

**BYLAWS**  
**Of the**  
**CRESCENT FIRE BENEFIT ASSESSMENT**  
**OVERSIGHT COMMITTEE**

**ARTICLE I – THE COMMITTEE**

**Section 1: Name of Committee**

The name of the Committee will be the “Crescent Fire Benefit Assessment Oversight Committee” (hereinafter referred to as the “Committee”).

**Section 2: Purpose**

The Committee serves at the pleasure of the Crescent Fire Protection District Board of Directors (“Board”) as a means to aid the Board of Directors in gathering public input by providing a forum through which private citizens may review and advise the Board on matters relating to revenues and expenditures derived from the Benefit Assessment levied on properties within the Crescent Fire Protection District, approved by the voters on June 15, 2021 (“Benefit Assessment”). In order to accomplish that purpose, the Committee is given the following tasks: (1) report to the Board and the public on the prior fiscal year's Benefit Assessment revenues received and expenditures made; and (2) make recommendations to the Board on the allocation of Benefit Assessment revenues for the upcoming fiscal year.

**Section 3: Membership**

- a. Membership Categories and Qualifications. To be eligible for membership on the Committee, a person must be either:
  1. Board Representative (2): the Fire Chief or designee and a representative from the Volunteer Fire Association or designee; or
  2. Board Appointment (5): a resident of the Crescent Fire Protection District and at least 18 years of age.
- b. Open Membership. Criteria and selection for membership will not discriminate based upon sex, race, religion, creed, color, age, marital status, national or ethnic origin, or any other classification protected by law.
- c. Total Membership & Term of Appointment. The total membership of the Committee will be seven, with five voting resident members and two nonvoting Board members. Each voting resident member will serve a two-year term. Terms will run from January 1st to December 31st two years later.
- d. Staggering of Initial Committee. The initial five voting resident members of the Committee will be staggered so that three of the five will serve a two-year term (ending on December 31, 2026) and two of the five will serve a one-year term (ending on December 31, 2025). Thereafter all terms will be for two years. Which Committee members serve which term length will be determined by the Committee at first meeting of the Committee and recorded in its minutes.

#### **Section 4: Conflicts of Interest**

As a committee that will be making recommendations to the Board concerning policy and expenditures of funds, each Committee member will be required to adhere to the Board's Conflict of Interest Code and to file Statements of Economic Interest (Form 700) with the Crescent Fire Protection District Clerk in the manner and at the times required of public officials. Committee members must also comply with AB 1234 by taking a two-hour ethics training course upon beginning their term, and every two years after while they remain on the Committee.

#### **Section 5: Termination of Membership**

Membership of the voting resident members on the Committee will terminate in the event that:

- a. The member is no longer a resident of the District;
- b. The member has failed to attend three consecutive meetings of the Committee;
- c. The member has failed to comply with the provisions of these Bylaws; or
- d. The member has died or become incapacitated.

#### **Section 6: Removal of Members**

A member may be removed by an affirmative vote of a majority of the Board, if, after a hearing, it is found and determined that any one of the grounds for termination specified in Section 5 of this Article exists.

#### **Section 7: Resignation**

Any Committee member, other than staff, may resign at any time by giving written notice to the Chairperson, who must forward the resignation to the Committee and the Board. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation is not required to make it effective.

#### **Section 8: Filling of Vacancies**

In the event of a vacancy on the Committee, the Board will select an individual to fill such vacancy as soon as reasonably practicable. New members must meet the qualifications set forth in Section 3 of Article I.

### **ARTICLE II – OFFICERS**

#### **Section 1: Officers**

The officers of the Committee will consist of a Chairperson and a Vice Chairperson, who will be elected in the manner set forth in this Article II.

#### **Section 2: Chairperson**

The Chairperson will preside at all meetings of the Committee, and may submit such agenda, recommendations and information at such meetings as are reasonable and proper for the conduct of the business affairs and policies of the Committee. The Chairperson may sign documents necessary to carry out the business of the Committee.

#### **Section 3: Vice-Chairperson**

The Vice Chairperson is to perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation or removal of the Chairperson, the Vice Chairperson will assume the Chairperson's duties until such time as the Committee elects a new Chairperson.

#### **Section 4: Additional Duties**

The officers of the Committee will perform such other duties and functions as may from time to time be required by the Committee, these Bylaws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

#### **Section 5: Election**

The Chairperson and Vice Chairperson will initially be elected from among the members of the Committee at the Committee's first meeting. Thereafter, the Chairperson and Vice Chairperson will be elected from among the members of the Committee annually. The regular term of appointment for both officers will be one (1) year. Officers of the Committee hold office until their successors are selected. Any such officer will not be prohibited from succeeding him or herself.

#### **Section 6: Removal of Officers**

Upon an affirmative vote by a majority of the members of the Committee present at a regular or special meeting of the Committee at which a quorum is present, any officer may be removed from office, and a successor elected pursuant to Section 7 of this Article II.

#### **Section 7: Vacancies**

Should the offices of the Chairperson or Vice Chairperson become vacant, the Committee must elect a successor from among the Committee members at the next regular or special meeting, and such office will be held for the unexpired term of said office.

### **ARTICLE III – MEETINGS**

#### **Section 1: Regular Meetings**

The Committee is required to meet at least once per year but may meet as often as it deems necessary, at a location accessible to the public, in Crescent City, California. A notice, agenda and other necessary documents must be delivered to the members, personally or by mail, at least seventy-two (72) hours prior to the meeting. District staff will provide the Committee members with reports on the tax revenues/expenditures in the prior fiscal year, as well as an estimate of revenues for the coming fiscal year and any other information that staff deem necessary or relevant to aid the Committee in the performance of its assigned tasks.

#### **Section 2: Special Meetings**

Special meetings may be held upon call of the Chairperson, or an affirmative vote by a majority of the members of the Committee present at a regular or special meeting of the Committee at which a quorum is present, for the purpose of transacting any business designated in the call, after notification of all members of the Committee by written notice personally delivered or by mail at least twenty-four (24) hours before the time specified notice for a special meeting.

#### **Section 3: Adjourned Meetings**

Any meeting of the Committee may be adjourned to another meeting date, time and place without the need for notice requirements of a special meeting, provided the adjournment indicates the date, time and place of the adjourned meeting. Committee members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the adjourned meeting.

#### **Section 4: All Meetings to be Open and Public**

All meetings of the Committee are to be open to the public to the extent required by law. All persons will be permitted to attend except as otherwise provided by law.

### **Section 5: Posting Agendas/Notices**

The District Clerk will post an agenda for each regular Committee meeting or a notice for each special Committee meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices must be posted in conformance with the Ralph M. Brown Act (Gov. Code §54950 et seq.). The District Clerk must maintain a record of such posting.

### **Section 6: Right of Public to Appear and Speak**

At every regular meeting, members of the public must have an opportunity to address the Committee on matters within the Committee's subject matter jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, must be made during the time set aside for public comment; provided, however, that the Committee may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda. The Chairperson may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker.

### **Section 7: Non-Agenda Items**

Matters brought before the Committee at a regular meeting which were not placed on the agenda of the meeting must not be acted upon by the Committee at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Gov. Code §54950 et seq.). Those non-agenda items brought before the Committee that the Committee determines will require Committee consideration and action may be placed on the agenda for a future meeting.

### **Section 8: Quorum**

The powers of the Committee are vested in the voting members thereof in office. Three (3) of the five (5) voting members then in office will constitute a quorum for the purpose of conducting the Committee's business, exercising its powers and for all other purposes, but less than that number may adjourn the meeting until a quorum is obtained. An affirmative vote by a majority of the voting members of the Committee present at a regular or special meeting of the Committee at which a quorum is present will be required for approval of any questions brought before the Committee.

### **Section 9: Minutes (Action)**

Minutes of the Committee will be prepared in writing by the District Clerk or other District staff member assigned such task by the Board. Copies of the minutes of each Committee meeting will be made available to each member of the Committee and the Board. Approved minutes will be filed in the official book of minutes of the Committee and forwarded to the Board for information.

### **Section 10: Recommendations to the Board**

Recommendations of the Committee to the Board will be prepared in writing by the District staff member assigned such task by the Board. Recommendations may be presented to the Board during a public meeting once the assigned staff prepares a staff report summarizing key facts, analysis, cost/benefit consideration, fiscal impact, and policy implications and options, and the report has been reviewed by the District Chairman. The official minutes of the Committee documenting the Committee recommendation(s) will be attached to the staff report.

## **ARTICLE IV - CONDUCT**

While acting in their official capacity, Committee members are required to conduct themselves in a professional, courteous, and cooperative manner while interacting with each other, with District staff, and with

the public. Insults, name-calling and the use of profanity will not be tolerated. While diversity of opinion and robust debate are valuable and encouraged, any Committee member whose actions serve to only disrupt, frustrate, or are otherwise aimed to thwart the work of the Committee, is subject to removal by the Board upon the request of a majority of the remaining voting members on the Committee.

#### **ARTICLE V - REPRESENTATION BEFORE PUBLIC BODIES**

The Chairperson, the Vice-Chairperson in the Chairperson's absence, or a member of the Committee may make official representations on behalf of the Committee before the Board only if so specifically designated by the Committee. The Committee may present information to other public bodies with the affirmative vote of a majority of the Board. Nothing in this article limits the ability of members of the Committee to speak before the Board or any other public body as an individual, provided the member states he or she is not representing or speaking on behalf of the Committee.

#### **ARTICLE VI - AMENDMENTS**

These Bylaws may be amended upon an affirmative vote by a majority of the Board.