

LAKE SHASTINA COMMUNITY SERVICES DISTRICT

RESOLUTION 4-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT REQUESTING THE SISKIYOU COUNTY CLERK TO PLACE BEFORE THE VOTERS A SPECIAL TAX LEVY MEASURE FOR INCREASING POLICE DEPARTMENT TAX.

WHEREAS, the Board of Directors, has adopted Ordinance 2-95 establishing a tax for police department and emergency services; and

WHEREAS, the Board of Directors desires to approve a tax increase measure for the police department that must be approved by the voters of the District; and

WHEREAS, the District is authorized by law to conduct an election to be included on the ballot of the November 4, 2008 general election; and

WHEREAS, passage of this measure shall be used to obtain, furnish, operate and maintain police assets and police and public safety related services for the protection of life and property within the boundaries of the Lake Shastina Community Service District; and

WHEREAS, upon approval of this measure by the voters:

1. All parcels within the District, whether residential or non-residential, improved or unimproved, shall be taxed at a rate of \$97.00 per year.
2. The following are exempt from this tax: any road, greenbelt, or any property belonging to any county, state or federal government agency.
3. For the purposes of this measure, the following definitions shall apply:
 - a). "Year" means the fiscal year.
 - b). "Parcel" means a parcel of real property having a separate assessor's parcel number, as shown on the secured tax rolls of the County of Siskiyou within District boundaries.
4. Upon adoption of this tax, all District ordinances and resolutions for fees, assessments, and other charges previously levied or approved by the District for police protection and emergency services, except those for the 2008-2009 fiscal year, are hereby rescinded, provided however, that the then current outstanding indebtedness for same shall not be deemed forgiven. If the tax adopted by this measure is at any time found to be invalid, the rescission of previous fee ordinances, etc., shall be null and void, and they shall thereupon be reinstated.
5. The board recognizes that because of special circumstances applicable to particular properties, including but not limited to size, shape, topography, location, surroundings, and incombustibility of improvements, variances from the strict application of the provisions of this

measure may be equitable and appropriate. Any property owner may apply, in writing, to the District Board for a variance based on such circumstances. The District Board is hereby authorized to adopt rules and regulations, and include time limits on the filing of applications for relief, to implement this section. The decision of the District Board of Directors in regard to such applications for relief shall be final.

- 6. Upon approval by the voters, this tax shall become effective January 1, 2009. (Requires approval of 2/3 of votes cast).

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The Siskiyou County Clerk is hereby requested to place on the ballot for the November 4, 2008, general election a measure in the following words and figures:

Shall the Lake Shastina Community Services District increase its special tax for police protection services to \$97.00 per parcel per year? Said tax is to be used to obtain, furnish, operate and maintain police assets and police and public safety related services for the protection of life and property in the Lake Shastina Community Services District?

Yes _____ No _____

I hereby certify that the forgoing is a full, true and correct copy of Resolution 4-08 duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof duly held on the 7th day of August 2008, by the following vote:

AYES: Directors Dean, Negro and Roths
NOES: Directors Cupp and Wetter
ABSENT: None
ABSTAIN: None


Tom Wetter, Vice President

ATTEST:

L. James Lea, District Secretary

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**SISKIYOU COUNTY CLERK'S OFFICE
PRESIDENTIAL GENERAL ELECTION
NOVEMBER 4, 2008
REPORT #9 - UPDATED COUNTY WIDE RESULTS**

11/12/08
16:20:02

Registered Voters 26643

Num. Report Precinct 72 - Num. Reporting 72 100.00%

LK SHASTINA CSD		
	Total	
Number of Precincts	2	
Precincts Reporting	2	100.0 %
Vote For	2	
Total Votes	1540	
<hr/>		
BEVERLY ROTHS	517	33.57%
TONY PAVLIC	514	33.38%
RICHARD E NEGRO	498	32.34%
Write-in Votes	11	0.71%

MEASURE R/LSCSD TAX - 2/3 VOTE TO PASS		
	Total	
Number of Precincts	2	
Precincts Reporting	2	100.0 %
Vote For	1	
Total Votes	1050	
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YES	652	62.10%
NO	398	37.90%

Motion by Dir. Cupp second by Dir. Wetter to adopt Ordinance 2-08 regarding placing before the voters of the District a measure that will disband and dissolve the Lake Shastina Police Department, while the parcel tax shall continue to fund other means of public safety.

Ayes: Directors Cupp and Wetter

Noes: Directors Dean, Negro and Roths

Absent: None

(Roll Call Vote – Motion Failed)

- 2) b) Resolution 3-08 requesting the Siskiyou County Clerk to place before the voters of the District a measure that will disband and dissolve the Lake Shastina Police Department, while the parcel tax shall continue to fund other means of public safety.

- i) Public Hearing

- ii) Adoption

Resolution 3-08 was negated due to no Board action on Ordinance 2-08.

- 3) a) Resolution 4-08 requesting the Siskiyou County Clerk to place before the voters a special tax levy measure for increasing Police Department tax from \$65.00 to \$97.00 annually. (Notice was published in the Siskiyou Daily News as Resolution 1-08.)

- i) Public Hearing

- ii) Adoption

Pres. Negro opened the Public Hearing at 6:40 p.m. regarding the adoption of Resolution 4-08 requesting the Siskiyou County Clerk to place before the voters a special tax levy measure for increasing Police Department tax from \$65.00 to \$97.00 annually. Comments were received from members of the audience. Pres. Negro closed the Public Hearing at 6:45 p.m.

Motion by Dir. Roths second by Dir. Dean to adopt Resolution 4-08 requesting the Siskiyou County Clerk to place before the voters a special tax levy measure for increasing Police Department tax from \$65.00 to \$97.00 annually.

Board discussed. Robert Winston, District counsel, recommended changes to amend Resolution 4-08. Board discussed.

Motion by Dir. Roths second by Dir. Dean to adopt Resolution 4-08, as amended per District Counsel recommendation, requesting the Siskiyou County Clerk to place before the voters a special tax levy measure for increasing Police Department tax from \$65.00 to \$97.00 annually.

Ayes: Directors Dean, Negro and Roths

Noes: Directors Cupp and Wetter

Absent: None

(Roll Call Vote – Motion Passed)

- 3) b) Resolution 5-08 establishing a special tax to be levied for police protection services in the amount of \$97.00 annually. (Notice was published in the Siskiyou Daily News as Resolution 2-08.)

- i) Public Hearing

- ii) Adoption

Pres. Negro opened the Public Hearing at 6:55 p.m. regarding the adoption of Resolution 5-08 establishing a special tax to be levied for police protection service in the amount of \$97.00 annually. There were no comments from members of the audience. Pres. Negro closed the Public Hearing at 6:56 p.m.

Motion by Dir. Dean second by Dir. Roths to adopt Resolution 5-08 establishing a special tax to be levied for police protection services in the amount of \$97.00 annually.

Ayes: Directors Dean, Negro and Roths

Noes: Directors Cupp and Wetter

Absent: None

(Roll Call Vote – Motion Passed)

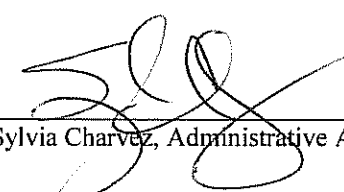
7. PUBLIC COMMENTS: Comments were received from members of the audience

8. BOARD MEMBER COMMENTS: Dir. Cupp

AFFIDAVIT OF POSTING NOTICE
RESOLUTION 4-08 (published in SDN as 1-08)

Public Hearing: On August 1, 2008, I, Sylvia Charvez, gave copies of the August 7, 2008, Public Hearing Notice (August 7, 2008 LSCSD Special Meeting Agenda) regarding Resolution 4-08 to Police Department, to be posted at the locations listed below (Number 1. was posted by me on August 1, 2008, along with a copy of proposed Resolution 4-08).

1. Administration Office, 16320 Everhart Drive. Weed CA
2. Police/Fire Station, 16309 Everhart Drive, Weed CA
3. Lake Shastina Community Center – Exterior Bulletin Board
15244 Driftwood Lane
4. Lake Shastina Bulletin Boards – Elk Trail Road,
Pinehill Road/Lakes Shastina Drive,
Lake Short Drive (Bus Stop)
Rancho Hills Entrance

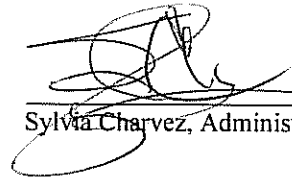


Sylvia Charvez, Administrative Assistant

AFFIDAVIT OF POSTING NOTICE
RESOLUTION 4-08 (published in SDN as 1-08)

Public Hearing: On August 4, 2008, I, Sylvia Charvez, gave copies of the August 4, 2008, Public Hearing Notice (August 7, 2008 LSCSD Special Meeting Revised Agenda) regarding Resolution 4-08 to Police Department, to be posted at the locations listed below (Number 1. was posted by me on August 1, 2008, along with a copy of proposed Resolution 4-08).

1. Administration Office, 16320 Everhart Drive. Weed CA
2. Police/Fire Station, 16309 Everhart Drive, Weed CA
3. Lake Shastina Community Center – Exterior Bulletin Board
15244 Driftwood Lane
4. Lake Shastina Bulletin Boards – Elk Trail Road,
Pinehill Road/Lakes Shastina Drive,
Lake Short Drive (Bus Stop)
Rancho Hills Entrance



Sylvia Charvez, Administrative Assistant

I hereby certify that the foregoing is a true and accurate copy of the proposed Resolution 4-08 filed in the Lake Shastina Community Services District Office. (published in the Siskiyou Daily News as 1-08)



District Clerk, Sylvia Charvez

Date: 8/4/08

I hereby certify that the foregoing is a true and accurate copy of the adopted Resolution 4-08 filed in the Lake Shastina Community Services District Office. (published in the Siskiyou Daily News as 1-08)



District Clerk, Sylvia Charvez

Date: 8/8/08

AFFIDAVIT OF PUBLICATION

LAKE SHASTINA COMMUNITY

SERVICES DISTRICT

16320 EVERHART DRIVE

WEED, CA 96094

IN THE MATTER OF

NOTICE OF PUBLIC HEARING

STATE OF CALIFORNIA) ss:
County of Siskiyou)

LORI SETZER

of said County, being duly sworn, deposed and says: THAT she is and at all times herein mentioned was a citizen of the United States of America, over the age of twenty-one years, and that she is not, nor was she at any of the times hereinafter named a party to, nor interested in the above entitled matter; that she is the PRINCIPAL CLERK OF THE PRINTER OF THE SISKIYOU DAILY NEWS, a newspaper of general circulation, printed and published in the City of Yreka, County of Siskiyou, State of California, and which newspaper is published for the dissemination of local and telegraphic news and intelligence of a general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of Yreka, County of Siskiyou, State of California, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to; and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or any number of same; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following; dates, to-wit:

JULY 24, AUGUST 4, 2008

Siskiyou Daily News adjudicated May 18, 1953, No. 15190

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signed) Lori Setzer
Date: 8-4-08

NOTICE OF PUBLIC HEARING
RESOLUTION 1-08
LAKE SHASTINA
COMMUNITY SERVICES
DISTRICT

On August 7, 2008, the Lake Shastina Community Services shall hold a public hearing which shall begin at 5:30 p.m. at the Lake Shastina Community Center Building located at 15244 Driftwood Lane, Weed California.

The purpose of this hearing is to inform constituents and receive input, written or oral, from constituents about a measure to be put on the November 4, 2008 General Election ballot that would increase the Police assessment from the existing rate of \$65.00 to a new rate of \$97.00, per parcel per year. The increase is estimated to increase income by \$121,600 annually to cover increased operational costs of the Police Department since the last increase in 1996. Presently improved parcels are billed quarterly, while unimproved parcels are billed semi-annually. Voters shall be voting at the Lake Shastina Bible Church and the measure must receive a two-thirds approval to pass. Any interested person may contact the District at 530-938-3281 or write or stop by the District office at 16320 Everhart Drive, Weed California to receive additional information on the tax and/or provide written comment.
News #3020, Pub. July 24; Aug. 4, 2008