

**ORDINANCE NO. 96-125**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
BEAR VALLEY COMMUNITY SERVICES DISTRICT  
CALLING A SPECIAL ELECTION TO CONSIDER THE  
APPROVAL OF THE LEVY OF A SPECIAL TAX  
TO PROVIDE POLICE SERVICES**

**WHEREAS**, the Bear Valley Community Services District (District) is a Community Services District formed pursuant to the Community Services District Law; and

**WHEREAS**, one of the purposes of the Bear Valley Community Services District is to provide police protection services to the residents of the entire District; and

**WHEREAS**, the District is presently assessing an \$80 per parcel assessment on all properties in the District to specifically supplement the funding of the Police Department; and

**WHEREAS**, Proposition 218 enacted on November 5, 1996, prohibits the enactment of an assessment for police services; and

**WHEREAS**, the Board of Directors desire to submit for voter approval pursuant to Proposition 218 and Government Code section 53978 a Special Tax in the maximum amount not to exceed \$80, to replace the Police Assessment.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT AS FOLLOWS:**

Section 1. The District has found, determined and declared that it is in the best interests of the District, and the community which it serves, to levy an annual special tax in the maximum amount not to exceed Eighty Dollars (\$80.00) upon each parcel of land within the District and to use the funds collected as a result of such levy for paying salaries and benefits to police and dispatch personnel.

Section 2. The revenues collected from such special tax shall be used for the service for which it was imposed, and for no other purpose.

Section 3. If approved by two-thirds of those voting, the special tax shall be collected in the same manner and subject to the same penalty as, or with, taxes levied and collected by the County of Kern.

Section 4. A special district election is hereby called by the District to be held on May 6, 1997, to approve said special tax. The election is to be conducted by an all-mail ballot. The District hereby requests such election be consolidated with any other all-mail election to be held the same day. The Kern County Elections Department is authorized to conduct the election and charge the District for its services. The proposition submitted to the voters shall be:

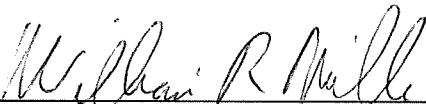
"Shall the present \$80.00 per-parcel police assessment be replaced by an annual special tax in the maximum amount not to exceed \$80.00 on each parcel in the Bear Valley Community Services District? The revenues from the special tax shall be used only for the limited purpose of paying salaries and benefits to police and dispatch personnel. **In no event shall the revenue be used for capital improvements, including but not limited to the construction of any buildings or facilities.**"

The proposition shall require approval of two-thirds of the voters voting upon said proposition.

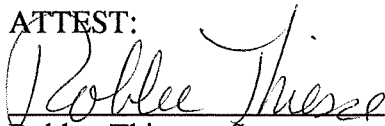
Section 5. The Board of Directors hereby finds that the special district election is an emergency, in that the District's next general election is in November, 1997, and the Police Assessment will expire on June 30, 1997. Therefore, the District needs to hold this election prior to the fiscal year of 1997-98.

Section 6. The Secretary shall cause a certified copy of this Ordinance to be transmitted to the County Elections Officer within 30 days of its adoption.

PASSED, APPROVED AND ADOPTED this 14th day of December 1996.

  
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William R. Miller, President

ATTEST:

  
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Roblee Thiesse, Secretary