

## RESOLUTION NO. 22-007

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CRESCENT FIRE PROTECTION DISTRICT REGARDING INITIATIVE PETITION/MEASURE “REPEAL ATTEMPT OF CRESCENT FIRE PROTECTION DISTRICT ASSESSMENT TAX”, ORDERING AN ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION OF THE ELECTION TO BE HELD ON NOVEMBER 5, 2024

#### *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 filed with the district elections official is attached hereby as Exhibit “1”; and

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

**WHEREAS**, on September 26, 2022 the Board of Directors of the Crescent Fire Protection District adopted Resolution No. 22-006 to have the county elections official examine the Initiative Petition/Measure and from the records of registration ascertain whether the petition was signed by the requisite number of voters, and provide a certificate showing the results of this examination; and

**WHEREAS**, on October 20, 2022, the County Clerk-Recorder & Registrar of Voters executed a Certificate of Sufficiency; and

**WHEREAS**, pursuant to Elections Code Section 9310, the Board of Directors shall either adopt the Initiative Petition/Measure by ordinance, without alteration, or submit the ordinance, without alteration, to the voters pursuant to Elections Code Section 1405; and

**WHEREAS**, the Board of Directors desires to submit the initiative petition/measure, without alteration, to the voters; and

**WHEREAS**, an election will occur on Tuesday, November 5, 2024, at which time the Board of Directors of the Crescent Fire Protection District desires and intends to have the qualified voters of the district vote upon the question of whether to adopt the proposed ordinance; and

**WHEREAS**, the Board of Directors of the Crescent Fire Protection District desires the County of Del Norte elections official conduct the election, pursuant to Elections Code Section 10403; and

**WHEREAS**, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request that the Board of Supervisors of the county permit the county elections official to render specified services to the city or district relating to the conduct of an election; and

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

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

**WHEREAS**, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part of the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

**WHEREAS**, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

**WHEREAS**, pursuant to Elections Code Section 10402, when local elections are to be consolidated, and no specific procedure is specified for their consolidation, the procedure set forth in Section 10403 shall govern the consolidation, except that the governing body of the jurisdiction that receives a request for the consolidation, or an officer authorized by law, may order the consolidation; and

**WHEREAS**, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of a question, proposition, or office to be filled is to be consolidated with a statewide election, the district, city, or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the county elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot, acknowledging that the consolidated election will be held and

conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

**WHEREAS**, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable; and

**WHEREAS**, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

**WHEREAS**, various district, county, state and other political subdivision elections may be or have been called to be held on November 5, 2024.

**NOW, THEREFORE THE BOARD OF DIRECTORS OF THE CRESCENT FIRE PROTECTION DISTRICT DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The Board of Directors, pursuant to its right and authority, hereby orders an election be called and consolidated with any and all elections also called to be held on November 5, 2024 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of Del Norte County and requests the Board of Supervisors of the County of Del Norte to order such consolidation under Elections Code Sections 10401, 10402, 10403, and 10418.

**SECTION 2.** The Board of Directors hereby requests the Board of Supervisors to permit the Del Norte County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services.

**SECTION 3.** 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 & Registrar of Voters for services to the district relating to the conduct of an election subject to approval by form by district counsel.

**SECTION 4.** The Del Norte County Elections Department shall conduct the election for the following MEASURE to be voted on at the November 5, 2024 election:

Measure " \_\_\_\_ " to be submitted to the voters as follows:

Measure "____" REPEAL ATTEMPT OF CRESCENT FIRE PROTECTION DISTRICT ASSESSMENT TAX	YES	NO
Shall the measure to repeal the fire suppression assessment of Ordinance No. 21-001 be adopted?		

**SECTION 5.** The Del Norte County Elections Department is requested to print the attached measure text exactly as filed or indicated on the filed document in the Voter's Information Pamphlet section of the Sample Ballot for the November 5, 2024 election. Cost of printing and distribution of the measure text will be paid for by the district.

**SECTION 6.** In accordance with Elections Code Section 9313, the County Counsel is hereby directed to prepare an impartial analysis of this measure.

**SECTION 7.** The district elections official 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.

**SECTION 8.** The district elections official of the Crescent Fire Protection's Board of Directors is hereby instructed to fix dates for submission of arguments for and against the measure and additional rebuttal arguments.

**SECTION 9.** The district elections official of the Crescent Fire Protection's Board of Directors is hereby instructed to take all appropriate actions of the district elections official for the election.

**SECTION 10.** The Chief of the Crescent Fire Protection is hereby instructed to draft an argument no longer than 300 words in length against the measure for revision or adoption by the Board of Directors at its next meeting.

**SECTION 11.** The approval of this resolution is exempt from review pursuant to the California Environmental Quality Act and in accordance with California Environmental Quality Act Guidelines, Title 14 Section 15061(b)(3) (General Rule).

**SECTION 12.** Measure "\_\_\_\_" shall go into effect only if approved by a majority of the qualified voters voting in an election to be held on November 5, 2024 and shall become effective ten (10) days after the Crescent Fire Protection District's Board of Directors has, by Resolution, declared that such Measure was approved by a majority of the voters voting thereon.

**PASSED, APPROVED AND ADOPTED** this 14th day of November, 2022 by the following vote:

**AYES: 4, Chairman Nelson, Vice Chair Short, Director Erler, Director Gregorio**

**NOES: 0**

**ABSTENTIONS: 0**

**ABSENT: 1, Director Kelley**



James Nelson, Chair

Attested:



Vanessa Duncan, Clerk of the Board