

EXHIBIT "A"

ORDINANCE NO. 96-97-1

**AN ORDINANCE OF THE GOLD RIDGE FIRE PROTECTION DISTRICT
AUTHORIZING IMPOSITION OF A SPECIAL TAX TO PROVIDE
AUTHORIZED SERVICES AND EXERCISE THE OTHER RIGHTS AND
POWERS OF THE DISTRICT, AND REPEALING THE EXISTING
BENEFIT ASSESSMENT LEVIED BY THE DISTRICT**

The people of the Gold Ridge Fire Protection District ordain as follows:

SECTION I. DEFINITIONS.

For the purposes of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section unless the context clearly requires a different meaning. The definition of a word or phrase applies to any of that word's or phrase's variants.

Board of Directors means the Board of Directors of the Gold Ridge Fire Protection District.

District means the Gold Ridge Fire Protection District in Sonoma County, California.

Parcel of real property means a separate parcel of real property having a separate Assessor's parcel number as shown on the secured tax rolls of the County of Sonoma, or an assessment of a structural property on the unsecured tax rolls of the County of Sonoma, or an assessment made by the State Board of Equalization.

Special tax means the special tax authorized by and imposed pursuant to this ordinance. The special tax is a special tax within the meaning of Article XIII A, section 4 and Article XIII C, section 1 of the California Constitution.

SECTION II. AUTHORITY.

This ordinance is adopted pursuant to Article XIII A, section 4, and Article XIII C, section 2 of the California Constitution, Article 3.7 (commencing with Section 53720) of Chapter 4 of Division 2 of Title 5 of the California Government Code, Section 13911 of the California Health and Safety Code, and Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code.

SECTION III. DETERMINATION OF NECESSITY.

The amount of revenue available to the District from property taxes is inadequate to meet the cost of providing services pursuant to Section 13862 of the California Health and Safety Code and the District must establish a stable source of supplementary revenue to meet the costs of providing such services and exercising the other rights and powers of the District.

SECTION IV. PURPOSE OF SPECIAL TAX.

The purpose for which the special tax authorized herein shall be imposed is to raise revenue for the District to use in meeting (1) the costs of providing services pursuant to Section 13862 of the California Health and Safety Code, and (2) the costs of exercising the other rights and powers granted to the District in Chapter 5 (commencing with Section 13860) of Part 2.7 of Division 12 of the California Health and Safety Code.

SECTION V. SPECIAL TAX AUTHORIZATION AND LIMIT.

The Board of Directors is authorized to levy a special tax each year on each parcel of real property within the District, except parcels of real property owned by a federal, state, or local agency, for the purpose stated in Section IV of this ordinance. The special tax may be levied at a rate not to exceed \$5.00 per unit of risk and shall be imposed in accordance with the schedule set forth in Exhibit "A," attached hereto and incorporated herein by this reference. The Board of Directors shall set the rate of the special tax each year as provided in Section VI of this ordinance, provided that in no year shall the rate exceed the maximum specified in this section.

SECTION VI. REPORT AND HEARING ON SPECIAL TAX.

Each year prior to the imposition of the special tax, the Board of Directors shall cause a report to be prepared showing each parcel of real property subject to the tax, the owner(s) thereof, the land use classification applied thereto, and the proposed levy thereon. Upon the receipt of such report, the Board of Directors shall set a date for a public hearing thereon and shall cause notice of the hearing to be given pursuant to Section VII of this ordinance. At the public hearing, the Board of Directors shall set the rate and make such corrections to the taxes proposed to be levied as may be required to conform to the schedule set forth in Exhibit "A."

SECTION VII. NOTICE OF HEARING.

Notice of any public hearing held pursuant to this ordinance shall be posted in at least three (3) public places within the District at least fifteen (15) days prior to the hearing and published twice pursuant to Section 6066 of the California Government Code in at least one (1) newspaper of general circulation within the District. The notice shall include the date, time, and place of the public hearing, a general explanation of the matter to be considered, and a statement of where additional information may be obtained.

SECTION VIII. COLLECTION.

The special tax shall be collected in the same manner and subject to the same penalty as other charges and taxes collected by or on behalf of the District by the County of Sonoma. The Sonoma County Tax Collector may deduct reasonable administrative costs incurred in collecting the special tax and deposit the amounts deducted in the Sonoma County General Fund.

SECTION IX. REPEAL OF EXISTING BENEFIT ASSESSMENT.

The existing benefit assessment of the District established by and levied pursuant to Ordinance No.87-88-1 is repealed.

SECTION X. SEVERABILITY CLAUSE.

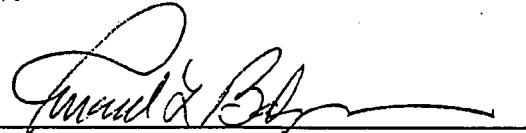
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The people of the Gold Ridge Fire Protection District hereby declare that they would have passed this

ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

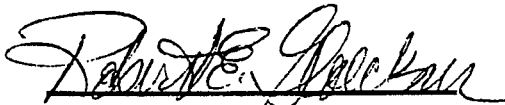
SECTION XI. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters of the District casting votes upon the proposition of approving the ordinance.

APPROVED by two-thirds of the votes cast by voters of the Gold Ridge Fire Protection District voting upon the proposition of approving the ordinance at the special election held on March 4, 1997.


Chair, Board of Directors
Gold Ridge Fire Protection District

ATTEST:


Robert Gloeckner
Clerk of the Board of Directors

SPECIAL ELECTION

TITLE: GOLD RIDGE FIRE PROTECTION DISTRICT

MEASURE E - SPECIAL TAX

ELECTION DATE: MARCH 4, 1997

REGISTERED VOTERS: 9,970

RESULTS

YES	1,729	84.3%
NO	322	15.7%

MEASURES SUBMITTED TO VOTE OF VOTERS	
DISTRICT	
GOLDRIDGE FIRE PROTECTION DISTRICT	
E Shall Ordinance No. 96-97-1-R of the Goldridge Fire Protection District authorizing imposition of a special tax having a maximum rate of \$5.00 per unit of risk for providing authorized services and exercising the other rights and powers of the District, and repealing the existing benefit assessment of \$5.00 per unit of benefit levied by the District be approved?	Yes
	No

PASSED

2/3 MAJORITY? X

YES X

SIMPLE MAJORITY?

NO

TAX Code 532

AGREEMENT FOR COLLECTION OF SPECIAL
TAXES, FEES, AND ASSESSMENTS

THIS AGREEMENT is made and entered into this 4 day of JUNE, 1997, by and between the COUNTY OF SONOMA, a political subdivision of the State of California, hereinafter referred to as "County" and the GOLD RIDGE FPD, a municipal corporation of the State of California, hereinafter referred to as "District".

WITNESSETH:

WHEREAS, state law authorizes the County to recoup its collection costs when the County collects taxes, fees, or assessments for any School District, Special District, zone or improvement District thereof; and

WHEREAS, when requested by District, it is in the public interest and efficient that the County collect for District the special taxes, fees, and assessments imposed on parcels subject to real property tax;

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. County agrees, when requested by District as hereinafter provided, or as required by law, to collect on the County tax rolls the special taxes, fees, and assessments (hereinafter collectively referred to as "charges") of District, and of each zone or improvement district thereof, except as follows: (1) Tax bills will not be generated for charges imposed on parcels exempt from real property taxation because of low value. Existing charges on such parcels will be removed from the tax rolls and referred to the District for further collection efforts. (2) Tax bills will be generated for parcels that are immune or otherwise exempt from real property taxation; however, unpaid charges on such parcels will be removed from the roll if they become delinquent, and the charge referred to the District for further collection efforts.

2. When County is to collect District's special taxes, fees, and assessments, District agrees to notify the Auditor-Controller of the County on or before the 10th day of August of each fiscal year of the Assessor's parcel numbers and the amount of each special tax, fee, or assessment to County, and including, but not limited to, any act of omission or assessment to be so collected. Provided, however, to be effective, the notice must be received by the Auditor-Controller by said date.

3. In 1997-98 the County may charge .01 of the annual levy, as specified by the district;

however, beginning in 1998-99 County may charge the sum of .0085 of the annual levy for each special tax, fee, or assessment that is to be collected on the County tax rolls by the County for the District.

4. District warrants that the taxes, fees, or assessments imposed by District and collected pursuant to this Agreement comply with all requirements of state law, including but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218).

5. District agrees to re-certify each year that the taxes, fees, or assessments imposed by the District and collected pursuant to this Agreement comply with all requirements of state law, including but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218).

6. District hereby releases and forever discharges County and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of District's responsibility under this agreement, or other action taken by District in establishing a special tax, fee, or assessment and implementing collection of special taxes, fees, or assessments as contemplated in this agreement.

7. District agrees to and shall defend, indemnify and save harmless County and its officers, agents and employees ("indemnified parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of or resulting from implementation of this agreement by the indemnified parties. If any judgment is entered against any indemnified party as a result of action taken to implement this Agreement, District agrees that County may offset the amount of any judgment paid by County or by any indemnified party from any monies collected by County on District's behalf, including property taxes, special taxes, fees, or assessments. County may, but is not required to, notify District of its intent to implement any offset authorized by this paragraph.

8. District agrees that its officers, agents and employees will cooperate with County by answering inquiries made to District by any person concerning District's special tax, fee, or assessment, and District agrees that its officers, agents and employees will not refer such individuals making inquiries to County officers or employees for response.

9. District shall not assign or transfer this agreement or any interest herein and any such assignment or transfer or attempted assignment or transfer of this agreement or any interest herein

by District shall be void and shall immediately and automatically terminate this agreement.

10. This agreement shall be effective for the 19~~97~~⁹⁸ fiscal year and shall be automatically renewed for each fiscal year thereafter unless terminated as hereinafter provided.

11. Either party may terminate this agreement for any reason for any ensuing fiscal year by giving written notice thereof to the other party prior to May 1st of the preceding fiscal year.

12. County's waiver of breach of any one term, covenant, or other provision of this agreement, is not a waiver of breach of any other term, nor subsequent breach of the term or provision waived.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

District: GOLD RIDGE FPD

By: 

SONOMA COUNTY AUDITOR-CONTROLLER

