

**RESOLUTION NO. BFPD 2022-05**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BURNEY FIRE PROTECTION DISTRICT, COUNTY OF SHASTA, STATE OF CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA TO CONSOLIDATE A SPECIAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 8, 2022, WITH THE ELECTION TO BE CONDUCTED BY THE COUNTY OF SHASTA ON THE SAME DATE AND TO RENDER SPECIFIED SERVICES TO THE DISTRICT PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE**

WHEREAS, pursuant to its rights and authority under State law, the Board of Directors of the Burney Fire Protection District (the "District") may call a Special Election to be held in the District on November 8, 2022, for the purpose of submitting a ballot measure to the voters of the District ("Special District Election"); and

WHEREAS, pursuant to the authority of Sections 13911 and 13913 of the California Health and Safety Code, and other applicable law, the District may levy a special tax on parcels of real property in the District for the purpose of providing rescue, emergency medical care and ambulance, hazardous material emergency response, and fire protection services, subject to the approval by a two-thirds vote of the qualified voters of the District voting in an election on the issue; and

WHEREAS, pursuant to its rights, powers and authority, on July 19, 2022, the Board of Directors of the District adopted Resolution No. 2022-04, calling a Special District Election to be held in the District on Tuesday, November 8, 2022, and ordering a measure to be submitted to the voters of the District at the Special District Election, as described in Section 3 hereof; and

WHEREAS, the County of Shasta ("County") will conduct its portion of a Statewide Election on November 8, 2022, in territory that is in part the same as the District; and

WHEREAS, it is desirable that the Special District Election be consolidated with the Statewide Election to be conducted by the County on November 8, 2022, and that within the District the precincts, polling places and election officers of the two elections be the same, and that the County Registrar of Voters canvass the returns of the Special District Election and that the consolidated election be held in all respects as if there were only one election.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE BURNEY FIRE PROTECTION DISTRICT DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. The foregoing recitals are true and correct, incorporated herein by this reference, and made an operative part hereof.

SECTION 2. Pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County is hereby requested to consent and agree to the consolidation of the Special District Election with the Statewide election on Tuesday, November 8, 2022, for the purpose of submitting the measure set forth in Section 3 hereof to the voters of the District.

SECTION 3. The measure is to appear on the District Special Election ballot as follows:

<p><b>Burney Fire Protection District Rescue, Emergency Medical Care and Ambulance, Hazardous Material Emergency Response and Fire Protection Services Measure.</b> To maintain and improve rescue, emergency medical care and ambulance, hazardous material emergency response, and fire protection services, shall an ordinance be adopted authorizing an ongoing annual parcel tax on all nonexempt parcels within the District, based on land use, including a maximum rate of \$75 per single-family home, raising approximately \$237,994 annually, with audits and expenditure reports?</p>	<p>YES</p> <hr style="width: 50%; margin: auto;"/>	<p>NO</p> <hr style="width: 50%; margin: auto;"/>
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The full text of the ordinance to be submitted to the District voters, as contemplated by the ballot question, is attached to this Resolution as Exhibit A and incorporated herein by reference, and shall be printed on the voter pamphlet. The measure shall not take effect unless and until approved by a vote of at least two-thirds of the qualified voters voting on the question at the Special District Election.

SECTION 4. The District recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs upon presentation of an invoice to the District. The District Secretary and/or Fire Chief are authorized to contract with the County to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, personnel and paraphernalia that may be necessary in order to properly and lawfully conduct the District Special Election, at costs to be reimbursed by the District.

SECTION 5. Pursuant to California Elections Code Section 10403, the Board of Directors acknowledges that the consolidated election will be held and conducted in the manner prescribed in California Elections Code Section 10418. Pursuant to California Elections Code Section 10418, all proceedings incidental to and connected with the consolidated election shall be regulated and done in accordance with the provisions of law governing the Statewide Election. In all particulars not recited in this Resolution, the Special District Election shall be held and conducted as provided by law for holding district elections.

SECTION 6. Within the District, the election precincts, polling places and voting booths for the Special District Election and Statewide election shall, in every case, be the same and there shall be only one set of election officers in each of the precincts; provided that no person not a qualified elector of the District shall be permitted to vote for the measure placed on the ballot by the Board of Directors of the District.

SECTION 7. The County Board of Supervisors or County Registrar of Voters, as applicable, is authorized to canvass the returns of the Special District Election. The election shall be held in all respects as if there were only one election and only one form of ballot shall be used. The ballots to be used at the election shall be in the form and content as required by law.

SECTION 8. The County Board of Supervisors is requested to issue instructions to the County Registrar of Voters to take any and all steps necessary for the holding of the consolidated election and to County Counsel to prepare an impartial analysis of the measure set forth in Section 3 hereof, and to send this Resolution to the County Counsel.

SECTION 9. The District Administrative Assistant is hereby directed to file a certified copy of this Resolution with the County Board of Supervisors and the County Registrar of Voters of the County forthwith, and by July 26, 2022.

SECTION 10. The Chair of the Board of Directors shall sign and the District Administrative Assistant shall certify to the passage and adoption of this Resolution and enter it into the official records of the District.

PASSED, APPROVED, AND ADOPTED on this 19<sup>th</sup> day of July 2022, by the following vote:

AYES: 4  
NOES: 0  
ABSTAIN: 0  
ABSENT: 1

  
Board Chair

ATTEST:  
  
Administrative Assistant

**EXHIBIT A**

ORDINANCE NO. BFPD 2022-01

(See Attached)