

**ORDINANCE 2018-01**

**AN ORDINANCE OF THE ANTELOPE VALLEY FIRE PROTECTION DISTRICT  
IMPOSING A SPECIAL TAX ON REAL PROPERTY WITHIN THE  
DISTRICT TO PAY FOR INCREASED FIRE PROTECTION SERVICES, TO  
TAKE EFFECT ONLY UPON APPROVAL BY  
TWO-THIRDS OF THE VOTERS OF THE DISTRICT**

**WHEREAS**, the Antelope Valley Protection District’s purpose is to protect life and property within the District’s jurisdictional boundaries by preventing and responding to fires and assisting in emergency situations requiring immediate response; and

**WHEREAS**, in order to provide a level of service consistent with the needs of the District, all moneys collected through this tax will be used for static water supplies, staffing, training and equipment to enhance the capabilities of the Fire District to combat wildland and structural fires; and

**WHEREAS**, section 53978 of the California Government Code authorizes a local agency which provides fire protection services to propose by ordinance a special tax, other than an ad valorem property tax, for fire protection services provided by the local agency; and

**WHEREAS**, section 53978 allows the local agency proposing the tax to set in the ordinance the amount of the tax to be levied; and

**WHEREAS**, section 53978 provides that the special tax shall take effect upon approval of two-thirds of the voters voting upon the measure; and

**WHEREAS**, the procedures above are consistent with the requirements of California Constitution, Article XIII C (Proposition 218); and

**WHEREAS**, for the reasons stated herein, the Board of Commissioners of the District wishes to impose a special tax on real property within the District as set forth in this ordinance;

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE ANTELOPE VALLEY FIRE PROTECTION DISTRICT ORDAINS** as follows:

**SECTION ONE:** Subject to voter approval and enactment of this ordinance pursuant to Elections Code section 9204 and Article XIII C of the California Constitution, a special tax of \$120.00 shall be imposed upon each taxable parcel of real property within the Antelope Valley Fire Protection District as set forth below.

**SECTION TWO:** The special tax shall be levied once during the 2019-20 fiscal year at the rates set forth herein, and then levied once during each fiscal year thereafter with percentage adjustments (either increasing or decreasing the amount of the tax) based on the percentage change (if any) during the preceding 12-month period in the Consumer Price Index (specifically, “CPI-U” for the U.S. City Average for All Items) of the bureau of Labor Statistics, United States

Department of labor, or any index substituted by the Department of Labor therefor, but not to exceed \$160.00 per year.

**SECTION THREE:** The County of Mono is requested to collect the special tax of the Antelope Valley Fire Protection District, as enacted by this ordinance and subject to approval by the voters, for the 2019-20 fiscal year and for each fiscal year thereafter, unless and until the District provides otherwise by ordinance or resolution. The County may deduct its reasonable costs of collection before remitting the balance to the District, as provided by subdivision (d) of Government Code section 59739.

**SECTION FOUR:** For each fiscal year in which the District desires the County to collect the special tax, it shall determine the amount to be levied on each property within the District and identify the properties upon which the tax is to be charged, in accordance with law. The District will provide such information, as approved by the District Board, to the Mono County Finance Department no later than August 10<sup>th</sup> of each year, or as soon thereafter as is reasonably practicable and agreed-upon by the County's Finance Director.

**ADOPTED** this 7th day of July 2018, by the Board of Commissioners of the Antelope Fire Protection District on the following roll call vote:

AYES: Robbins, Mandichak, Morris, Dunn

NOES:

ABSENT:

ABSTAIN:

  
\_\_\_\_\_  
Dave Robbins, Chair

**ATTEST:**

  
\_\_\_\_\_  
Sue Robbins, Commission Secretary

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Mike Curti, Fire Chief

IMPARTIAL ANALYSIS BY COUNTY COUNSEL  
MEASURE E  
ANTELOPE VALLEY FIRE PROTECTION DISTRICT

California Government Code section 53978 authorizes any local agency providing fire protection services to propose, by ordinance, a special tax for fire protection services provided by the local agency. Pursuant to this authority, the governing body of the Antelope Valley Protection District proposes, through “Measure E,” to impose a special tax on real property located within the Antelope Valley Fire Protection District. The tax will take effect only if it is approved by two-thirds of the District voters voting on the matter.

Measure E would impose a flat parcel tax of \$120.00 on each taxable parcel located within the Antelope Valley Fire Protection District. According to materials provided by the District, moneys collected through the tax will be used for static water supplies, staffing, training and equipment for use by the Fire District in combating wildland and structural fires.

The special tax would be levied once during the 2019-20 fiscal year at the flat rate, and then levied once during each fiscal year thereafter with percentage adjustments (either increasing or decreasing the amount of the tax) based on the percentage change (if any) during the preceding 12-month period in the Consumer Price Index of the Bureau of Labor Statistics, United States Department of Labor, but not to exceed \$160.00 per year.

A “Yes” vote on Measure E approves the proposed special tax on all taxable parcels within the Antelope Valley Fire Protection District for fire protection services.

A “No” vote on Measure E disapproves the proposed special tax on all taxable parcels within the Antelope Valley Fire Protection District for fire protection services.

The above statement is an impartial analysis of Measure E.

## **Argument in Favor of Measure E**

A **YES** vote is a vote in support of our Fire Department, our Community and our Friends and Neighbors. Now that the CalFire state-imposed tax is gone, it's time to step up and invest in our own community. Unlike the other taxes, 100% of this yearly fee stays with the Antelope Valley Fire District. The fees must be used to add strategically placed water sources throughout the valley, keep up to 4 Firefighters on call 24/7, and to help purchase much needed equipment. If the recent fires throughout the state have shown, we need more than ever, a strong reliable well-equipped fire fighting force. Over time as our reliable fire district increases water sources, has fire fighters on call and better equipment for training, our ISO rating (rating used by insurance companies to determine insurance costs) can be lowered. This lowering of ISO rating can be used to reduce your yearly insurance costs which in turns can cover this much needed fire fee. In addition, a lower ISO rating will help stop insurance companies from stopping to underwrite insurance policies. Stop by sometime and see how our fire department has grown due to great management. Thank a firefighter! Please vote **YES** and let's show our support for our Fire Department, our Community and our Friends and Neighbors. The time is now to help ourselves, vote **YES** on Measure E!

S/Debbie Bush  
Resident and Business Owner

s/Tim Fesko  
Neighbor, Resident and Business Owner

s/Pam Hamic  
Resident and Business Owner

s/Chris Long  
Resident and Business Owner

s/Jerry & Mary Spindler, Retired Residents  
Northern Mono Chamber of Commerce

# Statement that Argument is True and Correct

Elections Code §9600

The undersigned proponent(s) or author(s) of the:

Argument in Favor of (300 words or less)       Rebuttal to Argument in Favor of (250 words or less)

Argument Against (300 words or less)       Rebuttal to Argument Against (250 words or less)

Measure E to be voted on at the General Elec Election,  
for the Walker Colville Topic to be held on the \_\_\_\_\_ hereby state  
Election Jurisdiction \_\_\_\_\_ Date \_\_\_\_\_  
that such argument is true and correct to the best of their knowledge and belief:  
his/hers/their

1. Name DEBORAH C. BUSH 4.

Name MARY SPINDLER

Signature Deborah C. Bush

Signature Mary Spindler

Title RESIDENT & BUSINESS OWNER

Title RESIDENT

Title to appear below name (optional)

Title to appear below name (optional)

Date 8/23/18

Date 8/23/18

2. Name PAMELA HAMIL 5.

Name JERRY SPINDLER

Signature Pamela Hamil

Signature Jerry Spindler

Title OWNER BUSINESS

Title RESIDENT

Title to appear below name (optional)

Title to appear below name (optional)

Date 8/23/18

Date 8/23/2018

### Contact Person:

Name TIM FESKO  
Address 110437 US Hwy 395  
COLVILLE CA 96107

Telephone # 530-208-6259

3. Name TIM FESKO

Signature Tim Fesko

Title BUSINESS OWNER/RESIDENT

Title to appear below name (optional)  
Date 8/23/18