

RECEIVED

JUN 20 2024

HUMBOLDT COUNTY  
ELECTIONS



## ARCATA SCHOOL DISTRICT

1435 Buttermilk Lane Arcata, California 95521

Phone: (707) 822-0351 Fax: (707) 822-6589

[www.arcataschooldistrict.org](http://www.arcataschooldistrict.org)

### BOARD OF TRUSTEES

Brian Hudgens, President  
Christine Ng, Clerk  
Anthony Bledsoe  
Anna KT McClure  
John Schmidt

June 20, 2024

Juan P. Cervantes, Humboldt County Registrar of Voters

Attention: Local Measures

#### **Elections and Voter Registration Department**

2426 Sixth Street

Eureka, CA 95501

Ph: (707) 445-7481

Kathy Hayes, Humboldt County Clerk of the Board of Supervisors

#### **Humboldt County Board of Supervisors**

825 - 5th Street, Room 111

Eureka, CA 95501

Ph: (707) 476-2390

Michael Davies-Hughes

#### **Humboldt County Superintendent of Schools**

901 Myrtle Avenue

Eureka, CA. 95501

Ph: (707) 445-7000

*DELIVERY METHOD: VIA HAND DELIVERY*

Re: Arcata Elementary School District  
(Humboldt County, California)  
Resolution Calling Election  
**November 5, 2024 (Parcel Tax Election - 2/3 Vote)**

Dear Sirs/Madams:

As required by Education Code 5322 and Elections Code Section 10403, enclosed is the Resolution adopted on June 18, 2024 (the "Resolution") by the Governing Board of the Arcata Elementary School District (the

---

Luke Biesecker  
Superintendent (822-0351)

Victoria Parker, *Principal*  
Arcata Elementary School (822-4858)

Angela Landy, *Principal*  
Sunny Brae Middle School (822-5988)

"District") of Humboldt County calling a parcel tax election to be conducted in the District on November 5, 2024

The Resolution constitutes the "specification of the election order" pursuant to Education Code Section 5322. In addition, pursuant to Elections Code Section 10403, the Resolution requests consolidation with all other elections to be held in the District on November 5, 2024, and includes as Exhibit A the Full Text of Measure which is requested to be printed in the voter pamphlet, and Exhibit B the Abbreviated Form (not exceeding 75 words) for the ballot label.

Please do not hesitate to contact me, or our Bond Counsel, Courtney Jones (details below) with any questions on the attached. The District appreciates your assistance with and collaboration with placing this important measure on the November ballot.

Very truly yours,



Luke Biesecker  
District Superintendent

Enclosures:  
Signed Resolution

Cc: (via e-mail)  
Courtney L. Jones, Esq.  
Bond Counsel, Jones Hall APLC  
(415) 601-4094-mobile  
[cjones@joneshall.com](mailto:cjones@joneshall.com)

**RESOLUTION NO. 2324-20**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE ARCATA SCHOOL DISTRICT ORDERING AN ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF CONTINUING THE LEVY OF AN EDUCATION PARCEL TAX UPON EACH TAXABLE PARCEL IN THE DISTRICT FOR EDUCATIONAL PURPOSES AND ESTABLISHING THE SPECIFICATIONS OF THE ELECTION ORDER**

**WHEREAS**, the Arcata School District (the "District") is devoted to providing high quality public education for its students; and

**WHEREAS**, the District has had to address reduced funding by the State to its educational programs, and on November 6, 2012, District voters authorized a parcel tax for five years to provide a local funding source for important District programs which expired after the fiscal year 2017-18 tax levy; and

**WHEREAS**, because the parcel tax revenues were essential to continue its high-quality programs, the District presented a renewal parcel tax to voters on November 8, 2016, and voters renewed the parcel tax for an additional eight years which will expire after the fiscal year 2025-26 levy; and

**WHEREAS**, the parcel tax revenues are essential to continue to provide District students with high quality programs and support; and

**WHEREAS**, pursuant to Section 4 of Article XIII A of the California Constitution and California Government Code Sections 50079 et seq. and 50075 et seq. (the "Law") the District is authorized, following notice and a public hearing, to present its voters with a parcel tax renewal measure, which will become effective upon approval by two-thirds (2/3) of the electorate voting on the measure; and

**WHEREAS**, November 5, 2024 is an established election date and a statewide general election date pursuant to the provisions of the California Elections Code; and

**WHEREAS**, the Board has on this date held a public hearing, which was duly noticed, where all interested persons have been heard on the matter of holding an election in the District on the matter of continuing the levy of a qualified special tax on each parcel in the District; and

**WHEREAS**, the Board of Trustees desires at this time to order an election to be held on November 5, 2024 in the District for the purpose of submitting to the voters in the District the matter of continuing the levy of a qualified special tax on each parcel in the District pursuant to the Law for educational purposes (sometimes referred to herein and in the exhibits attached hereto as an "education parcel tax") and to designate the specifications thereof, pursuant to Education Code Section 5320 et seq. and to request consolidation with all other elections held in the District on such date, and to request the Humboldt County Registrar of Voters to perform election services for the District; and

**NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE ARCATA SCHOOL DISTRICT DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:**

**Section 1. Call for Election.** The Board hereby orders an election and submits to the electors of the District the question of whether an education parcel tax shall continue to be levied and collected in the District for the specific purposes as set forth more fully in the ballot proposition approved herein and as set forth on Exhibits A (Full Text of Measure) and B (Abbreviate Form of Measure) hereto. This Resolution constitutes the order of the District to call such election and shall constitute the "specifications of the election order" pursuant to Education Code Section 5322.

**Section 2. Election Date; Approval Requirement.** The date of the election shall be November 5, 2024, and the election shall be held solely within the boundaries of the District, which the District represents have not changed since the last District election. The vote requirement for passage of this measure is at least a two-third affirmative vote.

**Section 3. Purpose of Election; Ballot Proposition.** The purpose of the election shall be for the voters in the District to vote on a parcel tax measure, a full copy of which is attached hereto as Exhibit A and marked "Exhibit A – Full Text of Measure" (the "Full Text of the Measure"), authorizing the District to annually levy a qualified special tax for the purposes stated therein, together with the accountability requirements of Government Code Section 50075.1. The Full Text of the Measure, which commences with the heading "FULL TEXT OF MEASURE" and includes all of the text thereafter on Exhibit A, is requested to be printed in the voter information pamphlet provided to voters, with such measure designation as is assigned to the measure by the County elections official.

As required by Education Code Section 5322 and Elections Code Section 13247 and 9051, and in accordance with Elections Code Section 13119, the abbreviated form of the measure to appear on the ballot is attached hereto and marked as Exhibit "B". The abbreviated form of the measure shall not limit the broader and more complete meaning provided in Exhibit A, the Full Text of the Measure.

The Board of Trustees hereby authorizes and directs the Superintendent or his designee to make any changes to the text of the measure as required to conform to any requirements of the Law or the Humboldt County Registrar of Voters or to otherwise clarify or provide technical corrections to the measure to reflect the terms of this Resolution, which changes shall be evidenced by a direction letter executed by the Superintendent and delivered to the County Registrar of Voters.

**Section 4. Authority for Election.** The authority for ordering the election is contained in Section 4 of Article XIII A of the California Constitution and California Government Code Sections 50079 et seq. and 50075 et seq. The authority for the specification of this election order is contained in Section 5322 of the Education Code.

**Section 5. Type of Tax Rate, and Method of Collection.** Said education parcel tax shall be levied in an equal amount against each parcel of taxable real property in the District in the amount of \$69 per parcel for eight (8) years, commencing with fiscal year 2026-27, which is the first fiscal year following expiration of the District's parcel tax Measure H of 2016.

A parcel shall be defined as any unit of land in the District that receives a separate tax bill for *ad valorem* property taxes from the Humboldt County Tax Collector, and shall be

collected in the same manner and subject to the same penalty or penalties as other taxes fixed and collected by the County on behalf of the District. For purposes of this education parcel tax, any parcels which are (i) contiguous, and (ii) used solely for owner-occupied, single-family residential purposes, and (iii) held under identical ownership may, by submitting an application of the owners thereof by June 30 of each year to the District, be treated as a single "parcel" for purposes of the levy of the parcel tax.

### **Section 6. Exemptions.**

The following sub-sections identify exemptions to the parcel tax.

(a) *Otherwise Exempt Property.* All property that would otherwise be exempt from property taxes shall also be exempt from the education parcel tax.

(b) *Senior Citizen Exemption.* An exemption shall be available to persons who are 65 years or older and own and occupy as a principal residence a parcel (as defined in Section 5 above) and apply to the District for such exemption under procedures established by the District or otherwise as required by law or by the Humboldt County Tax Collector.

(c) *Supplemental Security Income Exemption.* An exemption shall be available to persons who receive Supplemental Security Income for a disability, regardless of age, and own and occupy as a principal residence a parcel (as defined in Section 5) and apply to the District for such exemption under procedures established by the District or otherwise as required by law or by the Humboldt County Tax Collector.

(d) *SSDI Exemption.* An exemption shall be available to persons who receive Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the U.S. Department of Health and Human Services, and own and occupy as a principal residence a parcel (as defined in Section 5) and apply to the District for such exemption under procedures established by the District or otherwise as required by law or by the Humboldt County Tax Collector.

The exemption granted shall remain in effect until the taxpayer become ineligible and the applicant shall not have to re-apply annually for such exemption for so long as the parcel continues to qualify for said exemption. Exemptions granted in connection with the 2016 Parcel Tax (Measure H) shall continue in place for the renewed tax and owners do not need to submit a new exemption application. The District shall continue in place its administrative review processes to review and grant exemptions.

### **Section 7. Accountability Requirements.**

(a) *Government Code 50075.1 Requirements.* The members of the Board, the Superintendent and officers of the District are hereby directed, individually and collectively, to comply with the accountability measures pursuant to Government Code Section 50075.1 that include, but are not limited, to the following: (a) the measure shall include a statement indicating the specific purposes of the education parcel tax, (b) the measure shall require that the proceeds of the education parcel tax be applied only to the specific purposes identified in the ballot measure, (c) the measure shall require the creation of an account into which the proceeds of the education parcel tax shall be deposited, and (d) the measure shall require that the District prepare an annual report pursuant to Government Code Section 50075.3 as

provided in Section 8 hereof. Such accountability measures shall be set forth on the ballot in the form of Exhibit A attached hereto and incorporated herein by reference.

(b) *Citizens' Oversight Committee.* In addition, the Board of Trustees of the District continue a Citizens' Oversight Committee with responsibility to review the expenditures of the District from the education parcel tax to ensure the proceeds of the education parcel tax are expended for the specific purposes set forth in the measure, and to prepare an annual report to the District and the public concerning the expenditure of the proceeds of the education parcel tax. The Board of Trustees of the District, if the measure is successful, will adopt bylaws governing the administration of the Citizens' Oversight Committee.

**Section 8. Annual Report.** Pursuant to Government Code Section 50075.3, the Board directs the chief fiscal officer of the District to file a report with the Board each year containing (a) the amount of education parcel tax funds collected and expended and (b) the status of any project required or authorized to be funded from the proceeds of the education parcel tax as identified in the measure.

**Section 9. Delivery of this Resolution.** The Clerk of the Board is hereby directed to send a copy of this Resolution *for receipt no later than 88 days prior to the November 5, 2024 election date*, as follows:

- (a) County Elections Officer (as required pursuant to Education Code Section 5322 and Elections Code Section 10403),
- (b) County Board of Supervisors (as required pursuant to Elections Code Section 10403), and
- (c) County Superintendent of Schools for the purposes of noticing the election on the measure pursuant to Education Code Section 5325(a).

**Section 10. Consolidation of Election.** The County Elections Officer and the Humboldt County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2024, within the District. The District acknowledges that the election shall be held and conducted in accordance with Elections Code Section 10418. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Humboldt County is requested to permit the County Registrar to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Humboldt County in full from District general funds upon presentation of a bill from Humboldt County, such services to include the publication of notices of election and the mailing of the sample ballot.

**Section 11. Ballot Arguments; Authorizations.** As provided in Elections Code Section 9501, any and all members of this Board are hereby authorized (but not directed) to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The Superintendent, President of the Board, or their designees, are hereby authorized to execute any document and to perform all acts necessary to place the measure on the ballot.

**Section 12. Notice of Election.** That the County Elections Officer is hereby requested to prepare a formal Notice of Election in time, form and manner as required by law, and the

County Superintendent of Schools is hereby requested to post such notice in accordance with Education Code Section 5325. The suggested form of notice of the election is as follows:

**ARCATA SCHOOL DISTRICT  
ELECTION NOTICE**

NOTICE IS HEREBY GIVEN to the qualified electors of the Arcata School District (the "District") of Humboldt County, that in accordance with law, an election will be held on Tuesday, the 5th of November, 2024 in the District, at which election there will be submitted the question of renewing the levy of an education parcel tax at a rate of \$69 per parcel annually for 8 years, exempting seniors and property owners receiving Supplemental Security Income for a disability and Social Security Disability Insurance benefits if below a certain yearly income level, with citizens' oversight, for the purpose of raising money to pay educational costs.

**Section 13. Reimbursement for Services Performed.** The Arcata School District agrees to reimburse the County Elections Officer/Registrar of Voters for services performed with respect to the election called herein following completion of such services and upon presentation of a bill.

**Section 14. Legal Services.** The Board affirms the continued engagement of Jones Hall, A Professional Law Corporation as Legal Counsel in connection with its parcel tax proceedings and to execute the agreement with said firm on file with the Superintendent.

**Section 15. Election Pursuant to Law.** In all particulars not recited in this Resolution, said election shall be held and conducted as provided by law for holding school district elections in the District.

**Section 16. Certification by Clerk of the Board.** That the Clerk of the Board shall certify to the passage and adoption of and shall make minutes of the passage and adoption therefore in the records of the proceedings of the Board of Trustees of the District, in the minutes of the meeting at which the same is passed and adopted.

**Section 17. Compliance with Government Code Section 54930 - Notice to Non-Resident Owners.** If the requisite number of votes cast on the question of an education parcel tax are obtained, the District and the County shall coordinate on compliance with Government Code Section 54930, which requires that notice of a new parcel tax be provided to taxpayers residing outside of the jurisdiction of the taxing agency.

**Section 18. Compliance with Government Code Section 50079(e) - Annual Information to be Provided to County.** If the requisite number of votes cast on the question of an education parcel tax are obtained, the District shall request that the County collect the education parcel tax. The Superintendent is authorized to contract directly with the County for said purposes. As such, the District shall provide the County on an annual basis:

- a. A hyperlink to the location on the Internet Web site of the District that contains exemption information, if available.

- b. A hyperlink to the location on the Internet Web site of the District that contains the application for the exemption.
- c. A phone number to provide persons with exemption information or direct persons requesting exemption information.

**Section 19. Name of District.** The District is the "Arcata School District" also known and referred to as the "Arcata Elementary School District", which are the same entity for legal purposes in the County.

**Section 20. Severability.** The Board of Trustees of the District hereby declares that every section, paragraph, sentence and clause of the qualified special tax measure has independent value, and that the Board of Trustees would have approved each provision regardless of every other provision. If approved, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts shall remain in full force and effect to the fullest extent allowed by law.

**Section 21. Effective Date.** This resolution shall take effect on and after its adoption.

\*\*\*\*\*

The foregoing Resolution was adopted by the Board of Trustees of the Arcata School District of Humboldt County, being the Board authorized by law to make the designations therein contained by the following vote, on June 18, 2024.

Adopted by the following votes:

AYES: Hudgens, McClure, Ng, Schmidt

NOES:

ABSENT: Bledsoe

ABSTAIN:

Attest:

  
\_\_\_\_\_  
Brian Hudgens, President of the Board

Christine Ng  
\_\_\_\_\_  
Christine Ng, Clerk of the Board

Signature: Christine Ng  
Christine Ng (Jun 20, 2024 15:06 PDT)

Email: [cng@arcatasd.org](mailto:cng@arcatasd.org)

## EXHIBIT A

### FULL TEXT OF MEASURE

[The Full Text to be printed in the Sample Ballot begins following the line]

---

#### FULL TEXT OF ARCATA SCHOOL DISTRICT PARCEL TAX RENEWAL MEASURE

##### PURPOSES

To continue to provide a local revenue source that cannot be taken by the State, the Arcata School District proposes to continue to levy and collect an education parcel tax of \$69 per parcel annually for eight years as more fully described below under "EDUCATION PARCEL TAX AND PROCEDURES," and to implement accountability measures in connection with the education parcel tax and to provide oversight and accountability to ensure that funds are used only for the following specific purposes:

- Maintain or expand art, music and dance programs
- Reduce class sizes
- Fund social emotional supports and programming to maintain and promote good health
- Address immediate maintenance and safety issues to increase student safety
- Provide funding for necessary staffing

The Board of Trustees will not fund any program other than those listed above from the proceeds of the education parcel tax.

##### EDUCATION PARCEL TAX AND PROCEDURES

*Amount of Education Parcel Tax.* Subject to two-thirds approval of the voters, the education parcel tax of \$69 per parcel (except exempt parcels, as described below) shall continue and become effective commencing with fiscal year 2026-27 for eight years, and be collected by the Humboldt County Tax Collector at the same time as and along with, and shall be subject to the same penalties as general *ad valorem* taxes collected by said tax collector.

*Definition of Parcel.* A parcel shall be defined as any unit of land in the District that receives a separate tax bill for *ad valorem* property taxes from the Humboldt County Tax Collector. For purposes of this education parcel tax, any parcels which are (i) contiguous, and (ii) used solely for owner-occupied, single-family residential purposes, and (iii) held under identical ownership may, by submitting an application of the owners thereof by June 30 of each year to the District, be treated as a single "parcel" for purposes of the levy of the parcel tax.

*Exemptions.* The following exemptions shall apply to the levy of the qualified special tax.

- *Otherwise Exempt Property.* All property that would otherwise be exempt from property taxes shall also be exempt from the education parcel tax.
- *Senior Citizen Exemption.* An exemption shall be available to persons who are 65 years or older and own and occupy as a principal residence a parcel subject to the education parcel tax.
- *Supplemental Security Income Exemption.* An exemption shall be available to persons who receive Supplemental Security Income ("SSI") for a disability, regardless of age, and own and occupy as a principal residence a parcel subject to the education parcel tax.
- *SSDI Exemption.* An exemption shall be available to persons who receive Social Security Disability Insurance ("SSDI") benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the U.S. Department of Health and Human Services, and own and occupy as a principal residence a parcel subject to the education parcel tax.

Property owners seeking the Senior Citizen, SSI or SSDI exemption must apply to the District for such exemption under procedures established by the District or otherwise as required by law or by the Humboldt County Tax Collector. When an exemption has been granted to a parcel, the exemption will continue for subsequent years without the need for a subsequent application if the facts are such that said parcel continues to qualify for the exemption described in this measure. Please note that taxpayers that have been granted an exemption in connection with the 2016 parcel tax will not have to re-submit a new exemption application upon approval of this measure. The exemption will continue to apply if it continues to qualify, and the District will continue its existing administrative review procedures.

*Exclusive Procedures.* The procedures described herein with respect to the levy and collection of the education parcel tax and exemptions, and any additional procedures established by the Board of Trustees of the District, shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the qualified special tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary. The District's Board of Trustees may adopt such additional or supplemental procedures as it deems necessary or convenient for the administration of the education parcel tax.

## **ACCOUNTABILITY MEASURES**

*Government Code Accountability.* In accordance with the requirements of California Government Code sections 50075.1 and 50075.3, the following accountability measures, among others, shall apply to the qualified special taxes levied in accordance with this Measure:

- the specific purposes of the education parcel tax shall be those purposes identified above under the heading "PURPOSES,"
- the proceeds of the education parcel tax shall be applied only to those specific purposes identified above under the heading "PURPOSES,"
- a separate, special account shall be created into which the proceeds of the

education parcel tax must be deposited; and

- the chief fiscal officer of the District shall file an annual written report with the Board of Trustees of the District showing (1) the amount of funds collected and expended from the proceeds of the education parcel tax and (2) the status of any projects, programs, or purposes identified above under the heading "PURPOSES."

*Citizens' Oversight Committee.* In addition to accountability measures required by the Government Code, an independent Citizens' Oversight Committee shall continue to be maintained by the District and to advise the Board on the expenditures funded by the measure in order to ensure that said funds are spent for the purposes approved by the voters. The Citizens' Oversight Committee monitors the expenditures of these funds by the District and reports on an annual basis to the Board and community on how these funds have been spent.

#### **PROTECTION OF FUNDING**

Current law forbids any decrease in State or Federal funding to the District because of the District's adoption of an education parcel tax. However, if any such funds are reduced because of the adoption of this education parcel tax, then the amount of the education parcel tax will be reduced annually as necessary in order to restore such State or Federal funding.

#### **SEVERABILITY**

The Board of Trustees of the District hereby declares, and the voters by approving this measure concur, that every section, paragraph, sentence and clause of this measure has independent value, and the Board of Trustees and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

---

*The Full Text of Measure ends above the line.*

**EXHIBIT B**  
**BALLOT LABEL**  
**ABBREVIATED FORM OF MEASURE**

---

---

To renew and continue to support academic excellence for Arcata students, continue art, music and dance programs, maintain reduced class sizes, fund programs to support students and promote good health, and provide funds to support adequate site staffing, shall Arcata School District's measure be adopted renewing its existing parcel tax for eight years at the rate of \$69 per parcel raising approximately \$285,000 annually with exemptions including seniors and with local citizens' oversight?

---

---