



CRESCENT FIRE PROTECTION DISTRICT

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office: 707- 464-2421

MINUTES OF THE CRESCENT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

**REGULAR MEETING HELD
OCTOBER 11, 2021
AT 5:00 P.M.**

DIRECTORS PRESENT:

Chairman Jim Nelson Director
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
Nancy Diamond, Legal Counsel

ROLL CALL:

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

PUBLIC PARTICIPATION

Thomas Barnes tried to make a public comment, but his microphone was not working at the time. He sent a message that stated he would try to fix the issue and comment later in the meeting.

CONSENT CALENDAR

3.1 APPROVE MINUTES OF THE REGULAR MEETING OF AUGUST 9, 2021 AND THE MINUTES OF THE SPECIAL MEETING OF SEPTEMBER 29, 2021

3.2 APPROVAL OF WARRANT CLAIMS FOR PERIOD COVERED AUGUST AND SEPTEMBER 2021

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 approved the Consent Calendar.

NEW BUSINESS

Take action as necessary and appropriate.

4.1 WAIVE FULL READING, READ BY TITLE ONLY AND INTRODUCE ORDINANCE NO. 21-002, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT AMENDING ORDINANCE NO. 21-001, LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021/22

RECOMMENDATION

1. Receive staff report
2. Take public comment
3. Board Discussion
4. Review and waive full reading, read by title only, and introduce ORDINANCE NO. 21-002, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT AMENDING ORDINANCE NO. 21-001, LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL YEAR 2021/22

Chief Gillespie briefed the Board, stating that through input from the public and Board discussion, the District desires to expand eligibility for a maximum assessment levy and to clarify qualifying exemptions from the assessment by amending Ordinance No. 21-001. The original Ordinance No. 21-001 exempted vacant or undeveloped land from the assessment. The original ordinance also set a maximum assessment levy per parcel for developed parcels containing multiple structures and were capped at 13.5 EBU's or \$1,000 per parcel.

The amended Ordinance No. 21-002 for consideration and introduction expands Ordinance No. 21-001 to include the original exemptions, and to establish an exemption for parcels which are held under identical ownership within the same customer class (i.e. residential, commercial, government) may, upon approval of an application by the owner(s) thereof to the District, be treated as a single parcel for purposes of applying the maximum assessment fee not to exceed \$1,000 per parcel. The owner(s) of such parcels seeking exemption shall submit an application to the District, in a format approved by the District, providing the owner(s) name and address, property maps, and deed and title information that sufficiently demonstrate that the applicant is the owner of record or trustee of the owner of record with Power of Attorney for the owner of record for all the qualifying property, Specific Policy and Procedures to carry out this exemption and to approve and otherwise revise the application form as required, shall be adopted by Resolution by the District, following a public meeting. For each year the exemption is claimed, the District may request ownership information necessary to sufficiently demonstrate that the applicant is the owner of record for all the qualifying property.

Chief Gillespie also noted that under Ordinance No. 21-001, Commercial/Industrial parcel class had each building on a parcel assigned 1.1 EBU per equivalent single-family home, per 2,500 square feet, but with some parcels having limited data available, the EBU assignment for individual Commercial and Industrial parcels under Ordinance No. 21-002 will default to the benefit units assigned per the 1987 assessment for any parcels that data was not available.

The following citizen addressed the Board:

Thomas Barnes: Questioned where he will be able to pick up an application for parcel exemption, he also thanked the Board Members for their time and consideration in making the benefit assessment fair to the community.

On a motion by Director Erler, seconded by Vice Chair Short motion carried 4/0/1 with Director Gregorio being absent; the Board of Directors INTRODUCED ORDINANCE NO. 21-002, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT AMENDING ORDINANCE NO. 21-001, 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 8th day of MARCH 2021, by the following polled vote:

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

NOES: 0

ABSENT: 1, Director Gregorio

4.2 REVIEW AND DISCUSS AMENDMENT TO TOWER AND GROUND SPACE LEASE FROM NEW CINGULAR WIRELESS & AT&T

RECOMMENDATION

1. Receive staff report
2. Take public comment
3. Board Discussion
4. Consider and PROVIDE STAFF DIRECTION REGARDING TOWER AND GROUND SPACE LEASE OPTIONS FROM NEW CINGULAR WIRELESS & ATT&T

Chief Gillespie noted that after he brought the Board's proposal to New Cingular Wireless representative, Frank Schabarum, it was stated that to keep the monthly rent as low as possible to get the project approved by AT&T Management, and they may be able to utilize capital improvement funding options in the project after it had been relayed to New Cingular Wireless the issues with security and the need for fencing the facility. Two options have been provided by New Cingular Wireless for Board consideration:

1. Lease AT&T an approximately 10' x 16' lease area for installation of the generator surrounded by a new chain link fence adjacent to the existing

southerly communications tower (west side in lawn) for a one-time payment of \$20,000 which the District can use as it sees fit. There would be no increase in monthly rent. This would place the generator out of vehicle travel areas. It would require Board approval of trenching the rear driveway/lot/yard to allow generator power line access from the tower to the generator and would be subject to no utility easements that would have to be crossed.

OR

2. Allow AT&T to install the originally proposed 3' x 18' bump out on the east side of the existing cell tower compound (north compound) into the parking area and install a full-length security fence from the southeast corner of the fire department building to the south tower compound and then east to the edge of the property at the hedge. This would include a manual gate across the driveway. AT&T would be responsible for the cost of the new fencing and manual gate and would pay a monthly increase to rent of \$100.

Chief Gillespie requested the Board to review the two options, determine which it supports, and staff will provide this direction back to New Cingular Wireless who will provide an updated contract with that proposal once approved by AT&T.

After Board discussion, it was requested by Chairman Nelson that staff research what other facilities are charging for rent and to bring the findings to the next Board Meeting.

No action taken at this time.

4.3 CONSIDER AND APPROVE AUTHORIZATION #2 FOR PROFESSIONAL SERVICES, ASSESSMENT FOLLOW-UP AND REPORTING WITH PLANWEST PARTNERS

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Consider and APPROVE AUTHORIZATION #2 FOR PROFESSIONAL SERVICES, ASSESSMENT FOLLOW-UP AND REPORTING WITH PLANWEST PARTNERS

Chief Gillespie stated the District has requested additional assistance with assessment follow-up and reporting, beyond what was previously authorized. This Authorization #2 includes Planwest staff time associated with Recount Proceedings, drafting ordinance amendments, and providing related District coordination and follow-up to implement the assessment. Assistance with the current ordinance

amendment and with the current lawsuit filed against the District has also accounted for time.

The cost for Tasks 7a and 7b will be on a time and materials basis, not to exceed \$6,164.00, without prior mutual agreement.

Task 7a (Ordinance, Coordination and Follow-up) = \$1,725 (15 hours @ \$115/hour)

Task 7b (Recount Proceedings) = \$4,439 (Invoice #21-257-04)

Chief Gillespie also stated that Task 7 b (Recount Proceedings) has already been invoiced to the District but is included in this agreement for tracking purposes.

On a motion by Director Kelley, seconded by Director Erler, motion carried 4/0/1 with Director Gregorio being absent; the Board of Directors APPROVED AUTHORIZATION #2 FOR PROFESSIONAL SERVICES, ASSESSMENT FOLLOW-UP AND REPORTING WITH PLANWEST PARTNERS

4.4 REVIEW ASSESSMENT OVERSIGHT COMMITTEE APPLICATION

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Review Assessment Oversight Committee Application, and direct staff to open application process

Chief Gillespie reported to the Board that Section 7 of Ordinance No. 21-001 provides for the appointment of an Oversight Committee for the Assessment. This seven-member committee will be created to meet annually to review and publicly report on the expenditure of revenues generated by the tax imposed by the Ordinance. The committee will include 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 or designee and a representative from the Volunteer Fire Association or designee will serve as non-voting members of the committee.

Staff has included a draft application for review and approval by the Board. If approved, the application period would be opened to the committee, with applications due back to the District the first week of November, with member recommendations and appointment by the Board Chair to be reviewed and confirmed by the Board at a regular meeting.

Chief Gillespie also stated that any member of the Board can attend the Oversight Committee meetings as a member of the public.

The following citizen addressed the Board:

Thomas Barnes: Messaged via zoom and stated that he was thankful for the Board's actions and commented that a steering committee with input from the public would be helpful.

Director Erler questioned what will happen if there are not enough applicants to fill the five positions; Chief Gillespie noted that the District will need to continue to advertise for the committee positions until filled.

OLD BUSINESS - None

CHIEF'S REPORT

Take action as necessary and appropriate.

UPDATE ON CURRENT MATTERS AND THOSE IN PROGRESS.

6.1 RESPONSES OCCURRED BETWEEN: 08/01 – 09/30/2021

Chief Gillespie reported the total number of calls in the City and the District, he also reported the approximate year to date calls being 1,300.

6.2 WILDLAND FIRE VOLUNTEER PAYMENT

Chief Gillespie stated he will have more information on this item at the next Board Meeting.

BOARD COMMENTS

Director Kelley would like the Board to have a closed session in January regarding the transition to a new Fire Chief following Chief Gillespie's retirement.

Director Kelley also requested that staff send an email with all future Association Meetings and events.

ADJOURNMENT

There being no further business to come before the Board, Vice Chair Short adjourned the meeting at 5:55 pm of the Crescent Fire Protection District Board of Directors to the next regularly scheduled meeting on November 11, 2021 at 5:00PM.



Vanessa Duncan, Clerk of the Board
Crescent Fire Protection District