

RESOLUTION NO. 2022-10

A RESOLUTION OF THE KELSEYVILLE FIRE PROTECTION DISTRICT BOARD OF DIRECTORS, ACTING AS THE LEGISLATIVE BODY OF KELSEYVILLE FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-1 (FACILITIES AND SERVICES), CALLING FOR THE HOLDING OF A SPECIAL ELECTION TO BE HELD ON DECEMBER 21, 2021, FOR THE SUBMISSION TO THE VOTERS OF SAID COMMUNITY FACILITIES DISTRICT A MEASURE TO AUTHORIZE THE LEVY OF SPECIAL TAXES WITHIN SAID COMMUNITY FACILITIES DISTRICT TO FINANCE CERTAIN FACILITIES AND SERVICES, TO AUTHORIZE SAID COMMUNITY FACILITIES DISTRICT TO INCUR A BONDED INDEBTEDNESS, AND TO ESTABLISH AN APPROPRIATIONS LIMIT FOR SAID COMMUNITY FACILITIES DISTRICT

WHEREAS, pursuant to Section 53325.1 of the California Government Code (the “Government Code”), Kelseyville Fire Protection District (the “District”) Board of Directors (the “Board”) has adopted Resolution No. 2022-08, establishing Kelseyville Fire Protection District Community Facilities District No. 2021-1 (Facilities and Services) (“CFD No. 2021-1”) and the boundaries thereof (the “Resolution of Formation”) and Resolution No. 2022-09 deeming it necessary that a bonded indebtedness be incurred by CFD No. 2021-1 (the “Resolution Deeming it Necessary to Incur Bonded Indebtedness”); and

WHEREAS, pursuant to Sections 53326 and 53351 of the Government Code, it is necessary that the Board submit to the voters of CFD No. 2021-1 a measure to authorize the levy of special taxes on the property within CFD No. 2021-1 finance certain facilities and services as specified in the Resolution of Formation and to authorize CFD No. 2021-1 to incur a bonded indebtedness of CFD No. 2021-1 as provided by the Resolution Deeming It Necessary to Incur Bonded Indebtedness; and

WHEREAS, pursuant to Section 53325.7 of the Government Code, the Board may also submit to the voters of CFD No. 2021-1 a measure with respect to establishing an appropriations limit for CFD No. 2021-1; and

WHEREAS, pursuant to Section 53353.5 of the Government Code, the measures relating to the levy of the special tax, the incurring of bonded indebtedness and establishing an appropriations limit for 2021-1 may be combined into a single measure.

NOW, THEREFORE, the Kelseyville Fire Protection District Board of Directors hereby finds, determines, and resolves as follows:

Section 1. Findings. The Board finds that:

- (a) The foregoing recitals are true and correct;

(b) At least 12 persons have been registered to vote within the territory of CFD No. 2021-1 for each of the 90 days preceding the close of the public hearing on September 22, 2021; and

(c) Pursuant to Section 53326 of the Government Code, as a result of the findings set forth in subsection (b) above, the vote in the special election called by this Resolution shall be by the registered voters of CFD No. 2021-1 whose property would be subject to the special taxes if they were levied at the time of the election, and each registered voter shall have one (1) vote.

Section 2. Call of Election. The Board hereby calls and schedules a special election for December 21, 2021, within and for CFD No. 2021-1 on a combined measure with respect to the levy of special taxes on the land within CFD No. 2021-1 to finance facilities and services, incurring a bonded indebtedness of CFD No. 2021-1 in an amount not to exceed \$4,000,000 and establishing an appropriations limit for CFD No. 2021-1 in the amount of \$4,000,000 (the “Measure”).

Section 3. Measure. The Measure to be submitted to the voters at such special election shall be as follows:

Shall the measure to finance a fire station, equipment and fire protection and suppression services by authorizing Kelseyville Fire Protection District Community Facilities District No. 2021-1 (Facilities and Services) to levy and collect special taxes at the special tax rates set forth in Exhibit “B” of Resolution No. 2022-08 and authorizing a bond issuance amount/appropriation limit of \$4,000,000 be adopted?

Section 4. Vote Requirement. The vote requirement for the Measure to pass is two-thirds (2/3) of votes cast.

Section 5. Conduct of Election. Said election shall be conducted by the District pursuant to Division 9, Chapter 4 of the California Elections Code (the “Elections Code”), insofar as provisions therein may be applicable, and the District shall reimburse the County for election-related services. Pursuant to Section 53326(a) of the Government Code, copies of the Resolution of Formation, a certified map of sufficient scale and clarity to show the boundaries of CFD No. 2021-1, and a sufficient description of CFD No. 2021-1 to allow the election official to determine the boundaries of CFD No. 2021-1, has been, or shall be, provided to the election official. The special election shall be conducted as follows:

(a) The ballots to be used at the election shall be in the form and content as required by law.

(b) In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law.

Section 6. Arguments and Impartial Analysis.

(a) The Board authorizes (i) the Board Chairperson, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens, or (iv) any combination of voters and associations, to file a written argument in favor of or against the Measure, and may change or withdraw the argument until and including the date fixed by the elections official. Arguments in favor of or against the Measure shall each not exceed 300 words in length. Each argument shall be filed with the election official, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

(b) Pursuant to Section 9316 of the Elections Code, the District election official charged with the duty of conducting the election shall fix and determine a reasonable date before the election for the submission of arguments in favor of and against the Measure and additional rebuttals, provided there is sufficient time to prepare and print the arguments and voter information guides and to permit the 10-calendar-day public examination, as provided in Article 4 (commencing with Section 9380) of the Elections Code, for the election.

(c) The election official shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters.

(d) Pursuant to Section 9313 of the Elections Code, the Board directs the election official to transmit a copy of the Measure to County Counsel for the County. County Counsel shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure. County Counsel shall transmit such impartial analysis to the election official, who shall cause the analysis to be published in the voter information guide along with the Measure as provided by law. The impartial analysis shall be filed by the deadline set for filing of primary arguments as set forth in subsection (a) above. The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the Board.

Section 7. Rebuttals.

(a) Pursuant to Section 9317 of the Elections Code, when the election official has selected the arguments for and against the Measure which will be printed and distributed to the voters, the election official shall send copies of the argument in favor to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the election official not later than the date fixed by the elections official. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 8. Public Examination. Pursuant to Section 9316 of the Elections Code, the Measure will be available for public examination for no fewer than ten (10) calendar days prior to

being submitted for printing in the voter information guide. The election official shall post notice in the election official's office of the specific dates that the examination period will run.

Section 9. Filing of Resolution. The Board Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the county election department of the County.

Section 10. Passage and Adoption of Resolution. The Board Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 11. Effective Date. This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 22nd day of September, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Kristina Navarro, Clerk to the Board

Michele Rohner, Chairperson

APPROVED AS TO FORM:

_____, General Counsel