



AGENDA

CRESCENT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

**SPECIAL MEETING
HELD
MONDAY, SEPTEMBER 26, 2022
AT 5:00 P.M.**

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, September 26, 2022. If you require a special accommodation, please contact Administrative Assistant, Vanessa Duncan at 464-2421.

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. NEW BUSINESS

Take action as necessary and appropriate.

- 3.1** CONSIDER AND ADOPT RESOLUTION NO. 22-006; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CRESCENT FIRE PROTECTION DISTRICT

REQUESTING COUNTY ELECTIONS TO CONDUCT CERTAIN ELECTION SERVICES UNDER ELECTIONS CODE SECTIONS 9308 AND 10002

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. CONSIDER AND ADOPT RESOLUTION NO. 22-006; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CRESCENT FIRE PROTECTION DISTRICT REQUESTING COUNTY ELECTIONS TO CONDUCT CERTAIN ELECTION SERVICES UNDER ELECTIONS CODE SECTIONS 9308 AND 10002

4. ADJOURNMENT

ADJOURN TO THE NEXT REGULARLY SCHEDULED MEETING ON MONDAY, OCTOBER 10, 2022 AT 5:00 PM

POSTED:

9/23/2022

/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

STAFF REPORT – ADOPT RESOLUTION NO. 22-006 REQUESTING COUNTY
ELECTIONS TO CONDUCT CERTAIN ELECTIONS SERVICES

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion

Review and WAIVE FULL READING, READ BY TITLE ONLY AND ADOPT RESOLUTION NO. 22-006; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CRESCENT FIRE PROTECTION DISTRICT REQUESTING COUNTY ELECTIONS TO CONDUCT CERTAIN ELECTIONS SERVICES UNDER ELECTIONS CODE 9308 AND 10002

BACKGROUND

On August 19, 2022, pursuant to District Elections law of Elections Code Section 9300 et seq., proponents submitted to the district elections official a Notice Of Intent To Circulate Initiative Petition, a statement of reasons for the proposed petition, the written text of the initiative, and affidavit of publication. The initiative petition contains a proposed ordinance (Measure). A copy of the Notice of Intent to Circulate Petition with the proposed ordinance filed with the district elections official is attached hereby as Exhibit “A.”

An initiative petition with signatures was filed with the district elections official September 19, 2022. Once an initiative petition with signatures is filed with the district elections official, pursuant to Elections Code Section 9308, within 30 days excluding Saturdays, Sundays, and holidays, the petition shall be examined and from the records of registration in shall be ascertained whether the petition is signed by the requisite number of voters.

Pursuant to Elections Code Section 9309(a), within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, if, from the examination of petitions pursuant to Section 9308, more than 500 signatures have been signed on the petition, the district elections official may use a random sampling technique for verification of signatures.

Pursuant to Elections Code 9309(b), if the statistical sampling shows that the number of valid signatures is within 95 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the district elections official, within 60 days from the date of the filing of the petition, excluding Saturdays, Sundays, and holidays, shall examine and verify each signature filed

Pursuant to Elections Code Section 10002, the governing body of any district may by resolution request that the Board of Supervisors of the county permit the county elections official to render specified services to the district relating to the conduct of an election. The resolution of the governing body of the district shall specify the services requested. Pursuant to Elections Code Section 10002, the district shall reimburse the county in full for the services performed upon presentation of a bill to the district.

The Crescent Fire Protection District requires the services of the county elections official to examine the initiative petition, and from the records of registration ascertain whether the petition is signed by the requisite number of voters and provide a certificate showing the results of this examination. Dependent upon the results of the examination of the initiative petition. The Crescent Fire Protection District may require further services of the county elections official that will be set forth in a subsequent resolution.

By adopting the attached resolution 22-006, the Crescent Fire Protection Board requests the Board of Supervisors to permit the Del Norte County Elections Department to examine any initiative petition filed with it pursuant to the Notice of Intent to Circulate Petition attached as Exhibit "A" and from the records of registration ascertain whether the petition is signed by the requisite number of voters and agrees to pay for said services. The Clerk of the Board for Crescent Fire Protection District's Board of Directors will file certified copies of the resolution with the Clerk of the Board of Supervisors of Del Norte County and with the Del Norte Clerk/Recorder. The Chief of the Crescent Fire Protection District is also authorized to execute a contract with the County of Del Norte and/or the Del Norte County Clerk/Recorder for services to the district relating to the conduct of an election subject to approval by form by district counsel.

FISCAL IMPACT

Per Resolution 22-006, the district will reimburse the county for the services performed upon presentation of a bill to the district. Costs would include staff time for verification of signatures and any other staff time incurred by the elections office for services rendered.

ATTACHMENTS

1. Resolution 22-006
2. Exhibit "A"

RESOLUTION NO. 22-006

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CRESCENT FIRE PROTECTION DISTRICT REQUESTING COUNTY ELECTIONS TO CONDUCT CERTAIN ELECTION SERVICES UNDER ELECTIONS CODE SECTIONS 9308 AND 10002

Crescent Fire Protection District

WHEREAS, on August 19, 2022, pursuant to District Elections law of Elections Code Section 9300 et seq., proponents submitted to the district elections official a Notice Of Intent To Circulate Initiative Petition, a statement of reasons for the proposed petition, the written text of the initiative, and affidavit of publication; and

WHEREAS, the initiative petition contains a proposed ordinance (Measure); and

WHEREAS, a copy of the Notice of Intent to Circulate Petition with the proposed ordinance and Affidavit of Publication filed with the district elections official is attached hereby as Exhibit "A"; and

WHEREAS, an initiative petition with signatures was filed with the district elections official on September 19, 2022; and

WHEREAS, once an initiative petition with signatures is filed with the district elections official, pursuant to Elections Code Section 9308, within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, the petition shall be examined and from the records of registration it shall be ascertained whether the petition is signed by the requisite number of voters; and

WHEREAS, pursuant to Elections Code Section 9309(a), within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, if, from the examination of petitions pursuant to Section 9308, more than 500 signatures have been signed on the petition, the district elections official may use a random sampling technique for verification of signatures; and

WHEREAS, pursuant to Elections Code 9309(b), if the statistical sampling shows that the number of valid signatures is within 95 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the district elections official, within 60 days from the date of the filing of the petition, excluding Saturdays, Sundays, and holidays, shall examine and verify each signature filed; and

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any district may by resolution request that the Board of Supervisors of the county permit

the county elections official to render specified services to the district relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the district shall reimburse the county in full for the services performed upon presentation of a bill to the district; and

WHEREAS, the Crescent Fire Protection District requires the services of the county elections official to examine the initiative petition, and from the records of registration ascertain whether the petition is signed by the requisite number of voters, and provide a certificate showing the results of this examination; and

WHEREAS, dependent upon the results of the examination of the initiative petition, the Crescent Fire Protection District may require further services of the county elections official that will be set forth in a subsequent resolution; and

NOW, THEREFORE BE IT RESOLVED AND ORDERED THAT THE Board of Directors of the

Crescent Fire Protection District

hereby requests the Board of Supervisors to permit the Del Norte County Elections Department to examine any initiative petition filed with it pursuant to the Notice of Intent to Circulate Petition attached as Exhibit "A" and from the records of registration ascertain whether the petition is signed by the requisite number of voters and agrees to pay for said services, and

BE IT FURTHER RESOLVED AND ORDERED THAT the Secretary of the Crescent Fire Protection's Board of Directors is hereby instructed to file certified copies of this Resolution with the Clerk of the Board of Supervisors of Del Norte County and with the Del Norte County Clerk/Recorder, and

BE IT FURTHER RESOLVED AND ORDERED THAT the Chief of the Crescent Fire Protection District is hereby authorized to execute a contract with the County of Del Norte and/or the Del Norte County Clerk/Recorder for services to the district relating to the conduct of an election subject to approval by form by district counsel.

PASSED, APPROVED AND ADOPTED this 26th day of September 2022 by the following vote:

AYES:

NOES:

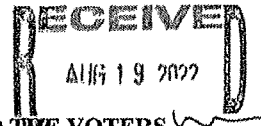
ABSTENTIONS:

ABSENT:

Jim Nelson, Chair

Attested: _____
Vanessa Duncan, Clerk of the Board

EXHIBIT “A”



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given by the person whose name appear hereon of their intention to circulate the petition within the Crescent Fire Protection District located in Del Norte County for the purpose of submitting an Initiative to the vote of the people.

A Statement of Reasons of the proposed action as contemplated in the petition is as follows:

Voters of the Crescent Fire Protection District Ordinance No. 21-001 dated March 8, 2021 approved the increase by less than 1 vote or \$17.80 and adopted on July 12, 2021. YES votes 50.01% and NO votes 49.99%.

- Currently we have high unemployment, high taxes, high gas prices, and inflated food costs making it harder economically to exist.
• While having fire protection is important, this tax was not thought out well. This tax has no ending. But it does have a cost of living increase built in. It also has language to pay three (3) fire chiefs and one (1) captain all with six (6) figures incomes within five years.
• Many people did not receive their ballots including, unbelievably, Crescent City Harbor. The Harbor has a lawsuit against the Fire District.
• This was not passed by popular vote but rather won by 1/4 of a vote equating to \$17.80 after giving multi-family property owners weighted ballots! Instead of paying \$74 per property, multi-property owners get a reduced rate per property equaling \$1,000 flat fee. In one instance, that means a discount of over \$8,000.
• The Fire Protection District boasts of going out on more calls, but the majority of those calls are not even fire related!
• We have learned that they are out of compliance as they do not have a Citizens Oversight Committee established yet.

The printed name of the proponent is Jalme Yarbrough.

THE PEOPLE WITHIN THE CRESCENT FIRE PROTECTION DISTRICT DO ORDAIN AS FOLLOWS:

Ordinance No. 21-001 which was passed on March 8, 2021 and adopted on July 12, 2021 is hereby repealed. To be placed on a future ballot at a Special Election.

NOTICE TO THE PUBLIC

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

All signers of this petition must be registered to vote in Del Norte County

Table with 6 rows for signatures. Each row contains fields for Print Name, Signature, Residence Address ONLY, and City.

DECLARATION OF CIRCULATOR (To be completed in circulator's own hand after the above signatures have been obtained.)

I, (print name), am 18 years of age or older. My residence address is (address, city, state, zip). I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of (month, day, year) and (month, day, year). I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on (month, day, year) at (place of signing), CA. Signature of Circulator (complete signature indicating full name of circulator)

AFFIDAVIT OF PUBLICATION



Country Media Inc. - Del Norte County
501 H St. Suite #1, Crescent City, CA 95531
P.O. Box 277, Crescent City, CA 95531


**STATE OF CALIFORNIA,
COUNTY OF DEL NORTE**

I, **Shawn Hedgecorth**, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of Del Norte TriPLICATE, a weekly newspaper of general circulation, printed and published in the City of Crescent City, County of Del Norte, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Del Norte, State of California, under the date of March 21, 1952, case number 7594; that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published and not in any supplement thereof on the following dates, to-wit

Account Name: **Donna Westfall**
Legal Description: **Notice of Intent to Circulate Initiative Petition**
Ad #: **347677**

Published: **August 19, 2022**

I certify (or declare) under penalty of perjury that the foregoing is true and correct. Dated at Crescent City, California, this **19th day of August, 2022.**



Signature

NOTICE OF INTENT TO CIRCULATE INITIATIVE PETITION.

Notice is hereby given by the person whose name appears hereon of their intention to circulate the petition within the Crescent Fire Protection District located in Del Norte County for the purpose of submitting an initiative measure to the vote of the people. A Statement of Reasons of the proposed action as contemplated in the petition is as follows: Voters of the Crescent Fire Protection District Ordinance No. 21-001 and adopted on July 12, 2021, approved the increase by less than one vote or \$17.80. YES votes 50.01% and NO votes 49.99%.

*Currently we have high unemployment, high taxes, high gas prices, and inflated food costs making it harder economically to exist.

*While having fire protection is important, this tax was not thought out well. This tax has no ending. But it does have a cost of living increase built in. It also has language to pay three (3) fire captains and one (1) fire chief all with six (6) figure incomes within five years.

*Many people did not receive their ballots including, unbelievably, Crescent City Harbor. The Harbor has a lawsuit against the Fire District.

*This was not passed by popular vote but rather won by 1/4 of a vote equating to \$17.80 after giving multi-family property owners weighted ballots! Instead of paying \$74/year per property, multi-property owners get a reduced rate per property equaling \$1,000 flat fee. In one instance, that means a discount of over \$8,000.

*The Fire Protection District boasts of going out on more calls, but the majority of those calls are not even fire related!

*We have learned that they are out of compliance as they

do not have a Citizens Oversight Committee established yet.

Name of the proponent: /s/ Jaime Yarbrough. To be placed on a future ballot as a Special Election and repealed. Published: August 19, 2022 Del Norte TriPLICATE T347677