

JULIAN-CUYAMACA FIRE PROTECTION DISTRICT

(This Measure will appear on the ballot in the following form.)

MEASURE QQ

Shall the annual Benefit Fee within the Julian-Cuyamaca Fire Protection District be repealed and replaced with a new annual Benefit Fee, subject to an annual cost-of-living increase, to provide emergency medical response, fire suppression, and related services?

COUNTY COUNSEL IMPARTIAL ANALYSIS

This measure was placed on the ballot by a petition signed by the requisite number of voters. The measure specifically provides its purpose and intent is to authorize the levy of a special tax on parcels of real property in the Julian-Cuyamaca Fire Protection District (District). Accepting the measure's characterization of the parcel fees set forth in the measure as a special tax, if approved¹ by the voters, this measure will authorize this special tax to be levied annually on all taxable property within the District.

Effect on Existing Law

This measure would repeal the existing annual benefit fee and replace it the special tax levied in accordance with this measure.

This measure would have no impact on Proposition S, passed by the voters of the District on November 7, 2006.

Amount of Tax

The special tax would be imposed annually in accordance with the schedules set forth in the measure.

Any owner of a single-family residential unit whose combined family income is at or below "very low-income" may qualify for an exemption from the special tax if the property owner meets the requirements specified in the measure.

The tax imposed by this measure would be subject to an annual cost-of-living increase based on the Consumer Price Index for the San Diego County area, determined by the U.S. Department of Labor. The maximum increase for each year would not exceed three percent (3%).

Appropriation Limit

The District's appropriation limit would increase in accordance with the amount of revenue raised by the special tax.

Purpose and Use of Special Tax Revenue

The revenue raised by the special tax would be deposited into an account that would only be used for the purpose of providing and enhancing necessary fire protection, prevention and emergency medical services. Specifically, the special benefit tax would be imposed for the purpose of staffing the District with a full-time Fire Chief and adding personnel deemed necessary to reduce the time in responding to structure fires and medical emergencies. These fees would also bring revenue in line with current costs and replenish the District's general reserves.

Each year an annual report would be filed that contains the amount of revenue collected and expended and the status of any project or use authorized for funds.

¹ The District has not determined whether approval requires a majority or 2/3 vote.
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COUNTY COUNSEL IMPARTIAL ANALYSIS (CONTINUED)

Termination

If, after the measure is approved and implemented, the District is dissolved, the tax authorized by this measure will terminate effective on the District dissolution date.

A "YES" vote is a vote in favor of establishing a special tax for the purpose of providing and enhancing necessary fire protection, prevention and emergency medical services.

A "NO" vote is a vote against establishing a special tax for the purpose of providing and enhancing necessary fire protection, prevention and emergency medical services.

ARGUMENT IN FAVOR OF MEASURE QQ

Residents of Julian and Lake Cuyamaca voted in 1984 to approve an annual benefit fee of \$50 for fire protection and emergency medical services to be provided by Julian-Cuyamaca Fire Protection District (JCFPD). Over the past 34 years, the cost of vehicles, fuel, equipment, radios, computers, payroll and medical supplies has increased significantly. Thus, an increase in revenue is necessary to sustain operations, remain current with standards established by the National Fire Protection Association, and to raise the level of fire protection and medical services deserved by this community.

The major change for property owners is an increase in the benefit fee for a single family residence from \$50 to \$200 per year. This is an increase of \$12.50 per month. This fee will be charged on the property tax invoice with one-half due in November and the other half due in January. This is a small price to pay to retain our iconic, volunteer fire department which has protected our homes and our lives for decades.

In the event JCFPD is ever dissolved, the fee provided in this Initiative will automatically terminate. Otherwise, the original benefit fee of \$50 will be permanent and the County of San Diego will receive the benefit fee, property taxes and any other special fees that could be imposed in the future.

To remain relevant, we must raise the level of service to our community and the thousands of tourists who visit our historic town. A "Yes" vote will demonstrate a desire to maintain local control and a willingness to provide the necessary financial support for the best possible service available to our community.

Patricia Landis

Michael Menghini, Property Owner

Kevin Dubler

Patrick Brown

Mike Van Bibber, Battalion Chief JCFPD

ARGUMENT AGAINST MEASURE QQ

No argument against the measure was filed in the office of the Registrar of Voters.

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FULL TEXT OF MEASURE QQ

CITIZENS' INITIATIVE TO REPEAL AND REPLACE JULIAN-CUYAMACA FIRE PROTECTION DISTRICT BENEFIT FEE

CITIZENS RESIDING WITHIN THE BOUNDARIES OF THE JULIAN-CUYAMACA FIRE PROTECTION DISTRICT ARE PROPOSING FOR ADOPTION THE REPEAL OF THE EXISTING ANNUAL BENEFIT FEE APPROVED IN 1984, TO BE REPLACED WITH AN ANNUAL BENEFIT FEE MORE CONSISTENT WITH CURRENT EXPENSES, AND TO RAISE THE LEVEL OF SERVICE FOR EMERGENCY MEDICAL RESPONSE, FIRE SUPPRESSION AND RELATED SERVICES WITHIN THE BOUNDARIES OF THE JULIAN-CUYAMACA FIRE PROTECTION DISTRICT.

Citizens of Julian-Cuyamaca Fire Protection District propose as follows:

Section 1. It is the purpose and intent of this initiative to authorize the levy of a special tax on parcels of real property on the secured property tax roll of San Diego County that are within the Julian-Cuyamaca Fire Protection District (the "District"), to raise revenue for the District for the purpose of providing and enhancing necessary fire protection, prevention and emergency medical services. Specifically, the special benefit tax shall be imposed for the purpose of staffing the District with a full-time Fire Chief and adding personnel deemed necessary to reduce the time in responding to structure fires and medical emergencies. Fees will also bring revenue into line with current costs and replenish the District's general reserves for operational expenses.

Section 2. The citizens within the District do hereby determine and propose for adoption the repeal and replacement of the annual Benefit Fee approved by voters on November 6, 1984, with a new annual Benefit Fee for emergency medical response, fire suppression and related services within the boundaries of the Julian-Cuyamaca Fire Protection District, to be levied upon parcel, class of improvement to property, and use of property basis, in an amount not to exceed the following:

- (a) Parcels with existing construction shall be taxed according to the following schedule:
- (1) Improved Property: Every parcel within the District with a Single (1) Unit (single family residence or commercial structure): \$200.00
 - (2) Improved Property: Every parcel within the District with Two (2) Units (residential or commercial): \$250.00
 - (3) Improved Property: Every parcel within the District with Three to Ten (3-10) Units: \$300
 - (4) Improved Property: Every parcel within the District with More than Ten (>10) Units: \$350.00
- (b) Separate parcels attached to a parcel containing a Unit shall be assessed as Vacant Land.
- (c) Vacant parcels shall be taxed according to the following schedule:
- (1) Vacant Land: Each parcel within the District containing less than one (0-.99) acres, without a Unit: \$2.00
 - (2) Vacant Land: Each parcel within the District containing one to five (1-5) acres, without a Unit: \$20.00
 - (3) Vacant Land: Each parcel within the District containing 5.1 to 10 acres, without a Unit: \$30.00
 - (4) Vacant Land: Each parcel within the District containing greater than ten (>10) acres, without a Unit: \$50.00

Section 3. Cost of Living Increase. The fee imposed by this initiative shall be subject to an annual cost-of-living increase that is based on the Consumer Price Index for San Diego County area, determined by the U.S. Department of Labor. The maximum increase for each year shall not exceed three percent (3%).

FULL TEXT OF MEASURE QQ (CONTINUED)

Section 4. Low-Income Homeowner Exemption. The tax imposed by this initiative shall be subject to an exemption for owners of single-family residential units in which they reside whose combined family income, from all sources for the previous calendar year, is at or below the income level qualifying as “very low-income” for a family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C. §§ 1437 *et seq.*), for such year. Owners who qualify for this exemption shall be taxed at \$50.00 per parcel. The application process will be in the form of self-certification under penalty of perjury. Owners must apply for the exemption provided for in this section annually by petition to the Fire Chief of the Julian-Cuyamaca Fire Protection District in the manner and at the time set forth by the Fire Chief. Such petitions shall be on forms provided by the Fire Chief and shall provide such information as the Fire Chief may require.

Section 5. Such charges shall be charged to any parcel, improvement, and use of property to which fire protection services may be made available, whether or not such fire protection service is actually used upon such parcel, improvement, or use of property except such tax shall not be imposed upon a federal or state governmental agency or other local agency.

Section 6. The Citizens of Julian-Cuyamaca Fire Protection District do hereby propose that the appropriations limit of the District established under Article XIII B of the California Constitution shall be increased by the amount collected by the levy of this special tax in accordance with the applicable requirements of state law.

Section 7. Pursuant to Government Code Section 53724(c), the special benefit tax proposed by this initiative shall be submitted to the voters within the boundaries of the Julian-Cuyamaca Fire Protection District in conjunction with the statewide general election to be held on November 6, 2018. The ballot initiative shall be worded as provided by agreement of the voters of the District.

Section 8. If adopted by fifty percent (50%) plus one (1) of the voters, the special tax shall be collected in the same manner and shall be subject to the same penalties as assessments and other revenues collected for the District by the County of San Diego.

Section 9. If the initiative is approved, the special benefit taxes shall not exceed the maximum charges set forth in Section 2 hereof.

Section 10. Accountability Measures.

(a) Account. Upon the levy and collection of the tax authorized by this initiative, an account shall be created into which the proceeds of the tax will be deposited. The proceeds of the tax authorized by this initiative shall be applied only to the specific purposes identified in this initiative.

(b) Annual Report. An annual report that complies with the requirements of Government Code Section 50075.3 shall be filed with the District Board of Directors no later than January 1 of each year in which the tax is levied.

Section 11. Pursuant to Elections Code Section 9141(a)(3), and California Supreme Court Opinion S234148 dated August 28, 2017, this initiative shall be considered adopted and go into effect if this initiative is approved by fifty percent (50%) plus one (1) vote of the voters.

Section 12. The sole purpose of the levy of this special tax on parcels of real property within the Julian-Cuyamaca Fire Protection District is to provide revenue on behalf of the District for the purpose of maintaining and enhancing fire protection and emergency medical service. If, at any time in the future after the approval and implementation of this Initiative, the Julian-Cuyamaca Fire Protection District is dissolved, voluntarily or through any other legal action, this benefit fee shall terminate on the corresponding date that the Julian-Cuyamaca Fire Protection District is legally determined to be dissolved.

Section 13. If any portion of this initiative shall be declared unconstitutional, invalid, or otherwise unenforceable, the other provisions of this initiative shall remain in full force and effect.

FULL TEXT OF MEASURE QQ (CONTINUED)

Section 14. The special benefit tax proposed by this initiative shall have no effect upon Proposition S, commonly known as the Benefit Fee for Construction of a New Fire Station and maintenance of District's real property, passed by the voters of the Julian-Cuyamaca Fire Protection District on November 7, 2006.

Section 15. Definitions. The term "fire protection services" includes both fire protection and emergency medical services.

Statement of the reasons for the proposed action as contemplated in said petition is as follows:

The revenue from the proposed benefit fee will provide sufficient funds to raise the level of fire and emergency medical services to residents and visitors within the District by hiring a Full-time Fire Chief, paying the increased operational expenses of the fire district, replenishing the general reserves that were diminished by costs associated with building the new fire station, adding staff (e.g., paramedic firefighters) and providing stipends to volunteers and reserve firefighters, as deemed appropriate and voted for by the Board of Directors of Julian-Cuyamaca Fire Protection District.

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