



AGENDA

CRESCENT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

**REGULAR MEETING
HELD
MONDAY, JULY 12, 2021
AT 5:00 P.M.**

Due to the current public health emergency resulting from COVID-19, the public may access and participate in the public meeting by participating online via Zoom -details to join the meeting will be on both the Crescent City Fire & Rescue Facebook page as well as the Crescent Fire Protection District website (cfpd.crescentcity.org). Submit comments via ccfire@crescentcity.org; or submit a written comment by filing it with the Administrative Assistant at 255 W Washington Blvd, Crescent City, California 95531 prior to 5:00 pm, July 12, 2021. If you require a special accommodation, please contact Administrative Assistant, Vanessa Duncan at 464-2421.

Zoom Webinar Link:

<https://us02web.zoom.us/j/89152825806?pwd=NUlvRUJtb1JqbExPUjErKzYwanFidz09>

Passcode: 305305

To participate via phone, please use the following information:

Call-In Information:

Phone Number: +1 669 900 6833

Webinar ID: 891 5282 5806

Passcode: 305305

1. ROLL CALL

1.1 CALL TO ORDER

1.2 FLAG SALUTE

2. PUBLIC PARTICIPATION

Any member of the audience is invited to address the Board on any matter that is within the jurisdiction of the Crescent Fire Protection District. Comments of public interest or on matters appearing on the agenda are accepted. Note, however, that the Board is not able to undertake extended discussion or act on non-agendized items. Such items can be referred to staff for appropriate action, which may include placement on a future agenda. All comments shall be directed toward the entire Board. After receiving recognition from the Chairman, please state your name and city or county residency for the record. Public comment is limited to three (3) minutes. The public is additionally allotted five minutes each in which to speak on any item on the agenda prior to any action taken by the Board.

3. CONSENT CALENDAR

3.1 APPROVE MINUTES OF THE REGULAR MEETING OF JUNE 14, 2021, MINUTES OF THE SPECIAL MEETING OF JUNE 17, 2021, AND MINUTES OF THE SPECIAL MEETING OF JUNE 30, 2021

3.2 APPROVAL OF WARRANT CLAIMS FOR PERIOD COVERED JUNE 2021

4. NEW BUSINESS

Take action as necessary and appropriate.

4.1 REVIEW AND ADOPT CERTIFICATION OF CRESCENT FIRE PROTECTION DISTRICT BENEFIT ASSESSMENT BALLOT TABULATION RESULTS SUMMARY

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Consider and adopt to certify CRESCENT FIRE PROTECTION DISTRICT BENEFIT ASSESSMENT BALLOT TABULATION RESULTS SUMMARY DATED JUNE 28, 2021.

4.2 CONSIDER AND ADOPT ORDINANCE 21-001 AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021/22

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Waive full reading, read by title only and adopt Ordinance No. 21-001, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT

LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL
2021/22

5. OLD BUSINESS

Take action as necessary and appropriate.

NO OLD BUSINESS AT THIS TIME.

6. CHIEFS REPORT

Take action as necessary and appropriate.

UPDATE ON CURRENT MATTERS AND THOSE IN PROGRESS

6.1 RESPONSES OCCURRED BETWEEN: 06/01 – 06/30/2021

7. BOARD COMMENTS

THIS AGENDA ITEM ALLOWS BOARD MEMBERS THE OPPORTUNITY TO DISCUSS ITEMS OF GENERAL INTEREST, PROVIDE A REFERENCE OR OTHER RESOURCE TO STAFF, ASK FOR CLARIFICATION OR REQUEST STAFF TO REPORT TO THE BOARD ON A CERTAIN MATTER

8. ADJOURNMENT

ADJOURN TO THE NEXT REGULARLY SCHEDULED MEETING ON MONDAY, AUGUST 9,
2021 AT 5:00 PM

POSTED:

07/09/2021

/s/ Vanessa Duncan

Administrative Assistant

Notice Regarding Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact the Administrative Assistant's office at (707)464-2421. Notification 48 hours before the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II] For TTYDD use for speech and hearing impaired, please dial 711. A full agenda packet may be reviewed at Crescent City Fire & Rescue, 255 W Washington Blvd, during business hours, 8:00 a.m. - 5:00 p.m., or on-line at cfpd.crescentcity.org



CRESCENT FIRE PROTECTION DISTRICT

255 W. WASHINGTON BLVD. CRESCENT CITY, CA 95531
office: 707- 464-2421

MINUTES OF THE CRESCENT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

**REGULAR MEETING HELD
MONDAY, JUNE 14, 2021
AT 5:00 P.M.**

DIRECTORS PRESENT:

Chairman Jim Nelson Director
Vice Chairman Dave Short
Director Jim Erler
Director Joe Gregorio

ABSENT:

Director Kelley

OTHERS PRESENT:

Bill Gillespie, Fire Chief
Vanessa Duncan, Clerk of the Board
Doug Dove, Bartle Wells Associates
Nancy Diamond, District Attorney
Abigail Seaman, Bartle Wells Associates
Colette Metz-Santsche, Senior Planner, Planwest Partners, Inc.
Alicia Northrup, Del Norte County Registrar of Voters/Election Officer

ROLL CALL:

Chairman Nelson called the meeting to order at 5:03 PM. The Pledge of Allegiance was led by Vice Chair Short.

PUBLIC PARTICIPATION

Thomas Barnes: questioned if the Board will be talking about the assessment during this agenda? *Chairman Nelson confirmed that there will be an agenda item regarding the assessment which he will be able to speak on.*

Linda Sutter: suggested that the Board continued straight to agenda item regarding the benefit assessment.

CONSENT CALENDAR

- 3.1 APPROVE MINUTES OF THE REGULAR MEETING OF MAY 10, 2021**
On a motion by Vice Chair Short, seconded by Director Gregorio, motion carried unanimously 4/0/1; the Board of Directors adopted the regular meeting minutes of May 10, 2021.
- 3.2 APPROVAL OF WARRANT CLAIMS FOR PERIOD COVERED MAY 2021**
On a motion by Director Gregorio, seconded by Vice Chair Short, motion carried unanimously 4/0/1; the Board of Directors approved the warrant claims for period covering May 2021.

NEW BUSINESS - None

OLD BUSINESS

Take action as necessary and appropriate.

5.1 AMENDED ELECTION SERVICES AGREEMENT WITH THE COUNTY OF DEL NORTE FOR THE HANDLING, TABULATION, AND STORAGE OF BALLOTS

RECOMMENDATION

1. Receive staff report
2. Take public comment
3. Board discussion
4. Consider and approve amended Election Services Agreement by motion

Chief Gillespie reported the Election Services Agreement was forwarded to the County of Del Norte for approval. The agreement was approved by the Board of Supervisors at their June 8, 2021 meeting. The agreement was amended from the original agreement at the County and signed by Board Chair Howard with the following modifications:

1. Agreement date was updated to match the June 8, 2021 Board of Supervisors meeting and ratification date which fell after the District Board meeting date.
2. The agreement was updated to reflect the agreement between the Crescent Fire Protection District Board ("District") and the County of Del Norte ("County") rather than an agreement with the Elections Officer by name and title.
3. Recitals, Section B was amended with the following language:
"The County, through its Elections Officer, is qualified and willing to provide such election services pursuant to the terms and conditions of this Agreement."

4. The section "Agreement" was amended with an "Indemnification" item added to the agreement which reads:
"Indemnification. To the fullest extent permitted by law, District shall hold harmless, defend at its own expense, and indemnify the County of Del Norte, its officers, employees, agents, and volunteers, against any and all liability, claims, losses, damages, or expenses, including reasonable attorney's fees, arising from all acts or omissions of District or its officers, agents, or employees in rendering services under this contract."
5. The agreement signature page was amended to reflect the Board Chair of the Board of Supervisors as signor for the County of Del Norte.

Chief Gillespie also noted that adoption of the amended agreement allows the County Elections Office to conduct the count of ballots on June 15, 2021, as well as store the ballots as required.

The following citizens addressed the Board:

Thomas Barnes: questioned if this is the agenda item he would like to speak to or not. *Consultant Metz-Santsche informed Mr. Barnes that the benefit assessment will be the next item on the agenda.*

Linda Sutter: inquired if someone could let her know when it is time to take public comment regarding the benefit assessment.

On a motion by Director Eler, seconded by Vice Chair Short, motion carried 4/0/1, with Director Kelley being absent; the Board of Directors approved the AMENDED ELECTION SERVICES AGREEMENT WITH THE COUNTY OF DEL NORTE FOR THE HANDLING, TABULATION, AND STORAGE OF BALLOTS.

5.2 RECEIVE AMENDED BENEFIT ASSESSMENT REPORT, CONSIDER AND ADOPT RESOLUTION NO. 21-002; AND WAIVE FULL READING, READ BY TITLE ONLY AND RE-INTRODUCE ORDINANCE NO. 21-001, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021/22

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Consider and adopt RESOLUTION NO. 21-002; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CRESCENT FIRE PROTECTION DISTRICT AMENDING ENGINEER'S REPORT
5. Review and waive full reading, read by title only, and re-introduce ORDINANCE NO. 21-001, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021/2022

Chief Gillespie reported at the March 8, 2021 meeting, the Crescent Fire Protection District (CFPD) Board of Directors reviewed the Draft Engineer's Report prepared by Bartle Wells Associates and adopted Resolution No. 21-001, thereby initiating Prop 218 proceedings, declaring intention to levy assessments, approving the Engineers Report, and providing for notice of hearing, and mailing of assessment ballots. In addition, the Board introduced Ordinance No. 21-001, which references the Engineer's Report and establishes the assessment levy provisions. After ballots were distributed for the required 45-day period, the Fire Chief and District Clerk fielded calls and questions from affected property owners. There were four property owners that requested EBU adjustments based on the land use classification on their property. Three of the four were incorrectly classified "Commercial / Industrial" when in fact they are "Residential". In addition, one Residential parcel was reduced from 2 EBU to 1 EBU after confirming a detached shed was not being used as a secondary unit. Changes to these 4 parcels has a total revenue impact of \$-244.20. Therefore, the estimated fiscal year 2021-22 assessment revenue requirement would change from \$421,648 to \$421,404. This would not affect the proposed assessment rate of \$74.00 per single-family equivalent benefit unit (EBU) for fiscal year 2021-2022. If approved, the parcel adjustments would be reflected in the ballot tabulation for the affected parcels.

The following citizen addressed the Board:

Thomas Barnes: stated that the total assessment of approximately \$100 has no sunset clause and lacks clarification; further stating that the public does not understand the 2016 assessment and the 1987 assessment sunsets.

On a motion by Director Gregorio, seconded by Director Eler, motion carried 4/0/1, with Director Kelley being absent, the Board of Directors adopts AMENDED BENEFIT ASSESSMENT REPORT, CONSIDER AND ADOPT RESOLUTION NO. 21-002

PASSED AND ADOPTED by the Board Members of the
CRESCENT FIRE PROTECTION DISTRICT

This 14th day of JUNE 2021, by the following polled vote:

YES: 4, Chairman Nelson, Vice Chair Short, Director Eler, Director Gregorio

NOES: 0

ABSENT:1, Director Kelley

On a motion by Vice Chair Short, seconded by Director Eler, motion carried 4/0/1, with Director Kelley being absent; the Board of Directors WAIVED FULL READING, READ BY TITLE ONLY AND RE-INTRODUCED ORDINANCE NO. 21-001, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021/22

PASSED AND ADOPTED by the Board Members of the
CRESCENT FIRE PROTECTION DISTRICT

This 14th day of JUNE 2021, by the following polled vote:

YES: 4, Chairman Nelson, Vice Chair Short, Director Erler, Director Gregorio

NOES: 0

ABSENT:1, Director Kelley

PUBLIC HEARING

6.1 CONDUCT A PUBLIC HEARING FOR THE PROPOSED FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES BENEFIT ASSESSMENT OF THE CRESCENT FIRE PROTECTION DISTRICT

RECOMMENDATION

1. Open Public Hearing
2. Receive staff report and presentation
3. Take public comment
4. Request final submittal of all ballots and close public hearing
5. Continue tabulation of ballots

Chief Gillespie opens the public hearing at 5:33pm reported this public hearing marks the end of the voting period for the Proposed Fire Protection and Emergency Response Services Benefit Assessment which would fund the services and improvements included in Crescent City Fire and Rescue's 10-year Financial Master Plan which was adopted in November 2019. The Board of Directors will formally accept and certify the balloting results at its regularly scheduled meeting on July 12th at 5:00PM. At this meeting, the Board shall hear and determine any and all controversies concerning the regularity of the balloting. The determination of the governing body shall be final. If a majority of weighted ballots returned are in support, the Board will conduct a second reading and adopt Ordinance No. 21-001 on July 12th.

The following citizens addressed the Board:

Linda Sutter: asked how many ballots Summer Park Apartments would receive; and how many parcels will receive the \$1k cap; *Consultant Metz-Santsche replied that there are 15 total parcels receiving the \$1,000 cap.*

Thomas Barnes: questioned what has changed in the past 200 days in order for the District to want to go for a second attempt at the benefit assessment; *Chief Gillespie stated that with measure S and measure R all happening at the same time, the District's proposed assessment was overlooked.* Mr. Barnes questioned if the public could recall the Board members; *it is noted that the public does have the right to recall any Board member of the District. District Attorney, Nancy Diamond, suggested that Chairman Nelson have Mr. Barnes email all requests/questions to avoid going over his allotted time for public comment.*

Roger Gitlin: stated that the District is not being direct by stating the cost is \$98 per parcel; reported the amounts the District paid for the 218 process in 2020-21; and expressed his concern over the effect taxes will have on the public

Linda Sutter: asked for her questions/concerns to be answered publicly.

Chairman Nelson noted that the Board invites and encourages the public to participate in meetings and explained the needs for the benefit assessment.

Beau Smith, Captain with Crescent City Fire & Rescue: questioned what will happen if the benefit assessment doesn't pass? *Chief Gillespie replied by stating if the benefit assessment doesn't pass the District will not be able to respond to the calls it is currently responding to now and will ultimately need to decrease responses in medical calls. The District needs to proper funding for proper equipment and training in order to move forward with the level or service that is to be expected.*

Darrin Short, Battalion Chief with Crescent City Fire & Rescue: As a long-time volunteer, he recalled a time when North Coast EMS contacted the District, wanting to know what the District was doing to help and have such an impact on the community. He noted that the District is doing all it can for our community with little resources that are currently available.

Chairman Nelson reported that there are many times the fire department has arrived on scene before the ambulance and have been able to save lives.

Thomas Barnes: questioned if there are enough reserves to provide the same level of service for two to three years; *Chairman Nelson stated there was possibly enough funding to continue service for two years.* Mr. Barnes requested to form a committee with volunteer firefighters and members of the public to look over the District's budget to look for ways it can be improved; asked for the vote and ballot process to be postponed.

City Manager Eric Wier: City Manager Wier stated this has been a long process, starting several years ago with a master plan that had a reduced schedule for the Fire Chief. Although we are fortunate to have Chief Gillespie here, we cannot have a Fire Chief work the hours that the late Fire Chief Wakefield did of 24 hours a day, 7 days a week.

Chairman Nelsons reported that it is important to have the public involved in matters involving the District.

Director Gregorio stated that the fire department has no idea who they are responding to, rather it be a homeowner, renter, or homeless. There have been significant changes to the number of vehicles are responding to calls. Director Gregorio commented on the arrival time after being dispatched to a call, with an on-scene time of seven minutes or less.

Vice Chair Short would like the public to know there is a large expense to run the fire department and have a full time Fire Chief. He also commented that there will never be another Fire Chief that will work 24 hours a day 7 days a week.

Grant Hodges, volunteer firefighter with Crescent City Fire & Rescue: stated he has been on the fire department for several years and wanted to express the level of commitment that it takes to run a fire department. He expressed his appreciation to be able to help the community. Firefighter Hodges said that this benefit assessment is an investment for the community, an investment in their home, and an invest in their families.

Chairman Nelson closed the public hearing period, noting that the ballots will be tabulated at the County on June 15th.

On a motion by Vice Chair Short, seconded by Director Gregorio, motion carried 4/0/1, with Director Kelley being absent; the Board of Directors closes the PUBLIC HEARING FOR THE PROPOSED FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES BENEFIT ASSESSMENT OF THE CRESCENT FIRE PROTECTION DISTRICT

CHIEF'S REPORT

Take action as necessary and appropriate.

UPDATE ON CURRENT MATTERS AND THOSE IN PROGRESS.

7.1 RESPONSES OCCURRED BETWEEN: 05/01 – 05/31/2021

Chief Gillespie reported the total number of calls in the City and the District.

7.2 THANK YOU LETTERS

Chief Gillespie stated there were two letters recently received in the mail, one being from Del Norte Ambulance, expressing their support of the District's proposed benefit assessment. The second letter was sent by the Senior Apartments, thanking Assistant Chief Dennis Sutton for his assistance.

7.3 FY 21/22 DISTRICT BUDGET

Chief Gillespie noted that the preliminary budget will need to be adopted by June 30th and the Board will need to hold a special meeting in order to adopt the budget before the deadline.

BOARD COMMENTS - None

ADJOURNMENT

There being no further business to come before the Board, Vice Chair Short adjourned the meeting at 6:45 pm of the Crescent Fire Protection District Board of Directors to the next regularly scheduled meeting on July 12, 2021 at 5:00PM.

Vanessa Duncan, Clerk of the Board
Crescent Fire Protection District



CRESCENT FIRE PROTECTION DISTRICT

255 W. WASHINGTON BLVD. CRESCENT CITY, CA 95531
office: 707- 464-2421

MINUTES OF THE CRESCENT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

**SPECIAL MEETING HELD
THURSDAY, JUNE 17, 2021
AT 4:00 P.M.**

DIRECTORS PRESENT:

Chairman Jim Nelson
Vice Chairman Dave Short
Director Jim Erler
Director Joe Gregorio

ABSENT:

Director Rick Kelley

OTHERS PRESENT:

Bill Gillespie, Fire Chief
Vanessa Duncan, Clerk of the Board
Alissia Northrup, County Registrar of Voters/Elections Officer
Colette Metz-Santsche, consultant with Planwest Partners

ROLL CALL:

Chairman Nelson called the meeting to order at 4:02 PM. The Pledge of Allegiance was led by Director Gregorio.

PUBLIC PARTICIPATION

Roger Gitlin: stated he'd like to start off with three questions: Is the protocol for the first election the same as the second election? What are the costs associated to the public for the posting of both elections? Can the calls be charged back to the user that are utilizing 911 services? Requested the results be accepted as is, for the creation of an ad hoc committee.

NEW BUSINESS

Take action as necessary and appropriate.

3.1 RECEIVE UNOFFICIAL BALLOT TABULATION RESULTS FOR BENEFIT ASSESSMENT AND CONSIDER REQUESTING A RECOUNT BE COMPLETED BY THE DEL NORTE COUNTY ELECTION'S OFFICE

RECOMMENDATION

1. Receive staff report
2. Take public comment
3. Board Discussion
4. Consider and approve a request for recount by motion

Chief Gillespie briefed the board stating on June 14, 2021, the Crescent Fire Protection District Board held a public hearing which marked the end of the voting period for the Proposed Fire Protection and Emergency Response Services Benefit Assessment which would fund the services and improvements included in Crescent City Fire and Rescue's 10-year Financial Master Plan adopted in November 2019. He also noted that in absence of additional funding, it is estimated that the Crescent Fire Protection District would exhaust its limited reserve funds within a 2-3 year period while trying to maintain the current level of service that residents have come to expect.

Chief Gillespie presented the unofficial ballot tabulation results, which were: Yes ballots at a value of \$72,348.40 and No ballots at a value of \$72,367.60, with a .013 percentage difference of Yes/No ballots. Because of how close the ballot count was, and the chance for human error when tabulating the ballots, staff is recommending that the Board officially request a ballot recount by the Del Norte County Elections Office. This would be conducted prior to the certification of balloting results by the District Board at its regularly scheduled meeting on July 12th at 5:00PM. At this meeting, the Board shall hear and determine any and all controversies concerning the regularity of the balloting. The determination of the governing body shall be final. If the recount determines that a majority protest does not exist, then the Board may conduct a second reading and adopt Ordinance No. 21-001 on July 12th.

Chairman Nelson directed Chief Gillespie to answer questions from public comment.

Chief Gillespie answered the first question regarding if changes have been made in the way the benefit assessment was conducted this time compared to the time prior; Chief Gillespie stated that in the Fall, the ballots were weighted according to the proportional financial obligation of the affected property, which is the same process for the current proposed benefit assessment.

Chief Gillespie redirected the second question to staff, regarding the election totals for both 2020 and 2021. Vanessa Duncan, Clerk of the Board, gave an approximate total of \$146,000; \$41,000 for 2021 and \$105,000 for 2020.

Chief Gillespie answered the third question regarding returns tied with 911 services; Chief Gillespie stated that the District does not currently do any billing for service for

medical calls, but the District is looking to receive revenue for traffic collision responses.

The Board directed questions regarding the traffic collision revenue to Chief Gillespie. Chief Gillespie noted there has not been success yet with any traffic collision claims.

Colette Metz-Santsche, with Planwest Partners, added further response to public comment provided by Roger Gitlin, stating there is an oversight committee that will be put in place to oversee the expenditures in the District. Chairman Nelson and Director Gregorio suggested that the oversight committee meet a least twice a year, if not more.

The following citizens addressed the Board:

Linda Sutter: stated that Clerk/Recorder Northrup "suddenly finds a Yes vote in the pile of No votes".

Due to poor audio quality from Linda Sutter's connection, Chairman Nelson requested that we go to the next public comment.

Thomas Barnes: requested the District to accept the unofficial results, form a committee with members of the public, and stated legal action would be taken if the District moves forward otherwise.

Linda Sutter: expressed her concerns with the tabulation process and the error that was found.

Donna Westfall: stated that she thinks it's "despicable" to put this amount of tax on this community. She would like to know if there are tax exempt properties that are being assessed and why?

The Board requested to hear from Alissia Northrup, Registrar of Voters and Election Officer of Del Norte County. Del Norte County Registrar of Voters/Elections Officer Northrup reported the total of ballots collected along with the number of invalid ballots. She then proceeded to go over the tabulation process. Del Norte County Registrar of Voters/Elections Officer Northrup stated that there were members of the public and County employees that conducted the tabulation and explained the handling as well as the storage process. Director Gregorio questioned if the ballots were being canvased by election staff; Del Norte County Registrar of Voters/Elections Officer Northrup reported that was correct, only election staff are the only ones allowed to canvas. Chairman Nelson questioned if the Election Office will go through the votes to find any other mistakes. Del Norte County Registrar of Voters/Elections Officer Northrup said she has not and will not go through the ballots to find errors unless directed to conduct an official recount.

Hank Akin: questioned that the votes were sorted and entered, which would be a double check process, at what point do we cut it off for human error?

Consultant Metz-Santsche answered an anonymous question submitted through the Q & A regarding low income exempt properties. Consultant Metz-Santsche read the response from the Assessor's Office stating that the Low-Income Housing Exemptions can reduce the taxable value on a property but it does not exempt the property from receiving any additional Fees/Benefit Assessments that are in addition to the ad valorem taxes.

Consultant Metz-Santsche commented on previous concern that the Harbor District was not mailed ballots, stating that the Harbor District was mailed ballots for both proposed benefit assessments.

Director Gregorio requested that Crescent Fire Protection District members do not attend the official recount.

Director Erler would like to see a total recount done.

On a motion by Vice Chair Short, seconded by Director Gregorio, motion carried 4/0/1, with Director Kelley being absent; the Board of Directors REQUESTED A COMPLETE RECOUNT BE COMPLETED BY THE DEL NORTE COUNTY ELECTION'S OFFICE ON JUNE 28, 2021.

PASSED AND ADOPTED by the Board Members of the
CRESCENT FIRE PROTECTION DISTRICT

This 17th day of JUNE 2021, by the following polled vote:

YES: 4, Chairman Nelson, Vice Chair Short, Director Erler, Director Gregorio

NOES: 0

ABSENT: 1, Director Kelley

OLD BUSINESS - None

BOARD COMMENTS - None

ADJOURNMENT

There being no further business to come before the Board, Director Gregorio made a motion to adjourn the meeting at 5:10 pm of the Crescent Fire Protection District Board of Directors to the next regularly scheduled meeting on July 12, 2021 at 5:00PM.

Vanessa Duncan, Clerk of the Board
Crescent Fire Protection District



CRESCENT FIRE PROTECTION DISTRICT

255 W. WASHINGTON BLVD. CRESCENT CITY, CA 95531
office: 707- 464-2421

MINUTES OF THE CRESCENT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

SPECIAL MEETING HELD WEDNESDAY, JUNE 30, 2021 AT 5:00 P.M.

DIRECTORS PRESENT:

Chairman Jim Nelson
Vice Chairman Dave Short
Director Jim Erler
Director Rick Kelley

ABSENT:

Director Joe Gregorio

OTHERS PRESENT:

Bill Gillespie, Fire Chief
Vanessa Duncan, Clerk of the Board

ROLL CALL:

Chairman Nelson called the meeting to order at 5:00 PM. The Pledge of Allegiance was led by Director Kelley.

PUBLIC PARTICIPATION

Linda Sutter: stated that there needs to be supporting documents for the agenda and there was no way the public could view the budget. *Clerk of the Board Duncan explained that the budget was posted to the website prior to the meeting and was made available for the public to view at the fire department.*

Thomas Barnes: stated that the benefit assessment is extremely confusing to the public and requested the Board disregard the results; requested the benefit assessment be postponed.

NEW BUSINESS

3.1 CONSIDER AND ADOPT PRELIMINARY BUDGET FY 21/22.

Chief Gillespie explained that the preliminary budget is needed for initial expenditures before the final budget is adopted in the Fall. Chief Gillespie noted the major changes with the budget, including additional money added to the *maintenance structure/ improve grounds* line to start the process of replacing the roof at Washington Station. He also noted there will be a decrease in the *professional services* line because the District will no longer be needing the services of the consultants regarding the benefit assessment. The *professional services-City* line has an increase of approximately \$63,000 for joint equipment, replacing miscellaneous tools, and to start a recruitment and retention program. Chief Gillespie stated there are a few lines that are seeing decreases this upcoming fiscal year such as the copier and the propane; staff was able to decrease those costs by switching vendors for both. Chairman Nelson questioned the bidding process for the roof repairs for Washington Station. The Clerk of the Board noted the revenue lines will be updated if the Board accepts the outcome of the benefit assessment. The changes will be reflected on the final budget.

The following citizen addressed the Board:

Linda Sutter: stated it was the first time she had seen the budget and requested the total budget for the next fiscal year. *The Clerk of the Board reported the total budget amount.* Ms. Sutter questioned how the District determined how much to budget for lawsuits because “there’s going to be three of them coming up real quick”. Ms. Sutter also questioned the *professional services – city* line. *The Clerk of the Board shared the projected expenses that will be included in the professional services – City line.* Ms. Sutter inquired who passes the final budget? *The Clerk of the Board reported that the Crescent Fire Protection Board is responsible for approving and adopting the District budget.*

On a motion by Vice Chair Short, seconded by Director Erler, motion carried 4/0/1 with Director Gregorio being absent; the Board of Directors adopted PRELIMINARY BUDGET FY 21/22.

OLD BUSINESS - None

CHIEF’S REPORT - None

BOARD COMMENTS - None

ADJOURNMENT

There being no further business to come before the Board, Vice Chair Short adjourned the meeting at 5:24 pm of the Crescent Fire Protection District Board of Directors to the next regularly scheduled meeting on July 12, 2021 at 5:00PM.

Vanessa Duncan, Clerk of the Board
Crescent Fire Protection District

CFPD CLAIMS LIST JUNE FY 20/21

CLAIM ID	CLAIM DATE	VENDOR NAME	CLAIM AMOUNT	ACCOUNT	DESCRIPTION	GRAND TOTAL
348-2583	6/10/21	COUNTRY MEDIA INC.	\$ 287.03	20240	PUBLIC HEARING AD FOR BENEFIT	\$ 287.03
348-2584	6/10/21	DN SOLID WASTE MANAGEMEN	\$ 20.25	20140	TRASH FEE - MAY	\$ 20.25
348-2585	6/10/21	CITY OF CRESCENT CITY	\$ 665.02	20173	VEHICLE MAINTENANCE	\$ 665.02
348-2585	6/10/21	CITY OF CRESCENT CITY	\$ 34,184.00	20234	3RD QRT SERVICES	\$ 34,184.00
348-2586	6/10/21	PACIFIC POWER & LIGHT CO.	\$ 50.82	20300	POWER - HUMBOLDT	\$ 50.82
348-2587	6/10/21	U.S. BANK	\$ 367.78	20140	HOME DEPOT - GARBAGE DISPOSAL	\$ 367.78
TOTAL						\$ 35,574.90
349-2588	6/17/21	BLUE STAR GAS	\$ 1,069.72	20301	FUEL- WASHINGTON	\$ 1,069.72
349-2589	6/17/21	CRESCENT CITY WATER	\$ 22.49	20302	WATER - COOPER	\$ 22.49
349-2590	6/17/21	CRESCENT CITY WATER	\$ 260.90	20302	WATER - WASHINGTON	\$ 260.90
TOTAL						\$ 1,353.11
350-2591	6/24/21	PACIFIC POWER & LIGHT CO.	\$ 752.15	20300	POWER - WASHINGTON	\$ 752.15
350-2591	6/24/21	PACIFIC POWER & LIGHT CO.	\$ 87.04	20300	POWER - COOPER	\$ 87.04
350-2592	6/24/21	PLANWEST PARTNERS, INC.	\$ 8,234.00	20230	CFPD ASSESSMENT #2 APRIL-MAY	\$ 8,234.00
350-2593	6/24/21	RECOLOGY DEL NORTE	\$ 62.74	20140	TRASH FEE - JUNE	\$ 62.74
350-2594	6/24/21	CANON FINANCIAL SERVICES	\$ 190.07	20260	LEASE PAYMENT - COPIER	\$ 190.07
TOTAL						\$ 9,326.00

4.1 STAFF REPORT – ADOPTION AND CERTIFICATION OF CRESCENT FIRE PROTECTION DISTRICT BENEFIT ASSESSMENT BALLOT TABULATION RESULTS SUMMARY DATED JUNE 28, 2021

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Consider and adopt and certify CRESCENT FIRE PROTECTION DISTRICT BENEFIT ASSESSMENT BALLOT TABULATION RESULTS SUMMARY DATED JUNE 28, 2021.

BACKGROUND

At the March 8, 2021 meeting, the Crescent Fire Protection District (CFPD) Board of Directors reviewed the Draft Engineer's Report prepared by Bartle Wells Associates and adopted Resolution No. 21-001, thereby initiating Prop 218 proceedings, declaring intention to levy assessments, approving the engineers report, and providing for notice of hearing, and mailing of assessment ballots. In addition, the Board introduced Ordinance No. 21-001, which references the Engineer's Report and establishes the assessment levy provisions.

The Engineer's Report was the basis of the proposed benefit assessment that would fund the cost of providing continued fire protection services and improvements within the District boundaries. The Engineer's Report, as adopted on March 8, 2021, provided an estimated fiscal year 2021-22 assessment revenue requirement of \$421,648, resulting in a proposed assessment rate of \$74.00 per single-family equivalent benefit unit (EBU) for fiscal year 2021-22. The proposed assessment would replace the 2006 assessment and would be in addition to the 1987 assessment for a total single-family equivalent benefit unit of \$98.00 annually.

After the meeting, a combined notice and ballot was mailed to each record owner of developed properties located within the District as identified by the names and addresses appearing on the last equalized secured property tax assessment roll of Del Norte County. The notice and ballot included information about the proposed assessment, a summary of the procedures for completing and returning ballots, information about the public hearing, and the total amount of assessment proposed for the owner's particular parcel. Individuals owning more than one property within the District were mailed one ballot for each property. Each ballot is weighted by the monetary amount of the assessment it represents. Property owners that would not be assessed, including undeveloped parcels, were not mailed ballots.

After ballots were distributed for the required 45-day period, some amendments to certain parcels were found to be necessary to update land use classifications as requested by property owners. A total of four (4) parcels were amended, and the CFPD Board adopted the amended Engineers Report at the regular meeting on June 14, 2021. This also reduced the anticipated revenue from \$421,648 to \$421,404, a reduction of \$244. Therefore, the District Board also re-introduced (by title only) Ordinance No. 21-001, thereby reflecting the revised revenue requirement of \$421,404.

At the same meeting, a public hearing was held in conformance with Proposition 218 requirements. Eight comments were received during the public hearing. At the close of the public hearing, the ballot period was closed. Tabulation of the returned ballots was conducted after the close of the public hearing by the Del Norte County Election's Office. Only official ballots signed and marked with the property owner's support or opposition are able to be counted to determine if majority protest exists. A majority protest exists if, upon the conclusion of the public hearing, ballots submitted in opposition to the assessment exceed ballots submitted in favor of the assessment. In tabulating the ballots, each ballot is weighted according to the proportional financial obligation of the affected property. If majority protest exists, CFPD shall not impose the assessment. If there is no majority protest, the assessment may be imposed beginning in Fiscal Year 2021-22.

The ballots were tabulated in a public viewable format at the Board of Supervisors Chamber on Tuesday June 15, 2021 at 10:00 AM. The unofficial ballot tabulation results from June 15, 2021 were reviewed by the CFPD Board at a special meeting on June 17th. The unofficial results showed that 1,734 ballots were received out of 5,253 ballots mailed (33% return rate). There were 26 ballots that were invalid due to no signature or no marked vote. The assessment received 858 "Yes" votes valued at \$72,348.40 (49.99%) and 876 "No" votes valued at \$72,367.60 (50.01%). The difference between Yes and No votes following the June 15th count was 0.013% with a value difference of \$19.20. Because of how close the ballot count was, and the chance for human error when tabulating the ballots, the CFPD Board officially requested a ballot recount by the Del Norte County Elections Office.

The recount was tabulated in a public viewable format at the Board of Supervisors Chamber on Monday, June 28, 2021 at 9:00 AM. The results show a total of 1,738 valid ballots cast of 5,253 ballots mailed. There were 26 ballots that were invalid due to no signature or no marked vote. The assessment received 860 "Yes" votes valued at \$72,503.80 (50.01%) and 878 "No" votes valued at \$72,486.00 (49.99%). The difference between Yes and No votes following this count is 0.012% and a value difference of \$17.80.

Following the June 28, 2021 tabulation, the Del Norte County Election's Office conducted a thorough canvass to account for every ballot cast, including the value of all valid Yes and No ballots cast, to ensure that every valid ballot is included in the election totals. This canvass confirmed the June 28, 2021 tabulation results as included in Attachment A. As a result, no majority protest exists and therefore the assessment may be levied beginning in FY 2020-21.

In conclusion, staff recommends that the District Board receive the report and adopt to certify the Crescent Fire Protection Benefit Assessment Ballot Tabulation Results Summary dated June 28, 2021.

FISCAL IMPACT

The passage of the 2021 Fire District Assessment ballot measure is dire for the District. With the coming sunset of the 2006 assessment, and no increase in revenues from the 1987 assessment, there is a short window of funding through reserves that will be depleted in the coming 2-3 year period. Passage and implementation of the 2021 assessment brings revenue potential of \$421,404 annually beginning in FY 2021-22.

ATTACHMENTS

1. Crescent Fire Protection District Benefit Assessment Ballot Tabulation Results Summary

Crescent Fire Protection District
 Benefit Assessment
 Ballot Tabulation Results Summary
 June 28, 2021

<u>Yes Ballots</u>	<u>Yes Ballot Value</u>	<u>No Ballots</u>	<u>No Ballot Value</u>
860	\$72,503.80	878	\$72,486.00
50.01	%	49.99	%

\$144,989.80 Total dollar value of all ballots received

.012 Percentage difference of yes/no ballots

1738 Total valid ballots cast

33.09% Percentage of total ballots mailed (i.e., 5,253 parcels/ballots) that were returned and counted

26 Invalid ballots (e.g., no signature or no marked vote)

	6/15/2021	6/28/2021	Change	
Total Ballots Mailed	5,253	5,253		
% returned and counted	33.0%	33.1%		
Total Valid Ballots Cast (#)	1,734	1,738	4	(1 YES, 3 NO)
Total Value of Ballots Received (\$)	\$144,716.00	\$144,989.80	\$273.80	
Yes Ballots (#)	858	860	2	(change includes +1 existing YES ballot and +1 new YES ballot)
Yes Ballots Value (\$)	\$72,348.40	\$72,503.80	\$155.40	
% Yes	49.99%	50.01%	0.01%	
No Ballots (#)	876	878	2	(change includes -1 YES ballot and +3 new NO ballots)
No Ballots Value (\$)	\$72,367.60	\$72,486.00	\$118.40	
% No	50.01%	49.99%	-0.01%	
\$ difference of yes/no ballots	\$19.20 (No)	\$17.80 (Yes)		
% difference of yes/no ballots	0.013%	0.012%	-0.001%	
Invalid Ballots	26	26		

Summary of Changes for the YES Ballots:

16 count codes entered incorrectly in the first tabulation were found to be entered correctly for the second tabulation; associated EBUs were confirmed and found to be entered correctly in both tabulations (no change in value)
1 existing YES ballot incorrectly placed in the NO pile during the first tabulation; corrected in second tabulation (difference in + \$74.00 for YES; difference in - \$74.00 for NO)
1 new YES ballot not tabulated during the first tabulation was identified and included in second tabulation (difference in + \$74.00)
Ebu incorrectly entered as 1.00 in first tabulation; corrected to 2.00 in second tabulation (difference in + \$74.00)
Ebu incorrectly entered as 1.00 in first tabulation; corrected to 1.10 in second tabulation (difference in + \$7.40)
Ebu incorrectly entered as 1.80 in first tabulation; corrected to 0.80 in second tabulation (difference in - \$74.00)
Total change in YES Ballot Value is + \$155.40 (difference in second tabulation compared to first tabulation)

Summary of Changes for the NO Ballots:

3 count codes entered incorrectly in the first tabulation were found to be entered correctly for the second tabulation; associated EBUs were confirmed and found to be entered correctly in both tabulations (no change in value)
4 count codes entered incorrectly in the second tabulation were identified and fixed; associated EBUs were confirmed and found to be entered correctly in both tabulations (no change in value)
1 existing YES ballot incorrectly placed in the NO pile during the first tabulation; corrected in second tabulation (difference in + \$74.00 for YES; difference in - \$74.00 for NO)
1 new NO ballot not tabulated during the first tabulation was identified and included in second tabulation (difference in + \$74.00)
1 new NO ballot not tabulated during the first tabulation was identified and included in second tabulation (difference in + \$59.20)
1 new NO ballot not tabulated during the first tabulation was identified and included in second tabulation (difference in + \$59.20)
Total change in NO Ballot Value is + \$118.40 (difference in second tabulation compared to first tabulation)

4.2 STAFF REPORT – CONSIDER AND ADOPT ORDINANCE NO. 21-001, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021-22

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Consider and waive full reading, read by title only, and adopt ORDINANCE NO. 21-001, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021-22

BACKGROUND

The Crescent Fire Protection District (CFPD) Proposed Fire Protection and Emergency Response Services Benefit Assessment would fund the services and improvements included in Crescent City Fire and Rescue's 10-year Financial Master Plan adopted in November 2019. The 10-Year Financial Master Plan identifies priority actions and funding needed to create a sustainable fire department, including expanding volunteer staffing programs, apparatus and equipment replacement, volunteer recruitment training, and increased administrative capacity with the goal of aligning its core programs and services with the needs of the community so as not to over-serve, and most importantly, not under-serve those needs. In absence of additional funding, it is estimated that the CFPD would exhaust its limited reserve funds within a 2-3 year period while trying to maintain the current level of service that residents have come to expect.

At the March 8, 2021 meeting, the CFPD Board of Directors reviewed the Draft Engineer's Report prepared by Bartle Wells Associates and adopted Resolution No. 21-001, thereby initiating Prop 218 proceedings, declaring intention to levy assessments, approving the engineers report, and providing for notice of hearing, and mailing of assessment ballots. In addition, the Board introduced Ordinance No. 21-001, which references the Engineer's Report and establishes the assessment levy provisions.

The Engineer's Report was the basis of the proposed benefit assessment that would fund the cost of providing continued fire protection services and improvements within the District boundaries. The Engineer's Report, as adopted on March 8th, provided an estimated fiscal year 2021-22 assessment revenue requirement of \$421,648, resulting in a proposed assessment rate of \$74.00 per single-family equivalent benefit unit (EBU) for fiscal year 2021-22. This new assessment would replace the 2006 assessment and would be in addition to the 1987 assessment for a total single-family equivalent benefit unit of \$98.00 annually.

After the meeting, a combined notice and ballot was mailed to each owner of record of developed properties located within the District as identified by the names and addresses appearing on the last equalized secured property tax assessment roll of Del Norte County. The notice and ballot included information about the proposed assessment, a summary of the procedures for completing and returning ballots, information about the public hearing, and the total amount of assessment

proposed for the owner's particular parcel. Individuals owning more than one property within the District were mailed one ballot for each property. Each ballot is weighted by the monetary amount of the assessment it represents. Property owners that would not be assessed, including undeveloped parcels, were not mailed ballots.

After ballots were distributed for the required 45-day period, some amendments to certain parcels were found to be necessary to update land use classifications as requested by property owners. A total of four (4) parcels were amended, and the Board adopted the amended Engineers Report at the regular meeting on June 14, 2021. This also reduced the anticipated revenue from \$421,648 to \$421,404, a reduction of \$244. Therefore, the District Board also re-introduced (by title only) Ordinance No. 21-001, thereby reflecting the revised revenue requirement of \$421,404.

At the same meeting, a public hearing was held in conformance with Proposition 218 requirements. Eight comments were received during the public hearing. At the close of the public hearing, the ballot period was closed. Tabulation of the returned ballots was conducted after the close of the public hearing by the Del Norte County Election's Office. Only official ballots signed and marked with the property owner's support or opposition are able to be counted to determine if majority protest exists. A majority protest exists if, upon the conclusion of the public hearing, ballots submitted in opposition to the assessment exceed ballots submitted in favor of the assessment. In tabulating the ballots, each ballot is weighted according to the proportional financial obligation of the affected property. If majority protest exists, CFPD shall not impose the assessment. If there is no majority protest, the assessment may be imposed beginning in Fiscal Year 2021-22.

The ballots were tabulated in a public viewable format at the Board of Supervisors Chamber on Tuesday June 15, 2021 at 10:00 AM. The unofficial ballot tabulation results from June 15, 2021, were reviewed by the CFPD Board at a special meeting on June 17th. The unofficial results showed that 1,734 ballots were received out of 5,253 ballots mailed (33% return rate). There were 26 ballots that were invalid due to no signature or no marked vote. The assessment received 858 "Yes" votes valued at \$72,348.40 (49.99%) and 876 "No" votes valued at \$72,367.60 (50.01%). The difference between Yes and No votes following the June 15th count was 0.013% with a value difference of \$19.20. Because of how close the ballot count was, and the chance for human error when tabulating the ballots, the CFPD Board officially requested a ballot recount by the Del Norte County Elections Office.

The recount was tabulated in a public viewable format at the Board of Supervisors Chamber on Monday, June 28, 2021 at 9:00 AM. The results show a total of 1,738 valid ballots cast of 5,253 ballots mailed. There were 26 ballots that were invalid due to no signature or no marked vote. The assessment received 860 "Yes" votes valued at \$72,503.80 (50.01%) and 878 "No" votes valued at \$72,486.00 (49.99%). The difference between Yes and No votes following this count is 0.012% and a value difference of \$17.80.

Following the June 28, 2021 tabulation, the Del Norte County Election's Office conducted a thorough canvass to account for every ballot cast, including the value of all valid Yes and No ballots cast, to ensure that every valid ballot is included in the election totals. This canvass confirmed the June 28, 2021 tabulation results. As a result, no majority protest exists and therefore the assessment may be levied beginning in FY 2020-21.

In conclusion, staff recommends that the District Board consider and waive full reading, read by title only, and adopt ORDINANCE NO. 21-001, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021-22, as included in Attachment A.

FISCAL IMPACT

The passage of the 2021 Fire District Assessment ballot measure is dire for the District. With the coming sunset of the 2006 assessment, and no increase in revenues from the 1987 assessment, there is a short window of funding through reserves that will be depleted in the coming 2-3 year period. Passage and implementation of the 2021 assessment through adoption of Ordinance 21-001 brings revenue potential of \$421,404 annually beginning in FY 2021-22.

ATTACHMENTS

1. Ordinance No. 21-001



CRESCENT FIRE PROTECTION DISTRICT

255 W. WASHINGTON BLVD. CRESCENT CITY, CA 95531
office: 707- 464-2421

ORDINANCE NO. 21-001

AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021/22

The Board of Directors of the Crescent Fire Protection District hereby ordains as follows:

SECTION 1. PURPOSE

Pursuant to direction from the Board, Bartle Wells Associates (the "Engineer of Work") prepared an Assessment Engineer's Report (the "Engineer's Report") pursuant to Title 5, Division 1, Part 1, Chapter 1, Article 3.6 of the California Government Code, "Fire Suppression Assessments", beginning with Section 50078 and Article XIIIID of the California Constitution ("Proposition 218"). The Engineer's Report presents a benefit analysis for the imposition of an assessment to fund fire expenses. The Engineer's Report has been made, filed with the District Clerk, and approved by the Board.

On March 8, 2021, the Board duly adopted Resolution 21-001, A Resolution of the Board of Directors of the Crescent Fire Protection District Initiating Proceedings, Declaring Intention to Levy Assessments, Approve Engineer's Report, and Provide for Notice of Hearing and the Mailing of Assessment Ballots. After hearing held June 14, 2021, the Board concluded that ballots weighted according to the financial obligation of the affected parcel submitted in favor of the assessment were equal to or exceeded the weighted ballots submitted in opposition to the assessment. It is now the intent of the Board to levy and collect an annual assessment for fire suppression services which shall be called the "2021-22 Crescent Fire Protection District Fire Suppression Benefit Assessment" (hereinafter the "Benefit Assessment") to include all properties within the existing boundaries of the Crescent Fire Protection District (hereinafter the "Benefit Assessment District").

SECTION 2. DESCRIPTION OF THE SERVICES

Within the Benefit Assessment District, the proposed fire services and equipment to be funded by the assessments ("Services") are generally described as including, but not limited to the following: obtaining, furnishing, operating, and maintaining fire suppression, protection and emergency fire-suppression-related services equipment and

apparatus; paying salaries, benefits and other compensation for firefighting and fire suppression personnel; training and administration of personnel performing said fire suppression, protection and emergency fire-suppression-related services; community fire prevention education and fire inspection.

SECTION 3. REFERENCE TO ENGINEER'S REPORT

Reference is hereby made to the Engineer's Report for a full and detailed description of the Benefit Assessment, including District parcels, expenses, and individual parcel assessments to be assessed beginning in Fiscal Year 2021/22. Reference is hereby made to the official Parcel Maps of the County of Del Norte for a description of the lines and dimensions of parcels within the Benefit Assessment District. Fire expenses include budget and financial planning documents provided by the District. An assessment benefit was allocated to each parcel according to the Del Norte County Assessor's 2019-20 Assessor Parcel listings and associated land use codes within the Benefit Assessment District.

SECTION 4. REPORT OF THE ASSESSMENT ENGINEER OF WORK

The Engineer's Report is available for public review at the Washington Station, 255 West Washington Boulevard, Crescent City, CA 95531, and is hereby incorporated by reference. The Engineer's Report includes:

- A. A description of each lot or parcel of property proposed to be subject to the assessment;
- B. The amount of the assessment for each lot or parcel for the initial fiscal year;
- C. The maximum amount of the assessment which may be levied for each lot or parcel during any fiscal year;
- D. The duration of the assessment;
- E. The basis of the assessment;
- F. The schedule of the assessment; and,
- G. A description of the protest and hearing requirements applicable to the assessment.

SECTION 5. ASSESSMENT RATE

The Board hereby levies an annual assessment within the Benefit Assessment District. The estimated fiscal year 2021-22 cost of providing the Services is \$421,404. This cost results in an assessment rate of \$74.00 per single-family equivalent benefit unit (EBU) for fiscal year 2021-22. Fire EBUs are assigned to each parcel as follows:

- Single Family – All residential single-family homes are equal to 1.0 EBU
- Multi-Family – All multi-family, mobile home, manufactured homes, duplexes, and condos are allocated 0.8 EBUs per unit.
- Commercial/Industrial – Each building are assigned 1.1 EBUs per equivalent single-family home, approximately 2,500 square feet. Buildings less than 2,500 square feet are assigned 1.0 EBU.
- Government/Institutional - Improved Government land is subject to the assessment levy on the same basis as privately owned parcels with the same land use description.
- Vacant/Undeveloped Land – Vacant and undeveloped land is not subject to the assessment levy and is otherwise exempt from this assessment.
- Bulk/Hazard – Any parcel which presents an extraordinary hazard to the District will be independently evaluated by the District Fire Chief and assigned an EBU that reflects the actual benefit received by the individual parcel.
- All parcels will be held to a maximum assessment fee not to exceed \$1,000 per parcel.

SECTION 6. ANNUAL ASSESSMENTS

The assessments will be levied annually for an indefinite term. In each subsequent year, the District Board may choose to adopt an inflation adjustment factor by an amount equal to the annual change in the Consumer Price Index for All Urban Consumers in the West Region, not to exceed 2% (two percent) per year without a further vote or balloting process. This factor may be applied annually to account for normal cost of living increases in providing fire services. This factor is the maximum that the assessment could be raised in a fiscal year. The District Board can adopt a lower adjustment factor or forgo the adjustment at the Board's discretion. The records of the County Assessor shall be used to determine the number and type of improved properties for the purpose of the assessment pursuant to this Ordinance.

SECTION 7. OVERSIGHT COMMITTEE

A seven-member oversight committee will be created to meet annually to review and publicly report on the expenditure of revenues generated by the tax imposed by this Ordinance. The committee will include the Fire Chief or designee, a representative from the Volunteer Fire Association or designee, and five residents of the District. Resident members of the committee will be appointed to two-year terms by the Board Chair and confirmed by the District Board. The Fire Chief and Volunteer Fire Association Representative will serve as non-voting members of the committee.

SECTION 8. INDEPENDENT ANNUAL AUDIT

The proceeds of the assessment imposed by this Ordinance, as well as the expenditures thereof, will be audited annually by an independent accounting firm.

SECTION 9. METHOD OF COLLECTION

The assessment shall be collected in the same manner and subject to the same penalty as, or with, other taxes fixed and collected by Del Norte County on behalf of the Crescent Fire Protection District. The County of Del Norte may deduct reasonable expenses incurred for such service before remitting the balance to the District.

SECTION 10. CARRYOVER OF REMAINING FUNDS

Any unexpended funds raised by the assessment, remaining at the end of any fiscal year shall be carried over for use by the Crescent Fire Protection District to the next succeeding year to fund fire suppression services within the Benefit Assessment District.

SECTION 11. APPEALS PROCESS FOR ASSESSMENT

Any property owner may appeal any determination by the Fire Chief concerning the nature of the use of the property or the calculation of the amount of the assessment by filing a written appeal with the District. Any such appeal shall be filed by December 1st of the calendar year for which the tax is levied. The appeal shall contain a statement by the property owner as to the nature and basis for the appeal in accordance with the District's appeal procedure. The District will provide guidelines for an appeals process for any property owner subject to the assessment. The guidelines for appeal shall be adopted by the Board by resolution and will be filed with the District Board Clerk.

SECTION 12. CORRECTIONS, CANCELLATIONS AND REFUND

The Board of Directors may order the assessment levied herein on any particular improved property to be corrected, cancelled or refunded consistent with and in order to effectuate the provisions of this Ordinance.

SECTION 13. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, then the remainder of the Ordinance and the application of such provision to other persons or circumstances will not be affected thereby.

SECTION 14. CERTIFICATION

The District Clerk shall certify to the passage and adoption of this Ordinance and shall cause a copy of the full text of the Ordinance to be posted.

RE-INTRODUCED at a regular meeting of the Board of Directors of the Crescent Fire Protection District held on the 14th day of June, 2021.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Crescent Fire Protection District held on the 12th day of July, 2021 by the following polled vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Nelson, Chair

ATTEST:

Vanessa Duncan, District Clerk