

BRANCIFORTE FIRE PROTECTION DISTRICT

RESOLUTION 2016-5

RESOLUTION REQUESTING THAT THE DISTRICT'S SPECIAL TAX BE INCREASED IN ORDER TO MAINTAIN FINANCIAL STABILITY AT THE CURRENT LEVEL OF SERVICE TO THE COMMUNITY. THESE FUNDS WILL ENABLE THE DISTRICT TO FUND CONTINGENCIES FOR UNFUNDED EMERGENCIES, THE BUILDING FUND, AND A VEHICLE REPLACEMENT FUND, AS DIRECTED BY THE BOARD.

The people residing in the Branciforte Fire Protection District of the County of Santa Cruz, State of California, do resolve as follows:

Section I

The Board of Directors of the Branciforte Fire Protection District deem and determine it necessary to increase the District's Special Tax to fund Contingencies for unfunded emergencies, Building Fund, and a Vehicle Replacement Fund, which the District is authorized to under Fire Protection District Law of 1987, as amended, as set forth at Health and Safety Code Sec. 13800 and following.

Section II

Duration. If said change is approved by the voters for use in District operations as determined by the Board of Directors on a permanent basis.

Section III

Priorities. To the extent that additional revenues are received from the District as a result of the adoption of this resolution, the District may use the revenues for Contingency Funds, Vehicle Replacement Funds, and Building Maintenance and Construction Funds. Because the exact nature of additional tax revenues cannot be predicted and major unforeseen events can force a reordering of priorities, the Board of Directors shall have final responsibility for determining the time, financing and extent of expenditures pursuant to the established priorities.

Section IV

Increase of the Special Tax Upon Voter Approval. The Board of Directors of the Branciforte Fire Protection District hereby enact a resolution authorizing the increase of the District's Special Tax to be submitted on August 30, 2016, to the voters voting upon said resolution. The cognation of the Special Tax thereby authorized to be imposed by the District shall be as follows:

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Category	Current Amount	Proposed Increase To:
Land/Parcel less than 10,000 square feet	\$10	\$20
Land/Parcel greater than 10,000 square feet and less than 25 acres	\$40	\$80
Land/Parcel greater than 25 acres	\$60	\$120
Improved Residential per single family dwelling unit	\$60	\$120
Special Charges		
Residential Care Facility per licensed bed	\$20	\$100
Commercial Campground/Trailer Park per space	\$20	\$25
Hotel, Motel, Hostel or Apartment per sleeping room	\$20	\$25

The current typical cost for a Single Family Home at \$40 for a parcel with more than 10,000 square feet **plus** \$60 for a single dwelling unit will equal \$100 per year.

The proposed typical cost for a Single Family Home if the increase is approved will be \$80 for a parcel with more than 10,000 Square feet but less than 25 acres **plus** \$120 per single family dwelling unit will equal \$200 per year.

- (a) **Land.** The maximum amount of the increase in the District's Special Tax imposed annually upon each parcel of land in the District which does not exceed 10,000 square feet in size shall be an amount not to exceed an additional \$10.00. The maximum amount of the increase in the District's Special Tax imposed annually upon each parcel of land in the District which is larger than 10,000 square feet and less than 25 acres in size shall be an amount not to exceed an additional \$40.00. The maximum annual amount of the increase in the District's Special Tax imposed upon each parcel of land in the District which is 25 acres or more in size shall be an amount not to exceed an additional \$60.00. The term 'parcel of land', as used herein, shall mean any unit of land as shown on the last equalized secured assessment roll of the County of Santa Cruz. The following additional amounts shall be added to the amount due for the parcel, as applicable to each individual parcel.

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- (b) **Improved Residential Property.** The maximum amount of the increase in the District's Special Tax imposed annually upon improved residential property shall be an amount not exceeding an additional \$60.00 per dwelling unit. This amount shall be in addition to the amount imposed upon the parcel. The term 'dwelling unit' as used herein shall mean any structure, including mobile home, composed of one or more rooms, habitable for humans, which is occupied or is intended or designated to be occupied by one or more persons with complete independent facilities for living, sleeping, cooking, eating and sanitation. Hotels, motels, hostels and apartment structures are excluded from the term 'dwelling unit'.
- (c) **Special Charges.** There shall be special charges imposed upon occupancies of parcels as listed below. The maximum amount of the increase in the District's Special Tax imposed upon each residential care facility annually shall be an amount not to exceed an additional \$80.00 per licensed bed in such facility. The maximum amount of the increase in the District's Special Tax imposed upon each commercial campground or travel trailer park shall be an amount not to exceed an additional \$5.00 per camping/travel trailer/motor home space. The maximum amount of the increase in the District's Special Tax imposed upon each hotel, motel, hostel or apartment structure annually shall be an amount not to exceed an additional \$5.00 per sleeping room.

Section V

Authority for Reduced Amounts. The Board of Directors of the Branciforte Fire Protection District shall be authorized to annually establish the amount of the increase in the District's Special Tax at or below the amounts set forth at Section IV hereof.

Section VI

Annual Establishment of Amount. At the time of adoption of its annual final budget, the Board of Directors of the Branciforte Fire Protection District shall establish the amount of the increase in the District's Special Tax to be levied during the ensuing fiscal year; provided, however, that such tax shall not exceed the maximum amounts set forth in Section IV hereof.

Section VII

Collection. The revenues collected by the way of the permanent increase in the District's Special Tax imposed by this resolution shall be collected with and in the same manner as, and be subject to the same penalty as, other taxes fixed and collected by the County of Santa Cruz on behalf of the Branciforte Fire Protection District. The County of Santa Cruz may deduct its reasonable costs incurred for such service before remittal of the balance to the Branciforte Fire Protection District.

Section VIII

Regulations. The Board of Directors of the Branciforte Fire Protection District may from time to time adopt regulations necessary or convenient for the administration and enforcement of the increase in the District's Special Tax provided herein; provided that any such regulation be consistent with the purpose and intent of this resolution.

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Section XI

Appeals. The Board of Directors of the Branciforte Fire Protection District is established as the Board of Appeals for any and all appeals to the application of various charges listed in Section IV hereof. The Board shall establish the rules relating to such appeals and the method of processing same.

Section X

Amendment to Conform with Judgment of Court. If any part of this resolution is held invalid or unenforceable by the final judgment of any court, that part may be amended by majority vote of the Board of Directors of the Branciforte Fire Protection District to conform with the judgment of such court, provided that such amendment be consistent with the purpose and intent of this resolution.

Section XI

Severability. If any part of this resolution is for any reason held to be invalid by the final judgment of any court, such judgment shall not effect the validity of the remaining portion of this resolution. The people of the Branciforte Fire Protection District hereby declare that they would have adopted this resolution and each and every section, subsection, sentence, phrases, clauses, or parts may be declared invalid.

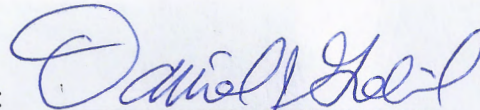
Section XII

Estimated Revenue. Estimated revenue from this Resolution, if approved by the voters, will be approximately Eighty Thousand dollars (\$80,000.00) per year.

PASSED AND ADOPTED by the Board of Directors of the Branciforte Fire Protection District at a regular meeting held on the Nineteenth day of May, 2016, by the following called vote:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Director Ben Cahill	X			
Director Dick Landon	X			
Director Pete Vannerus	X			
Director Kurt Meyer	X			
Director Ryan Torchio			X	

ATTEST:



Daniel J. Grebil
Board Secretary



Ben Cahill
Chairman of the Board

