



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
NOVEMBER 14, 2022
AT 5:00 P.M.**

DIRECTORS PRESENT:

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

ABSENT:

Director Rick Kelley

OTHERS PRESENT:

Kevin Carey, Fire Chief
Vanessa Duncan, Clerk of the Board
Ryan Plotz, General Counsel
Karen Roebuck, General Counsel

ROLL CALL:

Chairman Nelson called the meeting to order at 5:20 PM. The Pledge of Allegiance was led by Vice Char Short.

REPORT OF ANY ACTIONS FROM CLOSED SESSION BY THE BOARD OF DIRECTORS

Chairman Nelson noted there is no report out of closed session.

PUBLIC PARTICIPATION

No public comment at this time.

CONSENT CALENDAR

- 4.1** APPROVE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 12, 2022, THE SPECIAL MEETING OF SEPTEMBER 26, 2022, AND THE SPECIAL MEETING OF OCTOBER 13, 2022
- 4.2** APPROVAL OF WARRANT CLAIMS FOR PERIOD COVERED SEPTEMBER - OCTOBER 2022

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 approved the Consent Calendar.

NEW BUSINESS

Take action as necessary and appropriate.

- 5.1** ACCEPT THE CERTIFICATE OF SUFFICIENCY FROM THE COUNTY CLERK-RECORDER & REGISTRAR OF VOTERS WITH RESPECT TO THE INITIATIVE PETITION/MEASURE TO REPEAL ORDINANCE NO. 21-001, "REPEAL ATTEMPT OF CRESCENT FIRE PROTECTION DISTRICT ASSESSMENT TAX."

RECOMMENDATION: That the Board of Directors

1. Receive staff report and presentation.
2. Take public comment.
3. Board Discussion.
4. Accept the Certificate of Sufficiency dated October 20, 2022 with respect to the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax" that was filed with the district elections official September 19, 2022.
5. Pursuant to California Elections Code section 9310(a), the Board of Directors shall do only one of the following:
 - a. Consider a proposed ordinance that would adopt the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax", without alteration and, either as part of this item or within 10 days from today's date, approve introduction of proposed ordinance, read title only of proposed ordinance and adopt proposed ordinance;

or

- b. Submit the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax", without alteration, to the voters pursuant to Elections Code section 1405.
6. If the Board of Directors approves Recommendation 5b., above, pursuant to Elections Code section 1405, the Board of Directors shall do only one of the following:
 - a. Adopt resolution calling an election for the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax" to be consolidated with the November 7, 2023 election (Crescent Fire Protection District's next regular election); or
 - b. Adopt resolution calling a special election for the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax" on February 14, 2023 or February 21, 2023(not less than 88 days nor more than 103 days from today's date); or
 - c. Adopt resolution calling a special all-mail ballot election for the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax" on February 14, 2023 or February 21, 2023 (pursuant to Elections Code section 4108).
7. If the Board of Directors approves Recommendation 5b., above, direct the district elections official to transmit a copy of the initiative petition/measure to the County Counsel to prepare an impartial analysis of the initiative petition/measure pursuant to Elections Code section 9313; and
8. If the Board of Directors approves Recommendation 5b., above, direct the district elections official, pursuant to Elections Code section 9316, to fix dates for submission to the district elections official of arguments for and against the proposed initiative petition/measure, and additional rebuttal arguments; and
9. If the Board of Directors approves Recommendation 5b., above, instruct the Chief to draft an argument against the initiative petition/measure pursuant to Elections Code section 9315. The argument shall not exceed 300 words in length. The Board of Directors would consider this argument at the next meeting.

Staff briefed the Board on the recommended options and discussed the possible outcome of the various options. Staff stated there would

be a significantly higher cost associated with a special election. To avoid higher costs and to have the capability to consolidate with the County the District would need to wait until the 2024 general elections.

Staff also mentioned should an election occur, passage of the initiative petition/measure would require approval from a simple majority (50% plus one) of the voters that cast a vote on the initiative petition/measure. (Elections Code section 9320.)

On a motion by Director Gregorio, seconded by Vice Chair Short, motion carried 4/0/1 with Director Kelley being absent; the Board of Directors accepted the Certificate of Sufficiency dated October 20, 2022 with respect to the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax" that was filed with the district elections official September 19, 2022.

On a motion by Director Erler, seconded by Director Gregorio, motion carried 4/0/1 with Director Kelley being absent; the Board of Directors approved to submit the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax", without alteration, to the voters pursuant to Elections Code section 1405.

On a motion by Director Gregorio, seconded by Vice Chair Short, motion carried 4/0/1 with Director Kelley being absent; the Board of Directors approved to adopt resolution calling an election for the initiative petition/measure "Repeal Attempt of Crescent Fire Protection District Assessment Tax" to be consolidated with the November 7, 2023 election (Crescent Fire Protection District's next regular election) with the amended date of November 5, 2024.

On a motion by Director Erler, seconded by Director Gregorio, motion carried 4/0/1 with Director Kelley being absent; the Board of Directors ADOPTED 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.

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

This 14th day of November 2022, by the following polled vote:

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

NOES: 0

ABSENT:1, Director Kelley

5.2 REVIEW AND CONSIDER THE CFPD BENEFIT ASSESSMENT APPEAL APPLICATION FORM

RECOMMENDATION: That the Board of Directors

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. REVIEW AND CONSIDER CFPD BENEFIT ASSESSMENT APPEAL APPLICATION FORM

Staff reported on October 17, 2022, the District received a Benefit Assessment Appeal Application Form submitted by Teresa and Gary Mumm, requesting a parcel review and reclassification. After review, staff recommended that the Board approve the Benefit Assessment Appeal Application Form submitted by Teresa and Gary Mumm and the property appearing in the application should be exempt from the 2021 Benefit Assessment. If approved by the District, staff will process a refund to Teresa and Gary Mumm in the amount of \$98.

After review and consideration, due to the fact there is still a standing structure on the parcel, the Board was opposed to the reclassification of the parcel in review. The Board noted that they would grant a reclassification of the parcel if the property owners were to remove the remaining structure.

No motion is made at this time.

OLD BUSINESS

Take action as necessary and appropriate.

NO OLD BUSINESS AT THIS TIME.

CHIEF'S REPORT

Take action as necessary and appropriate.

UPDATE ON CURRENT MATTERS AND THOSE IN PROGRESS.

7.1 RESPONSES OCCURRED BETWEEN: 09/01 – 10/31/2022

Chief Carey briefed the Board on the calls for September and October; he reported Crescent City Fire & Rescue will likely hit 2,000 calls for this year.

Chief Carey also quickly updated the Board on the preparation of the sale of the District fire boat and Engine 5114.

Director Gregorio mentioned an engine he has been looking at and may have Jason Borges drive down to check out.

BOARD COMMENTS

Director Gregorio expressed his concern about the repeal and what the District and City plans on doing in the future. He would like this discussed at the next meeting.

Chairman Nelson would like to talk about the hiring of the paid Captains at the next Board meeting.

Director Gregorio would like to discuss the Administrative Assistant position at the next Board meeting.

ADJOURNMENT

There being no further business to come before the Board, Chairman Nelson adjourned the meeting at 6:17 pm of the Crescent Fire Protection District Board of Directors to the next regularly scheduled meeting on December 12, 2022 at 5:00PM.



Vanessa Duncan, Clerk of the Board
Crescent Fire Protection District