

JUL 01 2011

**RESOLUTION NO. 1454-2011**

**MENLO PARK FIRE PROTECTION DISTRICT**

By Mark Church  
MARK CHURCH, Chief Elections Officer  
DEPUTY CLERK

**RESOLUTION CALLING FOR AN ELECTION IN THE MENLO PARK FIRE PROTECTION DISTRICT TO CONSIDER A MEASURE PROPOSING TO CONTINUE THE AMOUNT OF THE DISTRICT'S APPROPRIATIONS LIMIT AS PREVIOUSLY INCREASED BY MEASURE G ON NOVEMBER 7, 2007**

**WHEREAS**, the Board of Directors of Menlo Park Fire Protection District finds and determines as follows:

- a) Pursuant to Article XIII B of the California Constitution, the District's appropriations are subject to the limitations as described in Article XIII B and in government code 7900, et seq.
- b) The current voter approved limit of \$40,000,000 was in effect for four years and would expire the end of 2011.
- c) The \$40,000,000 Appropriations Limit must be approved by voters in the District at the November 8, 2011 Consolidated Statewide Election if it is to continue for four more years. In each of these fiscal years, the estimated revenue subject to the limit is in excess of the limit. The revenues in excess of the limit are not available for operating expenditures and can only be allocated to the future purchase of apparatus or other capital outlays.
- d) If the District is unable to appropriate and spend its lawfully raised revenues because of the effect of the Appropriations Limit, the District will not be able to maintain adequate funding for its operations and activities.
- e) It is clearly in the best interest of the District, the public health and safety and the welfare of its citizens that the District maintain adequate financial resources to provide high quality fire protection, fire suppression, and emergency services.
- f) At the June 28, 2011 Board meeting, the Directors reached consensus on moving forward with a resolution to call for an election to place a request to continue the limit of \$40,000,000 on the November 8, 2011 statewide ballot, prior to its expiration.
- g) This measure is necessary to continue the high level of emergency services that protect people and property within Menlo Park, East Palo Alto, Atherton and unincorporated areas of the District. It will NOT result in increased taxes; it simply allows full use of those revenues which have already been approved.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Directors of the Menlo Park Fire Protection District as follows:

1. An appropriations initiative is presented by the District to the District's electors for their consideration as set forth in the measure stated in paragraph 4 below.
2. The election shall be consolidated with any statewide or local elections held on November 8, 2011 within the territory of the District.
3. The election shall be conducted subject to and in conformity with all applicable constitutional and statutory voting requirements.
4. The Measure to be presented to the electors is as follows:

“SHALL THE APPROPRIATIONS LIMIT APPLICABLE TO THE MENLO PARK FIRE PROTECTION DISTRICT, CURRENTLY SET AT \$40,000,000 PURSUANT TO MEASURE G APPROVED BY THE ELECTORS OF THE DISTRICT ON NOVEMBER 7, 2007, BE CONTINUED AT \$40,000,000 FOR A PERIOD OF FOUR YEARS FROM THE DATE OF THE ELECTION?”

5. The Fire Chief is directed to ensure a true copy of this Resolution be promptly delivered to the County Clerk of the County of San Mateo and to take such other actions in conjunction with the County Clerk and the County Elections Department, to cause the election provided for in this Resolution to be duly and regularly conducted.
6. Funds in an amount sufficient to pay for the costs of the election called by this election are hereby appropriated, and the Fire Chief is hereby authorized to expend the funds appropriated to reimburse the County for the costs of conducting the election.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the Board of Directors of the Menlo Park Fire Protection District at its regular meeting held on the 28th day of June, 2011 by the following vote:

AYES: Ianson, Nachtsheim, Spencer, Nelson, Carpenter

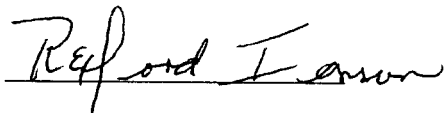
NOES:

ABSENT:

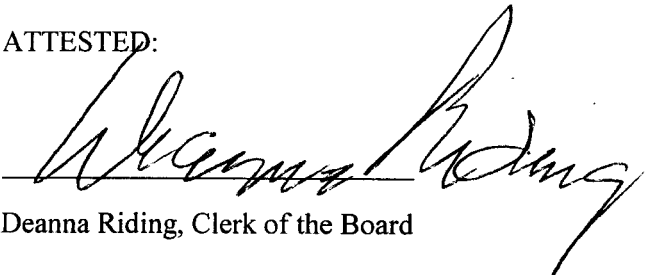
ABSTAIN:

APPROVED:

President of the Board



ATTESTED:

  
Deanna Riding, Clerk of the Board