COUNTY OF GLENN
AGENDA ITEM TRANSMITTAL

MEETING DATE: 5/20/2014
Submitting Department(s):
German Cemetery District

BRIEF SUBJECT/ISSUE DESCRIPTION:
German Cemetery District is asking the Board of Supervisors to approve a Resolution to conduct a special tax election on November 4th 2014

Contact: Jack Cavier
Phone: 530-517-1830

AGENDA PLACEMENT

APPOINTMENT – Appearances by: (Specify Name & Title)

ATTACHMENTS
- Board Report
- Letter
- Minute Order
- Contract
- Transfer
- Grant App.
- Resolution
- Ordinance
- Proclamation
- Policy Update
- Code Update
- Other

LEGAL/PERSONNEL/FISCAL
- County Counsel
- Personnel
- Finance

CLERK INSTRUCTIONS
- Return Minute Order
- Return Certified Copy Of: Resolution
- Other:

RECOMMENDED ACTION/MOTION:
To approve Resolution ordering the Consolidation with General Election and authorizing the County Registrar of Voters to conduct a Special Tax Election on behalf of the Board of Directors of the German Cemetery District

PUBLIC HEARINGS & COMMITTEE VACANCIES

Public Hearings:
- Published
- Affidavit on File w/Clerk
- Affected Parties Notified

Committees:
- Vacancy Posted
- Application Attached

LEGISLATION

Bill#: _____
- Latest Version of Bill
- Draft Letter Attached
- List of Supporters/Opposers
- Statement of Relevance to County Interests
- Description Attached
- General Fund Impact
- Other: _____
- Budgeted
- Transfer Attached
- 4/5ths Vote Required
- Contingency Request
- New
- Amendment
- Insurance Certificate
- Contract Report
- Date of Original Contract:
- Contract No.:
- Fiscal Year:

FUNDING SOURCE/IMPACT

CONTRACTS, LEASES & AGREEMENTS

Reviewed By (if applicable):
Personnel Director
Department of Finance
Administrative Representative

CC:
COUNTY OF GLENN
BOARD REPORT

Submitted by German Cemetery District
(Department)

EXECUTIVE SUMMARY German Cemetery District is asking for the Board of Supervisors to approve a Resolution ordering consolidation with General Election and authorizing the County Registrar of voters to conduct a Special Tax Election on November 4th 2014

RECOMMENDATION(S): To Approve Resolution authorizing Special Tax Election

HISTORY AND BACKGROUND: German Cemetery District was established in 1873 and receives NO property tax revenue, all maintenance and upkeep at the Cemetery has been done by Former and Present Board members all these years. Liability Insurance Premium is over $400.00 a year. There is a need for upkeep, fix broken Headstones, repair gravesites damage by Rodents Burrowing and weed control at the Cemetery. We need to preserve and protect our Local Heritage.

FISCAL/PERSOONEL IMPACT(S):

ANALYSIS/DISCUSION
BOARD OF SUPERVISORS, GLENN COUNTY, CALIFORNIA
RESOLUTION

A RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THE CONSOLIDATION WITH GENERAL ELECTION AND AUTHORIZING THE COUNTY REGISTRAR OF VOTERS TO CONDUCT A SPECIAL TAX ELECTION ON BEHALF OF THE BOARD OF DIRECTORS OF THE GERMAN CEMETERY DISTRICT AND TO RECOVER COST OF THE ELECTION

WHEREAS, pursuant to Public Cemetery District Law, contained in Section 9000 et seq., and more specifically in Section 9080 et seq. of the Health and Safety Code.

WHEREAS, this Board of Supervisors of the County of Glenn has received a resolution of the Board of Directors of the German Cemetery District requesting consolidation of the General Election to take place within the District on November 4th, 2014 with the General Election taking place in the County of the Election Date in accordance with Election Code section 10403; and

WHEREAS, the County will be reimbursed for services rendered to the District at the Election; and

WHEREAS, the Elections Code Section 10418 permit the Registrar of Voters to provide election services to the district, subject to approval of the board.

NOW, THEREFORE, BE IT RESOLVED that each of the foregoing recitals is true and correct, and that the Board of Supervisors hereby approves the request of the German Cemetery District to consolidate the District’s Election with General Election in the County on November 4th, 2014 and that the Officers of the County are hereby authorized and directed, individually and collectively, to do any and all things necessary or advisable in order to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED THAT Registrar of Voters is authorized to contract with the District to recover costs incurred by the County of Glenn for conducting this election and to deposit compensation for these costs into the Glenn County Treasury.

THIS RESOLUTION WAS PASSED by the Board of Supervisors of the County of Glenn at a regular meeting thereof on ________, 2014 by the following vote:

Ayes:

Noes:

Absent:

MIKE MURRAY, CHAIRMAN
Board of Supervisors,
Glenn County, California

ATTEST:

JAMIE CANNON, Clerk of the Board of Supervisors
Glenn County, California

APPROVED AS TO FORM:

HUSTON CARLYLE, JR., County Counsel
Glenn County, California
GERMAN CEMETERY DISTRICT  
COUNTY ROAD N, ARTOIS, CA 95913  
RESOLUTION NO. 2014-01  

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE GERMAN CEMETERY DISTRICT ORDERING AN ELECTION TO ESTABLISH A SPECIAL TAX FOR THE MAINTENANCE AND CAPACITY OF THE GERMAN CEMETERY, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON NOVEMBER 4th, 2014

WHEREAS, the Board of Directors (the “Board”) is authorized to provide burial and other cemetery services to the community of Artois; and

WHEREAS, the Board of Directors has determined that it is in the best interests of the District’s citizens to have the cemetery adequately maintained and to have adequate capacity to meet the needs of the community; that the cost to maintain such adequate maintenance and capacity is beyond the reach of the District absent this proposed special tax and that this tax is therefore necessary for the public good; and

WHEREAS, the German Cemetery District (the “District”) desires to submit to the voters a question relating to the establishment of a special tax for cemetery maintenance, improvement and capacity expansion purposes; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 4th, 2014, and to request the Glenn County Registrar of Voters to perform certain election services for the District; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the German Cemetery District the following:

Section 1. Call for Election. The Board hereby orders an election and submits to the electors of the District the question regarding whether a new special tax shall be established for the purpose of raising money to finance the improvement and maintenance of the German Cemetery. This Resolution constitutes the order of the District to call such election.

Section 2. Election Date. The date of the election shall be November 4th, 2014.

Section 3. Purpose of Election; Ballot Proposition. The purpose of the election shall be for the voters in the District to vote on a proposition, a full copy of which is attached hereto and marked Exhibit A, containing the question of whether the District shall establish a special tax for the purpose stated therein. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto and marked Exhibit B.
Section 4. Authority for Election. The authority for ordering the election is contained in the Public Cemetery District Law, contained in Section 9000 et seq., and more specifically in Section 9080 et seq. of the Health and Safety Code.

Section 5. Delivery of this Resolution. The Clerk of the Board of Supervisors is hereby directed to send a copy of this Resolution to the Glenn County Registrar of Voters (the "County Registrar").

Section 6. Consolidation of Election. The County Registrar and the Glenn County Board of Supervisors are hereby requested to consolidate the election ordered hereby with the General Election to be held on November 4th, 2014, within the District.

Section 7. Ballot Arguments. Any and all members of this Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The President of the Board, or his or her designee, is hereby authorized to execute any document and to perform all acts necessary to place the special tax measure on the ballot.

Section 8. Elections Code. Pursuant to Section 5303 and Section 10002 of the Elections Code, the Board of Supervisors of Glenn County, is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Glenn County in full upon presentation of a bill, such services to include the mailing of the Sample Ballot.

Section 9. Effective Date. This Resolution shall take effect on and after its adoption.

PASSED AND ADOPTED by the Board of Directors of the German Cemetery District the 7th day of May 2014

AYES: 3

NOES: 0

ABSTAIN: 0

ABSENT: 2

Signed: /s/ [Signature]
President of the Board of Directors of the
GERMAN CEMETERY DISTRICT

/s/ [Signature]
Clerk/Secretary of the Board of Directors of the
GERMAN CEMETERY DISTRICT

Germantown Cemetery District
Resolution of Consolidation with November 4th, 2014 Election
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EXHIBIT A

FULL TEXT
MEASURE ___

GERMAN CEMETERY MAINTENANCE AND CAPACITY EXPANSION MEASURE

The German Cemetery District is responsible for providing burial grounds and internment services for residents of the Artois area. The District maintains about 2 acres of land which contain about 1,240 lots

The District will levy a special tax at the following annual rate per each taxable parcel that would allow the District to continue to operate the German Cemetery, to better maintain the grounds and to increase its capacity:

- Single-family residential: $5.00 per parcel
- Multi-family residential (two or more dwelling units) $5.00 per dwelling unit
- All other taxable parcels $5.00 per parcel

Taxable parcels are those parcels that appear on the annual secured Glenn County property tax roll.

The purpose of this special tax will be to ensure the German Cemetery is adequately maintained, improved and will have additional capacity to meet the needs of the residents of the District. The revenues raised by this special tax will only be used for operating expenses, capital improvement expenditures and debt repayment to accomplish the foregoing purposes. If approved, the special tax shall be levied for fiscal year 2015-16 and each fiscal year thereafter.

The District’s appropriations limit will be increased by the amount of this voter-approved tax.

The special property taxes shall annually be collected on the County of Glenn property tax bill in the same manner and subject to the same penalty as the county property taxes are collected. The District shall annually take such steps as are necessary to have the special property taxes collected through the property tax bill and shall coordinate with the County Auditor and Tax Collector in this regard. The County shall be entitled to deduct its reasonable costs incurred in collecting the special taxes before the balance of the taxes are remitted to the District.

The special tax revenues shall be deposited into a separate account held by the Glenn County Treasurer, in accordance with Government Code Section 50075.1, and shall be expended according to a plan developed annually by the District staff and approved and adopted by the District’s Board of Directors.

The District will cause to be filed an annual report with its Board of Directors, which report shall include the amount of special tax revenues collected and expended, and which shall otherwise comply with the accountability measures established in Government Code Sections 50075.1 et seq.
EXHIBIT B

BALLOT QUESTION
MEASURE ____

GERMAN CEMETERY MAINTENANCE AND CAPACITY EXPANSION MEASURE

To keep the German Cemetery open to the public, better serve the Artois Community, preserve our local heritage, improve the maintenance of the cemetery grounds including gravesites and headstones, and increase cemetery capacity so there are potentially more gravesites available and additional places to keep cremated remains, shall an annual special property tax be authorized will all revenue staying in our community for local cemetery services.