

ANDERSON FIRE PROTECTION DISTRICT



BOARD OF DIRECTORS AGENDA

SEPTEMBER 14, 2021

REGULAR MEETING – 5:00 P.M.

**Fire Station/Training Room
1925 Howard Street, Anderson, California**

PARTICIPATION BY PUBLIC IN MEETING

To address the Board on any particular issue, please EMAIL Mo Hern @ mhern@andersonfire.org at least 30 minutes prior to the start of the meeting.

Effective July 1, 2008, the Brown Act requires any non-confidential documents or writings distributed to a majority of the Board of Directors less than 72 hours before a regular meeting will be made available to members of the public at the same time they are distributed.

Pursuant to the State's Open Meeting Law, the legislative body or its staff may briefly respond to comments or questions from members of the public; and if deemed necessary, refer the subject for follow-up and/or to schedule the matter on a subsequent Board agenda.

The Brown Act prohibits the Board from taking action on any item not placed on the printed Agenda in most cases.

In compliance with the Americans with Disabilities Act, the Anderson Fire Protection District will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the Clerk of the Board (378-6699) to make such a request. Notification 72 hours prior to the meeting will enable the Anderson Fire Protection District to make reasonable arrangements to ensure accessibility to this meeting.

This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C.

OPEN SESSION Chairman of the Board Trish Clarke will call the meeting to order at _____

1.0 CALL TO ORDER

ROLL CALL:

CHAIRPERSON
VICE CHAIRPERSON
SECRETARY
MEMBER
MEMBER

TRISH CLARKE
JOHN DAY
CHAD DOWNING
VACANT
JEFF HOGUE

Person(s) Present-

2.0 INVOCATION - CHAIRPERSON TO CHOOSE.

3.0 PLEDGE OF ALLEGIANCE - CHAIRPERSON TO CHOOSE.

**4.0 PRESENTATIONS: - Two correspondence from Shasta County Auditor and Controller,
Nolda Short regarding audits**

5.0 PUBLIC COMMENT PERIOD

Any person may address the District Board on any subject pertaining to District business, which is not Listed on the agenda. This comment period is provided by the Ralph M. Brown Open Meeting Act (Government Code 54950 et seq.). The Board welcomes participation at Board meetings. Members of the public may address the Board on any item of interest to the public that is scheduled on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less. Any request that requires Board action may be set by the Board for a future agenda or referred to staff

6.0 CONSENT AGENDA

All items listed under the consent agenda are considered by the Board to be routine and will be enacted by one motion in the order listed below. There will be no separate discussion of these items, unless specified. Items may be removed to the regular agenda prior to the time the Directors vote on the motion to adopt the consent agenda. A Board member's vote in favor of the Consent Agenda is considered and recorded as a separate and affirmative vote in favor of each item listed. Motions in favor of the Consent Agenda are deemed to include a motion to waive the reading of any ordinance or resolution on the Consent Agenda. Items on tonight's consent agenda are:

6.1 APPROVAL OF THE AUGUST 2021 REGULAR BOARD MEETING MINUTES

6.2 APPROVAL OF BILLS FOR THE MONTH OF AUGUST 2021

Moved:

Seconded:

Approved:

OPEN SESSION-

- 7.0 PUBLIC HEARINGS-** A public hearing is an open consideration within a regular or special meeting of the Board, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1

Conduct a Public Hearing on Final Budget FY 21/22

8.0 ACTIONS ITEMS-

8.1 Adopt final budget FY 21/22

Moved:
Seconded:
Approved:

8.2 Approve to unrestrict \$23,177.03 from account FB2071 (Equipment Fund) to pay MES invoice for turnout gear.

Moved:
Seconded:
Approved:

8.3 Received staff report from legal council regarding board vacancy from the recent passing of member James Yarbrough.

Moved:
Seconded:
Approved:

STAFF REPORTS-

9.0. FIRE MARSHAL REPORT- See attached

10.0 BATTALION CHIEF'S REPORT- NONE

11.0. FIRE CHIEF'S REPORT – See attached

12.0 DIRECTORS' REPORTS-

13.0 CLOSED SESSION AGENDA ITEMS-

13.1 Public Employee performance evaluation (Fire Chief). Pursuant to Government Code 54957.

Moved:
Seconded:
Approved:

14.0 ADJOURNMENT-

Moved:
Seconded:
Approved:

**NEXT REGULARY SCHEDULED BOARD MEETING
TUESDAY OCTOBER 12TH, 2021 5:00 PM
FIRE STATION – TRAINING ROOM**



SHASTA COUNTY

4.0

OFFICE OF THE AUDITOR-CONTROLLER

1450 Court Street, Suite 238
Redding, California 96001
Phone (530) 225-5771

NOLDA SHORT
AUDITOR-CONTROLLER

RICHARD VIETHEER
ASST. AUDITOR-CONTROLLER

September 1, 2021

Anderson FPD
1925 Howard St
Anderson, CA 96007

Attention Board Members:

During a review of the audit reports received to date, it has come to our attention that the annual audit report for the fiscal year ending 2020 is past due.

Government Code section 26909 prescribes the legal requirements for Special District Audits. This code section requires the report to be filed with the State Controller, with a copy to LAFCO and the County Auditor, within 12 months of the end of the fiscal year or years under examination. Your audit was due June 30, 2021.

We have been informed that Anderson FPD has contracted with Don Reynolds, to perform the audit, but we also need to record the date we can expect to receive the above mentioned audit report. You may provide the expected completion date by letter, phone, or email AuditorReporting@co.shasta.ca.us.

Please let us know if we can provide any further assistance.

Sincerely,

Nolda Short
Auditor-Controller

cc: Les Baugh, Supervisor District 5
Matt Pontes, County Executive Officer



SHASTA COUNTY

OFFICE OF THE AUDITOR-CONTROLLER

1450 Court Street, Suite 238
Redding, California 96001
Phone (530) 225-5771

NOLDA SHORT
AUDITOR-CONTROLLER

RICHARD VIETHEER
ASST. AUDITOR-CONTROLLER

Anderson FPD
1925 Howard St
Anderson, CA 96007

September 1, 2021

Attention Board Members:

This letter serves as a reminder to schedule your upcoming annual audit for the fiscal year ending June 30, 2021 with a CPA at this time. Auditor's schedules tend to fill up and contracting now will assist in receiving the final report on time. Your audit will be due prior to June 30, 2022.

Government Code section 26909 prescribes the legal requirements for Special District Audits. This code section requires the report to be filed with the State Controller, with a copy to LAFCO and the County Auditor, within 12 months of the end of the fiscal year or years under examination.

If you have any questions regarding the scheduling of your annual audit, please feel free to contact our office for assistance.

Sincerely,

A handwritten signature in blue ink that reads "Nolda Short".

Nolda Short
Auditor-Controller

ANDERSON FIRE PROTECTION DISTRICT

6.1



MINUTES

AUGUST 10, 2012

REGULAR MEETING – 5:00 P.M.

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1925 Howard Street, Anderson, California**

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OPEN SESSION Chairman of the Board Trish Clarke will call the meeting to order at 5:00

1.0 CALL TO ORDER

ROLL CALL:	CHAIRPERSON	TRISH CLARKE	Present
	VICE CHAIRPERSON	JOHN DAY	Present
	SECRETARY	CHAD DOWNING	Present
	MEMBER	JAMES YARBROUGH	Absent
	MEMBER	JEFF HOGUE	Absent

Person(s) Present-

- 2.0 INVOCATION -** CHAIRPERSON TO CHOOSE. John Day
- 3.0 PLEDGE OF ALLEGIANCE -** CHAIRPERSON TO CHOOSE. Chad Downing
- 4.0 PRESENTATIONS:** - Introduced Sharon Weaver. New part time employee to help Mo Hern. Chief Johnson will be sworn in as Sheriff for Shasta County on Friday August 13th, 2021.

5.0 PUBLIC COMMENT PERIOD

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6.1 APPROVAL OF THE JULY 2021 REGULAR BOARD MEETING MINUTES

6.2 APPROVAL OF BILLS FOR THE MONTH OF JULY 2021

Moved: John Day
Seconded: Chad Downing
Approved: 3 Ayes 2 Absent

OPEN SESSION-

7.0 PUBLIC HEARINGS- A public hearing is an open consideration within a regular or special meeting of the Board, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1 - **NONE**

8.0 ACTIONS ITEMS-

8.1 Notice to set hearing to adopt final budget. F/Y 2021/2022
to be held on September 14, 2021

Moved: Chad Downing
Seconded: John Day
Approved: 3 Ayes 2 Absent

8.2 “Discussion of Absence of Board Member James Yarbrough”

Discussion with the board has taken place.

STAFF REPORTS

9.0. FIRE MARSHAL REPORT- See Attached . Nor Cal Rental has broke ground (behind Safeway)

10.0 BATTALION CHIEF’S REPORT- NONE

11.0. FIRE CHIEF’S REPORT – See attached

12.0 DIRECTORS’ REPORTS – Nothing

13.0 CLOSED SESSION AGENDA ITEMS- NONE

14.0 ADJOURNMENT-

Moved: Chad Downing
Seconded: John Day
Approved: 3 Ayes 2 Absent

**NEXT REGULARY SCHEDULED BOARD MEETING
TUESDAY SEPTEMBER 14TH, 2021 5:00 PM
FIRE STATION – TRAINING ROOM**

b.2

AUGUST BILLS 2021

CLAIMS PROCESSING PERIOD:
BOARD MEETING HELD AUGUST 10, 2021

DIST RFP #	PAYEE	INVOICE #	DESCRIPTION	ACCT #	AMOUNT
* PERS RETIREMENT		100000016491911	PP 07/26/2021 - 08/08/2021 EMPLOYER PP 07/26/2021 - 08/08/2021 EMPLOYEE	018201 007000	792.85 345.72
* PERS RETIREMENT		100000016491953	PP 07/26/2021 - 08/08/2021 EMPLOYER PP 07/26/2021 - 08/08/2021 EMPLOYEE	018201 007000	2,065.00 2,044.51
* PERS RETIREMENT		100000016491932	PP 08/09/2021 - 08/22/2021 EMPLOYER PP 08/09/2021 - 08/22/2021 EMPLOYEE	018201 007000	792.85 345.72
* PERS RETIREMENT		100000016491970	PP 08/09/2021 - 08/22/2021 EMPLOYER PP 08/09/2021 - 08/22/2021 EMPLOYEE	018201 007000	2,065.00 2,044.51
* PERS HEALTH		100000016528128	SEPT HEALTH	018300	15,532.55
* PERS ACTUARIAL PLAN 1158		100000016506713	ACCRUED LIABILITY PLAN 1158 AUG	018201	548.33
* PERS ACTUARIAL PLAN 25550		100000016506728	ACCRUED LIABILITY PLAN 25550 AUG	018201	195.50
* PERS ACTUARIAL PLAN 1159		100000016506719	ACCRUED LIABILITY PLAN 1159 JAUG	018201	12,294.33
* PERS		100000016512643	GASB 68 INVOICE	034800	1,050.00
* BLUE SHIELD		212280000115	DENTAL / EMPLOYEES	018300	675.90
* ATT		000016943554	MAIN STATION	032500	116.73
* ATT		000016943549	HISTORIC STATION	032500	44.89
* LAUNDRY WORLD		237830	LAUNDRY SERVICE	032900	35.15
* LAUNDRY WORLD		237371	LAUNDRY SERVICE	032900	49.15
* LAUNDRY WORLD		236950	LAUNDRY SERVICE	032900	142.82
* LAUNDRY WORLD		236503	LAUNDRY SERVICE	032900	49.15
* LAUNDRY WORLD		236076	LAUNDRY SERVICE	032900	35.15
* LAUNDRY WORLD		235642	LAUNDRY SERVICE	032900	49.15
* WOODS PEST CONTROL		1126976	PEST CONTROL SERVICE	032900	104.00
* QUALITY SAW & MOWER		52837	CHAINSAW MAINTENANCE	033500	12.81
* PAINT MART		20147541	PAINTING SUPPLIES	033500	16.68
* SHANE'S AUTO ACCESSORIES		0042056	VEHICLE MAINT	033526	40.00
* SHANE'S AUTO ACCESSORIES		0042038	VEHICLE MAINT	033526	1,010.00
* MCINTOSH TRUCK		MTI-21-1093	VEHICLE MAINT	033526	872.29
* MCINTOSH TRUCK		MTI-21-971	VEHICLE MAINT	033526	287.47
* RON KENT EQUIPMENT SERVICE		21-2981	VEHICLE MAINT	033526	239.00
* RON KENT EQUIPMENT SERVICE		21-2979	VEHICLE MAINT	033526	191.50
* RON KENT EQUIPMENT SERVICE		21-2978	VEHICLE MAINT	033526	252.66
* OBSIDIAN		15185	IT	033529	32.50
* OBSIDIAN		15184	IT	033529	32.50
* OBSIDIAN		15183	IT	033529	32.50
* OBSIDIAN		15182	IT	033529	32.50
* OBSIDIAN		15181	IT	033529	32.50
* OBSIDIAN		15180	IT	033529	162.50
* OBSIDIAN		15143	IT	033529	25.00
* OBSIDIAN		15078	IT	033529	32.50
* OBSIDIAN		15077	IT	033529	32.50
* OBSIDIAN		15076	IT	033529	32.50
* OBSIDIAN		15075	IT	033529	32.50

* OBSIDIAN	15037	IT	033529	25.00
* HUE & CRY	786060	ALARM MON. 9/1/21 TO 9/30/21	033700	33.18
* HUE & CRY	783217	ALARM MON. 8/1/21 TO 8/31/21	033700	33.18
* JKH DOOR SERVICE CO	2107225	BAY DOOR PM SERVICE	033700	455.00
* US BANK	XA082021A	SPECTRUM	032500	109.99
		MIKE'S FOOD & FUEL	035940	4.75
		SPECTRUM	032500	34.09
		SAFEWAY	034300	69.74
		ANDERSON FAMILY FITNESS	034100	290.00
		MICROSOFT INTERNET	032500	48.00
		MICROSOFT INTERNET	035200	62.50
		MICROSOFT INTERNET	032500	4.00
		VERIZON CELL BILL	032500	175.29
* PH&S PRODUCTS	0014571-IN	MEDICAL GLOVES	033902	1,623.34
* SHASTA CO PEACE OFFICERS ASSOC	21-01	RANGE MEMBERSHIP DUES	034100	180.00
* GRAINGER	9036040054	AIR COMPRESSOR	034300	1,553.84
* DIVERSIFIED OFFICE SYS	43571	MONTHLY SERVICE	034500	75.61
* SECURITY SHREDDING	118123	SHREDDING COSTS	034500	30.00
* OFFICE DEPOT	187462210001	OFFICE SUPPLIES	034500	156.03
* HERN MAUREEN	XA083021A	OFFICE CHAIRS REIMBURSEMENT	034536	277.74
* MOORE & BOGENER	12289	LEGAL SERVICES	034828	1,746.00
* FLYERS	CFS-2709561	FUEL	035940	2,306.38
* PG&E	XA080521A	BACK SHOP ELECT	036100	166.55
* PG&E	XA080521B	MAIN STATION ELECT	036100	2,580.06
* PG&E	XA080621A	HISTORIC STATION	036100	39.98
* PG&E	XA080621C	MAIN STATION GAS	036100	106.72
* CITY OF ANDERSON WATER	XA080221A	1ST HYDRANT	036127	171.15
* CITY OF ANDERSON WATER	XA0802S1B	2ND HYDRANT	036127	13.02
* ACE HARDWARE	XAAUG21A	ELECTRICAL CONDUIT DAYROOM	033700	29.28
		RETURN ELECTRICAL CONDUIT	033700	-16.36
* DE LAGE LANDEN FINANCIAL SVS	73542562	COPIER	050223	130.55
* DE LAGE LANDEN FINANCIAL SVS	73273585	COPIER	050223	124.33

TOTAL ACCOUNTS PAYABLE	<u>\$16,667.54</u>
PAYROLL & BENEFITS	<u>\$40,792.77</u>
GRAND TOTAL	<u><u>\$57,460.31</u></u>

DATED 09/14/2021

Chairperson - Patricia A. "Trish" Clarke

Board Member - Vacant

Vice Chairperson - John Day

Board Member - Jeff Hogue

Secretary - Chad Downing

Note: The above list of bills represents claims that were authorized by the Fire Chief, Deputy Chief or Battalion Chief and paid between board meetings and have now been reviewed and approved by the Board as noted by the signatures shown above (Re: Resolution 2016-11).

FOOTNOTES:

			COUNTY OF SHASTA STATE OF CALIFORNIA				SCHEDULE 15					
			BUDGET WORKSHEETS DISTRICT BUDGETS			GENERAL LEDGER						
			FOR THE FISCAL YEAR			2020 - 2021						
			ADJUSTED BUDGET AMOUNTS ARE A			09/01/2021						
Item Ind	Cost Center	Account	Description	Adjusted Budget 2019 - 2020	Actual Exp/Rev 06/30/ 2020	Adopted Budget 2020 - 2021	Actual 9/1/21 Exp/Rev 2020 - 2021	Final Budget 2021/2022				
FUND: 0441 ANDERSON FIRE PROTECTION DIST												
X	00441	101000	CURRENT SECURED TAXES	915,000	932,094	950,000	976,317	990,000				
X	00441	101001	CURRENT UNITARY TAXES	45,000	41,138	50,000	42,391	45,000				
X	00441	101011	CURR SEC TAX DEL ADV TEETER	12,000	15,836	12,000	14,701					
X	00441	101012	RDA RESIDUAL PROP TAX HS3418	50,000	78,829	84,400	70,630	65,000				
X	00441	101013	RDA 1290 PT PROP TX HS33607.5	50,000	59,775	50,000	70,575	50,000				
X	00441	101100	SUPPLEMENTAL TAXES CURREN	12,000	19,218	15,000	16,788	12,000				
X	00441	101111	SUPPLEMENTAL TAXES CURR TE	-	3,265		2,569					
X	00441	102000	CURRENT UNSECURED TAXES	40,000	45,372	50,000	47,554	5,000				
X	00441	103010	SUPPLEMENTAL TAXES PRIOR	-	465		37					
X	00441	104000	PRIOR YEAR UNSECURED TAXES	-	551	500	859					
		TOTAL	TAXES	1,124,000	1,196,543	1,211,900	1,242,421	1,167,000				
X	00441	420000	INTEREST									
	00441	421100	LAND RENT	9,500	15,862	15,000	9,882	1,000				
X	00441	421200	RENTS/LEASES OF BUILDINGS	-	2,000	6,000	3,000	6,000				
		TOTAL	REVENUE FROM MONEY & PROPE	9,500	17,862	21,000	18,882	7,000				
X	00441	546000	STATE HOMEOWNERS EXEMPTIC	12,000	14,006	12,000	13,643	12,000				
X	00441	560995	FED FEMA GRANT				155,843	50000				
X	00441	563710	CONTRIBUTION FROM SHASTA C	16,000	18,280	18,280	21,022	21,000				
		TOTAL	INTERGOVERNMENTAL REVENUE	28,000	32,286	30,280	190,508	83,000				
X	00441	668154	S/A FIRE SUPPRESSION CURR	83,000	82,867	85,120	84,421	85,000				
X	00441	688011	PUBLIC TRAINING CPR FIRST AID	-	-		959	200				
X	00441	688013	CHGS FOR SVS EDUC TRAINING	-	-		-					
X	00441	692024	REIMB FIRE CALLS	10,000	-	10,000	-	10,000				
X	00441	692027	EMERGENCY MEDICAL REIMB	-	-		-					

X	00441	1693060	INSPECTION FEES	48,000	38,704	48,000	23,408	40,000
X	00441	693061	IMPACT FEE BUILDING	40,000	33,829	40,000	11,614	4,000
X	00441	693062	IMPACT FEE LADDER TRUCK	6,000	11,625	6,000	3,991	6,000
X	00441	693064	IMPACT FEE EQUIPMENT	6,000	5,287	6,000	1,815	6,000
	TOTAL		CHARGES FOR SERVICES	193,000	172,312	195,120	126,208	151,200
X	00441	792500	DONATIONS/CONTRIBUTIONS	-	31,989			
X	00441	792563	DONATION SIERRA PACIFIC	-	-			4,800
X	00441	795000	AUDITOR VOID/STALE DATED CHI	-	250			
X	00441	797441	SALE OF OFFICIAL RECORDS	-	75		551	
X	00441	797442	SALE OF FIRE REPORTS	200	-		50	
X	00441	797600	MISCELLANEOUS SALES	-	100		80	
X	00441	799011	REIMB FOR RESPONSE				463,068	10,000
X	00441	799300	MISCELLANEOUS REVENUE	1,000	225	500	104	
X	00441	799390	PRIOR PERIOD EXP ADJUSTMENT	-	-			
X	00441	799600	INSURANCE LOSS & REFUNDS	10,000	28,344	10,000	5,536	5,000
X	00441	799900	CASH OVER/SHORT	-	-			
	TOTAL		MISCELLANEOUS REVENUES	11,200	60,983	10,500	469,389	19,800
X	00441	806741	TRAN IN ANDERSON FIRE	-	-			
	TOTAL		OTHR FINANCING SOURCES TRAI	-	-			
	TOTAL		REVENUES*****	1,365,700	1,479,986	1,447,800.00	2,028,526.09	1,428,000
X	00441	011000	REGULAR SALARIES	725,000	674,928	730,000	933,710	800,000
X	00441	018100	EMPLOYER SHARE FICA	55,000	50,924	53,217	71,188	60,000
X	00441	018201	EMPLOYER SHARE RETIREMENT	162,000	175,668	180,000	206,124	186,000
X	00441	018300	EMPLOYER SHARE HEALTH INSU	187,000	189,539	190,000	201,328	170,000
X	00441	018400	EMPLOYER SHR UNEMPLOYMENT	5,000	9,466	8,000	8,130	8,000
X	00441	018500	WORKERS COMP EXPOSURE	30,000	60,500	35,000	68,148	40,000
	TOTAL		SALARIES AND BENEFITS	1,164,000	1,161,025	1,196,217	1,488,628	1,264,000
X	00441	032100	AGRICULTURAL EXPENSE	-	39		62	
X	00441	032300	CLOTHING/PERSONAL SUPPLIES	4,000	6,216	5,000	15,295	5,000
X	00441	032327	CLTHG/PERS PATIENTS	-	-			
X	00441	032328	CLTHG/PERS SAFETY CLOTHING	-	-		116	
X	00441	032329	CLTHG/PERS UNIFORMS	-	-			
X	00441	032500	COMMUNICATIONS EXPENSE	5,000	10,807	7,500	6,610	7,500
X	00441	032526	COMM CELL PHONES	-	70			

X	00441	032700	FOOD EXPENSE	1,000	794	1,000	1,058	1,000
X	00441	032900	HOUSEHOLD EXPENSE					
X	00441	032927	HSHLD XP JANITORIAL SVS	5,000	6,322	6,000	4,976	6,000
X	00441	032929	HSHLD XP SUPPLIES	-	98		-	
X	00441	033100	INSURANCE EXPENSE	-	411		421	
X	00441	033102	INSUR XP LIABILITY EXPOSURE	-	528		5,699	
X	00441	033103	INSUR XP MISCELLANEOUS	8,000	-	8,000	11,268	8,000
X	00441	033500	MAINTENANCE OF EQUIPMENT	1,500	-	1,500	-	
X	00441	033526	MNT EQP VEHICLES	40,000	13,165	40,000	8,637	40,000
X	00441	033527	MNT EQP BLDG EQP	-	26,010		37,363	
X	00441	033529	MNT EQP COMPUTERS	-	-		3	
X	00441	033530	MNT EQP RADIOS	-	5,222		3,864	
X	00441	033534	MNT EQP PARTS & SUPPLIES	-	16		139	
X	00441	033535	MNT EQP OFFICE EQP	-	142		2,164	
X	00441	033537	MNT EQP RESCUE VEHICLES	-	42			
X	00441	033538	MNT EQP SAFETY EQP	-	-			
X	00441	033539	MNT EQP FIRE EQP	-	(199)		4,023	
X	00441	033700	MAINTENANCE OF STRUCTURES	-	-		680	
X	00441	033731	MNT STR COOL/HEAT SYSTEMS	10,000	37,141	12,000	20,497	12,000
X	00441	033900	MEDICAL/DENTAL/LAB SUPPLIES	-	-			
X	00441	033902	MED SPLY LAB GLOVES	2,800	2,070	2,500	4,323	5,000
X	00441	033905	MED SPLY EMERGENCY SPLY	-	2,637		3,178	
X	00441	034100	MEMBERSHIPS	-	-			
X	00441	034300	MISCELLANEOUS EXPENSE	5,000	5,987	5,000	6,029	5,000
X	00441	034310	MISC XP PRIOR PERIOD EXP ADJ	-	387	500	-	
X	00441	034500	OFFICE EXPENSE	-	-		12,036	
X	00441	034526	OFFICE XP POSTAGE	3,000	3,225	4,000	5,926	4,000
X	00441	034527	OFFICE XP PRINTING	-	-			
X	00441	034528	OFFICE XP SUPPLIES	-	-			
X	00441	034529	OFFICE XP PUBLICATIONS	-	-			
X	00441	034530	OFFICE XP SPEC FORMS	-	-			
X	00441	034531	OFFICE XP PROMOTIONAL ITEMS	-	-			
X	00441	034533	OFFICE XP TRAINING MATERIALS	-	533		184	
X	00441	034536	OFFICE XP OFFICE FURNITURE	3,000	3,315	3,000	3,112	3,000
X	00441	034537	OFFICE XP BOOKS	-	-		665	
X	00441	034800	PROF & SPECIAL SERVICES	-	313			
X	00441	034801	PROF ACCOUNTING SVS	1,500	7,730	1,500	6,610	2,000
X	00441	034803	PROF ADVERTISING & MKTG SVS	18,000	31,912	20,000	25,867	20,000
X	00441	034806	PROF AUDIT SVS	-	-		-	
				10,000	4,250	10,000	-	10,000

X	00441	034811	PROF COLLECTIONS SVS	-	-	-	-	-	-
X	00441	034813	PROF CONSULTING SVS	10,000	-	-	10,000	-	10,000
X	00441	034817	PROF DRUG TESTING SVS	-	-	-	-	-	-
X	00441	034819	PROF ENGINEERING SVS	2,000	2,307	2,000	-	-	2,300
X	00441	034828	PROF LEGAL SVS	12,000	5,700	12,000	7,376	-	12,000
X	00441	034829	PROF MAINTENANCE SVS	200	-	200	-	-	200
X	00441	034831	PROF MEDICAL SVS	500	-	500	-	-	500
X	00441	034837	PROF PREEMPLOYMENT SVS	1,500	-	1,500	-	-	1,500
X	00441	034851	PROF TRAINING SVS	500	-	500	-	-	500
X	00441	034852	PROF TRANSCRIBING SVS	500	-	500	-	-	500
X	00441	034854	PROF INTERPRETING SVS	500	-	500	-	-	500
X	00441	034892	CHGS IT PROFESSIONAL SVS	500	-	500	-	-	500
X	00441	034893	PROP TAX ADMIN SVS	27,000	28,110	30,000	28,882	-	500
X	00441	034894	CHGS INVESTMENT EXPENSE AD	-	773	-	717	-	-
X	00441	034895	CHGS INVESTMENT EXPENSE OT	-	208	-	191	-	-
X	00441	034900	PUBLICATIONS & LEGAL NOTICES	1,000	131	1,000	300	-	1,000
X	00441	035100	RENTS & LEASES OF EQUIPMENT	300	-	300	-	-	300
X	00441	035500	MINOR EQUIPMENT	2,500	7,220	2,500	1,327	-	2,500
X	00441	035527	MINOR EQP OFFICE EQUIPMENT	-	-	-	-	-	-
X	00441	035528	MINOR EQP SOFTWARE	-	-	-	-	-	-
X	00441	035529	MNR EQP COMPUTERS	3,000	6,562	3,000	5,744	-	3,000
X	00441	035533	MNR EQP SAFETY EQP	1,500	778	1,500	(310)	-	-
X	00441	035534	MNR EQP FIRE EQP	-	-	-	-	-	-
X	00441	035535	MNR EQP COMM EQP	1,500	-	1,500	1,150	-	1,500
X	00441	035591	CHGS IT HARDWARE EQP	-	-	-	-	-	-
X	00441	035700	SPECIAL DEPARTMENTAL EXPEN	1,000	1,710	1,500	2,798	-	1,500
X	00441	035743	SP DEPT XP PERMITS/LICENSES	-	-	-	-	-	-
X	00441	035752	SP DEPT XP LICENSE/PERMIT/CEI	-	-	-	-	-	-
X	00441	035900	TRANSPORTATION & TRAVEL	100	-	100	-	-	100
X	00441	035940	TRANS/TRVL FUEL	22,000	19,400	22,000	17,518	-	22,000
X	00441	035942	TRANS/TRVL TRAINING	1,000	1,002	1,000	3,129	-	1,500
X	00441	035943	TRANS/TRVL CONFERENCES	500	-	500	-	-	-
X	00441	035949	TRANS/TRVL MEALS	250	-	250	-	-	-
X	00441	035950	TRANS/TRVL LODGING	500	-	500	-	-	-
X	00441	036100	UTILITIES	25,000	19,469	30,000	25,531	-	30,000
X	00441	036125	UTIL ELECTRIC	-	-	-	-	-	-
X	00441	036126	UTIL GAS	-	-	-	-	-	-
X	00441	036127	UTIL WATER	-	-	-	-	-	-
	TOTAL		SERVICES AND SUPPLIES	233,150	263,538	251,350	286,471	1,314	220,400

[illegible]

Mo Hern

8.1

From: Mo Hern
Sent: Wednesday, August 11, 2021 12:08 PM
To: rslegals@redding.com
Subject: Emailing: PUBLIC NOTICE
Attachments: PUBLIC NOTICE.pdf

Good Morning,

Please put this notice in 10 days before Sept 14,2021. Please post it only one time.
Please send me a proof. And bill to Anderson Fire Protection District
1925 Howard St. Anderson ,CA 96007

MO HERN
ADMINISTRATIVE ASST.
ANDERSON FIRE PROTECTION DISTRICT
1925 HOWARD ST.
ANDERSON, CA 96007
530-378-6699
mhern@andersonfire.org

Your message is ready to be sent with the following file or link attachments:

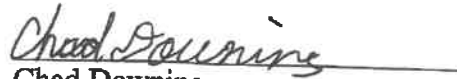
PUBLIC NOTICE

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

NOTICE TO
SET HEARING TO ADOPT
FINAL BUDGET

The Anderson Fire Protection District has adopted the 2021-2022 Preliminary Budget which is available for inspection between the hours of 9:00 A.M. through 3:00 P.M. Monday through Thursday at 1925 Howard Street, Anderson, California.

The Board will meet at 1925 Howard Street at 5:00 p.m. on September 14, 2021 to adopt the Final Budget, and that any person may appear and be heard regarding any item in the Budget or regarding the addition of other items.


Chad Downing
Secretary of the Board
Anderson Fire Protection District

MES

MUNICIPAL EMERGENCY SERVICES

4343 Viewridge Ave.
Suite A
San Diego, CA 92123

Unrestricted Equipment
Invoice
fund Balance
8.2

Date 08/02/2021
Invoice # IN1605495
Terms Net 30
Due Date 09/01/2021
Customer # C67244
PO # 9 MP
Sales Rep Kaylor, John W
Order Sales Order #SO1478473

Bill To
STEVE LOWE, FIRE CHIEF
ANDERSON FIRE PROTECTION DISTRICT
1925 HOWARD ST
ANDERSON CA 96007-3340
United States

Ship To
STEVE LOWE, FIRE CHIEF
ANDERSON FIRE PROTECTION DISTRICT
1925 HOWARD ST
ANDERSON CA 96007-3340
United States

HFRP Tail Coat	CAANDE00014 HFRP Tail Coat LTO-17BG TAILS BLACK-ANDERSON FIRE PROTECTION DISTRICT-CA SPECIFICATIONS	9	0	1,475.00	13,275.00
HFRP VIPER Pant	CAANDE00015 Custom HFRP VIPER Pant S36-17BG BLACK PANT ANDERSON FIRE PROTECTION DISTRICT-CA SPECIFICATIONS	9	0	915.00	8,235.00

MES PAYS SHIPPING

Subtotal 21,510.00
Shipping Cost (Freight Fee) 0.00
Tax Total 1,667.03
Total 23,177.03
Amount Due \$23,177.03

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

All payments must be clearly marked with the Customer and Invoice numbers. Payments not marked will be applied to the oldest invoice first.

Wire/ ACH:
Routing#: 121000248
Acct#: 2000030294606
Bank Name: Wells Fargo Bank, N.A.

Wire/ ACH Remittance Advice: AR@MESFIRE.COM
Please include Customer# and Invoice#

Please call us for invoice questions:
1-877-MES-FIRE (1-877-637-3473)

Remittance Slip

Customer C67244 ANDERSON FIRE PROT...
Invoice # IN1605495
Amount Due \$23,177.03
Amount Paid \$23,177.03

Make Checks Payable To

Municipal Emergency Services Depository Account
75 REMITTANCE DR DEPT 3135
CHICAGO IL 60675-3135



IN1605495

From: Collin Bogener <cbogener@mooreandbogener.com>
Sent: Monday, August 30, 2021 2:05 PM
To: Steve Lowe; Mo Hern
Subject: Staff Report- Vacancy
Attachments: Staff Report- Appointment 21.08.30.docx; Cal Gov Code _ 1780.pdf

Good Afternoon-

As promised, attached is the staff report for the vacancy to be discussed at the next meeting. Upon further review of the code, they have to decide between appointment or special election at the next meeting, and then make the appointment at the following meeting. Notice of the vacancy has to be posted at least 15-days before the appointment meeting. The staff recommendation is for appointment due to the cost with the special election. I have also prepared the notice which is included. You need to post that at three conspicuous locations.

After the September meeting, if they decide to appoint, then Mo will need to contact the County elections official and provide them with notice of the vacancy. In my experience, the County won't do anything, but we are required by law to let them know. Also, you may want to prepare an application for any interested parties to fill out for the role. That way, the Board can review those in a more straightforward manner. Also, I have attached the relevant statute, which you should include with the staff report. You only need to provide pages 2-3.

Let me know if you have any questions.

Thanks,

COLLIN M. BOGENER
Moore & Bogener, Inc.
1600 West Street
Redding, California 96001
(530) 605-0355
www.mooreandbogener.com

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ANDERSON FIRE PROTECTION DISTRICT STAFF REPORT

TO: ANDERSON FIRE PROTECTION DISTRICT CHAIR AND BOARD MEMBERS
FROM: LEGAL COUNSEL AND FIRE CHIEF STEVE LOWE
DATE: September 14, 2021

SUBJECT- Anderson Fire Protection Board Vacancy

RECOMMENDATION-

Staff recommends that the Board fill the vacancy by appointment

DISCUSSION

As many of the Board Members have sadly learned, Board Member James Yarbrough passed away on August 12, 2021. Board Member Yarbrough was an invaluable member of the Anderson community, and his involvement in the Anderson Fire Protection District will be greatly missed.

However, the loss of a Board Member places certain obligations on the District. Pursuant to California Government Code section 1770(a), the death of a special district board member results in the vacancy of that office. When that vacancy occurs, the remaining board member have two options: (1) call for a special election, or (2) fill the vacancy by appointment. (See Gov. Code section 1780(c).)

Calling for a special election is expensive and the District is responsible for covering those costs. That can generally amount to a few thousand dollars. For this reason, staff recommends filling the vacancy by appointment, as the costs associated with that option are minimal.

If the Board decides to make an appointment, it must do so within 60-days of this meeting pursuant to Section 1780. Prior to the appointment, the District must post a notice of the vacancy in three or more conspicuous places in the District at least 15 days before the District Board makes the appointment. For instance, if the Board decides to appoint at the October 2021 regular board meeting, it must post the notice no later than September 27, 2021.

Also, the District Clerk must notify the County elections officials within 15-days of this meeting regarding the vacancy. Should the vacancy not be filled within 90-days of notice being provided to the County, then the Board of Supervisors has the option of filling the appointment. However, historically, the Shasta County Board of Supervisors has declined to fill these vacancies, leaving the decision to the Board Members.

FISCAL IMPACT

The expense of the appointment option is insignificant in contrast to calling for another election or waiting for the County Supervisors to make the appointment; the Clerk's time related to publication of the vacancy and processing applications and the procedures required by Government Code §1780.

ATTACHMENTS

1. Government Code §1780
2. Notice of Vacancy
3. Application for Appointment

NOTICE OF VACANCY

Interested persons are hereby notified that pursuant to Government Code 1780 there is a vacancy on the Anderson Fire Protection District Board of Directors.

The position to be filled is a 4-year term ending

Applications are available from the District Clerk, Mo Hern, at the Anderson Fire Protection District Office located at: 1925 Howard Street, Anderson, CA 96007
Phone: (209) 834-7269

Applications are due by: October 10, 2021

This district board has 60 days from the date the board is notified of the vacancy or the effective date of the vacancy, whichever is later, to fill the vacancy by appointment or call a special election. Gov. Code §1780. Pursuant to Government Code 1780, this notice will be posted for 15 days in 3 or more conspicuous locations in the District from September 27, 2021 to October 10, 2021.



User Name: Collin Bogener

Date and Time: Monday, August 30, 2021 2:03:00 PM PDT

Job Number: 151784248

Document (1)

1. [Cal Gov Code § 1780](#)

Client/Matter: -None-

Cal Gov Code § 1780

Deering's California Codes are current through Chapter 1-76, 78, 83, 84, 89-93, 97, 99, 112, 114, 123, 131, and 142 of the 2021 Regular Session, including all urgency legislation effective July 15, 2021 or earlier

Deering's California Codes Annotated > GOVERNMENT CODE (§§ 1 — 500000–500049) > Title 1 General (Divs. 1 — 9) > Division 4 Public Officers and Employees (Chs. 1 — 12) > Chapter 4 Resignations and Vacancies (Arts. 1 — 2) > Article 2 Vacancies (§§ 1770 — 1782)

§ 1780. Filling of vacancy in elective office on governing board of special district

(a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in [Section 1781](#), shall be filled pursuant to this section.

(b) The district shall notify the county elections official of the vacancy no later than 15 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later.

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e).

(d)

(1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall post a notice of the vacancy in three or more conspicuous places in the district at least 15 days before the district board makes the appointment. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e)

(1) In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with *Section 1000*) of *Division 1 of the Elections Code* that is 130 or more days after the date the district board calls the election.

(f)

(1) If the vacancy is not filled by the district board by appointment, or if the district board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective

Cal Gov Code § 1780

date of the vacancy, whichever is later, then the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with *Section 1000*) of *Division 1 of the Elections Code* that is 130 or more days after the date the city council or board of supervisors calls the election.

(g)

(1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with *Section 1000*) of *Division 1 of the Elections Code* that is 130 or more days after the date the district board calls the election.

(h)

(1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy, or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with *Section 1000*) of *Division 1 of the Elections Code* that is held 130 or more days after the date the city council or board of supervisors calls the election.

History

Added Stats 1975 ch 1059 § 2. Amended Stats 1977 ch 189 § 1, ch 1205 § 82; Stats 1978 ch 319 § 1; Stats 1986 ch 866 § 20; [Stats 1987 ch 1184 § 2](#); [Stats 1994 ch 923 § 31 \(SB 1546\)](#); [Stats 1999 ch 312 § 27 \(SB 1208\)](#); [Stats 2007 ch 343 § 4 \(SB 144\)](#), effective January 1, 2008.

Annotations

Notes

Cal Gov Code § 1780

Prior Law:**Derivation:****Amendments:****Note—****Prior Law:**

Former § 1780, similar to the present section, was added Stats 1973 ch 934 § 1, amended Stats 1974 ch 1271 § 2, and repealed Stats 1975 ch 1059 § 1.

Derivation:

Former Gov C § 1780, as added Stats 1973 ch 934 § 1, amended Stats 1974 ch 1271 § 2.

Amendments:**1977 Amendment:**

(1) Substituted "Chapter 1 (commencing with Section 2500) of Division 4" for "Section 2504" in subds (a)–(c); and (2) amended subd (d) by adding (a) "and thereafter until the person elected at such election to fill the vacancy has been qualified"; and (b) "unexpired" after "office for the". (As amended Stats 1977 ch 1205, compared to the section as it read prior to 1977. This section was also amended by an earlier chapter, ch 189. See Gov C § 9605.)

1978 Amendment:

(1) Substituted the second of subd (a) sentence for the former second sentence which read: "The remaining district board members may fill the vacancy by appointment until the next district general election that is scheduled 90 or more days after the effective date of the vacancy, provided the appointment is made within a period of 60 days immediately subsequent to the effective date of such vacancy and provided a notice of the vacancy is posted in three or more conspicuous places in the district at least 15 days before the appointment is made. In lieu of making an appointment the remaining members of the board may within 60 days of the vacancy call an election to fill the vacancy."; and (2) added the third and fourth sentences.

1986 Amendment:

Substituted "130" for "90" in the third and last sentences of subd (a) and near the end of subds (b) and (c).

1987 Amendment:

(1) Added "or her" in the third sentence of subd (a); (2) redesignated former subd (c) to be subd (c)(1); (3) added subd (c)(2); and (4) substituted "that" for "such" after "elected at" in subd (d).

1994 Amendment:

Substituted "Section 1000) of Division 1" for "Section 2500) of Division 4" wherever it appears.

1999 Amendment:

(1) Amended subd (a) by (a) adding the second sentence; (b) substituting the fourth, fifth, and sixth sentences for the former third sentence which read: "The person appointed shall hold office until the next district general election that is scheduled 130 or more days after the effective date of the vacancy, unless an election is also held on the same date for the purpose of electing a director to serve a full term in the same office to which the person was appointed, in which event the person appointed to the vacancy shall fill the balance of the unexpired term of his or her predecessor."; (c) substituting "either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later" for "the effective date of the vacancy" in the seventh sentence; (d) adding the eighth sentence; and (e) substituting "date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later," for "vacancy" in the ninth sentence; (2) substituted "established" for "available" after "on the next" in the last sentence of subd (a) and in the second sentence of subds (b) and (c)(1); (3) substituted "date the district board calls the election" for "vacancy occurs" at the end of subds (a) and (c)(1); (4) substituted "date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later" for "vacancy" both times it appears in the first sentence of subd (b) and in the first sentence of subd (c)(1); (5) substituted "date the city council or board of supervisors calls the election" for "vacancy occurs" at the end of subds (b) and (c)(2); and (6) substituted "general district election that is scheduled 130 or more days after the date the county elections official is notified of the vacancy" for "district general election" in subd (d).

2007 Amendment:

(1) Substituted "pursuant to" for "as provided in" in subd (a); (2) added subdivision designations (b)–(d)(1), (e)–(e)(2), (f)(2), (g)(2), and (h)(2) ; (3) deleted "following" after "15 days after" in subd (b); (4) substituted "remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e)" for "remaining district board members may fill the vacancy by appointment The person appointed shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall fill the balance of the unexpired term. If the term of office is due to expire following the next general district election and that election is scheduled 130 or more days after the date the county elections official is notified of the vacancy, the person appointed to the vacancy shall fill the balance of the unexpired term of his or her predecessor. Appointments" in subd (c); (5) amended subd (d)(1) by (a) adding "The remaining members of the district board shall make the appointment"; (b) substituting "subdivision within 60 days after" for "subdivision shall be made within a period of 60 days immediately subsequent to"; (c) substituting "whichever is later. The district shall post a notice of the vacancy in" for "whichever is later, and a notice of the vacancy shall be posted in"; (d) substituting "before the district board makes the appointment" for "before the appointment is made"; and (e) substituting "The district shall notify the county elections official of" for "The county elections official shall be notified of" in the last sentence; (6) added subds (d)(2) and (d)(3); (7) added "called pursuant to this subdivision" in subd (e)(2); (8) redesignated former subds (b)–(d) to be subds (f)(1), (g)(1), and (h)(3); (9) amended subd (f)(1) by (a) substituting "by appointment, or if the district board" for "as specified, or if the board"; (b) adding "then" before "the city council of the city"; (c) adding "appoint a person to"; and (d) substituting "board of supervisors" for "county supervisors"; (10) added "called pursuant to this subdivision" in subd (f)(2); (11) amended subd (g)(1) by (a) adding "district" after "members of the"; and (b) substituting "for, then the district board shall call" for "for, the district shall call"; (12) added "called pursuant to this subdivision" in subd (g)(2); (13) amended subd (h)(1) by (a) adding "Notwithstanding any other provision of this section, if" in the first sentence; (b) substituting "the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy, or" for "the board falls below a quorum, at the request of the district secretary, or a remaining board member, the board of supervisors or the city council may waive the 60-day period provided in subdivision (a) and appoint immediately to fill the vacancy as provided in subdivision (a), or" in the first sentence; and (c) deleting the former last sentence which read: "The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election."; (14) substituted "vacancies by appointment or by election to provide the district board" for "vacancies to provide the board" in subd (h)(2); (15) amended subd (h)(3) by (a) substituting "If the vacancy occurs in the first half of a term of office and at least 130 days prior to" for "Persons appointed to fill a vacancy shall hold office until"; (b) substituting "the district board is

Cal Gov Code § 1780

notified of the vacancy, and" for "the county elections official is notified of the vacancy and"; (c) substituting "the person who is elected" for "the person elected"; (d) substituting ". The person" for ", but persons"; and (e) substituting "fill the vacancy" for "fill a vacancy"; and (16) added subds (h)(4) and (h)(5).

Note—

Stats 2007 ch 343 provides:

SEC. 31. In amending Section 1780 of the Government Code by this act, it is the intent of the Legislature to codify the court's interpretation of that section as expressed in Robson v. Upper San Gabriel Valley Municipal Water District (2006) 142 Cal.App.4th 877.

Stats 1994 ch 923 provides:

SEC. 271. The Legislature declares that the changes made by this act are technical and nonsubstantive in nature, and are necessitated by the reorganization of the Elections Code by SB 1547 of the 1993–94 Regular Session.

Stats 1975 ch 1059 provides:

SEC. 19. Notwithstanding any other provision of law, a person who is appointed prior to January 1, 1976 to fill a vacancy in the elective office on the governing board of a special district pursuant to Section 1780 of the Government Code, and who has not been elected to hold such office prior to that date, shall hold office until the next district general election.

Notes to Decisions

1. Construction

2. Construction With Other Law

3. Particular Determinations

Decisions Under Former Law

1. Construction

Under Gov C § 1780, a person appointed to fill a vacancy on the governing board of a special district may serve only until the person elected at the next general election has qualified to fill that vacancy. The person elected in that election shall hold office for the unexpired balance of the term of office. At that time, an election will be held to fill the office for the next full four-year term. Robson v. Upper San Gabriel Valley Municipal Water Dist. (Cal. App. 2d Dist. Sept. 1, 2006), 142 Cal. App. 4th 877, 47 Cal. Rptr. 3d 908, 2006 Cal. App. LEXIS 1352.

2. Construction With Other Law

Nothing in Wat C § 71512 contradicts the plain meaning of the words of Gov C § 1780 because Wat C § 71512 does not refer to the term of office of an appointee but merely authorizes a person appointed to office of director to assume the office, and to exercise the duties and responsibilities of the office subject to Wat C § 71254, which specifies that a vacancy in the office of director shall be filled pursuant to Gov C § 1780. Robson v. Upper San Gabriel Valley Municipal Water Dist. (Cal. App. 2d Dist. Sept. 1, 2006), 142 Cal. App. 4th 877, 47 Cal. Rptr. 3d 908, 2006 Cal. App. LEXIS 1352.

3. Particular Determinations

Under Gov C § [1780](#), subd. (a), providing for filling vacancies on the governing board of a special district, and Gov C § [61000](#) et seq., pertaining to community services districts, the sole remaining member of the five person board was not authorized to make appointments to the vacancies. The remaining board members of the district may fill vacancies under the authority of § 1780 only if there are at least three members left to constitute a majority under Gov C §§ [61224](#) (repealed) and [61225](#) (repealed). Consequently, it requires the affirmative vote of at least three directors to fill a vacancy. If there are not three directors in office, the power of appointment falls to the board of supervisors pursuant to Gov C § [1780](#), subd. (b). [Price v. Tennant Community Services Dist.](#) (*Cal. App. 3d Dist. Aug. 26, 1987*), [194 Cal. App. 3d 491](#), [239 Cal. Rptr. 572](#), [1987 Cal. App. LEXIS 2059](#).

Municipal water district erred in failing to require an official appointed to the district's governing board to stand for election to fill the unexpired portion of the four-year term to which he was appointed because, in accordance with [Gov C § 1780\(a\)](#) and (d), a person appointed to fill a vacancy created during the first half of the four-year term of office on the governing board of the district could serve only until the person elected at the next general election took office, and the next general election was to be November 2006, the mid-point in the four-year term that commenced in January of 2005. [Robson v. Upper San Gabriel Valley Municipal Water Dist.](#) (*Cal. App. 2d Dist. Sept. 1, 2006*), [142 Cal. App. 4th 877](#), [47 Cal. Rptr. 3d 908](#), [2006 Cal. App. LEXIS 1352](#).

Decisions Under Former Law

There was no conflict with constitutional provisions making office of justice of peace an elective one by former County Government Act of 1893, authorizing boards of supervisors to fill by appointment such office. [People v. Chaves](#) (*Cal. Sept. 20, 1898*), [122 Cal. 134](#), [54 P. 596](#), [1898 Cal. LEXIS 547](#).

"Vacancy" as used in former section, was applicable to office of judge of municipal court as to which there had been as yet no incumbency. [Wallace v. Payne](#) (*Cal. Dec. 1, 1925*), [197 Cal. 539](#), [241 P. 879](#), [1925 Cal. LEXIS 265](#).

Last sentence of this section must be taken to mean that no successor to Governor's appointee to fill such vacancy could be elected prior to holding of primary election more than 10 months from inception of vacancy. [Brailsford v. Blue](#) (*Cal. Feb. 19, 1962*), [57 Cal. 2d 335](#), [19 Cal. Rptr. 485](#), [369 P.2d 13](#), [1962 Cal. LEXIS 176](#); [Campbell v. Hite](#) (*Cal. Mar. 28, 1962*), [57 Cal. 2d 484](#), [20 Cal. Rptr. 328](#), [369 P.2d 944](#), [1962 Cal. LEXIS 191](#).

Since Gov C § [2](#), provides, in substance, that no change in law is intended by codification, last three sentences of this section, which are codification of last sentence of Municipal and Justice Court Act, § 9, must be given same meaning as such last sentence. [Brailsford v. Blue](#) (*Cal. Feb. 19, 1962*), [57 Cal. 2d 335](#), [19 Cal. Rptr. 485](#), [369 P.2d 13](#), [1962 Cal. LEXIS 176](#).

In § 71145, declaring that "Judges shall hold office until their successors are elected and qualify, but the office shall be deemed to be vacant upon the expiration of the fixed term for the purpose of selecting a successor," exception beginning with word "but" is exception to provisions of that section only, and is not repeated in this section, hence term of office of judge of municipal court appointed by Governor for unexpired term of his elected predecessor is for term of his predecessor and until his successor is elected and qualifies. [Campbell v. Hite](#) (*Cal. Mar. 28, 1962*), [57 Cal. 2d 484](#), [20 Cal. Rptr. 328](#), [369 P.2d 944](#), [1962 Cal. LEXIS 191](#).

Gov C § [71180](#), suggests that without some specific statutory exception, elections for office of municipal court judge are to be held at fixed intervals; failure of this section to define appointees and its provision for appointee to hold office for remainder of his predecessor's unexpired term make it clear that predecessor's resignation does not cause term to expire, except for appointees to newly created judicial positions, for which appointees hold office only

Cal Gov Code § 1780

until successor is elected at next general election and qualifies. [*Caldwell v. Bruning* \(Cal. Feb. 4, 1966\), 64 Cal. 2d 111, 48 Cal. Rptr. 849, 410 P.2d 353, 1966 Cal. LEXIS 239.](#)

Gov C § [71180](#), empowers Governor to appoint municipal judge only to fill vacancy. Once appointed, judges may not be involuntarily removed from office by Governor. [*Caldwell v. Bruning* \(Cal. Feb. 4, 1966\), 64 Cal. 2d 111, 48 Cal. Rptr. 849, 410 P.2d 353, 1966 Cal. LEXIS 239.](#)

General statutory scheme for electing municipal court judges is only one election for any particular term of office, and though election of appointee's predecessor at primary election at which predecessor was incumbent and unopposed exhausted elective process for new term, where predecessors of other appointees resigned before primary election in which they were unopposed incumbents, no election was held and elective process was not exhausted, but rather deferred. [*Brown v. Hite* \(Cal. Feb. 4, 1966\), 64 Cal. 2d 120, 48 Cal. Rptr. 869, 410 P.2d 373, 1966 Cal. LEXIS 240.](#)

Gov C § [71180](#), providing that no successor to an appointee to a vacancy on the municipal court shall be elected at any election held within 10 months of the date of the occurrence of the vacancy, is applicable not only to newly created judicial offices, but also to vacancies occurring due to the retirement or death of a judge. Furthermore, since a primary election can in effect be a general election when one of the candidates receives a majority of the votes at the primary, the term "any election" in the statute includes a primary election. [*Barton v. Panish* \(Cal. Dec. 20, 1976\), 18 Cal. 3d 624, 135 Cal. Rptr. 65, 557 P.2d 497, 1976 Cal. LEXIS 373.](#)

Gov C § [71180](#), providing that no successor to an appointee to a vacancy on the municipal court shall be elected at any election held within 10 months of the date of the occurrence of the vacancy, is not an abridgment of the constitutional right to vote, as states are free to fill nonlegislative offices by appointment, election or a combination of both. While such an appointment may frustrate the electoral process and discourage potential candidates from running for office when an existing vacancy is subject to gubernatorial appointment prior to an election, whether such interference is justified when weighed against the policy calling for able interim judges, is a legislative and not a judicial question. [*Barton v. Panish* \(Cal. Dec. 20, 1976\), 18 Cal. 3d 624, 135 Cal. Rptr. 65, 557 P.2d 497, 1976 Cal. LEXIS 373.](#)

Under Gov C § [71180](#), providing that no successor to a gubernatorial appointee to a vacancy in the office of judge of a municipal court shall be elected at any election held within ten months of the date of the occurrence of the vacancy, the departure of an appointee to a municipal court office creates a successive vacancy. Hence the trial court properly denied a petition for a preemptory writ of mandate directing the secretary of state to certify the results of a primary election for judge of the municipal court, in which the petitioner had received more votes than had his opponent, who had been appointed to the office at a time less than ten months away from the next scheduled election and thus, had not been required to run in that election and who, a few weeks before the election in question, had been appointed to the superior court by the Governor. The departure of the appointee created a successive vacancy and did not merely reopen the original vacancy. The Governor properly selected a new appointee to fill the new vacancy and, since less than ten months then remained before the next election, the Secretary of State was not required to certify the results of the election. [*Morrison v. Michael* \(Cal. App. 1st Dist. Nov. 8, 1979\), 98 Cal. App. 3d 507, 159 Cal. Rptr. 568, 1979 Cal. App. LEXIS 2292.](#)

A judge entering office is deemed to do so in consideration of, at least in part, salary benefits then offered by the state for that office. If salary benefits are diminished by the Legislature during a judge's term, or during the unexpired term of a predecessor judge, the judge is nevertheless entitled to the contracted-for-benefits during the remainder of such term (Cal Const Art VI § [16](#) and Gov C §§ [71145](#) and [71180](#)). [*Olson v. Cory* \(Cal., 26 Cal. 3d 672, 164 Cal. Rptr. 217, 609 P.2d 991, 1980 Cal. LEXIS 154\),](#) reprinted, [\(Cal. Mar. 27, 1980\), 27 Cal. 3d 203, 164 Cal. Rptr. 217, 609 P.2d 991, 1980 Cal. LEXIS 246.](#)

Gov C § [71180](#), providing for the postponement of elections for municipal court (but not superior court) judge in cases where the office was vacated between the last date to file nomination documents and the primary election

date, does not unconstitutionally discriminate between municipal court judges and superior court judges. [Cathey v. Weissburd \(Cal. App. 2d Dist. July 12, 1988\), 202 Cal. App. 3d 982, 249 Cal. Rptr. 204, 1988 Cal. App. LEXIS 618.](#)

The California Constitution does not require election of judges by majority vote. Thus, Gov C § [71180](#), subd. (b), providing for election of municipal judges by a plurality of votes, which is justified by a compelling governmental interest to preclude a retiring judge from surreptitiously affecting that judge's replacement, is not unconstitutional. [Cathey v. Weissburd \(Cal. App. 2d Dist. July 12, 1988\), 202 Cal. App. 3d 982, 249 Cal. Rptr. 204, 1988 Cal. App. LEXIS 618.](#)

Gov C § [71180](#), subd. (b), providing for the postponement of elections for municipal court judge in cases where the office was vacated between the last date to file nomination documents and the primary election date, is clear and unambiguous. The Legislature enacted the statute in order to prohibit a retiring judge from influencing the election by stepping down after the filing deadline. The statute does not deprive voters of the opportunity to vote, and any impact on the right to vote is justified by the prevention of undue influence or taint in the election process. [Cathey v. Weissburd \(Cal. App. 2d Dist. July 12, 1988\), 202 Cal. App. 3d 982, 249 Cal. Rptr. 204, 1988 Cal. App. LEXIS 618.](#)

Gov C § [71180](#), subd. (b), providing for a waiver of the filing fee for a candidate running for a municipal judgeship in the general election after the election had been postponed due to the retirement of the previously sitting judge, evidences an intent on the part of the Legislature to avoid penalizing candidates. [Cathey v. Weissburd \(Cal. App. 2d Dist. July 12, 1988\), 202 Cal. App. 3d 982, 249 Cal. Rptr. 204, 1988 Cal. App. LEXIS 618.](#)

Opinion Notes

Attorney General's Opinions

Positions of general manager of county water district, greater portion of which is located within county territory, and member of board of supervisors of same county constitute incompatible offices. [67 Ops. Cal. Atty. Gen. 409.](#)

If the City of Elk Grove is incorporated on March 7, 2000, the offices of director of the Elk Grove Community Services District and city council member of the City of Elk Grove will constitute incompatible public offices. A director of the community services district who is elected to the Elk Grove City Council will immediately forfeit his or her office on the district board upon commencement of the term of office on the city council. A newly elected city council member may not participate in filling by appointment the vacancy on the district board created by his or her election to the city council. [83 Ops. Cal. Atty. Gen. 53.](#)

Research References & Practice Aids

Cross References:

Board of directors of local hospital districts: H & S C § [32100.](#)

Vacancies on board of directors of irrigation districts elected pursuant to specified section to be filled pursuant to this section: Wat C § [21265.5.](#)

Application of section to water conservation districts: Wat C § [74204.](#)

Hierarchy Notes:

[Cal Gov Code Title 1, Div. 4, Ch. 4, Art. 2](#)

Cal Gov Code § 1780

Deering's California Codes Annotated
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NOTICE OF VACANCY

Interested persons are hereby notified that pursuant to Government Code 1780 there is a vacancy on the Anderson Fire Protection District Board of Directors.

The position to be filled is a 4-year term ending

Applications are available from the District Clerk, Mo Hern, at the Anderson Fire Protection District Office located at: 1925 Howard Street, Anderson, CA 96007
Phone: (209) 834-7269

Applications are due by: October 10, 2021

This district board has 60 days from the date the board is notified of the vacancy or the effective date of the vacancy, whichever is later, to fill the vacancy by appointment or call a special election. Gov. Code §1780. Pursuant to Government Code 1780, this notice will be posted for 15 days in 3 or more conspicuous locations in the District from September 27, 2021 to October 10, 2021.



ANDERSON

FIRE PROTECTION DISTRICT

1925 Howard St. Anderson, CA 96007
(530) 378-6699 Fax: (530) 378-6697

9.0

Fire Marshal Activities

August 5, 2021 to September 8, 2021

Annual Inspections: 2
Business License Inspections: 3
Construction Inspections: 9
Consulting Meeting/Inspection: 0
Medical Facility (Hospitals): 0
Day Care Inspections: 0
Fire Sprinkler Inspections: 15
Hotel/Motel Inspections: 2
Misc. Meeting/Inspections: 0
Plan Review Sent Back for Correction: 1
Plan Review Approved: 22
School Inspections: 2 (3 Buildings)
Weed Abatement: 0

ANDERSON

FIRE PROTECTION DISTRICT

1925 Howard St. Anderson, CA 96007

(530) 378-6699 Fax: (530) 378-6697



Fire Chief's Report

September 14, 2021

Department Update(s)

- The staff has again started the process for the impact fee study and service fee schedule for the department. Along with this, we have met with City Staff to renew our services agreement contract for them collecting our fees.
- Continue to work on updating the policy and procedure manual and is close to completion.
- Working on revamping the department website so we can update it more often and complete the build out.
- We have received all the ems supplies that were purchased from the Shasta Regional Community Fund Grant and all training, required paperwork and approvals have been obtained through SSV EMS and we are now providing all services allowed in the EMT optional scope of practice procedures, including Narcan, epinephrine, aspirin therapy, advanced airway, and Continuous Positive Airway Pressure (CPAP). This is a big step in upping the level of service for our agency.
- We have begun to roll out the billing with Fire Recovery USA. We are now live with this program, and we are working closely with Fire Recovery USA to make this as seamless as possible.
- We now officially have a board vacancy with the recent passing of Board Member James Yarbrough. Legal council has provided a staff report on how to move forward.



ANDERSON

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1925 Howard St. Anderson, CA 96007

(530) 378-6699 Fax: (530) 378-6697

- We will have the public hearing and adoption of the final budget for FY 21/22, not much change from preliminary budget. I am happy to report as of the end of the FY 20/21 we ended 197,000 in the positive.
- All the new turnouts are in service. Thank you to the board for the purchase.
- E246 has been committed covering a Cal Fire station since August 25th. The crews swapped on September 9th. Unknown duration on commitment time. Big thank you to all our personnel, for they have committed to working multiple extra shifts.
- Captain Dan Lind resigned from his position to seek a job offer with Redwood City. AFD has given a conditional job offer to Wayne Peabody to fill the vacant captains position and his tentative start date is September 20. Captain Peabody was recently the Fire Chief for Willows and was filling the role as acting city manager for 5 years.

Investigations

- Follow-up on open cases as time allows.

Meetings/Significant Events

Respectfully,

A handwritten signature in blue ink, appearing to read "Steve Lowe", is written over a horizontal line.

Steve Lowe, Fire Chief