



Peninsula Community Services District

1982 Gass Avenue Samoa, CA 95564
Phone: (707) 443-9042 Email: Aunea@peninsulacsd.org

Board Meeting
June 20th 2024, 7:00 pm
Fairhaven Station

1.0 OPEN SESSION

- 1.1 Call to Order
- 1.2 Roll Call

2.0 PUBLIC COMMENTS

3.0 Approval of Board Minute from May

4.0 CORRESPONDENCE/COMMUNICATIONS

5.0. DISCUSSION / POSSIBLE ACTION ITEMS

- 5.1. Approve Resolution Calling Election and Consolidation Res.2024 6.2
- 5.2. Ordinance Establishing Special Tax 2024 6.1
- 5.3. LAFCo Ballot Elections Special Districts
- 5.4. CALPers updates

6.0. BOARD MEMBER COMMENTS

7.0 ANNOUNCEMENTS

- 7.1 Next Board meeting, **Samoa Women's Club Thursday July 18th, 2024**

8.0 ADJOURNMENT

NOTICE: Any writing, not exempt from public disclosure under Government Code 6253.5, 6254, 6254.3, 6524.7, 6254.15, 6254.16, or 6254.22, which is distributed to all or a majority of the members of the governing board by any person in connection with a matter subject to discussion or consideration at an open meeting of the board is available for public inspection at the Peninsula Community Service District 1982 Gass Street Samoa, CA 95564.



Peninsula Community Services District

1982 Gass Avenue Samoa, CA 95564
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Board Meeting
May 16th 2024 7:00 pm
Samoa Women's Club

1.1 OPEN SESSION

1.2 Call to Order

1.3 Roll Call Troy Nicolini, Leroy Zerlang, Tracie Smith. Present. Absent: Paul Tuzzolino, Angie Unea.

2.0 PUBLIC COMMENTS

None

3.1 Approval of Board Minute from April

Leroy Zerlang made a motion to accept the minutes from April with a 2nd by Tracie Smith.

4.0 CORRESPONDENCE/COMMUNICATIONS

N/A

5.0. DISCUSSION / POSSIBLE ACTION ITEMS

5.1. Board Approval of rates for New Fire Special Tax

Tracie Smith made a motion to accept the Fire Tax rates with a 2nd by Leroy Zerlang.

Roll call: Troy Nicolini: AYES. Leroy Zerlang: AYES Tracie Smith: AYES

All in favor.

6.0. BOARD MEMBER COMMENT

None

7.0 ANNOUNCEMENTS

7.1 Next Board meeting, **Fairhaven Station Thursday June 20th, 2024**

8.0 ADJOURNMENT

7:44 PM

Minutes recorded by Tracie Smith

Minutes amended to show meeting was held at the Samoa's Women's Club

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Resolution Number: 2024-6.2

A RESOLUTION OF THE PENINSULA COMMUNITY SERVICE DISTRICT BOARD OF DIRECTORS SUBMITTING TO THE VOTERS AT THE STATEWIDE ELECTION ON NOVEMBER 5, 2024, A PROPOSED ORDINANCE ESTABLISHING THE RATE OF A SPECIAL TAX FOR FIRE PROTECTION AND RESCUE SERVICES; REQUESTING THE BOARD OF SUPERVISORS OF HUMBOLDT COUNTY TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE ELECTION; AND DIRECTING THE DISTRICT CLERK TO TAKE ANY AND ALL ACTIONS NECESSARY UNDER LAW TO PREPARE FOR AND CONDUCT THE ELECTION.

WHEREAS, the Peninsula Community Service District was formed to provide essential services to residents within its boundaries, including fire protection and medical aid services;

WHEREAS, voters within the Peninsula Community Service District have not approved a Special Tax to provide for fire protection services;

WHEREAS, based on current funding sources, the Peninsula Community Service District is unable to provide adequate fire protection and rescue services within the District with the existing financial resources; and

WHEREAS, additional funds are necessary to provide an adequate level of service within the Peninsula Community Service District; and

WHEREAS, pursuant to the requirements of Article XIID, Section 4 of the California Constitution, the Board of Directors of the Peninsula Community Service District proposes to enact a Special Tax for the purpose of maintaining and improving fire protection and prevention and emergency rescue and aide to persons and properties within the Peninsula Community Service District, including annual budget support to provide for adequate firefighting equipment, apparatus, and necessary capital improvements, consistent with the needs of the residents of the District; and

WHEREAS, in the judgement of the Board of Directors of the Peninsula Community Service District, it is advisable to call an election to submit to the electors of the District the question whether the District shall impose the Special Tax for the purpose of providing, maintaining and improving fire protection and prevention services; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 5, 2024, and to request the County of Humboldt Elections Office to perform certain election services for the District.

NOW THEREFORE, BE IT RESOLVED THAT the Peninsula Community Service District Board of Directors does hereby:

1. Recitals: The foregoing recitals are true and correct and are hereby incorporated by reference.
2. Call for Election; Placement of Measure on Ballot: Pursuant to California Constitution Article XIII C, Section 2; Government Code Section 53724; and Elections Code Section 10403, the Board of Directors of the Peninsula Community Service District hereby calls an election at which it shall submit to the qualified voters of the District, a measure that, if approved, would authorize a Special Tax rate. This measure shall be designated by letter by the Humboldt County Registrar of Voters. Pursuant to Election Code Section 10400 *et seq.*, the election for this measure shall be consolidated with the established election to be conducted on November 5, 2024, and be held and conducted in the manner prescribed by Elections Code Section 10418.
3. Election Date: The date of the election shall be Tuesday, November 5, 2024.
4. Ballot Language: The question to be presented to the voters is as follows:

To ensure and maintain fire protection services and emergency medical response shall the Peninsula Community Service District Ordinance No. 2024-5.1, establishing a special tax until June 30, 2031, and raising an estimated \$33,000 annually, be adopted?	YES	
	NO	

5. Proposed Ordinance. The ordinance authorizing the special tax to be approved by the voters pursuant to this Resolution is as set forth in Attachment 1 hereto. The Board of Directors hereby approves the ordinance, and form thereof, and its submission to the voters of the District at the November 5, 2024 election, subject to the approval of two-thirds of the voters voting on the measure at the election called by the adoption of this resolution. The entire text of the ordinance, attached hereto as Attachment 1, shall be included in the voters' pamphlet. The ordinance specifies that the rate of the special tax shall be as set forth in the ordinance; it specifies that the tax shall be in effect until June 30, 2021; and that the tax shall be collected in the same manner as, or with, other taxes fixed and collected by Humboldt County.
6. Publication of Measure. The District Clerk is hereby directed to cause notice of the measure to be published once in the official newspaper of the District, in accordance with Section 12111 of the Elections Code and Section 6061 of the Government Code.
7. Request to Consolidate and Conduct Election and Canvass Returns.
 - a. Pursuant to the requirement of Section 10403 of the Elections Code, the Board of Supervisors of the County of Humboldt is hereby requested to consent and agree to the consolidation of a District Election with the Statewide General Election on Tuesday, November 5, 2024, for the purpose of placing the measure set forth in this Resolution on the ballot.
 - b. The County of Humboldt Registrar of Voters is authorized to canvass the returns of the district election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

- c. The Board of Supervisors is requested to issue instructions to the Humboldt County registrar of voters to take any and all steps necessary for the holding of the consolidated election.
 - d. The District recognizes that additional costs will be incurred by the County of Humboldt by reason of this consolidation and agrees to reimburse the County for any costs.
8. Submission of Ballot Argument and Impartial Analysis.
- a. The submission of ballot arguments for or against the measure shall be conducted pursuant to Election Code sections 9281 through 9287.
 - b. The last day for submission of direct arguments for or against the measure shall be by 5:00 p.m. on August 14, 2024.
 - c. Direct arguments shall not exceed three hundred (300) words and shall be signed by not more than five persons.
 - d. County Counsel shall prepare an impartial analysis of the measure by August 19, 2024.
9. Effective Date. This Resolution shall become effective immediately upon its adoption and the District Clerk is directed to send certified copies of the Resolution to the Humboldt County Board of Supervisors and the Humboldt County Registrar of Voters.

ADOPTED, SIGNED AND APPROVED at a duly called meeting of the Board of Directors of the Peninsula Community Service District by the following polled vote:

Ayes: Troy Nicolini, Leroy Zerlang, Angie Unea, Tracy Smith
 Nays: 2
 Abstain: 0
 Absent: Paul Tuzzolino

DATED: June 22, 2024

Signed:

Troy Nicolini
 Troy Nicolini, Chairman

Attest:

Angie Unea
 Angie Unea, Board Clerk/Secretary



Peninsula Community Services District

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Phone: (707) 443-9042 Email: aunea@peninsulacsd.org

Ordinance Number: 2024-5.1

AN ORDINANCE OF THE PENINSULA COMMUNITY SERVICES DISTRICT ESTABLISHING THE RATE OF A FIRE PROTECTION SPECIAL TAX IN ORDER TO SUPPORT AND MAINTAIN QUALITY LOCAL FIRE PROTECTION, RESCUE, AND OTHER ESSENTIAL SERVICES

The people of the Peninsula Community Service District do ordain as follows:

SECTION 1. Authority. Pursuant to the authority of Government Code Section 53978 and Article XIII A of the California Constitution, this Ordinance, if passed by two-thirds voter approval, would establish a Peninsula Community Services District’s special tax for fire protection, rescue, and emergency medical services at the rates set forth below.

SECTION 2. Purpose and Intent. The proceeds from this special tax shall be used solely for the purpose of providing fire protection, rescue, and emergency medical services within the District. In particular, the special tax will be used to maintain and improve the current level of community-based fire protection services provided by the District. This includes annual budget support to provide for adequate firefighting equipment, apparatus, and necessary capital improvements, consistent with the needs of the residents of the District.

SECTION 3. Special Tax Rate. Beginning with the 2024-25 fiscal year, the special tax shall be levied at flat rates based on the use of each taxable parcel of real property, in accordance with the schedule below:

	<u>Parcel use Category</u>	<u>Total Annual Charge</u>
A.	Unimproved property:	\$30 per year
B.	Single-Family Residential:	\$155 per year
C.	Multi-Family Residential (2-4 units):	\$309 per year
D.	Multi-Family Residential (5-9 units):	\$388 per year
E.	Multi-Family Residential (10+ units):	\$465 per year
F.	Commercial:	\$546 per year
G.	Improved Industrial:	\$910 per year
H.	Unimproved Industrial (under 5 acres)	\$56 per year
I.	Unimproved Industrial (5 to 100 acres)	\$105 per year
J.	Unimproved Industrial (over 100 acres)	\$225 per year
K.	Recreational (1 acres to 100 acres)	\$135 per year

L.	Recreational (over 100 acres)	\$265 per year
I.	Retail (10,000 + square feet):	\$910 per year

- A. **Unimproved:** Any unimproved property, other than property that meets the Unimproved Industrial parcel use category.
- B. **Single-Family Residential:** A dwelling unit designed for occupancy by one household, located on a single parcel that does not contain any other dwelling unit (except an accessory dwelling unit, where permitted).
- C. **Multi-Family Residential (2-4 units):** 2 to 4 dwelling units within a single building, or structures on a parcel. Types of multiple-unit dwellings include, but are not limited to, duplexes, apartments, condominiums, and bed and breakfasts.
- D. **Multi-Family Residential (5-9 units):** 5 to 9 dwelling units within a single building, or structures on a parcel. Types of multiple-unit dwellings include, but are not limited to, apartments, condominiums, and bed and breakfasts.
- E. **Multi-Family Residential (10+ units):** Ten or more dwelling units within a single building, or structures on a parcel. Types of multiple-unit dwellings include, but are not limited to, apartments, condominiums, and bed and breakfasts.
- F. **Commercial:** Commercial or institutional uses including but not limited to stores and retail businesses (less than 10,000 square feet), offices, restaurants and bars, service stations, auto repair, hotels, motels, day care facilities, professional business parks, and similar uses.
- G. **Improved Industrial:** Industrial uses including but not limited to manufacturing, packaging, shipping, recycling, industrial parks, wood products, energy production, and similar uses.
- H. **Unimproved Industrial (under 5 acres):** Any unimproved parcel that is less than five acres per, as assessed by the Humboldt County Assessor, for which the applicable land use regulations principally allow for light or heavy industrial uses.
- I. **Unimproved Industrial (5 to 100 acres):** Any unimproved parcel that is between five and one hundred acres, as assessed by the Humboldt County Assessor, for which the applicable land use regulations principally allow for light or heavy industrial uses.
- J. **Unimproved Industrial (over 100 acres):** Any unimproved parcel that is larger than one hundred acres, as assessed by the Humboldt County Assessor, for which the applicable land use regulations principally allow for light or heavy industrial uses.
- K. **Recreational (1 acres to 100 acres):** A parcel that is between one and one hundred acres, as assessed by the Humboldt County Assessor, and is primarily used for outdoor recreational uses, including without limitation, trails and outdoor sporting facilities.
- L. **Recreational (over 100 acres):** A parcel that is larger than one hundred acres, as assessed by the Humboldt County Assessor, and that is primarily used for outdoor recreational uses, including without limitation, trails and outdoor sporting facilities.

- I. **Retail (10,000 + square feet):** A retail business that occupies 10,000 or more square feet.

SECTION 4. Appeals. Any property owner may appeal any determination by the District concerning the nature of the use of the property or the calculation of the amount of the tax by filing a written appeal with the District. Any such appeal shall be filed by December 1st of the fiscal year for which the tax is levied. The appeal shall contain a statement by the property owner as to the nature and basis for the appeal in accordance with the District's appeal procedure.

SECTION 5. Method of Collection. On or about July 1st of each year, but in any event in sufficient time to include the levy of the special tax on the County's secured tax roll, the District shall determine the use category and related tax amount representing each parcel of real property within the District subject to the special tax. Parcels subject to levy shall be determined based upon the records of the Humboldt County Assessor or, in lieu thereof, upon such other reliable public records available to the District.

The special tax shall be collected in the same manner and subject to the same penalty as, or with, other taxes fixed and collected by Humboldt County on behalf of the Peninsula Community Services District. The County of Humboldt may deduct reasonable expenses incurred for such service before remitting the balance to the District. Notwithstanding the foregoing, the District may, in its discretion, directly bill and collect the special tax for certain types of parcel use categories or property owners. In the event of a delinquency in the payment of directly billed special taxes, the delinquency shall be subject to a 10% penalty and an administrative cost of \$20.00.

SECTION 6. Special Account. Upon receipt of the special taxes the District shall cause same to be deposited in a special tax account or such other account established by the District which allows the District to properly account for the special taxes in compliance with the provisions of Government Code Section 50075.1. Funds deposited into this account cannot be used for any other purpose than those outlined in Section 2 of this Ordinance.

SECTION 7. Authorization for Appropriations Limit Increase. To the extent that the revenue from the special taxes enacted by this Ordinance are in excess of the appropriations limit for the District, as calculated in accordance with the provisions of Article XIII B of the California Constitution and applicable statutory provisions, the approval of this special tax by the voters shall constitute approval to increase the District's spending limit in an amount equal to the revenue derived from the special tax, for the maximum period of time as allowed by law.

SECTION 8. Annual Report. In accordance with Government Code Section 50075.3, the District's Fire Chief, as the chief fiscal officer of the District, shall file a report with the District Board at least once a year. The annual report shall contain the following: (a) the amount of funds collected and expended; and (b) the status of any project required or authorized to be funded with the proceeds of the special tax.

SECTION 9. Severability. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the remaining portion of this Ordinance.

SECTION 10. Effective Date and Sunset Date. This Ordinance shall be effective only at such time as the District Board has declared that the Ordinance has been approved by two-thirds of the

voters voting at an election to be held on November 5, 2024. If this Ordinance is approved, the special tax shall be collected at the rates established by this Ordinance beginning with the 2024-2025 fiscal year until June 30, 2031, at which time the special tax shall be repealed by operation of law, unless extended in accordance with law.

SECTION 11. Certification. The District Secretary shall certify to the passage and adoption of this Ordinance and shall cause a copy of the full text of the Ordinance to be posted.

PASSED AND PROPOSED TO THE VOTERS by the Board of Directors of the Peninsula Community Services District on the 20th day of June, 2024, as follows:

AYES: Troy Nicolini, Leray Ziskang, Angie Unea, Traci Smith
NAYS: 0
ABSENT: Paul Tuzzolino
ABSTAIN: 0

Signed:


Troy Nicolini, Chairman

Attest:


Angie Unea, Board Clerk/Secretary