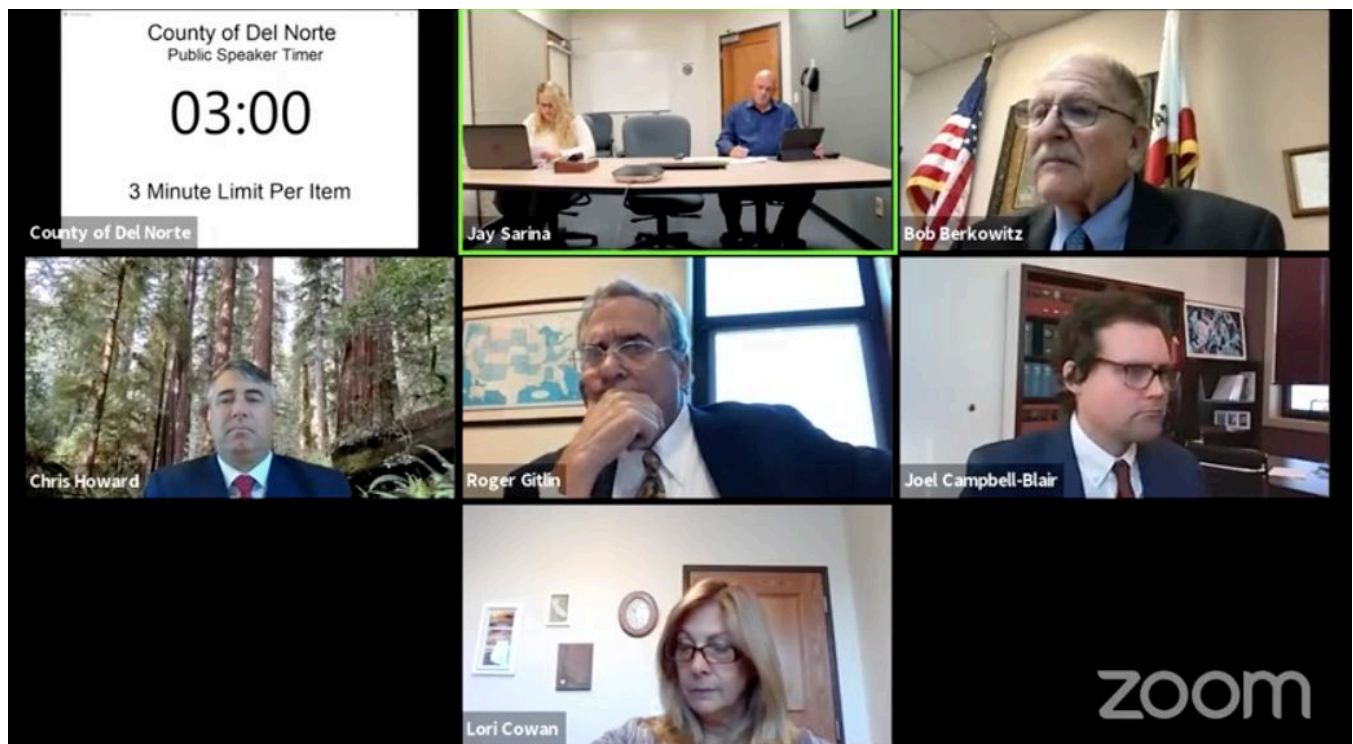


County staff defends actions in wake of allegations of misuse of funds to promote sales tax increase ballot measure

October 29, 2020



The Del Norte County Supervisor’s meeting Oct. 27 veered off the scheduled agenda when a resident levied an accusation the county improperly used public money and resources to promote its proposed sales tax increase.

During public comment, county resident Jeff L. McHadden detailed his allegations against County Administrative Officer Jay Sarina and Emergency Services Manager Kymmie Scott.

McHadden alleged Sarina entered into a \$40,000 contract to advertise Measure R and Scott used her department title to try to sway voters in favor of the tax increase when she lent her voice to a robocall last week to voters.

“Our county’s financial resources must not be used to sway votes during an election,” McHadden wrote.

“Not only did the county use public funds to sway an election, but it was done surreptitiously. Mr. Sarina and

whoever signed for the Board of Supervisors must be held accountable and reimburse the county the full amount paid for these advertisements.”

If passed, Measure R would generate about \$1.2 million that would go toward repairing potholes and streets, maintaining emergency dispatch services and mitigating blight and public nuisances.

Although he did not comment during the public input period Tuesday, District 1 Supervisor Roger Gitlin had voiced his concerns about the robocalls over the weekend on his Facebook page.

“My understanding is the Office of Emergency Services has launched this robocall campaign. An aggressive postcard campaign has also been launched,” Gitlin wrote on Facebook. “Emergency Services??? Is this a fire or flood issue this community faces? What is emergency about the County engaging in political activity?”

Sarina vehemently denied the charges by both McHadden and Gitlin.

“The allegations are clearly not correct,” Sarina told The Triplicate Wednesday. “I have an expenditure authority as the purchasing agent of up to \$50,000.”

Citing authority granted by government code 25502.3 on purchasing agents, Sarina said he signed a contract with Oakland-based Clifford Moss, not to exceed \$40,000, to disseminate information about Measure R. That included mailers and phone calls to voters through a third-party service Clifford Moss chose. Sarina said the county’s Everbridge service it uses for its Community Alert System was never used for the robocalls.

“We would never use the Everbridge system for such a thing for obvious reasons,” Sarina said. “That’s an assumption and an allegation thrown out there that is completely false.”

He added Scott and Del Norte Ambulance owner Ron Sandler volunteered to provide the information in the robocalls.

“This was not a campaign. It was information only. There were no references in support or opposition to the measure,” Sarina explained. “There’s a large distinction between campaigning and an informational.”

He added because McHadden’s email came during public comment period, it’s allegations don’t have to be factual, and because the board of supervisors did not render an opinion on the matter, they could ask for clarification, as District 3 Supervisor Chris Howard did.

“The statement that was read was not factual and whether our CAO or one of us clarifies that for the public at large in the audience — that needs to be clarified,” Howard said. “I don’t want to let comments like that stand that aren’t factual.”

However, Gitlin told The Triplicate he found Sarina’s explanation “woefully inadequate” and Howard’s comment inappropriate as Supervisors are not to respond during public comment.

Gitlin, who was the lone Supervisor to oppose the county drafting the sales tax increase measure, said he chose to withhold comments because it was an unagendized topic.

“The information we want to give public facts. Sarina’s explanation is fraught with inconsistencies, incorrect interpretations and flaws. I thought the purpose of the voters guide was to give the facts,” Gitlin said. “Mr. Sarino getting into a contract of up to \$40,000 is disingenuous. It’s a dishonest, use of political clout to have Kymmie Scott and Del Norte Ambulance say the sky is falling if we don’t pay for these services.”

Sarina maintains that the robocalls followed guidance by the California Fair Political Practices Commission, and did not use what the FPPC calls “magic words” of advocacy such as vote for, elect, support or cast your ballot.

Gitlin said that while he advocates the county pursuing other avenues to raise funds to pay for its programs, he points to the City of Crescent City taking the correct route to pass its similar Measure S, that would raise the sales tax by 1 cent within the city limits. He said unlike the county, Crescent City formed a committee “Citizens to Keep Crescent City Safe and Strong” which has raised more than \$27,000 to promote Measure S.

Gitlin added he has pursued his own campaign as a citizen, not as a Supervisor, to defeat Measure R. He said because he’s spent less than \$2,000 he is not required to form a committee of his own.

“What the county has done I think is unethical, using \$40,000 from the general fund to promote the measure is clearly wrong and they will have to answer to the FPPC,” he said.