tax to fund only wages and benefits for the District's fire protection and emergency medical services personnel?"

Section 4. This Board hereby requests that the election called by this resolution be consolidated with the statewide election being held on June 5, 2012.

Section 5. This Board hereby requests that the County Elections Official provide such services to the District as the County Elections Official deems necessary and appropriate for the conduct of the election on behalf of the District in accordance with all applicable provisions of the California Elections Code. Without limiting the foregoing, the District anticipates that the County Elections Official will prepare and provide for the printing and mailing to District Voters of the voter pamphlet, sample and official ballots, impartial analysis of the measure, fiscal analysis of the measure and any arguments for or against the measure as may be timely submitted and will provide for the publication of the notice of election and invitation to submit arguments for or against the measure.

The District will pay or reimburse the County Elections Official for all reasonable cost and expense, including but not limited to the reasonable cost of the time expended by staff of the County Elections Official and County Counsel in providing such services, and the District will provide or cause to be provided to the County Elections Official all such information and documents as the County Elections Official may request to enable the County Elections Official to provide the requested services.

Section 6. If authorized by the vote of the District Voters, the special tax shall be collected in the same manner and subjected to the same penalty as other charges and taxes collected by or on behalf of the District by the County of Tuolumne (the "County"). The County may deduct its reasonable costs incurred for the service before remitting the balance to the District. The District shall retain the right to collect said special tax by direct billing to the owner or owners of each non-exempt parcel.

Section 7. If the special tax is authorized by vote of the District Voters, the District shall create a special account into which the proceeds of the special tax shall be deposited upon receipt, and the General Manager, acting as the chief fiscal officer of the District, shall file an annual report with this Board pursuant to Government Code 50075.3 that describes the amount of the proceeds collected and expended, along with the status of any project required or authorized to be funded with the proceeds, if any.

Section 8. The Secretary of this Board is hereby directed to provide the County Elections Official with a certified copy of this resolution.

Section 9. If the special tax is authorized by vote of the District Voters, this Board shall have the discretion in any of the ten years for which the special tax would be authorized to do either of the following as an alternative to levying the special tax in the maximum amount permitted for that year:

- (a) not to levy the special tax at all for that year; and

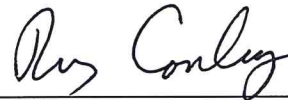
(b) to levy the special tax in an amount which is less than the maximum permitted amount for that year.

Section 10. This Board hereby declares that, in providing that the proceeds of the special tax will be used to fund only wages and benefits for the District's fire protection and emergency medical services personnel, this Board will appropriate and expend the entire amount of special tax proceeds received solely for that purpose and for no other purpose, and will decline to transfer any portion of such proceeds to any other local public agency, the County of Tuolumne or the State of California except as directed by a final order of a court of competent jurisdiction.

Section 11. If the special tax is authorized by vote of the District Voters, this Board will appoint a five-person oversight board to receive, review and comment on all proposed expenditures of the proceeds of the special tax. All meetings of the oversight board shall be open to the public.

Section 12. This resolution shall take effect immediately upon adoption.

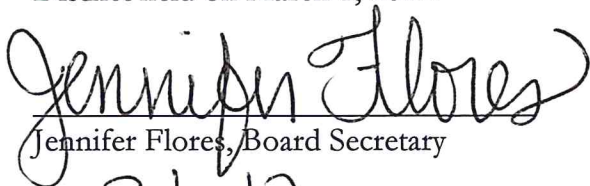
APPROVED:



Roy Conley, Board President

Certification

I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Directors of Groveland Community Services District held on March 1, 2012.



Jennifer Flores, Board Secretary

3.6.12

Date