

SEP - 7 2022

HUMBOLDT COUNTY ELECTIONS

2022 Local Agency Biennial Notice

Name of Agency: Arcata School District

Mailing Address: 1435 Buttermilk Lane, Arcata CA 95521

Contact Person: Luke Biesecker, Superintendent Phone No. (707) 822-0351, ext. 101

Email: lbiesecker@arcatasd.org Alternate Email: superintendent@arcatasd.org

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

[X] An amendment is required. The following amendments are necessary:

(Check all that apply.)

- Include new positions
[X] Revise disclosure categories Our 2022 Code eliminated Disclosure Category 3 (Full Disclosure).
[X] Revise the titles of existing positions "Business Manager/Purchasing Agent" became "Chief Business Official".
Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
[X] Other (describe) After changing the Business Manager job title to Chief Business Official, the Disclosure Category for Chief Business Official was determined to be 2 (instead of 1 in 2020 Code).

[ ] The code is currently under review by the code reviewing body.

[ ] No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

9/6/2022

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than October 3, 2022, or by the date specified by your agency, if earlier, to:

Humboldt County Office of Elections
Attn: Christina Strevey
2426 6th Street, Eureka, CA 95501

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

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SEP - 7 2022

HUMBOLDT COUNTY  
ELECTIONS

DECLARATION OF CHIEF EXECUTIVE OFFICER

Local Agency Conflict of Interest Code for

ARCATA SCHOOL DISTRICT

Name of Agency

The proposed conflict of interest code specifically includes each agency position that involves the making or participation in the making of decisions which may foreseeably have a material financial effect on an economic interest. Positions that do not make or participate in decisions are not included.

The disclosure categories are written to address the agency's current programs and require disclosure of only foreseeable interests that may create a conflict of interest.

The agency has satisfied all of the requirements of Government Code Sections 87302, 87302.6, 87303, 87306, 87306.5, 87307, 87309, 87310, 87311, and 87314 preliminary to approval of the proposed code.



9/6/2022

Signature

Date

Luke Biesecker

Superintendent

Printed Name

Title

SEP -7 2022

HUMBOLDT COUNTY  
ELECTIONS

ARCATA SCHOOL DISTRICT  
RESOLUTION 2223-1  
ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Board of Trustees of the Arcata Elementary School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Arcata Elementary School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

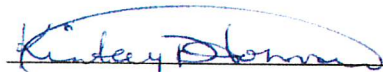
WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Arcata Elementary School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 15th day of August, 2022 at a meeting, by the following vote:

AYES: 3 (Hudgens, Johnson, Ng)      NOES: 0      ABSENT: 1 (Bledsoe)

Attest:



Kintay Johnson, Clerk, Arcata School District Board of Trustees

## Conflict of Interest Code of the Arcata School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

### APPENDIX

#### Disclosure Categories

1. **Category 1:** A person designated Category 1 shall disclose:
  - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the District.
  - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. **Category 2:** A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

## **Designated Positions**

### Designated Position Disclosure Category

Board of Trustees Members: 1

Superintendent of Schools: 1

Chief Business Official: 2

Director, Extended Student Programs: 2

Director, Food Service: 2

Director, Home-Based Independent Study: 2

Director, Maintenance/Operations & Transportation: 2

Director, Student Services: 2

Director, Technology: 2

Principal, Elementary School: 2

Principal, Middle School: 2

## **Disclosures for Consultants**

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement

4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

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SEP - 7 2022

HUMBOLDT COUNTY  
ELECTIONS

ARCATA SCHOOL DISTRICT

RESOLUTION 2021-2

ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Board of Trustees of the Arcata Elementary School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Arcata Elementary School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Arcata Elementary School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 17th day of August, 2020 at a meeting, by the following vote:

AYES: 4 NOES: 0 ABSENT: 1

Attest: 

Secretary/President Joe McKinzie, Arcata Elementary School District  
**The 2022 Code was reformatted - the section below is on page 2 of the 2022 Code.**  
Conflict of Interest Code of the Arcata Elementary School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

**The 2022 Code was reformatted - the Appendix is on page 2 of the 2022 Code.**

APPENDIX

**Disclosure Categories**

The 2022 Code includes Categories 1 and 2 only - Category 3 (Full Disclosure) was eliminated.

1. Category 1: A person designated Category 1 shall disclose:

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.

2. Category 2: A person designated Category 2 shall disclose:

a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.

b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

The 2022 Code eliminated all text below for Category 3.

3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.

b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

**Designated Positions**

The 2022 Code was reformatted - "Designated Positions" is on page 3 of the 2022 Code.

Designated Position Disclosure Category

Board of Trustees Members: 1

Superintendent of Schools: 1

~~Business Manager/Purchasing Agent: 1~~

Director, Extended Student Programs: 2

Director, Food Service: 2

Director, Home-Based Independent Study: 2

Director, Maintenance/Operations & Transportation: 2

Director, Student Services: 2

Director, Technology: 2

Principal, Elementary School: 2

Principal, Middle School: 2

- 1). The 2022 Code reflects the fact that the "Business Manager" title was changed to "Chief Business Official" per AESD Board of Trustees approval on 5/10/2021.
- 2). The 2022 Code designates this position as Category 2 instead of Category 1 as listed in the 2020 Code.



Disclosures for Consultants

The 2022 Code was reformatted - "Disclosures for Consultants" is on pages 3 and 4 of the 2022 Code.

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

Exhibit ARCATA ELEMENTARY SCHOOL DISTRICT

Approved: December 10, 2018

Reviewed and Approved: August 17, 2020

The 2022 Code includes the date of adoption (12/10/18, when the District contracted with California School Boards Association for an online Policy Manual accessible by parents and the public), the last board review and revision (8/15/22), the previous board review and revision (8/17/20), and the next scheduled review (August 2024).

**ARCATA ELEMENTARY SCHOOL DISTRICT**

**WRITTEN EXPLANATION OF CHANGES**

**TO THE 2022 CONFLICT OF INTEREST CODE**

**Adopted 8/15/2022 by the AESD Board of Trustees**

Reformatting: The 2022 Code was reformatted from the 2020 version, making it easier to read (and longer).

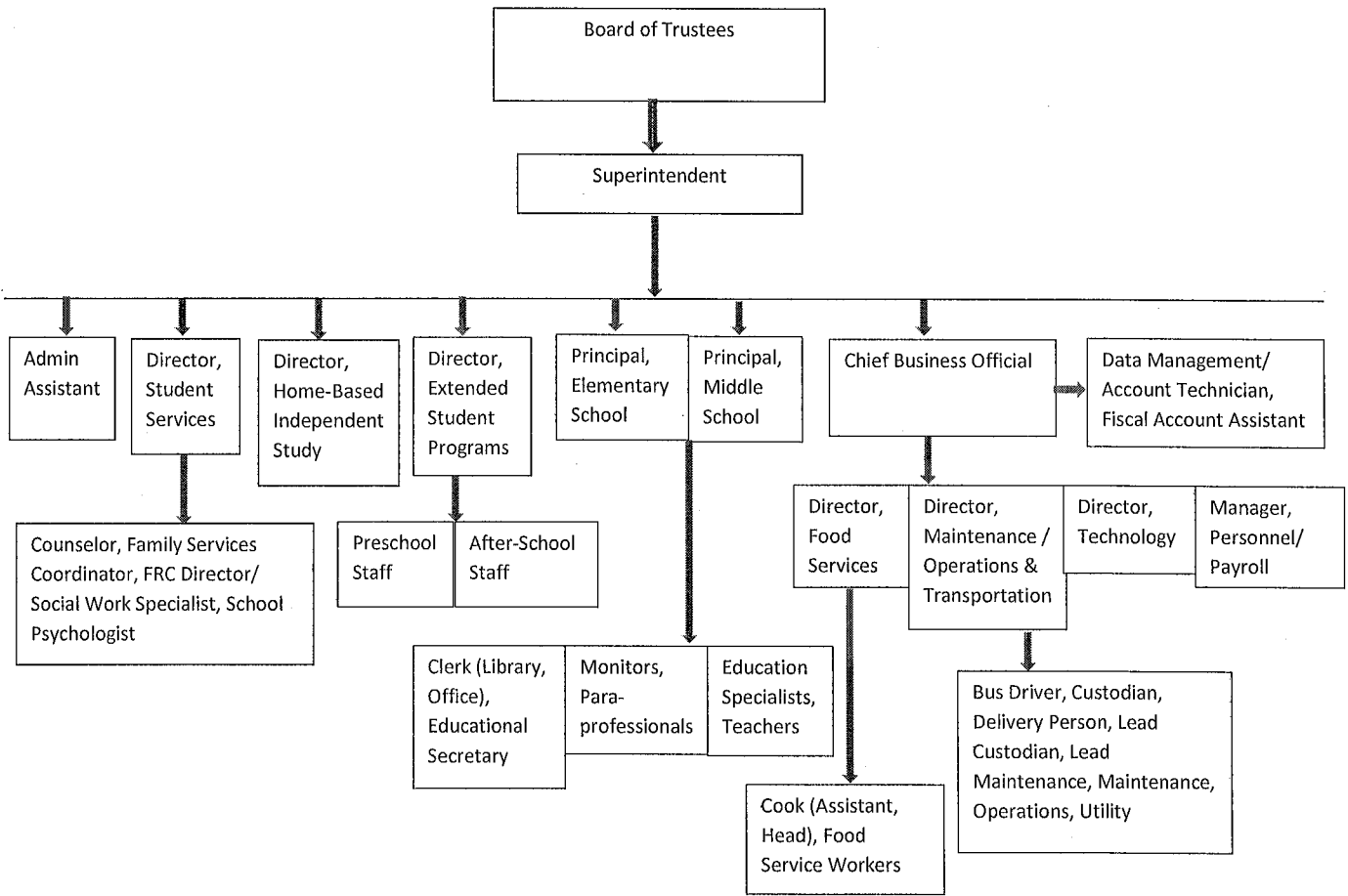
Disclosure Categories: Category 3 (Full Disclosure) was eliminated.

Designated Positions:

- 1). "Business Manager/Purchasing Agent" was changed to "Chief Business Official" per AESD Board of Trustees approval on 5/10/2021.
- 2). The designated disclosure category for "Chief Business Official" was changed to Category 2.

Board review/revision dates at the end of the document were expanded to include the following:

- 1). The 2022 Code includes the date of adoption (12/10/18, when the District contracted with California School Boards Association for an online Policy Manual accessible by parents and the public).
- 2). The last board review and revision (8/15/22).
- 3). The previous board review and revision (8/17/20).
- 4). The next scheduled review (August 2024).



**ARCATA SCHOOL DISTRICT**  
**ORGANIZATIONAL CHART 2022/2023**

## 2022 Local Agency Biennial Notice

AUG 30 2022

HUMBOLDT COUNTY  
ELECTIONSName of Agency: Eureka City SchoolsMailing Address: 2100 J Street - Eureka, CA 95501Contact Person: Micalyn Harris Phone No. 707-441-2414Email: harrismicalyn@eurekacityschools.org Alternate Email: none

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

**An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)


- Include new positions  
 Revise disclosure categories  
 Revise the titles of existing positions  
 Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions  
 Other (*describe*) \_\_\_\_\_

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is over five years old, amendments may be necessary.)

**Verification (to be completed if no amendment is required)**

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

  
 \_\_\_\_\_  
 Signature of Chief Executive Officer

8/25/22  
 \_\_\_\_\_  
 Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

**Humboldt County Office of Elections**  
**Attn: Christina Strevey**  
**2426 6th Street, Eureka, CA 95501**

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

**Exhibit (PDF) 9270-E PDF(1): Conflict Of Interest**

**Status:** DRAFT

**Original Adopted Date:** 09/08/2016 | **Last Reviewed Date:** 08/25/2022

*See PDF on the next page.*

**Exhibit 9270**

**RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Board of Education of the Eureka City Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Eureka City Unified School District has recently reviewed its positions, and the duties of each position, and has determined that (changes/no changes) to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Eureka City Unified School District Board of Education adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS \_\_\_\_\_, day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

Secretary/President

Conflict of Interest Code of the Eureka City Unified School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Board of Education members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

## **APPENDIX Disclosure Categories**

1. **Category 1:** A person designated Category 1 shall disclose:
  - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
  - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
  
2. **Category 2:** A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

### **Designated Positions**

#### **Designated Position Disclosure Category**

- Board of Education Members - Category 1
- District Superintendent – Category 2
- Assistant Superintendent of Business Services - Category 2
- Assistant Superintendent of Educational Services – Category 2
- Executive Director of Personnel Services and Public Affairs – Category 2
- Director of Personnel Services and Public Affairs – Category 2
- Director of Student Services – Category 2
- Director of Community Schools – Category 2
- Director of Early Childhood Development and Special Education – Category 2
- Director of Maintenance, Facilities, and Operations – Category 2
- Director of Maintenance/Grounds – Category 2
- Director of Curriculum and Assessment – Category 2
- Director of Transportation – Category 2

Director of Information Technology – Category 2

Director of Food Services – Category 2

Principals – Category 2

\*Consultant – Category 2 Consultants are designated employees who must disclose financial interests as determined on a case- by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2

CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)



Eureka City Schools

1<sup>st</sup> Review - Proposed Revisions to Exhibit 9270-E: Conflict Of Interest

New Positions Noted in RED and Added Positions in BLUE

Underlined Text Added

(Document Formatting Corrected)

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RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Board of Education of the Eureka City Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Eureka City Unified School District has recently reviewed its positions, and the duties of each position, and has determined that (changes/no changes) to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Eureka City Unified School District Board of Education adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS \_\_\_\_\_, day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

Secretary/President

Conflict of Interest Code of the Eureka City Unified School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Board of Education members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

### **APPENDIX Disclosure Categories**

1. **Category 1:** A person designated Category 1 shall disclose:
  - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
  - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
  
2. **Category 2:** A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

### **Designated Positions**

#### **Designated Position Disclosure Category**

Board of Education Members - Category 1

District Superintendent - Category 2

Assistant Superintendent of Business Services - Category 2

Assistant Superintendent of Educational Services - Category 2

Executive Director of Personnel Services and Public Affairs – Category 2 [pending Board approval on 08/04/22]

Director of Personnel Services and Public Affairs – Category 2

Director of Student Services – Category 2

Director of Community Schools – Category 2

Director of Early Childhood Development and Special Education – Category 2

Director of Maintenance, Facilities, and Operations – Category 2

Director of Maintenance/Grounds – Category 2

Director of Curriculum and Assessment – Category 2

Director of Transportation – Category 2

Director of Information Technology – Category 2

Director of Food Services – Category 2

Principals – Category 2

\*Consultant – Category 2

Consultants are designated employees who must disclose financial interests as determined on a case- by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2

CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

**RESOLUTION 22-23-001**

**RESOLUTION OF THE EUREKA CITY SCHOOLS GOVERNING BOARD TO APPROVE  
THE CONFLICT OF INTEREST CODE AND REVISIONS TO THE APPENDIX IN EXHIBIT  
9270-E OF DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES**

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Board of Education of the Eureka City Unified School District ("District") has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the District's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Eureka City Unified School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current appendix for the conflict of interest code is necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the District's conflict of interest code shall be rescinded and superseded by this resolution and appendix, which reflects updates to Exhibit 9270-E; and

NOW THEREFORE BE IT RESOLVED that the Eureka City Unified School District Board of Education adopts the Conflict of Interest Code, Bylaw 9270, including approved revisions to Exhibit 9270, the Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 25th day of August, 2022, at a meeting, by the following vote:

AYES: 4 NOES: 0 ABSENT: 1 (Quinlan)

Attest:

  
\_\_\_\_\_  
Fred Van Vleck, Ed.D., Superintendent  
Secretary to the Governing Board

**Bylaw 9270: Conflict Of Interest**

**Status:** DRAFT

**Original Adopted Date:** 09/08/2016 | **Last Reviewed Date:** 08/25/2022

The Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

**Conflict of Interest under the Political Reform Act**

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government

Code 87101 and 2 CCR 18705.

### **Additional Requirements for Boards that Manage Public Investments**

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

### **Conflict of Interest under Government Code 1090 - Financial Interest in a Contract**

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract in which he/she has only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

### **Common Law Doctrine Against Conflict of Interest**

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

### **Incompatible Offices and Activities**

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

## **Gifts**

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation, except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

## **Honoraria**

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches
  2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes
-



RECEIVED

NOV 10 2022

HUMBOLDT COUNTY  
ELECTIONS

### 2022 Local Agency Biennial Notice

Name of Agency: Green Point School District

Mailing Address: 180 Valkensar Lane Blue Lake, CA 95525

Contact Person: Wendy Orlandi Phone No. (707)668-5921

Email: admin@greenpointsd.org Alternate Email: \_\_\_\_\_

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

- An amendment is required. The following amendments are necessary:**  
 (Check all that apply.)
  - Include new positions
  - Revise disclosure categories
  - Revise the titles of existing positions
  - Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
  - Other (describe) Please see the updated policies
- The code is currently under review by the code reviewing body.**
- No amendment is required.** (If your code is over five years old, amendments may be necessary.)

**Verification (to be completed if no amendment is required)**

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

  
 Signature of Chief Executive Officer

11/03/22  
 Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

**Humboldt County Office of Elections**  
**Attn: Christina Strevey**  
**2426 6th Street, Eureka, CA 95501**

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

Green Point School District

## **Board Bylaw**

### **Conflict Of Interest**

BB 9270

#### **Board Bylaws**

\*\*\*Note: The determination as to whether a conflict of interest exists must be analyzed under two separate sets of statutes: (1) the conflict of interest provisions of the Political Reform Act (PRA) (Government Code 87100-87505), detailed in the section below entitled "Conflict of Interest under the Political Reform Act," and (2) Government Code 1090-1098, detailed in the section below entitled "Conflict of Interest under Government Code 1090 - Financial Interest in a Contract." Even when a conflict does not exist pursuant to those statutes, a violation might still occur under the common law doctrine against conflict of interest; see the section below entitled "Common Law Doctrine Against Conflict of Interest."\*\*\*

\*\*\*Note: Because the law and definitions are quite complex, it is strongly recommended that districts consult with legal counsel and staff from the Fair Political Practices Commission (FPPC) as soon as a potential conflict is presented.\*\*\*

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

(cf. 9005 - Governance Standards)

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

\*\*\*Note: The following paragraph reflects the common law definition of "relative within the third degree."\*\*\*

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

\*\*\*Note: The Governing Board is required to adopt a conflict of interest code in compliance with Government Code 87300-87313. Board members and employees designated in the

district's conflict of interest code are required by Government Code 87500 to annually file a Statement of Economic Interest/Form 700 to disclose any assets and income which may be materially affected by official actions. Under the PRA, there are two separate categories of Form 700 disclosure requirements. For the first category pursuant to Government Code 87302, which is applicable to most school districts, the disclosure requirements are determined by the district and set forth in the district's conflict of interest code. The second category, pursuant to Government Code 87200, is only applicable to Board members and designated employees who "manage public investments"; see section below entitled "Additional Requirements for Boards that Manage Public Investments." Those Board members and designated employees, referred to by the FPPC as Government Code 87200/Article 2 filers, must file broader disclosure statements pursuant to the disclosure requirements specified in law and FPPC regulation.\*\*\*

\*\*\*Note: Pursuant to Government Code 87303, the district's conflict of interest code must be approved by the appropriate code reviewing body. For districts located entirely in one county, the code reviewing body is the board of supervisors of the county in which the district is located. The FPPC is the code reviewing body for those school districts located in more than one county.\*\*\*

\*\*\*Note: Pursuant to 2 CCR 18730, the requirements of the Government Code are satisfied if a district adopts a conflict of interest code that incorporates 2 CCR 18730 by reference, along with a list of designated positions and disclosure categories. The accompanying exhibit (E 9270) contains a sample resolution that includes an appendix with designated positions and disclosure categories which, once adopted by the Board, will comprise the terms of the district's conflict of interest code that should be submitted to the code reviewing body.\*\*\*

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 - Meetings and Notices)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

(cf. 4117.2/4217.2/4317.2 - Resignation)

(cf. 9222 - Resignation)

### Conflict of Interest under the Political Reform Act

\*\*\*Note: The FPPC has adopted an eight-step analysis, detailed in Government Code 87100-87500, 2 CCR 18700-18755, and interpretive opinions, to determine whether a conflict of interest exists under the PRA. When such a conflict exists, the affected Board member must disclose the interest and disqualify himself/herself from participating in the decision, as specified below. Because Family Code 297.5 grants a registered domestic partner the same rights, protections, and benefits as a spouse under state law, analysis of a conflict of interest with regards to a Board member's spouse is also applicable to a registered domestic partner.\*\*\*

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18707)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

\*\*\*Note: 2 CCR 18705 permits a Board member who is financially interested in a contract to participate in making a decision on the contract if (1) he/she discloses the existence of the conflict and describes with particularity the nature of his/her economic interest in the contract; (2) gives a summary description of the circumstances under which he/she believes the conflict may arise; and (3) either he/she, another Board member, or a district employee discloses the legal basis for concluding that no alternative source of decision exists for the district. In general, this rule will permit a district to acquire an essential supply or service. CSBA strongly recommends that legal counsel be consulted when situations arise involving the rule of necessity, as strict compliance is required.\*\*\*

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

#### Additional Requirements for Boards that Manage Public Investments

\*\*\*Note: The following optional section is for use only by districts in which the Board and/or designated employees are considered to be "officials who manage public investments" and who are required to file a full financial disclosure statement in accordance with Government Code 87200. It should be deleted by all other districts. See the accompanying exhibit for further information.\*\*\*

\*\*\*Note: According to the FPPC, officials who manage public investments are boards or designated employees who manage the investment of district surplus or special reserve funds in permitted securities and investments pursuant to Education Code 41015. Those boards that direct the investment of these funds, formulate or approve policies for the investment of these funds, even if they delegate day-to-day investment decisions to staff, or approve investment transactions involving these funds are considered officials who manage public investments.\*\*\*

\*\*\*Note: The Board does not manage public investments when the district does not have any surplus or special reserve funds to invest and merely deposits all funds it receives (1) in the county treasury pursuant to Education Code 41001-41002.5 or (2) in a fund where a Tax and Revenue Anticipation Note (TRANS) is issued. Board members and superintendents in these types of situations are not considered to have discretion regarding the investment of the district's money and are therefore not officials who manage public investments.\*\*\*

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:  
(Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is

concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

(cf. 3430 - Investing)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

#### Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

\*\*\*Note: Pursuant to Government Code 1090, if a Board member has a financial interest in a contract, it is an absolute bar for that district to enter into the contract. The Attorney General has opined in 69 Ops.Cal.Atty.Gen. 255 (1986) that, unlike the PRA, the prohibitions in Government Code 1090 cannot be resolved by having the financially interested Board member abstain from participating in the matter. However, there are two categories of exceptions. If a financial interest meets the definition of a "noninterest" as specified in Government Code 1091.5, then the restrictions in Government Code 1090 do not apply and the district can enter into the contract. Secondly, if a Board member's interest is deemed a "remote interest" pursuant Government Code 1091, then the district can enter into the contract as long as certain conditions are satisfied, as specified below.\*\*\*

\*\*\*Note: While the prohibitions in the PRA only apply to designated employees, the prohibitions in Government Code 1090 apply to all district employees and consultants. California appellate courts have ruled in McGee v. Balfour Beatty Construction LLC and Davis v. Fresno Unified School District that Government Code 1090 applies to consultants, including corporate consultants, who fill the roles and positions of officers, employees, and agents of the district. However, the Attorney General has opined in 63 Ops.Cal.Atty.Gen. 868 (1980) that an employee's financial interest would not prohibit the district from entering into a contract as long as the employee has not participated in the making of the contract, such as in discussions and planning, as detailed below.\*\*\*

\*\*\*Note: Government Code 1090 does not define financial interest, but courts have held that, for the purposes of this statute, the definition of "financial interest" is not the same as the definition in the PRA which requires a "material financial effect" in order for a conflict to exist. Because the determination of whether a financial interest exists involves a review of statutes, court decisions, and Attorney General opinions as they apply to the particular facts at issue, the

analysis can be complex and legal counsel should be consulted as appropriate.\*\*\*

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

\*\*\*Note: The district may enter into a contract when a Board member's interest is a "remote interest" as defined in Government Code 1091. Generally, this issue arises when the district wishes to enter into a contract with the Board member's employer. When the conditions specified in Government Code 1091 are satisfied (e.g., Board member is an employee of a nonprofit organization, the employer has at least 10 employees, and the Board member has been employed more than three years), then the district may enter into the contract as long as the affected Board member discloses the remote interest and abstains from the matter.\*\*\*

\*\*\*Note: Board members who willfully fail to disclose a remote interest in a contract may be subject to a fine or imprisonment pursuant to Government Code 1097.\*\*\*

A Board member shall not be considered to be financially interested in a contract in which he/she has only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

\*\*\*Note: Pursuant to Government Code 1091.5, certain financial interests are defined as "noninterests," meaning a conflict of interest does not exist and the district can enter into the contract. One of the noninterests listed in Government Code 1091.5 is when a Board member's spouse has been employed by the district for at least one year prior to the Board member's election or appointment. If the spouse has not been employed by the district for at least one year prior to the Board member's election or appointment, the exception does not apply and Government Code 1090 prohibits the district from entering into a new contract to hire the spouse. (80 Ops.Cal.Atty.Gen. 320 (1997))\*\*\*

\*\*\*Note: Attorney General opinions and case law have further clarified the application of this noninterest exception when a previously employed spouse changes to a different position during the Board member's term. Generally, these opinions have held that a lateral transfer or change of classification that does not require Board approval (e.g., second year probationary teacher automatically achieving permanent status, step increase) is the same employment not requiring a new contract and thus constitutes a noninterest. (92 Ops.Cal.Atty.Gen. 26 (2009), 87 Ops.Cal.Atty.Gen. 23 (2004)) However, when a new contract is involved (e.g., promotion from classroom teacher to principal, substitute employee becoming a probationary employee), the exception in Government Code 1091.5 does not apply and the action would be prohibited under Government Code 1090 because Board approval of the contract is required. (Thorpe v. Long Beach Community College District, 69 Ops.Cal.Atty.Gen. 255 (1986))\*\*\*

\*\*\*Note: Because this area of law is complex, it is strongly recommended that district legal counsel be consulted if a Board member's spouse is an employee of the district or when analyzing whether an interest is a noninterest or remote interest.\*\*\*

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

#### Common Law Doctrine Against Conflict of Interest

\*\*\*Note: Even when there is not a conflict pursuant to the PRA (Government Code 87100-87505) or Government Code 1090, the Attorney General has found that special situations may still exist under the common law doctrine against conflict of interest which, unlike the statutes, extends to noneconomic interests. In 92 Ops.Cal.Atty.Gen. 19 (2009), the Attorney General opined that a redevelopment board member should abstain from voting on a loan agreement where the recipient of the loan was a corporation owned by the board member's adult son. Although the board member was not financially interested in the contract under the PRA or Government Code 1090, the Attorney General determined that abstention was necessary in order to avoid a conflict between the member's official and personal interests and to avoid the appearance of impropriety.\*\*\*

\*\*\*Note: Districts are encouraged to consult legal counsel if situations arise that raise the question as to whether such a conflict exists.\*\*\*

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

#### Incompatible Offices and Activities

\*\*\*Note: Government Code 1099 and 1126 prohibit Board members and employees from engaging in any employment or activity which is inconsistent, incompatible, in conflict with, or inimical to their duties with the district. Government Code 1126 mandates the district to adopt procedures regarding this prohibition. See BP 4136/4236/4336 - Nonschool Employment for language implementing this mandate relative to employees.\*\*\*

\*\*\*Note: Attorney General opinions have indicated that it would be incompatible for Board members to serve on other elected or appointed boards, councils, or commissions that have interests which may conflict with the interests of the district (85 Ops.Cal.Atty.Gen. 60 (2002); 68 Ops.Cal.Atty.Gen. 171 (1985); 65 Ops.Cal.Atty.Gen. 606 (1982)). If a Board member is sworn into an incompatible office, then his/her position in the prior office is automatically terminated.\*\*\*



\*\*\*Note: Pursuant to Education Code 35107, an employee of a school district may not be sworn into office as an elected or appointed member of that district's Board unless he/she resigns as an employee. If the employee does not resign, the employment automatically terminates when he/she is sworn into office. See BB 9220 - Governing Board Elections.\*\*\*

\*\*\*Note: The determination as to whether an activity or office is incompatible is complex and requires a case-by-case analysis of the particular activities or duties of the office; therefore, it is recommended that district legal counsel be consulted as appropriate.\*\*\*

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

(cf. 4136/4236/4336 - Nonschool Employment)

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### Gifts

\*\*\*Note: Pursuant to 2 CCR 18730, the gift limitation is currently \$460. This amount is adjusted in odd-numbered years by the FPPC. Pursuant to Government Code 89503, Board members and candidates are subject to gift limitation for gifts from all sources except when exempted by law or regulation. For those Board members who file a Form 700 based on the disclosure categories specified in the district's conflict of interest code pursuant to Government Code 87302 (see the accompanying exhibit), the gift limit is only applicable as to those individuals and entities that are disclosed on the Form 700.\*\*\*

\*\*\*Note: Several exceptions exist within the Government Code's definitions of gifts, income, interest in real property, and investment; see Government Code 82028, 82030, 82033, and 82034. If questions arise as to such exceptions, the district may seek clarification from the FPPC through email to [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or consult legal counsel.\*\*\*

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

\*\*\*Note: Board members and designated employees may, in the circumstances described in Government Code 89506, receive payments, advances, or reimbursements for travel and related lodging and subsistence, which will not be subject to the gift limit set in Government Code 89503.\*\*\*

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation,

except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

#### Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

#### Legal Reference:

##### EDUCATION CODE

1006 Qualifications for holding office  
35107 School district employees  
35230-35240 Corrupt practices, especially:  
35233 Prohibitions applicable to members of governing boards  
41000-41003 Moneys received by school districts

41015 Investments

##### FAMILY CODE

297.5 Rights, protections, and benefits of registered domestic partners

##### GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers  
1125-1129 Incompatible activities  
81000-91014 Political Reform Act of 1974, especially:

82011 Code reviewing body  
82019 Definition, designated employee  
82028 Definition, gift  
82030 Definition, income  
82033 Definition, interest in real property  
82034 Definition, investment  
87100-87103.6 General prohibitions  
87200-87210 Disclosure  
87300-87313 Conflict of interest code  
87500 Statements of economic interests  
89501-89503 Honoraria and gifts  
89506 Ethics; travel  
91000-91014 Enforcement

#### PENAL CODE

85-88 Bribes

#### REVENUE AND TAXATION CODE

203 Taxable and exempt property - colleges

#### CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18700-18707 General prohibitions

18722-18740 Disclosure of interests

18753-18756 Conflict of interest codes

#### COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

#### ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)

92 Ops.Cal.Atty.Gen. 19 (2009)

89 Ops.Cal.Atty.Gen. 217 (2006)

86 Ops.Cal.Atty.Gen. 138(2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

80 Ops.Cal.Atty.Gen. 320 (1997)

69 Ops.Cal.Atty.Gen. 255 (1986)

68 Ops.Cal.Atty.Gen. 171 (1985)

65 Ops.Cal.Atty.Gen. 606 (1982)

63 Ops.Cal.Atty.Gen. 868 (1980)

#### Management Resources:

##### CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

##### FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

##### INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

##### WEB SITES

CSBA: <http://www.csba.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

Adopted November 3, 2022

RECEIVED

OCT 31 2022

HUMBOLDT COUNTY  
ELECTIONS

# 2022 Local Agency Biennial Notice

Name of Agency: Arcata Fire Protection District

Mailing Address: 2149 Central Avenue, McKinleyville, CA 95519

Contact Person: Becky Schuette Phone No. 707-825-2000

Email: bschuette@arcatafire.org Alternate Email: jmcdonald@arcatafire.org

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that *(check one BOX)*:

**An amendment is required. The following amendments are necessary:**

*(Check all that apply.)*

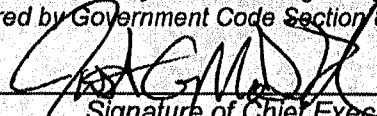
- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other *(describe)* An update was made to the dollar amount in Section 10. Prohibition on Receipt of Gifts in Excess of \$470. Changed to \$520

**The code is currently under review by the code reviewing body.**

**No amendment is required. (If your code is over five years old, amendments may be necessary.)**

### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

  
\_\_\_\_\_  
Signature of Chief Executive Officer

10/31/2022  
\_\_\_\_\_  
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

**Humboldt County Office of Elections**  
Attn: Christina Strevey  
2426 6th Street, Eureka, CA 95501

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

AUG 15 2022

HUMBOLDT COUNTY  
ELECTIONS

August 12, 2022

Humboldt County Office of Elections  
Attn: Christina Strevey  
2426 6<sup>th</sup> Street  
Eureka, CA 95501

Ms. Strevey,

Enclosed please find the 2022 Local Agency Biennial Notice documentation for the Arcata Fire Protection District.

The documents include the following:

1. A Draft red-line version of the Conflict of Interest Code with the changes in strikeout and updates underscored. Minor changes noted in the red-line version include:
  - a. An update to Section 10. Prohibition on Receipt of Gifts in Excess of from \$470 to \$520 (page 6 of the Draft document).
  - b. Updates to the Designated Positions in Appendix A (page 10 of the Draft document). The Battalion Chief position has been eliminated and replaced with Assistant Chiefs and the Business Manager and Fire Marshal positions have been added.
2. A copy of Resolution 22-268 with Exhibit A, adopted by the Board on August 9, 2022, approving the updates to the Conflict of Interest (Exhibit A) with the understanding that the new Code does not go into effect until it has been approved by the Humboldt County Board of Supervisors.
3. A copy of the most recently approved Board Meeting Minutes.
4. A current Organizational Chart.
5. Copies of Job Descriptions for the new classifications, Assistant Chief, Business Manager and Fire Marshal.

Please feel free to contact me if there are any questions or concerns.

Thank you.



Becky Schuette, Business Manager  
Arcata Fire District  
Office | (707) 825-2000  
bschuette@arcatafire.org  
[www.arcatafire.org](http://www.arcatafire.org)



RECEIVED

AUG 15 2022

HUMBOLDT COUNTY  
ELECTIONS

COPY



# CONFLICT OF INTEREST CODE

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Approved by Resolution 17-17122-268  
February 21, 2017 August 9, 2022

**Table of Contents**

Section 1. Introduction..... 2  
Section 2. Definition of Terms..... 2  
Section 3. Designated Employees ..... 2  
Section 4. Disclosure Statements ..... 2  
Section 5. Place of Filing ..... 2  
Section 6. Time of Filing..... 3  
Section 7. Contents of Statements..... 3  
Section 8. Manner of Reporting..... 4  
Section 9. Prohibition on Receipt of Honoraria ..... 5  
Section 10. Prohibition on Receipt of Gifts in Excess of \$470..... 6  
Section 11. Loans to Public Officials..... 6  
Section 12. Loan Terms..... 7  
Section 13. Personal Loans..... 8  
Section 14. Disqualification ..... 8  
Section 15. Manner of Disqualification ..... 9  
Appendix A..... 10  
Appendix B ..... 11

## **Section 1. Introduction**

In compliance with the Political Reform Act of 1974, California Government Code Section 81000, et seq., and specifically with Section 87300, et seq., the Arcata Fire Protection District hereby adopts this Conflict of Interest Code, which shall be applicable to all designated employees of the agency. The requirements of the Code are in addition to other requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

## **Section 2. Definition of Terms**

The definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100 et seq.) and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

## **Section 3. Designated Employees**

The persons holding positions listed in Appendix A are designated employees. It has been determined that these officers and employees make or participate in the making of decisions, which may foreseeably have a material effect on financial interests.

## **Section 4. Disclosure Statements**

A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix B. It has been determined that the financial interests set forth in a designated employees disclosure category are the types of financial interests which he or she foreseeably can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interest as required by the applicable disclosure category.

## **Section 5. Place of Filing**

All designated employees required to submit a statement of economic interests shall file the original with the Secretary of the Board of Directors who shall be the filing officer for all designated employees excluding the Board of Directors.

Within five days of receipt of the statement of economic interests from the Board of Directors, the Board Secretary will make and retain a copy and forward the originals of



these statements to the Humboldt County Office of Elections, whom the FPPC has designated as the filing officer for elected officials. The Office of Elections shall forward the original statements to the California Fair Political Practices Commission.

## **Section 6. Time of Filing**

**Initial Statements** - All designated employees employed by the agency on the effective date of this Code shall file statements within thirty (30) days after the effective date of this Code.

### **Assuming Office Statements**

1. All persons assuming designated positions after the effective date of this Code, which are designated positions, shall file statements within thirty (30) days after assuming the position.
2. All persons appointed, promoted or transferred to designated positions after the effective date of the Code, shall file statements within ten (10) days after assuming office.

**Annual Statements** - All designated employees shall file statements no later than January 31<sup>st</sup> of each year. Original documents forwarded to the County must be submitted to the FPPC no later than April 1<sup>st</sup> of each year.

**Leaving Office Statements** - All persons who leave designated positions shall file statements within thirty (30) days after leaving office.

**Candidate Statements** - All candidates (including incumbents), for offices specified in Government Code Section 87200, must file statements no later than the final filing date for their declaration of candidacy. This statement shall not be required if the candidate has filed any statement (other than a leaving office statement) for the same jurisdiction within sixty (60) days before filing a declaration of candidacy or other nomination documents.

## **Section 7. Contents of Statements**

**Contents of Initial Statements** - Initial statements shall disclose any reportable investments and interest in real property held on the effective date of the Code.

**Assuming Office Statements** - Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office. Additionally, income (including loans, gifts, and travel payments) received during the twelve (12) months prior to the date the office is assumed.

**Contents of Annual Statements** - Annual statements shall disclose any reportable investments, interest in real property, business positions held and income (including loans, gifts, and travel payments) received during the period covered by the statement, provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office, whichever is later.

**Contents of Leaving Office Statements** - Leaving office statements shall disclose reportable investments, interests in real property, business positions held and income (including loans, gifts, and travel payments) received during the period between the closing date of the last statement filed and the date of leaving office.

**Contents of Candidate Statements** - Candidate statements shall disclose reportable investments, interests in real property and business positions held on the date of filing the declaration of candidacy. Additionally, income (including loans, gifts, and travel payments) received during the twelve (12) months prior to the date of filing the declaration of candidacy must also be reported.

## **Section 8. Manner of Reporting**

Disclosure statements shall be made on forms supplied by Arcata Fire Protection District and shall contain the following information:

**Contents of Investment and Real Property Reports** - When an investment or interest in real property is required to be reported, the statement shall contain the following:

1. A statement of the nature of the investment or interest.
2. The name of the business entity in which each investment is held and a general description of the business activity in which the business entity is engaged.
3. The address or other precise location of the real property.
4. A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000) or exceeds one million dollars (\$1,000,000).

**Contents of Personal Income Reports** - When personal income is required to be reported, the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or

greater than ten thousand dollars (\$10,000) or greater than one hundred thousand dollars (\$100,00);

3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made, a description of the gift, the amount or value of the gift and the date on which the gift was received.
5. In the case of a loan, the annual interest rate and security, if any, given for the loan and the term of the loan.

**Contents of Business Entity Income Reports** - When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

1. The name, address and a general description of the business activity of the business entity;
2. In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);
3. In the case of a business entity not covered by paragraph (2), the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than then thousand dollars (\$10,000).

**Contents of Management Position Reports** - When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

**Acquisition of Disposal During Reporting Period** - In the case of an annual or Leaving Office Statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition of disposal.

## **Section 9. Prohibition on Receipt of Honoraria**

No designated employee shall accept any honorarium from any source, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

Subdivisions (a), (b), and (c) of the Government Code Section 89501 shall apply to the prohibitions in this section. This section shall not limit or prohibit payments, advances,

or reimbursements for travel and related lodging and substance authorized by Government Code Section 89506.

**Section 10. Prohibition on Receipt of Gifts in Excess of ~~\$470520~~**

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No designated employee shall accept gifts with a total value of more than ~~\$470520~~ in a calendar year from any single source, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

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Subdivisions (e), (f), and (g) of Government Code Section 89503 shall apply to the prohibitions in this section.

**Section 11. Loans to Public Officials**

No elected officer of a state or local government agency shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan from an officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has

been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person, which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

### **Section 12. Loan Terms**

Except as set forth in subdivision (b), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section. (3) Loans made, or offered in writing, before January 1, 1998.

Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

### **Section 13. Personal Loans**

Except as set forth in the next paragraph, a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
  - a. The date the loan was made.
  - b. The date the last payment of \$100 or more was made on the loan.
  - c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months

This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (a), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (a), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

### **Section 14. Disqualification**

Designated employees must disqualify themselves from making, participating in the making or using their official position to influence the making of any governmental decision, which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on:

1. Any business entity in which the designated employee has a direct or indirect investment worth more than two thousand dollars (\$2,000);

2. Any real property in which the designated employee has a direct or indirect interest worth more than two thousand dollars (\$2,000);
3. Any source of income, other than loans by a commercial lending institution in the regular course of business, aggregating five hundred dollars (\$500) or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or
4. Any business entity in which the designated employee is a director, officer, partner, trustee, employee or holds any position of management.
5. Any donor of, or intermediary or agent for a donor of, a gift or gifts aggregating \$470 or more provided to, received by, or promised to the designated employee within twelve(12) months prior to the time when the decision is made.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. (The fact that the designated employee's vote is needed to break a tie does not make his or her participation legally required for purposes of this section).

#### **Section 15. Manner of Disqualification**

A designated employee required to disqualify himself or herself shall notify his or her supervisor in writing. This notice shall be forwarded to the Chairman of the Board, who shall record the employee's disqualification. Upon receipt of such statement, the supervisor shall reassign the matter to another employee.

## Appendix A

### Designated Positions

### Disclosure Categories

Members of the Board of Directors

All

Fire Chief

All

~~Battalion Chief(e) Assistant Chiefs~~

~~All~~

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Business Manager

All

Fire Marshall

All

*corrected spelling*



## Appendix B

**General Provisions** - When a designated employee is required to disclose investments and sources of income, he/she need only disclose investments in business entities and sources of income from businesses or investments, which do business in the District, plan to do business in the District or have done business in the District within the last two years. In addition to other activities, a business entity is doing business within the District if it owns real property within the jurisdiction. When a designated employee is required to disclose interest in real property, he/she need only disclose those interests, which are located in whole or in part within the District or its "Sphere of Influence" as is established by the Local Agency Formation Commission of Humboldt County. Residence of the designated employee is not required to be reported.

Designated employees shall not be required to disclose interest in business entities when their interest and those of their immediate family do not in total exceed 10% ownership of the business.

**Disclosure Categories** - These categories are defined to parallel those listed in Form 700 as recommended by the Fair Political Practices Commission and County of Humboldt. (See Form 700 for additional disclosure and non-reportable interest's information).

Schedule A-1 – Investments; Stocks, Bonds & Other Interests

Schedule A-2 – Investments, Income, and Assets of Business Entities/Trusts

Schedule B – Interests in Real Property (Including Rental Income)

Schedule C – Income, Loans, & Business Positions (Income Other Than Gifts and Travel Payments)

Schedule D – Income; Gifts

Schedule E – Travel Payments, Advances, and Reimbursements



AUG 15 2022

HUMBOLDT COUNTY  
ELECTIONS

**COPY**

**Resolution Number: 22-268**

**A RESOLUTION OF THE ARCATA FIRE PROTECTION DISTRICT BOARD OF DIRECTORS  
CONFIRMING THE BIENNIAL REVIEW OF THE CONFLICT OF INTEREST CODE**

WHEREAS, The Political Reform Act, Government Code Section 81000, et, seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Political Reform Act requires the Board to review its conflict of interest code biennially to determine if it is accurate or, alternatively that the code must be amended; and

WHEREAS, the Board has previously designated employees, officers and disclosure categories in Resolution No. 17-171 which now needs to be revised to (as shown in Appendix A of the Code). The Board determines the revised Appendix A accurately sets forth those updated positions which should be designated and categories of financial interest which should be made reportable.

**NOW THEREFORE, BE IT RESOLVED THAT** by the Board of Directors of the Arcata Fire Protection District as follows:

1. Appendix A to the Conflict of Interest Code adopted by way of Resolution 17-171 on February 21, 2021, is hereby amended and replaced as set forth in **Exhibit A** hereto and incorporated herein.
2. The Board Secretary and Fire Chief are designated as the Filing Officials and Filing Officers for the District and shall perform the duties of Filing Official and Filing Officer.

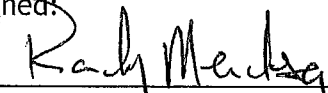
**AND, BE IT FURTHER RESOLVED** that the Board has conducted the 2022 biennial review of its Conflict of Interest Code, as required by the Political Reform Act, and wishes to amend the Code as described above and set forth in **Exhibit A**. The Code hereby adopted shall rescind and supersede all previous Conflict of Interest Codes of the District.

**ADOPTED, SIGNED AND APPROVED** at a duly called meeting of the Board of Directors of the Arcata Fire Protection District by the following polled vote:


Ayes: Loudenslager, Maynor, Rosen and Mendosa  
Nays: None  
Abstain: None  
Absent: Johnson

**DATED:** August 9, 2022

Signed:

  
Randy Mendosa, President

Attest:

  
Becky Schuette, Board Clerk/Secretary



# CONFLICT OF INTEREST CODE

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Approved by Resolution 22-268  
August 9, 2022

## Table of Contents

Section 1. Introduction.....	2
Section 2. Definition of Terms.....	2
Section 3. Designated Employees .....	2
Section 4. Disclosure Statements .....	2
Section 5. Place of Filing .....	2
Section 6. Time of Filing.....	3
Section 7. Contents of Statements.....	3
Section 8. Manner of Reporting .....	4
Section 9. Prohibition on Receipt of Honoraria .....	5
Section 10. Prohibition on Receipt of Gifts in Excess of \$520.....	6
Section 11. Loans to Public Officials.....	6
Section 12. Loan Terms .....	7
Section 13. Personal Loans.....	8
Section 14. Disqualification .....	8
Section 15. Manner of Disqualification .....	9
Appendix A.....	10
Appendix B.....	11

## **Section 1. Introduction**

In compliance with the Political Reform Act of 1974, California Government Code Section 81000, et seq., and specifically with Section 87300, et seq., the Arcata Fire Protection District hereby adopts this Conflict of Interest Code, which shall be applicable to all designated employees of the agency. The requirements of the Code are in addition to other requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

## **Section 2. Definition of Terms**

The definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100 et seq.) and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

## **Section 3. Designated Employees**

The persons holding positions listed in Appendix A are designated employees. It has been determined that these officers and employees make or participate in the making of decisions, which may foreseeably have a material effect on financial interests.

## **Section 4. Disclosure Statements**

A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix B. It has been determined that the financial interests set forth in a designated employees disclosure category are the types of financial interests which he or she foreseeably can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interest as required by the applicable disclosure category.

## **Section 5. Place of Filing**

All designated employees required to submit a statement of economic interests shall file the original with the Secretary of the Board of Directors who shall be the filing officer for all designated employees excluding the Board of Directors.

Within five days of receipt of the statement of economic interests from the Board of Directors, the Board Secretary will make and retain a copy and forward the originals of

these statements to the Humboldt County Office of Elections, whom the FPPC has designated as the filing officer for elected officials. The Office of Elections shall forward the original statements to the California Fair Political Practices Commission.

## **Section 6. Time of Filing**

**Initial Statements** - All designated employees employed by the agency on the effective date of this Code shall file statements within thirty (30) days after the effective date of this Code.

### **Assuming Office Statements**

1. All persons assuming designated positions after the effective date of this Code, which are designated positions, shall file statements within thirty (30) days after assuming the position.
2. All persons appointed, promoted, or transferred to designated positions after the effective date of the Code, shall file statements within ten (10) days after assuming office.

**Annual Statements** - All designated employees shall file statements no later than January 31<sup>st</sup> of each year. Original documents forwarded to the County must be submitted to the FPPC no later than April 1<sup>st</sup> of each year.

**Leaving Office Statements** - All persons who leave designated positions shall file statements within thirty (30) days after leaving office.

**Candidate Statements** - All candidates (including incumbents), for offices specified in Government Code Section 87200, must file statements no later than the final filing date for their declaration of candidacy. This statement shall not be required if the candidate has filed any statement (other than a leaving office statement) for the same jurisdiction within sixty (60) days before filing a declaration of candidacy or other nomination documents.

## **Section 7. Contents of Statements**

**Contents of Initial Statements** - Initial statements shall disclose any reportable investments and interest in real property held on the effective date of the Code.

**Assuming Office Statements** - Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office. Additionally, income (including loans, gifts, and travel payments) received during the twelve (12) months prior to the date the office is assumed.

**Contents of Annual Statements** - Annual statements shall disclose any reportable investments, interest in real property, business positions held and income (including loans, gifts, and travel payments) received during the period covered by the statement, provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office, whichever is later.

**Contents of Leaving Office Statements** - Leaving office statements shall disclose reportable investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period between the closing date of the last statement filed and the date of leaving office.

**Contents of Candidate Statements** - Candidate statements shall disclose reportable investments, interests in real property and business positions held on the date of filing the declaration of candidacy. Additionally, income (including loans, gifts, and travel payments) received during the twelve (12) months prior to the date of filing the declaration of candidacy must also be reported.

## **Section 8. Manner of Reporting**

Disclosure statements shall be made on forms supplied by Arcata Fire Protection District and shall contain the following information:

**Contents of Investment and Real Property Reports** - When an investment or interest in real property is required to be reported, the statement shall contain the following:

1. A statement of the nature of the investment or interest.
2. The name of the business entity in which each investment is held and a general description of the business activity in which the business entity is engaged.
3. The address or other precise location of the real property.
4. A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000) or exceeds one million dollars (\$1,000,000).

**Contents of Personal Income Reports** - When personal income is required to be reported, the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or

greater than ten thousand dollars (\$10,000) or greater than one hundred thousand dollars (\$100,00);

3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made, a description of the gift, the amount or value of the gift and the date on which the gift was received.
5. In the case of a loan, the annual interest rate and security, if any, given for the loan and the term of the loan.

**Contents of Business Entity Income Reports** - When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);
3. In the case of a business entity not covered by paragraph (2), the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than one thousand dollars (\$10,000).

**Contents of Management Position Reports** - When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

**Acquisition of Disposal During Reporting Period** - In the case of an annual or Leaving Office Statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

## **Section 9. Prohibition on Receipt of Honoraria**

No designated employee shall accept any honorarium from any source if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

Subdivisions (a), (b), and (c) of the Government Code Section 89501 shall apply to the prohibitions in this section. This section shall not limit or prohibit payments, advances,



or reimbursements for travel and related lodging and substance authorized by Government Code Section 89506.

### **Section 10. Prohibition on Receipt of Gifts in Excess of \$520**

No designated employee shall accept gifts with a total value of more than \$520 in a calendar year from any single source, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

Subdivisions (e), (f), and (g) of Government Code Section 89503 shall apply to the prohibitions in this section.

### **Section 11. Loans to Public Officials**

No elected officer of a state or local government agency shall, from the date of his/her election to office through the date that he/she vacates office, receive a personal loan from an officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has

been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person, which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

## **Section 12. Loan Terms**

Except as set forth in subdivision (b), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section. (3) Loans made, or offered in writing, before January 1, 1998.

Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

### **Section 13. Personal Loans**

Except as set forth in the next paragraph, a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
  - a. The date the loan was made.
  - b. The date the last payment of \$100 or more was made on the loan.
  - c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months

This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (a), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (a), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

### **Section 14. Disqualification**

Designated employees must disqualify themselves from making, participating in the making or using their official position to influence the making of any governmental decision, which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on:

1. Any business entity in which the designated employee has a direct or indirect investment worth more than two thousand dollars (\$2,000);

2. Any real property in which the designated employee has a direct or indirect interest worth more than two thousand dollars (\$2,000);
3. Any source of income, other than loans by a commercial lending institution in the regular course of business, aggregating five hundred dollars (\$500) or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or
4. Any business entity in which the designated employee is a director, officer, partner, trustee, employee or holds any position of management.
5. Any donor of, or intermediary or agent for a donor of, a gift or gifts aggregating \$470 or more provided to, received by, or promised to the designated employee within twelve (12) months prior to the time when the decision is made.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. (The fact that the designated employee's vote is needed to break a tie does not make his or her participation legally required for purposes of this section).

### **Section 15. Manner of Disqualification**

A designated employee required to disqualify himself or herself shall notify his or her supervisor in writing. This notice shall be forwarded to the Chairman of the Board, who shall record the employee's disqualification. Upon receipt of such statement, the supervisor shall reassign the matter to another employee.

## Appendix A

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Members of the Board of Directors	All
Fire Chief	All
Assistant Chiefs	All
Business Manager	All
Fire Marshal	All

## Appendix B

**General Provisions** - When a designated employee is required to disclose investments and sources of income, he/she need only disclose investments in business entities and sources of income from businesses or investments, which do business in the District, plan to do business in the District or have done business in the District within the last two years. In addition to other activities, a business entity is doing business within the District if it owns real property within the jurisdiction. When a designated employee is required to disclose interest in real property, he/she need only disclose those interests, which are located in whole or in part within the District or its "Sphere of Influence" as is established by the Local Agency Formation Commission of Humboldt County. Residence of the designated employee is not required to be reported.

Designated employees shall not be required to disclose interest in business entities when their interest and those of their immediate family do not in total exceed 10% ownership of the business.

**Disclosure Categories** - These categories are defined to parallel those listed in Form 700 as recommended by the Fair Political Practices Commission and County of Humboldt. (See Form 700 for additional disclosure and non-reportable interest's information).

Schedule A-1 – Investments; Stocks, Bonds & Other Interests

Schedule A-2 – Investments, Income, and Assets of Business Entities/Trusts

Schedule B – Interests in Real Property (Including Rental Income)

Schedule C – Income, Loans, & Business Positions (Income Other Than Gifts and Travel Payments)

Schedule D – Income; Gifts

Schedule E – Travel Payments, Advances, and Reimbursements

MINUTES

*Regular Board Meeting*

*June 14, 2022*

*5:30 p.m.*

*Location: Remote Via Zoom*

**Board of Directors**

*Randy Mendosa (Division 3) - President, Blaine Maynor (Division 1) - Vice-President,  
Nicole Johnson (Division 2) - Director, Eric Loudenslager (Division 4) - Director  
David Rosen (Division 5) - Director*

**CALL TO ORDER**

The regular session of the Board of Directors for the Arcata Fire District was called to order by President Randy Mendosa at 5:30 pm.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance has been suspended during Shelter in Place.

**ATTENDANCE AND DETERMINATION OF A QUORUM**

The meeting continued with a quorum and the following were present remotely via zoom: President Randy Mendosa, Vice President Blaine Maynor, Director Nicole Johnson, Director Eric Loudenslager, and Director David Rosen.

Additional District administrative staff included Fire Chief Justin McDonald, and Board Secretary Becky Schuette.

Prior to approval of the agenda, Chief McDonald requested that the Real Property Negotiation closed session be called early during the first closed session, in order to accommodate Attorney Plotz schedule.

**APPROVAL OF AGENDA**

It was moved to approve the agenda with the exception of the Real Property Negotiations item to be called early.

**Motion:** Johnson; Second: Maynor

**Roll Call: Ayes;** Johnson, Loudenslager, Maynor, Rosen, and Mendosa.

Motion Carries

**SPECIAL PRESENTATION**

Chief McDonald presented the 2021 Annual Award recipients, introducing Larry Wood, who was present, as the Volunteer of the Year. Not present, Engineer Manuel Burciaga was awarded Rookie of the Year, Fire Captain John Evenson, Employee of the Year and Dave White, Officer of the Year.

There were no comments from the Board and AVFA President Roy Willis spoke briefly about the award recipients, offering his thanks.

## **CLOSED SESSIONS**

### **Conference with Labor Negotiators (Gov. Code Section 54957.6)**

Employee Organization: *Senior Management Group*

Agency Designated Representative: *District Counsel Jack Hughes*

### **Conference with Real Property Negotiators (Gov. Code Section 54956.8)**

Property: *631 9<sup>th</sup> Street, Arcata*

Agency Negotiators: *Director Randy Mendosa and Director Blaine Maynor*

President Mendosa adjourned to closed session at 5:39 pm.

The meeting resumed at 6:05 pm.

Report out of closed session by President Mendosa;

Item 1 – Consent Calendar Item 9 discussed, will be pulled for clarification.

Item 2 – The Board gave direction to staff and the attorney.

## **PUBLIC COMMENT**

President Mendosa called for public comments and the following member of the public commented:

George Green, Arcata

Senior Management Group – Nothing to report.

Local 4981 – Unavailable for a report.

Arcata Volunteer Firefighters Association (AVFA) – Roy Willis, President. In addition to reviewing his report, he advised he had just learned that the Knox grant was not approved by Coast Central.

## **CONSENT CALENDAR**

1. Minutes from May 10, 2022, Regular Meeting
2. May 2022 Financial Report
3. Renewal of Adoption of Resolution 21-247 for an Additional 30 Days, Making Findings Pursuant to Government Code Section 54953, As Amended by Assembly Bill 361, and Authorizing the Continued Use of Virtual Meetings
4. Adopt Resolution 22-264 and Exhibit A, Accepting the Fiscal Year 2022-23 Appropriations Limit for the Arcata Fire District
5. Adopt Resolution 22-265 Setting the Per Unit at \$22 for the 2006 Benefit Assessment for Fiscal Year 2022-23
6. Adopt Resolution 22-266 Amending the CAL-Card Credit Limits Adopted in Resolution 18-191
7. Adopt Resolution 22-267 with Exhibit A, Authorizing the Destruction of Certain Fire District Records
8. Authorize the Contract Agreement for Repairs to the Mad River Fire Station
9. Side Letter Agreement Between Arcata Fire Protection District and Arcata Fire District Senior Management Group



10 units, and they will see a reduction in their fees, while a handful of the much larger complexes will see a triple-digit increase in their fees.

Based on a query, the Chief advised that the annual inspections are mandated by the state to inspect common areas and protect the privacy rights of the tenants. The self-evaluation door hangers are a "work-around" to assist with privacy and occasionally building managers or landlords participate in the inspections with Matt and many require their tenants receive 24-hour notice in advance of them occurring.

There were no comments from the Board or the public.

This item was for information only. The fee schedule will be updated later in the year.

**3. Consider Adoption of the Preliminary Budget for Fiscal Year 2022-23:** Chief McDonald reviewed his staff report aloud and made his recommendation.

Following a query from President Mendosa, Chief McDonald provided clarification on the funded/underfunded meaning under budget contingency.

There were no further Board comments or questions from the public.

It was moved to:

1. Approve the Preliminary Budget for Fiscal Year 2022-23 as presented,
2. Set the Public Hearing for final adoption of the budget at the September 13, 2022, Board Meeting
3. Authorize the Board Clerk/Secretary to publish a notice pursuant to HSC § 13893.

**Motion:** Loudenslager; Second: Rosen

**Roll Call: Ayes;** Johnson, Loudenslager, Maynor, Rosen, and Mendosa.

Motion Carries

**4. Further Discussion and Consideration Regarding the Official Name Change for the Fire District:** Chief McDonald reviewed his staff report aloud.

The discussion among the Board was focused on the disconnect of the District and the community of McKinleyville. Comments and input included that many community residents do not know that Arcata Fire Protection District is their fire department, and that fact comes up a great deal. More McKinleyville outreach by the District should occur in order to receive input. Citizens need to engage with the Board, inform them of their thoughts and what is important and for them to know their fire department better.

A majority of the Board commented that they would be in support of station sign updates as a lower cost option. Both the Directors representing McKinleyville agreed that the signs at each of the stations are confusing as they don't clearly identify Arcata Fire, but the description of the stations instead.

President Mendosa also added that since Kevin Jenkins has now become a member of the Measure F committee, he may have ideas for ways to further engage the McKinleyville community.

The following member of the public commented:

Roy Willis, AVFA President

There were a few final comments about utilizing the McKinleyville Chamber of Commerce who is very good to the District. Directors plan to attend more mixers and the Local was joining the Chamber, which could help. The “buck a minute” at the mixers was also mentioned as an inexpensive engagement option. More social media interaction is another easy inexpensive method.

Although there was no official motion, the Board did direct staff to begin working on the station signage. Chief McDonald will work on a proposal for all three stations and present it to the Board at a later date.

### **CLOSED SESSIONS**

#### **Public Employee Appointment (Gov. Code Section 54957(b)(1))**

Title: *Acting Fire Chief*

President Mendosa adjourned to closed session at 7:10 pm.

The meeting resumed at 7:21 pm.

Report out of closed session by President Mendosa; the Board has agreed to appoint retired Fire Chief Dave White as a temporary Acting Fire Chief while Chief McDonald is out of the country on vacation. Chief McDonald requested the President Mendosa read into the minutes that he, President Mendosa, will be the liaison to the Board for Chief White.

### **ADJOURNMENT**

Following a motion, President Mendosa adjourned the meeting at 7:24pm.

**Motion:** Johnson; **Second:** Maynor

The next Regular Meeting is scheduled for **July 12, 2022, at 5:30 pm.**

Respectfully submitted,



Becky Schuette,  
Clerk of the Board



# ORGANIZATIONAL CHART

2022

## District Board of Directors

	FULL-TIME
	PART-TIME
	VOLUNTEER

**Fire Chief**  
(1 FTE)

**Assistant Chief Operations**  
(1 FTE)

**Business Manager**  
(1 FTE)

**Assistant Chief Training/Admin**  
**VACANT**

### A-Shift

**Arcata Station**  
Captain (1 FTE)  
Engineer/Firefighter (1 FTE)

**Mad River Station**  
Captain (1 FTE)  
Engineer/Firefighter (1 FTE)

**McKinleyville Station**  
Captain (1 FTE)  
Engineer/Firefighter (1 FTE)

### B-Shift

**Arcata Station**  
Captain (1 FTE)  
Engineer/Firefighter (1 FTE)

**Mad River Station**  
Captain (1 FTE)  
Engineer/Firefighter (1 FTE)

**McKinleyville Station**  
Captain (1 FTE)  
Engineer/Firefighter (1 FTE)

### C-Shift

**Arcata Station**  
Captain (1 FTE)  
Engineer/Firefighter (1 FTE)

**Mad River Station**  
Captain (1 FTE)  
Engineer/ **VACANT**

**McKinleyville Station**  
Captain (1 FTE)  
Engineer/Firefighter (1 FTE)

### Fire Prevention Bureau

**Fire Marshal**  
(1 PTE)

**Fire Inspector**  
(1 PTE)

**Office Assistant**  
**VACANT**

### Volunteer Logistics Unit

**Logistics Captain**  
(2 positions)

**Logistics Team Members**  
(11 positions)

### Volunteer Suppression

**Suppression Volunteers**  
(2 positions)



**Job Title: ASSISTANT CHIEF**

Division: Administration

Supervisor: Fire Chief

Effective: November 2021

Revised: 2021

Bargaining Unit: Senior Management Grp

FLSA Status: Exempt

PERS Status: Safety

**BRIEF DESCRIPTION OF THE CLASSIFICATION:**

Performs complex leadership and managerial work with responsibility for planning, organizing, directing, staffing, and controlling a major operating division and/or programmatic section of the District. Assists the Fire Chief in planning and implementing the strategic goals and objectives of the District, maintaining operational readiness, and managing special projects/programs as assigned. Supervises assigned staff, including subordinate supervisors. Serves as duty officer on a rotating basis. Acts in the absence of the Fire Chief as assigned. Performs other related duties as assigned.

Receives administrative direction from the Fire Chief.

Exercises direct and indirect supervision over assigned subordinate staff, including subordinate supervisors.

**OVERALL PHYSICAL STRENGTH DEMANDS:**

Sedentary	Light	Medium X	Heavy	Very Heavy
S = Sedentary Exerting up to 10 lbs. occasionally or negligible weights frequently; sitting most of the time	L = Light Exerting up to 20 lbs. occasionally, 10 lbs. frequently, or negligible amounts constantly OR requires walking or standing to a significant degree.	M = Medium Exerting 20-50 lbs. occasionally, 10-25 lbs. frequently, or up to 10 lbs. constantly.	H = Heavy Exerting 50-100 lbs. occasionally, 25-50 lbs. frequently, or up to 10-20 lbs. constantly.	VH = Very Heavy Exerting over 100 lbs. occasionally, 50-100 lbs. frequently, or up to 20-50 lbs. constantly.

**ESSENTIAL FUNCTIONS:**

*This information is intended to be descriptive of the key responsibilities of the classification. The following examples do not identify all duties performed by any single incumbent. Specific requirements of individual positions are described in the Job Description.*

	Physical Strength Code	ESSENTIAL FUNCTIONS
1	S	Plans, organizes, directs, staffs, and controls a major operating division or programmatic section of the District; assists the Fire Chief in determining strategic goals, plans, and objectives in accordance with applicable laws, regulations, rules, and requirements; develops and recommends policies and procedures.
2	L	Develops, directs, and coordinates work plans for assigned operations and/or programs; monitors work flow, quality, and quantity; reviews and evaluates

# ARCATA FIRE DISTRICT

## Job Classification / HR Book



		work products, methods and procedures; identifies opportunities for improving service delivery methods and procedures; recommends plans for implementing organizational changes; prepares and reviews recommendations with the Fire Chief; implements improvements and changes as directed.
3	L	Supervises subordinate staff, including subordinate supervisors; manages daily staffing and prepares staffing schedules, including overtime schedules per department policy and in accordance with federal and state labor laws and applicable employee represented group MOUs; authorizes and tracks employee leaves; assigns and reviews tasks, special projects, and collateral duties; recommends the allocation of human resources resources; evaluates and develops employees through advising and coaching.
4	S	Assists with the administration of employee and labor relations matters; recommends personnel actions, including employee discipline as required, and coordinates their implementation; assists in the development of management goals for bargaining purposes; may participate in meet and confer activities if assigned.
5	S	Reviews and assesses training needs and available programs; organizes and schedules trainings; oversees and coordinates the attendance of District staff and volunteers at training programs and seminars; researches and recommends policies and procedures related to training activities.
6	S	Assists in the development and administration of the District's annual operating budget; monitors expenditures for areas of assignments and recommends budgetary adjustments as needed; conducts research on a variety of topics, conducts cost/benefit analyses, and recommends future service needs; assists the Fire Chief in the development of capital improvement plans and projects; manages purchasing activities in accordance with District policy.
7	S	Provides complex staff assistance to the Fire Chief; prepares and presents staff reports and assists with the development of Board items; conducts analytical research on a variety of administrative matters; conducts surveys and prepares statistical and narrative reports; prepares complex correspondence; develops and maintains a variety of records; makes presentations as assigned.
8	H	Serves as duty officer on a rotating basis by responding to and managing all-staff fire, rescue, hazardous materials, emergency medical, and other incidents; applies the incident command system as well as accepted emergency management techniques; participates in all aspects of firefighting and medical assistance operations as necessary, including the operation of various fire apparatus, vehicles, and equipment; coordinates with external agencies as needed to request or participate in mutual aid activities; directs and/or conducts origin and cause investigations and prepares investigative reports; testifies in court as required.
9	M	Manages and ensures operational readiness for areas of assignment; conducts periodic safety inspections of assigned vehicles, equipment, and/or facilities and ensures required maintenance and repair; negotiates and schedules maintenance/repair services with external vendors as required; develops

# ARCATA FIRE DISTRICT

Job Classification / HR Book



		specifications for the purchase of firefighting apparatus and equipment, emergency medical services and rescue equipment.
10	L	Researches, investigates, responds to, and resolves difficult and sensitive citizen inquiries and complaints as well as internal incidents; writes and reviews incident reports, ensuring they contain accurate, complete and legitimate information.
11	L	Attends and participates in external meetings, conferences, workshops, and training sessions; researches and stays current on emerging trends and innovations in the field; schedules, conducts, and/or attends internal staff meetings.
12	M	Manages special projects and performs other assignments as directed by the Fire Chief.
13	L	Represents the District as assigned to regulatory officers, other fire agencies, businesses, community organizations/groups, the media, and the public; responds appropriately to inquiries and concerns; provides required information; may prepare press releases, outreach materials, or other public information.
14	M	May manage fire prevention programs, including fire inspections and plan reviews; may direct and oversee public education activities by speaking to businesses, schools, clubs, and a variety of citizen groups in order to promote public awareness and the interest in fire safety; may serve as the District's designated fire marshal.
15	M	May serve as District safety officer by investigating employee accidents and making recommendations to improve safety procedures; may manage District wellness and/or fitness programs.
16	M	May manage the development and/or implementation of new technologies.
17	M	May act in absence of Fire Chief if assigned.

## **CLASS REQUIREMENTS:**

*Any combination of training and experience that provides the required knowledge and abilities may be qualifying. A typical way to obtain the required qualifications is described below.*

SKILL	REQUIREMENT
Education & Experience	<ul style="list-style-type: none"> <li>• Bachelor's degree with ten (10) years of continuous fire service experience with five (5) years full-time supervisory experience, or</li> <li>• Associates degree and fifteen (15) years of continuous experience with 10 years full-time supervisory experience, or</li> <li>• Fifteen (15) years of continuous fire service experience including ten (10) years paid supervisory, five (5) as a chief officer</li> </ul>
Certifications and Other Requirements at the Time of Application	<ul style="list-style-type: none"> <li>• EMT-1</li> <li>• CSFM Chief Fire Officer or equivalent</li> <li>• ICS 300 &amp; 400</li> <li>• NIMS 700/800</li> </ul>



	<ul style="list-style-type: none"> <li>• Valid insurable driver's license with firefighting endorsement</li> <li>• Hazmat First Responder Operations Level</li> <li>• Emergency vehicle operations (EVOC)</li> </ul>
<p style="text-align: center;">Desirable Qualifications</p>	<ul style="list-style-type: none"> <li>• Graduation from or current enrollment in the Executive Fire Officer's Program from the National Fire Academy</li> <li>• Experience in the operation of a California Fire District</li> </ul>
<p style="text-align: center;">Required Knowledge</p>	<p>Principles and practices of fire department administration, including suppression, prevention, inspection, investigation, damage control, and emergency medical services, as well as applicable laws, codes, and ordinances; special district administrative policies and practices, including Board relations, budget development, fiscal administration, labor relations, and personnel administration; organizational and management practices as applied to the analysis and evaluation of programs, policies, and operational needs; principles and practices of employee supervision, including work planning, assignment, delegation, review, and evaluation; common building construction techniques and practices related to fire safety; fire prevention building regulations related to fire sprinklers, alarm systems, elevators, and other related systems; techniques of driving varied emergency vehicles and operating a wide range of fire equipment and apparatus; fire ground hydraulics; hazardous materials response; confined space awareness; SIDS; blood borne pathogens; elder/child abuse; wildland firefighting; local geography and streets; safety practices related to fire service and emergency medical response work; basic computer operations and standard business applications; English usage, grammar, spelling, vocabulary, punctuation; advanced public relations and customer service techniques.</p>
<p style="text-align: center;">Specialized Abilities</p>	<p>Plan, organize, direct, staff, and control assigned operational and/or programmatic areas within a fire department; understand and interpret laws, regulations, policies, procedures, and requirements related to areas of assignment; plan and develop work plans; schedule, assign, supervise, review, and evaluate the work of subordinate personnel, including subordinate supervisors; train assigned personnel in work procedures; administer, perform and/or coordinate assigned collateral duties, projects, and programs; administer personnel and labor relations matters; safely direct and participate in fire suppression, rescue, and salvage work; direct and participate in the provision of emergency medical care at a BLS level; safely direct and participate in the management of hazardous materials and other types of emergency incidents in accordance with established procedures; operate vehicles, equipment, and apparatus safely and in conformance with District procedures and traffic laws; learn the geography of the District and the location of fire suppression utilities.</p>

# ARCATA FIRE DISTRICT

Job Classification / HR Book



Reading Ability	Read various reports, professional publications, technical references, rules and regulations, codes and ordinances, legal documents, and general correspondence.
Math Ability	Perform general math calculations such as addition, subtraction, multiplication and division; calculate water flow problems.
Communication Ability	Communicate effectively in English, both orally and in writing; write complex letters, reports, memos, research findings, operational procedures, and general correspondence.
Computer Ability	Operate a personal computer and utilize standard business software.
Supervisory / Organizational Control Ability	Provide daily supervision and performance monitoring for subordinate employees, including subordinate supervisors; assign work duties, plan training, realign work as needed, conduct performance evaluations, and provide input to the Fire Chief on hiring/disciplinary actions and work objectives/effectiveness.
Managerial Ability	Perform strategic planning and logistical analyses; organize areas of assignment for maximum effectiveness and efficiency; prioritize and direct assigned functions, services, and activities; determine staffing requirements; allocate and control resources.
Complexity and Decision-Making Ability	Choose actions within broad administrative policies, practices, and procedures; apply substantial independent initiative and professional judgment to determine the proper course of action.
Budgeting Ability	Coordinate the development of major budgetary sections; prepare documents and do research to justify budget allocations; prepare budget narratives; perform ongoing monitoring of budget expenditures for areas of assignment.
Interpersonal / Human Relations Ability	Establish and maintain effective working relationships with those contacted in the course of work; interact frequently with the Fire Chief at a strategic level; work cooperatively and interact supportively with peers; in a leadership capacity, communicate frequently with subordinates within the organization as well as with external regulatory agents, other fire agencies, businesses, community organizations/groups, the media, and the public; work frequently with various state and federal agencies; communicate with vendors and suppliers to obtain information on purchases, supplies or products.



**ARCATA FIRE DISTRICT**  
Job Classification / HR Book



**PHYSICAL DEMANDS:**

C = Continuously 2/3 or more of the time.	F = Frequently From 1/3 to 2/3 of the time.	O = Occasionally Up to 1/3 of the time.	R = Rarely Less than 1 hour per week.	N = Never Never occurs.
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PHYSICAL DEMANDS	FREQUENCY CODE	DESCRIPTION
Standing	O	Ladders, rooftops, truck platforms, painting, repair and maintenance work, public relations, training.
Sitting	F	Computer, desk work, answering telephone, driving
Walking	F	Emergency response, visiting stations, safety and routine inspections
Lifting	O	Medical equipment and supplies, fire equipment and supplies, patients, stretchers, debris.
Carrying	O	Medical equipment and supplies, fire equipment and supplies, patients, stretchers, debris.
Pushing/Pulling	O	Medical equipment and supplies, fire equipment and supplies.
Reaching	O	Medical equipment and supplies, fire equipment and supplies.
Handling	O	Medical equipment and supplies, fire equipment and supplies.
Fine Dexterity	F	Computer keyboard, writing, checking equipment, patient care.
Kneeling	O	Firefighting, patient care, maintenance and cleaning, training.
Crouching	O	Firefighting, patient care, maintenance and cleaning, training.
Crawling	R	Firefighting, patient care, maintenance and cleaning, training.
Bending	O	Firefighting, patient care, maintenance and cleaning, training.
Twisting	O	Firefighting, patient care, maintenance and cleaning, training.
Climbing	O	Ladders, steps, rooftops, truck platforms.
Balancing	O	On ladders, steps, rooftops, truck platforms.
Vision	C	Computer, desk work, observations at fire scenes, driving.
Hearing	C	Firefighters, police, dispatch, general public.
Talking	F	Firefighters, police, dispatch, general public.
Foot Controls	O	Driving, depressing siren switch.
Other (specify)	N	



**MACHINES, TOOLS, EQUIPMENT, AND WORK AIDS:**

Emergency medical equipment including airways, oxygen, monitor/defibrillators, stretchers, backboards and stokes baskets, diagnostic equipment and basic first aid supplies; firefighting equipment including fire hoses and appliances, portable ladders, rope, fans, portable lights; general hand tools; portable electric, mechanical, pneumatic, hydraulic, and gasoline powered tools; emergency vehicles including sedans, heavy fire apparatus, and support/utility vehicles and associated equipment; and communications equipment including radios, computer hardware and software, and cellular phones

**ENVIRONMENTAL FACTORS:**

D = Daily	W = Several Times Per Week	M = Several Times Per Month	S = Seasonally	N = Never
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HEALTH AND SAFETY		ENVIRONMENTAL FACTORS		PRIMARY WORK LOCATION	
Mechanical Hazards	M	Dirt and Dust	M	Office Environment	D
Chemical Hazards	M	Extreme Temperatures	M	Warehouse	--
Electrical Hazards	M	Noise and Vibration	D	Shop	M
Fire Hazards	W	Fumes and Odors	M	Vehicle	D
Explosives	S	Wetness/Humidity	S	Outdoors	D
Communicable Diseases	S	Darkness or Poor Lighting	S	Other (see 1 below)	D
Physical Danger or Abuse	M				
Other	N				

(1) Fire stations and emergency incident scenes

**PROTECTIVE EQUIPMENT REQUIRED:**

Turnout gear, fire gloves, fire resistive hood, helmet, safety glasses, safety shoes, self-contained breathing apparatus (SCBA), Wildland PPE (including helmet, gloves, shroud, goggles, nomex shirt and pants) traffic safety vest.

**NON-PHYSICAL DEMANDS:**

C = Continuously 2/3 or more of the time.	F = Frequently From 1/3 to 2/3 of the time.	O = Occasionally Up to 1/3 of the time.	R = Rarely Less than 1 hour per week.	N = Never Never occurs.
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NON-PHYSICAL DEMANDS	
Time Pressures	F
Emergency Situations	F
Frequent Change of Tasks	F
Irregular Work Schedule/Overtime	F
Performing Multiple Tasks Simultaneously	F

**ARCATA FIRE DISTRICT**  
Job Classification / HR Book



Working Closely with Others as Part of a Team	F
Tedious or Exacting Work	F
Noisy/Distracting Environment	F
Other	

# ARCATA FIRE DISTRICT

Job Description / HR Book



## Job Title: BUSINESS MANAGER

Division: Administration

Supervisor: Fire Chief

Effective: January 11, 2022

Revised: 2021

Bargaining Unit: Senior Management Grp

FLSA Status: Non-Exempt

PERS Status: Miscellaneous

### **BRIEF DESCRIPTION OF THE CLASSIFICATION:**

Provides responsible administrative, accounting, clerical, purchasing, personnel and payroll assistance and support to the Fire Chief and chief officers by carrying out the administrative functions of the District. Performs a wide range of clerical, reception and technical administrative support services including the maintenance and processing of financial records and transactions involving a variety of items in different forms. Serves as the official Clerk for the District Board of Directors. Performs other related duties as assigned. This is an “at-will” position.

### **OVERALL PHYSICAL STRENGTH DEMANDS:**

Sedentary	Light X	Medium	Heavy	Very Heavy
S = Sedentary Exerting up to 10 lbs. occasionally or negligible weights frequently; sitting most of the time	L = Light Exerting up to 20 lbs. occasionally, 10 lbs. frequently, or negligible amounts constantly OR requires walking or standing to a significant degree.	M = Medium Exerting 20-50 lbs. occasionally, 10-25 lbs. frequently, or up to 10 lbs. constantly.	H = Heavy Exerting 50-100 lbs. occasionally, 25-50 lbs. frequently, or up to 10-20 lbs. constantly.	VH = Very Heavy Exerting over 100 lbs. occasionally, 50-100 lbs. frequently, or up to 20-50 lbs. constantly.

### **ESSENTIAL FUNCTIONS:**

*This information is intended to be descriptive of the key responsibilities of the classification. The following examples do not identify all duties performed by any single incumbent. Specific requirements of individual positions are described in the Job Description.*

	Physical Strength Code	ESSENTIAL FUNCTIONS
1	S	Provides reception in the District administrative office; receives and routes a variety of telephone calls, emails, mail/correspondences, and greets visitors to the District office; sorts mail; files, organizes, and types documents; responds to staff inquiries and resolves administrative problems.
2	S	Performs bookkeeping functions, including but not limited to accounts payable and receivable and account reconciliation and maintenance; provides budgetary administrative assistance to the Fire Chief.
3	S	Maintains and audits changes to the District’s special tax and benefit assessment; prepares annual billing statements for low value and public entity properties within the District.

# ARCATA FIRE DISTRICT

Job Description / HR Book



17	S	Reviews finished materials for completeness, accuracy, format and appropriate English usage
18	S	Provides Brown Act training and support to elected and appointed officials and staff.
15	S	Assists the Fire Chief in processing, preparing and coordinating Public Records requests in compliance with the Public Records Act.
16	S	Assists the Fire Chief with the District election processes; issues and tracks required FPPC conflict of interest reporting.
17	S	Monitors changes in laws, regulations and technology that may affect office operations; implements policy and procedural changes as required.
18	S	Serves as the liaison to the Arcata Volunteer Firefighters Association.
19	L	Performs other related duties as assigned

## **CLASS REQUIREMENTS:**

*Any combination of training and experience that provides the required knowledge and abilities may be qualifying. A typical way to obtain the required qualifications is described below.*

<b>SKILL</b>	<b>REQUIREMENT</b>
Formal Education	High school/GED with
Experience	Three (3) years of progressively responsible experience providing high level administrative support for an executive and/or elected official, preferably within a public sector setting.
Certifications and Other Requirements at the Time of Application	<ul style="list-style-type: none"> <li>• Valid insurable driver's license</li> <li>• CPR certification</li> </ul>
Desirable Qualifications	<ul style="list-style-type: none"> <li>• Completion of some business school or applicable college-level coursework</li> <li>• Experience with payroll and benefits within a public agency, including considerable experience and proficiency working with automated payroll systems and employee benefit programs.</li> </ul>
Required Knowledge	Modern office methods, practices, and equipment; standard office, administrative, and secretarial practices and procedures, including filing and business letter and report writing; technical accounting practices and procedures; CalPERS policies and procedures; basic computer operations and standard business applications; English usage, grammar, spelling, vocabulary, punctuation; public relations and customer service techniques.

# ARCATA FIRE DISTRICT

Job Description / HR Book



## PHYSICAL DEMANDS:

C = Continuously 2/3 or more of the time.	F = Frequently From 1/3 to 2/3 of the time.	O = Occasionally Up to 1/3 of the time.	R = Rarely Less than 1 hour per week.	N = Never Never occurs.
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PHYSICAL DEMANDS	FREQUENCY CODE	DESCRIPTION
Standing	O	Office equipment, presentations
Sitting	F	Computer, desk work, answering telephone
Walking	R	Inter-office
Lifting	R	Office supplies, files, reports
Carrying	R	Office supplies, files, reports
Pushing/Pulling	R	Office files, office equipment, file cabinets
Reaching	F	Office files, office equipment, supplies
Handling	O	Supplies, files, reports.
Fine Dexterity	C	Computer keyboard, writing, telephone keypad
Kneeling	R	Retrieving files
Crouching	R	Retrieving files
Crawling	N	
Bending	R	Retrieving files
Twisting	O	Retrieving files
Climbing	R	Stairs
Balancing	R	Stairs
Vision	C	Computer monitor, reading, writing, driving
Hearing	C	Communicating with personnel and general public
Talking	F	Communicating with personnel and general public
Foot Controls	N	
Other (specify)	N	

## MACHINES, TOOLS, EQUIPMENT, AND WORK AIDS:

Copy machine, fax machine, telephone, computer, printer, standard Microsoft Windows and Office Software, QuickBooks software, and Firehouse Records Management System software.

# ARCATA FIRE DISTRICT

Job Description / HR Book



## ENVIRONMENTAL FACTORS:

D = Daily	W = Several Times Per Week	M = Several Times Per Month	S = Seasonally	N = Never
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HEALTH AND SAFETY		ENVIRONMENTAL FACTORS		PRIMARY WORK LOCATION	
Mechanical Hazards	N	Dirt and Dust	N	Office Environment	D
Chemical Hazards	N	Extreme Temperatures	N	Warehouse	--
Electrical Hazards	N	Noise and Vibration	N	Shop	--
Fire Hazards	N	Fumes and Odors	N	Vehicle	S
Explosives	N	Wetness/Humidity	N	Outdoors	S
Communicable Diseases	N	Darkness or Poor Lighting	N	Other	--
Physical Danger or Abuse	N				
Other	N				

## PROTECTIVE EQUIPMENT REQUIRED:

None

## NON-PHYSICAL DEMANDS:

C = Continuously 2/3 or more of the time.	F = Frequently From 1/3 to 2/3 of the time.	O = Occasionally Up to 1/3 of the time.	R = Rarely Less than 1 hour per week.	N = Never Never occurs.
---	---	--	---	----------------------------

NON-PHYSICAL DEMANDS	
Time Pressures	R
Emergency Situations	R
Frequent Change of Tasks	R
Irregular Work Schedule/Overtime	R
Performing Multiple Tasks Simultaneously	O
Working Closely with Others as Part of a Team	F
Tedious or Exacting Work	F
Noisy/Distracting Environment	R
Other	

# ARCATA FIRE DISTRICT

HR Book / Job Description



## Job Title: FIRE MARSHAL

Division: Prevention  
 Supervisor: Fire Chief  
 Effective: January 11, 2022  
 Revised: 2021

Bargaining Unit: Unrepresented  
 FLSA Status: Non-Exempt  
 PERS Status: Miscellaneous

### **BRIEF DESCRIPTION OF THE CLASSIFICATION:**

Plans, organizes, manages, and participates in District fire prevention programs and activities. Performs plan checks that include, but are not limited to, new/remodeled buildings, sprinkler systems, fire alarm systems, and other fire protection devices and equipment. Conducts occupancy inspections and hazardous materials inspections. Issues permits. Directs and supervises staff in the performance of residential and business fire inspection and fire education activities. Interprets and enforces fire codes interpretation and enforcement. Performs other related duties as assigned.

Receives general supervision from the Fire Chief or designee. Exercises direct supervision over part-time Fire Inspectors; may provide functional or technical guidance and direction to career and/or volunteer firefighting personnel.

### **OVERALL PHYSICAL STRENGTH DEMANDS:**

Sedentary	Light X	Medium	Heavy	Very Heavy
S = Sedentary Exerting up to 10 lbs. occasionally or negligible weights frequently; sitting most of the time	L = Light Exerting up to 20 lbs. occasionally, 10 lbs. frequently, or negligible amounts constantly OR requires walking or standing to a significant degree.	M = Medium Exerting 20-50 lbs. occasionally, 10-25 lbs. frequently, or up to 10 lbs. constantly.	H = Heavy Exerting 50-100 lbs. occasionally, 25-50 lbs. frequently, or up to 10-20 lbs. constantly.	VH = Very Heavy Exerting over 100 lbs. occasionally, 50-100 lbs. frequently, or up to 20-50 lbs. constantly.

### **ESSENTIAL FUNCTIONS:**

*This information is intended to be descriptive of the key responsibilities of the classification. The following examples do not identify all duties performed by any single incumbent. Specific requirements of individual positions are described in the Job Description.*

	Physical Strength Code	ESSENTIAL FUNCTIONS
1	L	Reviews building and construction plans for compliance with applicable fire safety codes; checks subdivision maps and fire protection systems; works closely and cooperatively with builders and developers as well as other permitting agencies and officials.
2	M	Directs and supervises the inspection of private and public buildings for compliance with pertinent life-safety, building, and fire-safety standards as mandated by applicable codes.



# ARCATA FIRE DISTRICT

## HR Book / Job Description



3	M	Inspects buildings under construction for compliance with Fire Code sections which relate to fire prevention, detection, and suppression; inspects built-in detection and suppression systems as well as materials and methods used in construction.
4	L	Issues violation notices as needed and follows up as required to assure compliance.
5	L	Develops and participates in public information and education programs; prepares pamphlets, brochures and other informational and educational materials.
6	L	Makes presentations to groups on fire-safety, evacuation, fire suppression with portable equipment, use of fire alarms, and the use of telephones and citizen's band radios for reporting fires and other emergencies.
7	L	Attends and participates in project referral and planning related meetings with the City of Arcata and the County of Humboldt.
8	L	Coordinates work activities with City and County staff and officials, as well as other fire agency representatives, as required.
9	L	Supervises fire prevention staff and operations; schedules personnel; assigns duties and tasks, provides training, and directs and evaluates their work; provides performance counseling and may provide input into employee selection, disciplinary, and other personnel matters.
10	L	Directs the maintenance of fire suppression records and invoices; orders supplies, prepares correspondence, and completes forms; supervises billing activities, as well as the receipt and processing of payments for services.
11	L	Supervises and provides oversight and direction to staff in using various software applications and technological advancements in fire prevention.
12	L	Supervises Develops personnel by overseeing inspection and life safety programs as well as providing direction, training and support to personnel.
13	L	Responds to public inquiries and complaints related to fire safety matters, investigates complaints and performs follow up work on complaint resolution.
14	L	Attends meetings and briefings and keeps the Fire Chief properly informed.

### **CLASS REQUIREMENTS:**

*Any combination of training and experience that provides the required knowledge and abilities may be qualifying. A typical way to obtain the required qualifications is described below.*

<b>SKILL</b>	<b>REQUIREMENT</b>
Formal Education	High School/ GED
Experience	Five (5) years of progressive experience in fire prevention that included building and plans inspections and public education.

# ARCATA FIRE DISTRICT

## HR Book / Job Description



<p>Certifications and Other Requirements at the Time of Application</p>	<p>Possession of valid, insurable driver's license.</p>
<p>Desirable Qualifications</p>	<ul style="list-style-type: none"> <li>• AS/BS Degree in Fire Science or a related field</li> <li>• CSFM Fire Inspector Certification</li> <li>• CSFM Prevention 3 Series, Fire Management Series</li> </ul>
<p>Required Knowledge</p>	<p>Principles and practices of employee supervision, including work planning, training, assignment, delegation, review, and evaluation; basic administrative policies and practices, including budget development and administration; fire and building codes, life safety codes, and standards; principles, practices, and techniques of modern fire prevention; streets, water supplies, target hazards, and wildland fire risks in the District's service area; safety practices related to the work; basic computer operations and standard business applications; English usage, grammar, spelling, vocabulary, punctuation; public relations and customer service techniques.</p>
<p>Specialized Abilities</p>	<p>Plan, schedule, assign, supervise, review, and evaluate the work of assigned personnel; train assigned personnel in work procedures; administer, perform and/or coordinate fire prevention duties, projects, and programs; safely direct and perform fire prevention work; learn the geography of the District and the location of fire suppression utilities.</p>
<p>Reading Ability</p>	<p>Read various reports, professional publications, technical references, rules and regulations, codes and ordinances, legal documents, and general correspondence.</p>
<p>Math Ability</p>	<p>Perform general math calculations such as addition, subtraction, multiplication and division; calculate water flow problems.</p>
<p>Communication Ability</p>	<p>Communicate effectively in English, both orally and in writing; write memos, evaluations, inspections, letters, training materials, and various reports.</p>
<p>Computer Ability</p>	<p>Operate a personal computer and utilize standard business software.</p>
<p>Supervisory / Organizational Control Ability</p>	<p>Provide daily supervision and performance monitoring for a group of employees in a work unit, assign work duties, plan training, realign work as needed, conduct performance evaluations, and provide input on hiring/disciplinary actions and work objectives/effectiveness.</p>
<p>Managerial Ability</p>	<p>Perform strategic planning and logistical analyses; organize areas of assignment for maximum effectiveness and efficiency; prioritize and direct assigned functions, services, and activities; determine staffing requirements; allocate and control resources.</p>

# ARCATA FIRE DISTRICT

HR Book / Job Description



Complexity and Decision-Making Ability	Choose actions within limits set by standard practices and procedures and use moderate judgment to apply the proper course of action in non-emergency situations.
Budgeting Ability	Prepare documents and do research to justify budget allocations; prepare budget narratives; perform ongoing monitoring of budget expenditures for areas of assignment.
Interpersonal / Human Relations Ability	Establish and maintain effective working relationships with those contacted in the course of work; interact frequently with others within the organization to obtain or provide information; communicate with individuals outside the District such as other fire agencies, businesses, community organizations/groups, state and federal agents, and the general public; contact vendors and suppliers as needed for information on purchases, supplies or products.

## **PHYSICAL DEMANDS:**

PHYSICAL DEMANDS	FREQUENCY CODE	DESCRIPTION
C = Continuously 2/3 or more of the time.	F = Frequently From 1/3 to 2/3 of the time.	O = Occasionally Up to 1/3 of the time.
		R = Rarely Less than 1 hour per week.
		N = Never Never occurs.
Standing	R	Safety inspections, interviews, giving presentations, public relations, training
Sitting	F	Computer, desk work, answering telephone, driving
Walking	F	Safety and routine inspections, inside offices
Lifting	O	Safety inspections, flashlight, camera, tablet & pen, office supplies, audio-visual equipment
Carrying	O	Safety inspections, flashlight, camera, tablet & pen, office supplies, audio-visual equipment
Pushing/Pulling	R	Safety inspections, file cabinets, drawers
Reaching	F	Test smoke alarms and lights
Handling	F	Safety inspections, flashlight, camera, tablet & pen, office supplies, audio-visual equipment
Fine Dexterity	F	Computer keyboard, writing
Kneeling	F	Safety inspections
Crouching	F	Safety inspections
Crawling	O	Safety inspections
Bending	F	Safety inspections
Twisting	F	Safety inspections
Climbing	F	Ladders, steps, stairs, rooftops, catwalks
Balancing	R	On ladders, steps, stairs, rooftops, catwalks

# ARCATA FIRE DISTRICT

HR Book / Job Description



Vision	C	Computer, desk work, safety inspections, driving.
Hearing	C	Telephone, police officers, firefighters, property owners, citizens, presentations, meetings
Talking	F	Telephone, police officers, firefighters, property owners, citizens, presentations, meetings
Foot Controls	F	Driving
Other (specify)	R	Operates Safety Trailer for public education programs

### **MACHINES, TOOLS, EQUIPMENT, AND WORK AIDS:**

Copy machine, fax machine, telephone, computer, printer, standard Microsoft Windows and Office Software, and Firehouse Records Management System software.

### **ENVIRONMENTAL FACTORS:**

D = Daily		W = Several Times Per Week		M = Several Times Per Month		S = Seasonally		N = Never	
HEALTH AND SAFETY			ENVIRONMENTAL FACTORS			PRIMARY WORK LOCATION			
Mechanical Hazards	M	Dirt and Dust	M	Office Environment	D				
Chemical Hazards	M	Extreme Temperatures	S	Warehouse	--				
Electrical Hazards	M	Noise and Vibration	M	Shop	--				
Fire Hazards	N	Fumes and Odors	M	Vehicle	D				
Explosives	N	Wetness/Humidity	S	Outdoors	W				
Communicable Diseases	N	Darkness or Poor Lighting	S	Other (see 1 below)	D				
Physical Danger or Abuse	N								
Other	N								

(1) Fire stations and emergency incident scenes

### **PROTECTIVE EQUIPMENT REQUIRED:**

Helmet, safety vest.

### **NON-PHYSICAL DEMANDS:**

C = Continuously 2/3 or more of the time.	F = Frequently From 1/3 to 2/3 of the time.	O = Occasionally Up to 1/3 of the time.	R = Rarely Less than 1 hour per week.	N = Never Never occurs.
NON-PHYSICAL DEMANDS				
Time Pressures				F
Emergency Situations				R
Frequent Change of Tasks				F
Irregular Work Schedule/Overtime				F
Performing Multiple Tasks Simultaneously				F

# ARCATA FIRE DISTRICT

HR Book / Job Description



Working Closely with Others as Part of a Team	C
Tedious or Exacting Work	F
Noisy/Distracting Environment	R
Other	

## 2022 Local Agency Biennial Notice

Name of Agency: Humboldt Community Services District  
Mailing Address: P.O. Box 158, Cutten, CA 95534  
Contact Person: Brenda Franklin Phone No. 707-443-4558 x 210  
Email: bfranklin@humboldtcsd.org Alternate Email: TWilliams@humboldtcsd.org

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

**An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) \_\_\_\_\_

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is over five years old, amendments may be necessary.)

---

### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
*Signature of Chief Executive Officer*

07/26/2022

\_\_\_\_\_  
*Date*

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

Humboldt County Office of Elections  
Attn: Christina Strevey  
2426 6th Street, Eureka, CA 95501

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

# **CONFLICT OF INTEREST CODE FOR THE HUMBOLDT COMMUNITY SERVICES DISTRICT**

## Section 1. Introduction.

In compliance with the Political Reform Act of 1974, California Government Code Section 81000, et seq., and specifically with Section 87300 et seq., the Humboldt Community Services District hereby adopts this Conflict of Interest Code, which shall be applicable to all designated employees of the agency. The requirements of this code are in addition to other requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

## Section 2. Incorporation of California Fair Political Practices Regulation 18730

This Conflict of Interest Code incorporates by reference those portions of California Fair Political Practices Commission regulation No. 18730 that apply to local entities, officials and employees and any future amendments to those regulations. To the extent that other provisions of this Conflict of Interest Code are inconsistent with California statutes or CA FPPC Regulation 18730, the provisions of the State statute or regulation will control.

## Section 3. Definition of Terms.

The definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100 et seq.), and any amendments to the Actor regulations, are incorporated by reference into this Conflict of Interest Code.

## Section 4. Designated Employees.

The persons holding positions listed in Appendix A are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may have a foreseeable material effect on financial interests.

## Section 5. Disclosure Statements.

A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix B. It has been determined that the financial interests set forth in a designated employee's disclosure category are the types of financial interests which he or she foreseeably can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interests as required by the applicable disclosure category.

## Section 6. Place of Filing.

All designated employees required to submit a statement of economic interests shall file the original with the Board President who shall be the filing officer for all designated employees other than the Board of Directors.

Upon receipt of the statement of economic interests of the Board of Directors, the agency shall make and retain a copy and forward the originals of these statements to the Humboldt County Board of Supervisors who shall be the filing officer within five days of the filing deadline or five days of receipt in the case of statements filed late.

#### Section 7. Time of Filing.

(a) Initial Statements. All designated persons holding office and employees employed by the agency on the effective date of this Code shall file statements within thirty days after the effective date of this Code.

(b) Candidate Statements. All candidates for election to office shall file statements within 5 days after the final date for filing nomination petitions. This subsection shall not apply to candidates who have filed disclosure statement with the agency within the previous 12 months.

(c) Annual Statements. All designated employees shall file statements no later than March 31.

(d) Leaving Office Statements. All persons who leave designated positions shall file statements within thirty days after leaving office.

#### Section 8. Contents of Statements.

(a) Contents of Initial Statements. Initial statements shall disclose any reportable investments and interests in real property and management positions held on the effective date of the Code.

(b) Candidate Statements. Candidate statements shall disclose any reportable investments and interests in real property held on the date of filing the nomination petitions.

(c) Assuming Office Statements. Assuming office statements shall disclose any reportable investments and interests in real property and management positions held on the date of assuming office.

(d) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, and income and management positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office whichever is later.

(e) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, and income and management positions held or received during the period between the closing date of the last statement filed and the date of leaving office.



Section 9. Manner of Reporting.

Disclosure statements shall be made on forms supplied by Humboldt Community Services District, and shall contain the following information:

(a) Contents of Investment and Real Property Reports. When an investment or interest in real property is required to be reported, the statement shall contain the following:

- (1) A statement of the nature of the investment or interest:
- (2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
- (3) The address or other precise location of the real property;
- (4) A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(b) Contents of Personal Income Reports. When personal income is required to be reported, the statement shall contain:

- (1) The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.
- (2) A statement whether the aggregate value of income from each source was at least five hundred dollars (\$500) but did not exceed one thousand dollars (\$1,000), or greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000).
- (3) A description of the consideration, if any, for which the income was received;
- (4) In the case of a gift, the name and address of the donor, a description of the gift, the amount or value of the gift, and the date on which the gift was received.

(c) Contents of Business Entity Income Reports. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

- (1) The name, address, and a general description of the business activity of the business entity;
- (2) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);

(3) In the case of a business entity not covered by paragraph (2), the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(d) Contents of Management Position Reports. When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(e) Acquisition of Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

#### Section 10. Disqualification.

Designated employees must disqualify themselves from making, participating in the making or using their official positions to influence the making of any governmental decision which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on:

(a) Any business entity in which the designated employee has a direct or indirect investment worth more than two thousand dollars (\$2,000);

(b) Any real property in which the designated employee has a direct or indirect fair market value interest worth more than two thousand dollars (\$2,000);

(c) Any source of income, other than loans by a commercial lending institution in the regular course of business, aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or

(d) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made.

(The fact that a designated employee's vote is needed to break a tie does not make his or her participation legally required for purposes of this section.)

#### Section 11. Manner of Disqualification.

A designated employee required to disqualify himself or herself shall notify his or her supervisor in writing. This notice shall be forwarded to the Board President, who shall record

the employee's disqualification. Upon receipt of such statement, the supervisor shall reassign the matter to another employee.

In the case of a designated employee who is a board member or commissioner, notice of disqualification shall be given at the meeting during which consideration of the decision takes place and shall be made part of the official record of the board or commission.

## APPENDIX A

### CONFLICT OF INTEREST CODE FO THE HUMBOLDT COMMUNITY SERVICES DISTRICT

The Political Reform Act, Government Code Section 81000, et. seq. requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to the amendments to the Political Reform Act. Therefore, the terms of 2 California Code of Regulations, Section 18730 and any amendments to it duly adopted y the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which Board members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Humboldt Community Services District.

Designated employees shall file statements of economic interests with the agency who will make the statements available for public inspection and reproduction (Government Code Section 81008). Upon receipt of statements of the designated employees, the agency shall make and retain a copy and forward the original of these statements to the Humboldt County Elections Division, County Clerk's Office. Statements of all other designated employees will be retained by the agency.

APPENDIX B

Designated Positions	Disclosure Categories
Members of the Board of Directors	All
General Manager	All
Finance Manager/ Treasurer	All
Superintendent	All
<del>Community Services Manager</del> <u>Engineer</u> <u>(District, Associate, Assistant)</u>	All
Legal Counsel	All
Consultants*	All

\*With respect to consultants, the Board of Directors may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements describe in these categories. Such determination shall include a description of the consultant's duties, and based on that description, a statement of the extent of disclosure requirements, if any. Such determination shall be forwarded to the Humboldt County Board of Supervisors. Nothing herein excuses any such consultant from any other provision of the Conflict of Interest Code.

Comments: Delete the Community Services Manager, add Engineer classification.

## APPENDIX C

### General Provisions

When a designated employee is required to disclose investments, sources of income and business positions, he need only disclose investments and positions in business entities and sources of income (other than gifts) which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it own real property within the jurisdiction. Gifts must be disclosed without regard to the location of the donor. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the Humboldt Community Services District.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure categories indicated in Appendix A.

### Disclosure Categories

Category 1: All investments and sources of income (including loans and gifts).

Category 2: All interest in real property.

Category 3: All business positions.

## ASSISTANT ENGINEER

### DEFINITION

This salary-exempt classified position, performs a variety of professional engineering services for District operations and customers ranging from water pressure calculations to system and facility design and construction management; responsibilities include planning and designing, construction management and inspection for water storage, transmission and distribution facilities and sewage collection, treatment and disposal facilities; and performs other work as required.

### DISTINGUISHING CHARACTERISTICS

The Assistant Engineer performs journey level professional and technical engineering work with a moderate degree of difficulty in the design and construction of District water and sewer systems and facilities. The position has a high level of contact with the professional staff from various departments of the District, other governmental agencies, general public, developers, private professionals and contractors.

### SUPERVISION RECEIVED/EXERCISED

Receives general direction from the General Manager. The Assistant Engineer provides consultation, and collaborates with Engineering Staff, Engineering Service Representatives, and other District staff.

### ESSENTIAL DUTIES (include but are not limited to the following)

Performs detailed design of water and sewer facilities including drafting and computer aided design (CAD) work preparation of detailed construction estimates, material requisitions, and master plans of water and sewer facilities; inspects and/or supervises construction project work as required; prepares cost and budgetary estimates on projects; tracks costs and budgets of assigned projects; provides information to the general public and responds to and follows through on customer service calls; drafts new standards and specifications as required; performs code enforcement; conducts reviews and responds to engineering studies, including California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) reports; prepares material and construction contract packages and proposals, prepares Request For Proposals (RFP's); conducts water supply and sewage collection/treatment/disposal feasibility studies and master planning; and participates in a variety of professional committees; attends Board of Director meetings, prepares and presents staff reports for consideration by the Board and other duties as assigned.

### QUALIFICATIONS

Any combination of education and experience that would likely provide the necessary knowledge and abilities is qualifying.

#### *Education/Experience*

Sufficient experience and education as a professional engineer to perform the duties of an Assistant Engineer. A typical way of obtaining the required qualifications is to possess the equivalent of two years of practical experience in an engineering position and a Bachelor's degree in civil or mechanical engineering from an accredited college or university.

*Knowledge/Skill/Ability*

Knowledge of: principles, methods, materials and equipment used in professional engineering design, drafting, and inspecting water and sewer facilities including transmission and distribution systems, storage tanks, pump stations, treatment plants and facilities, and engineering alternatives to traditional capital facilities; industry construction methods and materials; hydraulic modeling; computer operations, software, and programs that assist in engineering work; District policies, procedures and issues; general understanding and knowledge of District, County, and State codes and ordinances including building and plumbing code.

Ability to: provide critical thinking to assigned projects; troubleshoot issues and provide fail safe options; operate equipment, inspect facilities, and conduct field operations; work rotating shifts, weekends, holidays and remain available in the event of an emergency; maintain effective working relationships.

*License/Certificate*

Possession of a valid Class C California driver's license. Failure to obtain or maintain such required license(s) may be cause for disciplinary action. Individuals who do not meet this requirement due to a physical disability will be considered for accommodation on a case-by-case basis.

Possession and proof of a good driving record as evidenced by freedom from multiple or serious traffic violations or accidents for at least two (2) years duration. The driving record will not contribute to an increase in the District's automobile rates.

Possession of a valid Engineer-in-Training certificate issued by the State of California Board of Registration for Professional Engineers. Five per cent (5%) additional salary with Professional Engineer registration.

**WORKING CONDITIONS/PHYSICAL REQUIREMENTS**

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement, and fine coordination in preparing and reviewing construction plans, statistical reports and data, and using a computer keyboard. Additionally, the position requires near and far vision in reading reports, reviewing plans and blueprints, and using the computer. When visiting construction sites or existing District facilities the position will require walking on uneven and slippery surfaces, climbing ladders or stairwells, exposure to all weather conditions, dust and pollen, and potential mechanical and heavy equipment hazards.

**OTHER REQUIREMENTS**

Per California Government Code, Title 1, Division 4, Chapter 8, Section 3100, "all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law."



## ASSOCIATE ENGINEER

### DEFINITION

This salary-exempt classified position performs a variety of professional engineering services for District operations and customers ranging from water pressure calculations to facility design and construction management; responsibilities include planning and designing, construction management and inspection for water storage, pumping, transmission and distribution facilities and sewage collection, treatment and disposal facilities; and performs other work as required.

### DISTINGUISHING CHARACTERISTICS

The Associate Engineer performs advanced journey level professional and technical engineering work with a high degree of difficulty in the design and construction of District water and sewer systems and facilities. The position has a high level of contact with professional staff from various departments of the District, other governmental agencies, and private professionals and contractors.

### SUPERVISION RECEIVED/EXERCISED

Receives general direction from the General Manager. The Associate Engineer provides direction, consultation, and collaborates with Engineering Staff, Engineering Service Representatives, and other District staff.

### ESSENTIAL DUTIES (include, but are not limited, to the following):

Performs detailed design of water and wastewater facilities including computer aided design (CAD) and Geographic Information System (GIS) work; preparation of detailed construction estimates and material requisitions; inspects and/or supervises construction project work; prepares and tracks cost and budgetary estimates on projects; provides information to the general public and responds to and follows through on customer service calls; performs code enforcement; drafts new standards and specifications as required; conducts reviews and responds to engineering studies, including California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) reports; prepares material and construction contract packages and proposals, prepares Request for Proposals (RFP's); conducts water supply and sewage collection/treatment/disposal feasibility studies and master planning; and participates in a variety of professional committees; attends Board of Director meetings, prepares and presents staff reports for consideration by the Board and other duties as assigned.

### QUALIFICATIONS

Any combination of education and experience that would likely provide the necessary knowledge and abilities is qualifying.

#### *Education/Experience*

Sufficient experience and education as a professional engineer to perform the duties of an Associate Engineer. A typical way of obtaining the required qualifications is to possess the equivalent of four years of practical experience in an engineering position and a Bachelor's degree in civil or mechanical engineering from an accredited college or university.

*Knowledge/Skill/Ability*

Knowledge of: principles, methods, materials and equipment used in professional engineering design, drafting, and inspecting water and sewer facilities including hydraulics, transmission and distribution systems, storage tanks, pump stations, treatment plants and facilities, and engineering alternatives to traditional capital facilities; industry construction methods and materials; hydraulic modeling; computer operations, software, and programs that assist in engineering work; District policies, procedures and issues; general understanding and knowledge of District, County, and State codes and ordinances including building and plumbing.

Ability to: provide critical thinking to assigned projects; troubleshoot issues and provide fail safe options; operate equipment, inspect facilities, and conduct field operations; work rotating shifts, weekends, holidays and remain available in the event of an emergency; maintain effective working relationships.

*License/Certificate*

Possession of a valid Class C California driver's license. Failure to obtain or maintain such required license(s) may be cause for disciplinary action. Individuals who do not meet this requirement due to a physical disability will be considered for accommodation on a case-by-case basis.

Possession and proof of a good driving record as evidenced by freedom from multiple or serious traffic violations or accidents for at least two (2) years duration. The driving record will not contribute to an increase in the District's automobile rates.

Possession of a valid Certificate of Registration as a Professional Civil or Mechanical Engineer issued by the State of California Board of Registration for Professional Engineers.

**WORKING CONDITIONS/PHYSICAL REQUIREMENTS**

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement, and fine coordination in preparing and reviewing construction plans, statistical reports and data, and using a computer keyboard. Additionally, the position requires near and far vision in reading reports, reviewing plans and blueprints, and using the computer. When visiting construction sites or existing District facilities the position will require walking on uneven and slippery surfaces, climbing ladders or stairwells, exposure to all weather conditions, dust and pollen, and potential mechanical and heavy equipment hazards.

**OTHER REQUIREMENTS**

Per California Government Code, Title 1, Division 4, Chapter 8, Section 3100, "all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law."

## DISTRICT ENGINEER

### DEFINITION

This salary-exempt classified position is responsible to plan, organize and direct the engineering function of the District, performs engineering planning and design work, training, supervision project management and represents the Department and the District in contacts with other agencies and organizations. Performs other work as required.

### DISTINGUISHING CHARACTERISTICS

The District Engineer assumes the full leadership and management responsibility for the Engineering Department and organizes, supervises and directs the Engineering Department including design engineering for both developer and District-funded programs; construction inspection and management; engineering records management; and new applicant water/sewer service administrative. Recruits, interviews and assists in the selection of Engineering Department employees.

### SUPERVISION RECEIVED/EXERCISED

Receives direction from the General Manager. The District Engineer provides direction, consultation, and collaborates with the Assistant/Associate Engineer, Engineering Technicians, Engineering Service Representatives, and other District staff.

### ESSENTIAL DUTIES (include but are not limited to the following)

Plans, develops and implements goals and objectives for the Engineering Department; directs and is responsible for the work of a small professional and technical staff in the design, construction and maintenance of transmission pipe lines, distribution facilities and mechanical and electrical equipment including power and control, communications and cathodic protection; directs the engineering aspects of water supply development and water quality control; provides information to the general public and responds to and follows through on customer service calls; performs code enforcement; prepares a work program and budget, manages and monitors goal accomplishment and expenditures; selects, trains and evaluates the work of subordinates; advises and consults with the General Manager on difficult engineering problems; attends Board of Director meetings, prepares and presents staff reports for consideration by the Board; communicates clearly and concisely, both orally and in writing, makes special studies and reports; recommends and periodically updates District design and material standards and coordinates the engineering and construction program with that of other District Departments, private utilities and public agencies. Is expected to and spends a significant portion of time estimating the cost of, and designing water distribution and wastewater collection and treatment facilities. Is responsible for coordinating District Emergency Operations planning.

### QUALIFICATIONS

Any combination of education and experience that would likely provide the necessary knowledge and abilities is qualifying.

#### *Education/Experience*

Graduation from an accredited college with a Bachelor of Science degree in civil or mechanical engineering and ten years of increasingly responsible professional level engineering experience that includes a minimum of four years of experience managing engineering operations or equivalent.

*Knowledge/Skill/Ability*

Thorough knowledge of the principles, methods, materials and equipment used in the design, construction and maintenance of water and sewage system facilities; laws, rules, ordinances, and legislative processes governing water rights, water development, water pollution, and wastewater collection; knowledge of the principles and methods of organization and management and ability to work as part of a Districtwide technical team involved with all construction and maintenance activities; establish budgets; can demonstrate experience and capability to handle multiple projects and also plan, lead, train, motivate and direct the work of a small professional and technical staff; familiarity with and ability to effectively use engineering design software and other computer aids commonly found in an engineering design office, ability to establish and maintain effective relationships with the District Board of Directors, other public and private agencies, contractors, developers and the general public.

Ability to: provide critical thinking to assigned projects; troubleshoot issues and provide fail safe options; operate equipment, inspect facilities, and conduct field operations; work rotating shifts, weekends, holidays and remain available in the event of an emergency; maintain effective working relationships.

*License/Certificate*

Possession of a valid Class C California driver's license. Failure to obtain or maintain such required license(s) may be cause for disciplinary action. Individuals who do not meet this requirement due to a physical disability will be considered for accommodation on a case-by-case basis.

Possession and proof of a good driving record as evidenced by freedom from multiple or serious traffic violations or accidents for at least two (2) years duration. The driving record will not contribute to an increase in the District's automobile rates.

Possession of a valid Certificate of Registration as a Professional Civil or Mechanical Engineer in the State of California.

**WORKING CONDITIONS/PHYSICAL REQUIREMENTS**

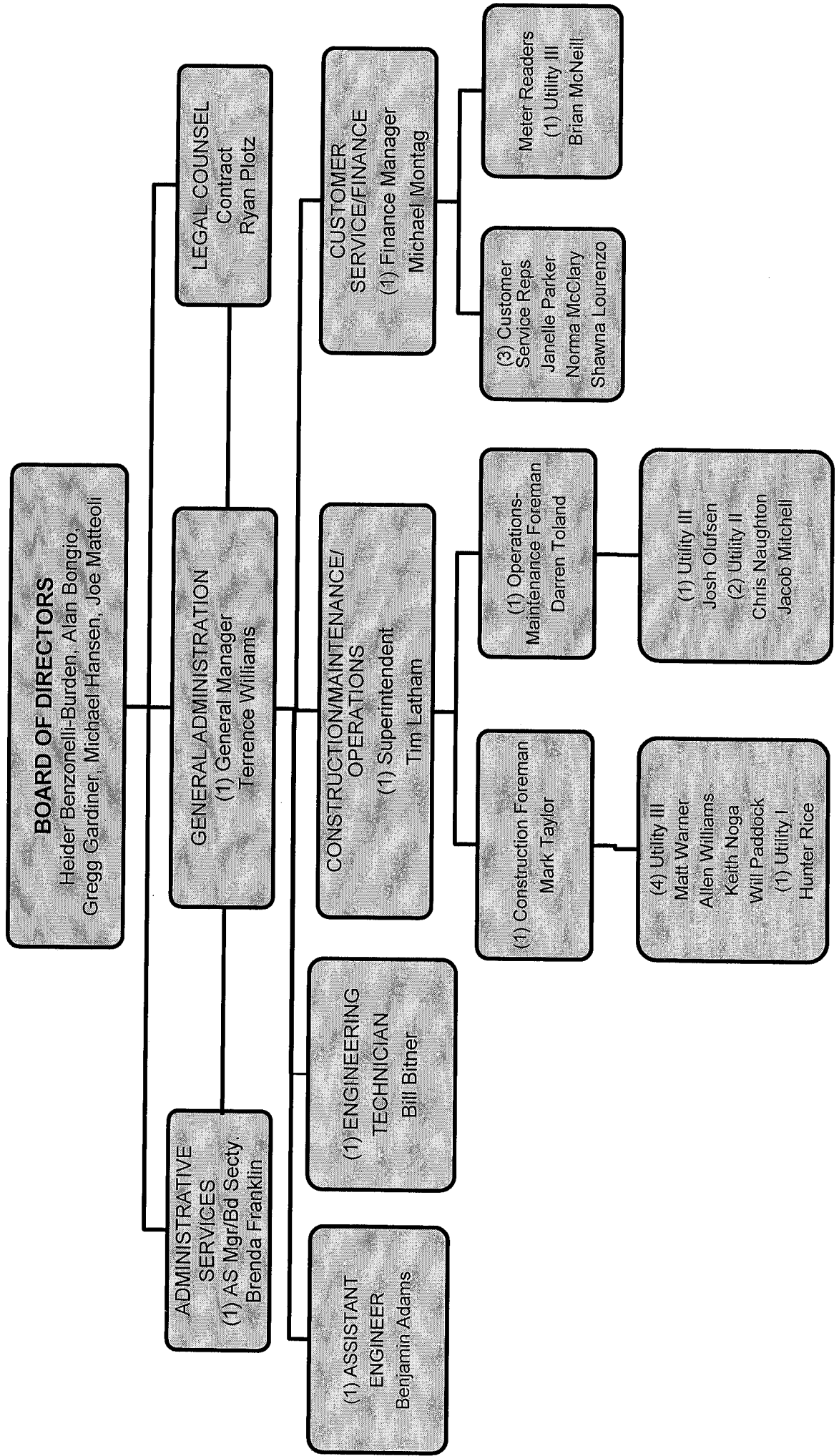
Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement, and fine coordination in preparing and reviewing construction plans, statistical reports and data, and using a computer keyboard. Additionally, the position requires near and far vision in reading reports, reviewing plans and blueprints, and using the computer.

When visiting construction sites or existing District facilities the position will require walking on uneven and slippery surfaces, climbing ladders or stairwells, exposure to all weather conditions, dust and pollen, and potential mechanical and heavy equipment hazards. Work hours include various evening meetings including regularly scheduled Board meetings.

**OTHER REQUIREMENTS**

Per California Government Code, Title 1, Division 4, Chapter 8, Section 3100, "all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law."

# HUMBOLDT COMMUNITY SERVICES DISTRICT ORGANIZATIONAL CHART July 2022



**RESOLUTION NO. 2022-11**

**A RESOLUTION OF THE  
HUMBOLDT COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS  
AMENDING THE CONFLICT OF INTEREST CODE**

**WHEREAS**, the Political Reform Act, Government Code sections 81000 et seq. requires each state or local government agency to adopt, promulgate and keep current a local Conflict of Interest Code; and

**WHEREAS**, the Humboldt Community Services District's local Conflict of Interest Code was adopted on April 10, 1980, and last amended on August 9, 2016; and

**WHEREAS**, the Conflict of Interest Code needs to be amended to reflect changes in designated personnel;

**NOW, THEREFORE, BE IT RESOLVED**, that the Humboldt Community Services District Conflict of Interest Code be modified as follows:

1. Appendix B in which officials and employees are designated and disclosure categories are set forth, are hereby modified and incorporated by reference and constitute the Conflict of Interest Code of the Humboldt Community Services District as attached hereto.
2. This Resolution supersedes all previous Conflict of Interest Codes.
3. Pursuant to Government Code Section 87303, that this Resolution be forwarded to the Humboldt County Board of Supervisors for its approval and be deemed adopted and promulgated by Humboldt Community Services District on such approval.

PASSED, APPROVED, AND ADOPTED this 26<sup>th</sup> day of July 2022 upon the following roll call vote:


AYES: BENZONELLI, BONGIO, GARDINER, HANSEN, MATTEOLI

NOES: NONE

ABSENT: NONE

  
Alan Bongio, Board President

ATTEST:

  
Brenda K. Franklin, Board Secretary

# CONFLICT OF INTEREST CODE FOR THE HUMBOLDT COMMUNITY SERVICES DISTRICT

## Section 1. Introduction.

In compliance with the Political Reform Act of 1974, California Government Code Section 81000, et seq., and specifically with Section 87300 et seq., the Humboldt Community Services District hereby adopts this Conflict of Interest Code, which shall be applicable to all designated employees of the agency. The requirements of this code are in addition to other requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

## Section 2. Incorporation of California Fair Political Practices Regulation 18730

This Conflict of Interest Code incorporates by reference those portions of California Fair Political Practices Commission regulation No. 18730 that apply to local entities, officials and employees and any future amendments to those regulations. To the extent that other provisions of this Conflict of Interest Code are inconsistent with California statutes or CA FPPC Regulation 18730, the provisions of the State statute or regulation will control.

## Section 3. Definition of Terms.

The definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100 et seq.), and any amendments to the Actor regulations, are incorporated by reference into this Conflict of Interest Code.

## Section 4. Designated Employees.

The persons holding positions listed in Appendix A are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may have a foreseeable material effect on financial interests.

## Section 5. Disclosure Statements.

A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix B. It has been determined that the financial interests set forth in a designated employee's disclosure category are the types of financial interests which he or she foreseeably can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interests as required by the applicable disclosure category.

## Section 6. Place of Filing.

All designated employees required to submit a statement of economic interests shall file the original with the Board President who shall be the filing officer for all designated employees other than the Board of Directors.

Upon receipt of the statement of economic interests of the Board of Directors, the agency shall make and retain a copy and forward the originals of these statements to the Humboldt County Board of Supervisors who shall be the filing officer within five days of the filing deadline or five days of receipt in the case of statements filed late.

#### Section 7. Time of Filing.

(a) Initial Statements. All designated persons holding office and employees employed by the agency on the effective date of this Code shall file statements within thirty days after the effective date of this Code.

(b) Candidate Statements. All candidates for election to office shall file statements within 5 days after the final date for filing nomination petitions. This subsection shall not apply to candidates who have filed disclosure statement with the agency within the previous 12 months.

(c) Annual Statements. All designated employees shall file statements no later than March 31.

(d) Leaving Office Statements. All persons who leave designated positions shall file statements within thirty days after leaving office.

#### Section 8. Contents of Statements.

(a) Contents of Initial Statements. Initial statements shall disclose any reportable investments and interests in real property and management positions held on the effective date of the Code.

(b) Candidate Statements. Candidate statements shall disclose any reportable investments and interests in real property held on the date of filing the nomination petitions.

(c) Assuming Office Statements. Assuming office statements shall disclose any reportable investments and interests in real property and management positions held on the date of assuming office.

(d) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, and income and management positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office whichever is later.

(e) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, and income and management positions held or received during the period between the closing date of the last statement filed and the date of leaving office.



Section 9. Manner of Reporting.

Disclosure statements shall be made on forms supplied by Humboldt Community Services District, and shall contain the following information:

(a) Contents of Investment and Real Property Reports. When an investment or interest in real property is required to be reported, the statement shall contain the following:

(1) A statement of the nature of the investment or interest:

(2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

(3) The address or other precise location of the real property;

(4) A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(b) Contents of Personal Income Reports. When personal income is required to be reported, the statement shall contain:

(1) The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.

(2) A statement whether the aggregate value of income from each source was at least five hundred dollars (\$500) but did not exceed one thousand dollars (\$1,000), or greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000).

(3) A description of the consideration, if any, for which the income was received;

(4) In the case of a gift, the name and address of the donor, a description of the gift, the amount or value of the gift, and the date on which the gift was received.

(c) Contents of Business Entity Income Reports. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

(1) The name, address, and a general description of the business activity of the business entity;

(2) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);

(3) In the case of a business entity not covered by paragraph (2), the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(d) Contents of Management Position Reports. When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(e) Acquisition of Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

#### Section 10. Disqualification.

Designated employees must disqualify themselves from making, participating in the making or using their official positions to influence the making of any governmental decision which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on:

(a) Any business entity in which the designated employee has a direct or indirect investment worth more than two thousand dollars (\$2,000);

(b) Any real property in which the designated employee has a direct or indirect fair market value interest worth more than two thousand dollars (\$2,000);

(c) Any source of income, other than loans by a commercial lending institution in the regular course of business, aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or

(d) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made.

(The fact that a designated employee's vote is needed to break a tie does not make his or her participation legally required for purposes of this section.)

#### Section 11. Manner of Disqualification.

A designated employee required to disqualify himself or herself shall notify his or her supervisor in writing. This notice shall be forwarded to the Board President, who shall record

the employee's disqualification. Upon receipt of such statement, the supervisor shall reassign the matter to another employee.

In the case of a designated employee who is a board member or commissioner, notice of disqualification shall be given at the meeting during which consideration of the decision takes place and shall be made part of the official record of the board or commission.

## APPENDIX A

### CONFLICT OF INTEREST CODE FO THE HUMBOLDT COMMUNITY SERVICES DISTRICT

The Political Reform Act, Government Code Section 81000, et. seq. requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to the amendments to the Political Reform Act. Therefore, the terms of 2 California Code of Regulations, Section 18730 and any amendments to it duly adopted y the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which Board members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Humboldt Community Services District.

Designated employees shall file statements of economic interests with the agency who will make the statements available for public inspection and reproduction (Government Code Section 81008). Upon receipt of statements of the designated employees, the agency shall make and retain a copy and forward the original of these statements to the Humboldt County Elections Division, County Clerk's Office. Statements of all other designated employees will be retained by the agency.

APPENDIX B

Designated Positions	Disclosure Categories
Members of the Board of Directors	All
General Manager	All
Finance Manager/ Treasurer	All
Superintendent	All
Community Services Manager <u>Engineer</u> (District, Associate, Assistant)	All
Legal Counsel	All
Consultants*	All

\*With respect to consultants, the Board of Directors may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements describe in these categories. Such determination shall include a description of the consultant's duties, and based on that description, a statement of the extent of disclosure requirements, if any. Such determination shall be forwarded to the Humboldt County Board of Supervisors. Nothing herein excuses any such consultant from any other provision of the Conflict of Interest Code.

Comments: Delete the Community Services Manager, add Engineer classification.

## APPENDIX C

### General Provisions

When a designated employee is required to disclose investments, sources of income and business positions, he need only disclose investments and positions in business entities and sources of income (other than gifts) which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it own real property within the jurisdiction. Gifts must be disclosed without regard to the location of the donor. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the Humboldt Community Services District.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure categories indicated in Appendix A.

### Disclosure Categories

Category 1: All investments and sources of income (including loans and gifts).

Category 2: All interest in real property.

Category 3: All business positions.

**RESOLUTION NO. 2022-11**

**A RESOLUTION OF THE  
HUMBOLDT COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS  
AMENDING THE CONFLICT OF INTEREST CODE**

**WHEREAS**, the Political Reform Act, Government Code sections 81000 et seq. requires each state or local government agency to adopt, promulgate and keep current a local Conflict of Interest Code; and

**WHEREAS**, the Humboldt Community Services District's local Conflict of Interest Code was adopted on April 10, 1980, and last amended on August 9, 2016; and

**WHEREAS**, the Conflict of Interest Code needs to be amended to reflect changes in designated personnel;

**NOW, THEREFORE, BE IT RESOLVED**, that the Humboldt Community Services District Conflict of Interest Code be modified as follows:

1. Appendix B in which officials and employees are designated and disclosure categories are set forth, are hereby modified and incorporated by reference and constitute the Conflict of Interest Code of the Humboldt Community Services District as attached hereto.
2. This Resolution supersedes all previous Conflict of Interest Codes.
3. Pursuant to Government Code Section 87303, that this Resolution be forwarded to the Humboldt County Board of Supervisors for its approval and be deemed adopted and promulgated by Humboldt Community Services District on such approval.

PASSED, APPROVED, AND ADOPTED this 26<sup>th</sup> day of July 2022 upon the following roll call vote:

AYES: BENZONELLI, BONGIO, GARDINER, HANSEN, MATTEOLI

NOES: NONE

ABSENT: NONE

  
Alan Bongio, Board President

ATTEST:

\_\_\_\_\_  
Brenda K. Franklin, Board Secretary

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
HUMBOLDT COMMUNITY SERVICES DISTRICT

The Board of Directors of the Humboldt Community Services District met in Regular Session at 5:00 p.m. on Tuesday, July 26, 2022, in person and via tele/video conference in accordance with AB 361 and HCSD Resolution 2022-10.

**A. CALL TO ORDER AND ROLL CALL**

Present upon roll call were Directors, Bongio, Gardiner, Hansen, and Matteoli. Director Benzonelli connected remotely at 5:04 p.m. Staff in attendance: General Manager Williams (GM), Superintendent Latham, Finance Manager Montag (FM) and Assistant Engineer Adams (AE).

**B. PLEDGE OF ALLEGIANCE**

President Bongio invited those present to join him in the Pledge of Allegiance.

**C. CONSENT CALENDAR**

1. Approval of July 26, 2022 Agenda
2. Approval of Minutes of the Regular Meeting of July 12, 2022

Public Comment: None

DIRECTOR HANSEN MOVED, DIRECTOR MATTEOLI SECONDED, TO ACCEPT AND APPROVE THE JULY 26, 2022 CONSENT CALENDAR. MOTION CARRIED UPON THE FOLLOWING ROLL CALL VOTE:

AYES: BONGIO, GARDINER, HANSEN, MATTEOLI  
NOES: NONE  
ABSENT: BENZONELLI

**D. REPORTS**

1. General Manager

- a) GM Report

Rate Study – HCSD staff and NBS consulting staff met to review preliminary results. NBS will update the items discussed and provide a working model for HCSD staff review. It is hoped the COE preliminary results be available by mid-August to increase the accuracy of the District's projected sewer expenses. Public meetings will be coordinated soon thereafter.

South Broadway Forcemain – The GM & FM participated in an introduction meeting with Cal-OES representatives to ensure District staff follow required grant reporting, accounting, and procurement procedures.



MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
HUMBOLDT COMMUNITY SERVICES DISTRICT  
July 26, 2022

Staffing – A candidate to fill the open position within the Maintenance Department has been selected and is currently going through the pre-employment process.

2. Engineering

a) Engineering Department Update

Hemlock Sewer Reversal – Details of the design plans for connecting approximately 1,000-feet of gravity sewer main from the North Cutten sewer system to the Martin Slough Interceptor were presented.

3. Superintendent

a) May/June 2022 Operations/Maintenance Report

Reviewed the standard department activities emphasizing upon cleaning 12,826 ft. of sewer main, 840 ft. of sewer lateral lines, and the wet well at the Sequoia lift station. The Bailey sewer lift station experienced a sewer overflow on May 16 – all necessary notifications and repairs were made, the affected area cleaned, and returned the station to normal operations.

4. Finance Department

a) June 2022 Budget Statement

FM reviewed the report commenting there are additional items to be included in the final fiscal year month such as interest earned and property taxes not yet available from the County Assessor as well as final City of Eureka billing for wastewater treatment/CIP expenses.

**E. PUBLIC PARTICIPATION**

None.

**G. NEW BUSINESS**

1. Consideration of Adopting Resolution 2022-11 Amending the District's Conflict of Interest Code

GM summarized the proposed modification to remove the Community Services Manager and add the Engineering classification.

PUBLIC COMMENT: None

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
HUMBOLDT COMMUNITY SERVICES DISTRICT  
July 26, 2022

IT WAS THEN MOVED BY DIRECTOR MATTEOLI, SECONDED BY  
DIRECTOR GARDINER, TO ADOPT RESOLUTION 2022-11 AMENDING THE  
DISTRICT CONFLICT OF INTEREST CODE. MOTION CARRIED UPON THE  
FOLLOWING ROLL CALL VOTE:

AYES: BENZONELLI, BONGIO, GARDINER, HANSEN, MATTEOLI  
NOES: NONE  
ABSENT: NONE

Director Hansen announced recusal from the Closed Session item due to his position as Deputy Public Works Director for the City of Eureka and left the meeting.

**I. CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION  
Pursuant to Gov. Code §54956.9(d)(4): One potential case

It was then moved by Director Gardiner, seconded by Director Benzonelli to move into closed session

The Board returned to open session at 6:10 p.m. after meeting with Special Legal Counsel advising no action to report.

**I. ADJOURNMENT**

There being no further business, IT WAS MOVED BY DIRECTOR MATTEOLI, SECONDED BY DIRECTOR GARDINER, TO ADJOURN. MOTION CARRIED UPON THE FOLLOWING ROLL CALL VOTE:

AYES: BENZONELLI, BONGIO, GARDINER, MATTEOLI  
NOES: NONE  
ABSENT: HANSEN

THE BOARD ADJOURNED ITS REGULAR MEETING OF JULY 26, 2022 AT 6:11 P.M.

  
Submitted, Board Secretary

AUG 18 2022

HUMBOLDT COUNTY ELECTIONS

2022 Local Agency Biennial Notice

Name of Agency: McKinleyville Community Services District

Mailing Address: PO Box 2037 McKinleyville, CA 95579

Contact Person: April Sousa Phone No. 707-839-3251

Email: asousa@mcinleyvillecsd.com Alternate Email: asousa@mcisd.com

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

[X] An amendment is required. The following amendments are necessary:

(Check all that apply.)

- Include new positions
Revise disclosure categories
Revise the titles of existing positions
Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
[X] Other (describe) minor edits/revisions

[ ] The code is currently under review by the code reviewing body.

[ ] No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

8/15/2022 Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than October 3, 2022, or by the date specified by your agency, if earlier, to:

Humboldt County Office of Elections
Attn: Christina Strevey
2426 6th Street, Eureka, CA 95501

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

**RESOLUTION 2022-23**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT ADOPTING THE MCSD CONFLICT OF INTEREST CODE WITH AMENDMENTS**

**WHEREAS**, the Political Reform Act, Government Code Section 81000 et seq. requires that each governmental agency keep current a local Conflict of Interest Code; and

**WHEREAS**, the MCSD Conflict of Interest Code is required to be reviewed biennially; and

**WHEREAS**, the MCSD Board of Directors on February 11, 1999 (Resolution 1999-02) adopted a code applicable to MCSD and subsequently voted on amendments on April 13, 2000, August 4, 2004, August 18, 2010, August 1, 2012, and August 5, 2020; and

**WHEREAS**, the MCSD Conflict of Interest Code has been reviewed by the Board and District Legal Counsel; and


**WHEREAS**, after review and on the recommendation of staff, the Board has determined that the current Conflict of Interest Code requires minor revisions.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the McKinleyville Community Services District does hereby adopt the recitals and findings stated above and authorizes the submittal of a written statement to the Humboldt County Elections office stating that the Board has reviewed the Conflict of Interest Code and has determined the attached minor revisions (Exhibit A).

**ADOPTED, SIGNED AND APPROVED** at a duly called meeting of the Board of Directors of the McKinleyville Community Services District on August 3, 2022 by the following polled vote:

AYES: Binder, Clark-Peterson, Mayo, Orsini, and Couch  
NOES: None  
ABSENT: None  
ABSTAIN: None

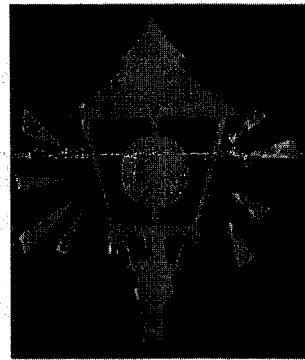
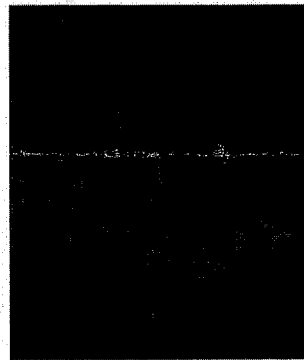
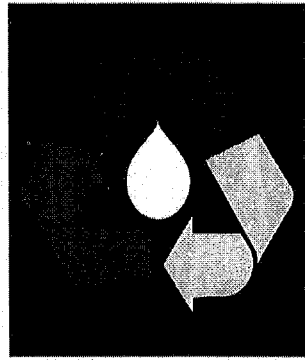
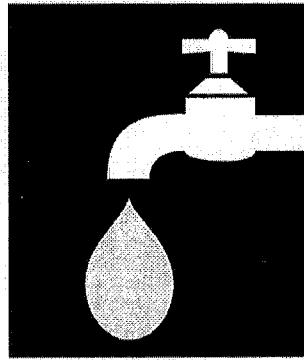
  
\_\_\_\_\_  
David R. Couch, Board President

Attest:   
\_\_\_\_\_  
April Sousa, MMC, Board Secretary

# MCKINLEYVILLE



## COMMUNITY SERVICES DISTRICT



### MCKINLEYVILLE COMMUNITY SERVICES DISTRICT CONFLICT OF INTEREST CODE

CONFLICT OF INTEREST CODE FOR THE  
MCKINLEYVILLE COMMUNITY SERVICES DISTRICT

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) that contains the terms of a standard model conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments to the Political Reform Act. Therefore, the terms of 2 California Code of Regulations, Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the McKinleyville Community Services District (the "District").

Individuals holding designated positions must file statements of economic interest with the District which will make the statements available for public inspection and reproduction. (Government Code Section 81008.) Upon receipt of statements of the Board of Directors and General Manager, the agency shall make and retain copies and forward the originals to the Fair Political Practices Commission. Statements of all other individuals holding designated positions will be retained by the agency.

## APPENDICES

### APPENDIX A

#### DESIGNATED POSITIONS

#### DISCLOSURE CATEGORIES

Recreations Director	1, 2, 3
Finance Director	1, 2, 3
Operations Director	1, 2, 3
Legal Counsel	1, 2, 3
Engineer (contract)*	1, 2, 3
Consultant*	1, 2, 3
New Position*	1, 2, 3
Recreation Advisory Committee Members	1, 2, 3
Standing Committee Members	1, 2, 3

\* \*Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitations: The General Manager may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Government Code Section 81008.)

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments are deemed to be "statutory filers" within the meaning of Government Code Section 87200 because they must file statement of economic interest (FPPC Form 700) pursuant to the state Political Reform Act instead of the District's conflict of interest code. The District's statutory filers are as follows:

Members of the Board of Directors  
General Manager

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

## APPENDIX B

### General Provisions

When a designated employee is required to disclose investments, sources of income and business positions, he/she need only disclose investments and positions in business entities and sources of income (other than gifts) which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. Gifts must be disclosed without regard to location of the donor. When a designated employee is required to disclose interests in real property, he/she need only disclose real property that is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the McKinleyville Community Services District.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure categories indicated below.

### Disclosure Categories

Category 1: All investments and business positions in business entities, and all sources of income (including loans and gifts).

Category 2: All interests in real property.

Category 3: Investments and business positions in business entities and income from sources that, within the past two years, have contracted with the District to provide services, supplies, materials, machinery or equipment.



2022 Local Agency Biennial Notice

NOV -1 2022

Name of Agency: Scotia Community Services District HUMBOLDT COUNTY ELECTIONS  
 Mailing Address: PO BOX 104 Scotia Ca 95565  
 Contact Person: Leslie Marshall Phone No. 707-764-3030  
 Email: infoscotiasd@gmail.com Alternate Email: \_\_\_\_\_

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

An amendment is required. The following amendments are necessary:

(Check all that apply.)


- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (describe) \_\_\_\_\_

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

**Verification** (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

  
 Signature of Chief Executive Officer

9/4/2022  
 Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

**Humboldt County Office of Elections**  
**Attn: Christina Strevey**  
**2426 6th Street, Eureka, CA 95501**

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**



**Conflict of Interest Code**

**Updated August 18, 2022**

The Political Reform Act (Government Code §§ 81000, et seq., hereinafter referred to as the Act) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (“FPPC”) has adopted a regulation (2 California Code of Regulations § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearings it may be amended by the FPPC to conform to amendments in the Act. Therefore, the terms of § 18730 and any amendments to it adopted by the FPPC are hereby incorporated by reference. This regulation and the text here designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code of the Scotia Community Services District (“District”).

The full text of Section 18730, together with any amendment thereto, may be found at:

*[www.scotiacsd.com/policies/](http://www.scotiacsd.com/policies/)*

**DESIGNATED POSITIONS:** The designated positions listed below are required to file Form 700 Statements of Economic Interests disclosing certain personal financial interests. Upon receipt of the statements, the District shall make and retain a copy and forward the original of this statement to the Humboldt County Clerk of the Board of Supervisors. Statements of Economic Interests are public records available for public inspection. These positions are required to file the applicable individual schedules to report investments, business positions, sources of income and interests in real property located in the District’s jurisdiction. The applicable schedules to be filed for each position are based on the disclosure category assigned to the designated position.

<b>Designated Positions</b>	<b>Disclosure Category</b>
• Board Member	1
• Consultants	
▪ General Manager	2
▪ Assistant General Manager	2
▪ District Engineer	2
• <del>Executive-Administrative</del> Assistant	1
• Board Clerk	1
• <del>Lead-Crew Leader/Equipment</del> Operator	1
• Operator I/II	1

## Disclosure Categories

### Category 1

- A. Interests in real property located entirely or partly within District boundaries, or within two miles of District boundaries, or of any landed owned or used by the District.
- B. Investments or business positions in or income (including gifts, loans and travel payments) from and non-profit organizations in which they have an investment or in which they are a director, officer, partner, trustee, employee or hold any position of management sources that provide, plan to provide, or have provided in the last two years facilities, goods, software, hardware, or services, including consulting services, to the District, or are engaged in the acquisition of real property within the District.

### Category 2

- A. Consultants, including but not limited to architects, developers, contractors, sub-contractors, and materials suppliers shall disclose pursuant to the broadest disclosure category in the conflict of interest code subject to the following limitation: The District may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and, thus, is not required to comply with the full disclosure requirements described above, but instead must comply with more tailored disclosure requirements specific to that consultant. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements.

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### Comments:

The Executive Assistant position was renamed to Administrative Assistant.

The Lead Operator was changed to Crew Leader/Equipment Operator

**RESOLUTION NO. 2022-11**  
**A RESOLUTION OF THE SCOTIA COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS REVISING THE CONFLICT OF INTEREST CODE**

**WHEREAS**, the Political Reform Act, Government Code §81000, et seq., requires every state or local government agency to adopt and promulgate a Conflict of Interest Code; and

**WHEREAS**, the Fair Political Practices Commission has adopted a regulation, 2 California Administrative Code (Cal. Adm. Code) §18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments to the Political Reform Act; and

**WHEREAS**, the Scotia Community Services District may incorporate in its Conflict of Interest Code, by reference, regulation 2 Cal. Adm. Code §18730; and

**WHEREAS**, the Scotia Community Services District has determined that the attached Conflict of Interest Code accurately sets forth the current organizational structure of departments, their designated positions and the respective categories of financial interests which should be made reportable and those boards and commissions which should be designated and the respective categories of financial interests which should be made reportable by their members.

**NOW, THEREFORE**, be it resolved by the Scotia Community Services District as follows:

Section 1. The Recitals and Attachments set forth are incorporated herein and made an operative part of this Resolution.

Section 2. With the additions attached hereto as Exhibit A, the terms of 2 Cal. Adm. Code §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and made a part of the Conflict of Interest Code of the Scotia Community Services District.

Section 3. The terms of 2 Cal. Adm. Code §18734, relating to Designated Employees and Consultants, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference and made a part of the Conflict of Interest Code of the Scotia Community Services District.

Section 4. The Board Clerk will review the SCSD Conflict of Interest Code on a biennial basis as is required by Humboldt County and if changes are required will submit a revised code for Board approval, or if no changes are necessary, so notify the Board by the applicable deadline specified in the Political Reform Act.

Section 5. This Resolution shall be effective upon adoption.

Attachments:

Exhibit A- Provisions of Conflict of Interest Codes incorporated by reference, Disclosure Categories, and Designated Employees and Consultants

PASSED AND ADOPTED this 18<sup>th</sup> day of August 2022 by the following vote:

AYES: Amsted, Black, Newmaker, Pryor, Sellen

NOES:

ABSENT:

ABSTAIN:

APPROVED: Paul Newmaker

Board President

ATTEST: [Signature]  
Board Clerk for Julie Hawkins

Exhibit A



**Conflict of Interest Code**

**Updated August 18, 2022**

The Political Reform Act (Government Code §§ 81000, et seq., hereinafter referred to as the Act) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission ("FPPC") has adopted a regulation (2 California Code of Regulations § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearings it may be amended by the FPPC to conform to amendments in the Act. Therefore, the terms of § 18730 and any amendments to it adopted by the FPPC are hereby incorporated by reference. This regulation and the text here designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code of the Scotia Community Services District ("District").

The full text of Section 18730, together with any amendment thereto, may be found at:

[www.scotiacsd.com/policies/](http://www.scotiacsd.com/policies/)

**DESIGNATED POSITIONS:** The designated positions listed below are required to file Form 700 Statements of Economic Interests disclosing certain personal financial interests. Upon receipt of the statements, the District shall make and retain a copy and forward the original of this statement to the Humboldt County Clerk of the Board of Supervisors. Statements of Economic Interests are public records available for public inspection. These positions are required to file the applicable individual schedules to report investments, business positions, sources of income and interests in real property located in the District's jurisdiction. The applicable schedules to be filed for each position are based on the disclosure category assigned to the designated position.

**Designated Positions**

**Disclosure Category**

• Board Member	1
• Consultants	
▪ General Manager	2
▪ Assistant General Manager	2
▪ District Engineer	2
• Administrative Assistant	1
• Board Clerk	1
• Lead Operator	1
• Crew Leader/Equipment Operator	1
• Operator I/II	1

## Exhibit A

### Disclosure Categories

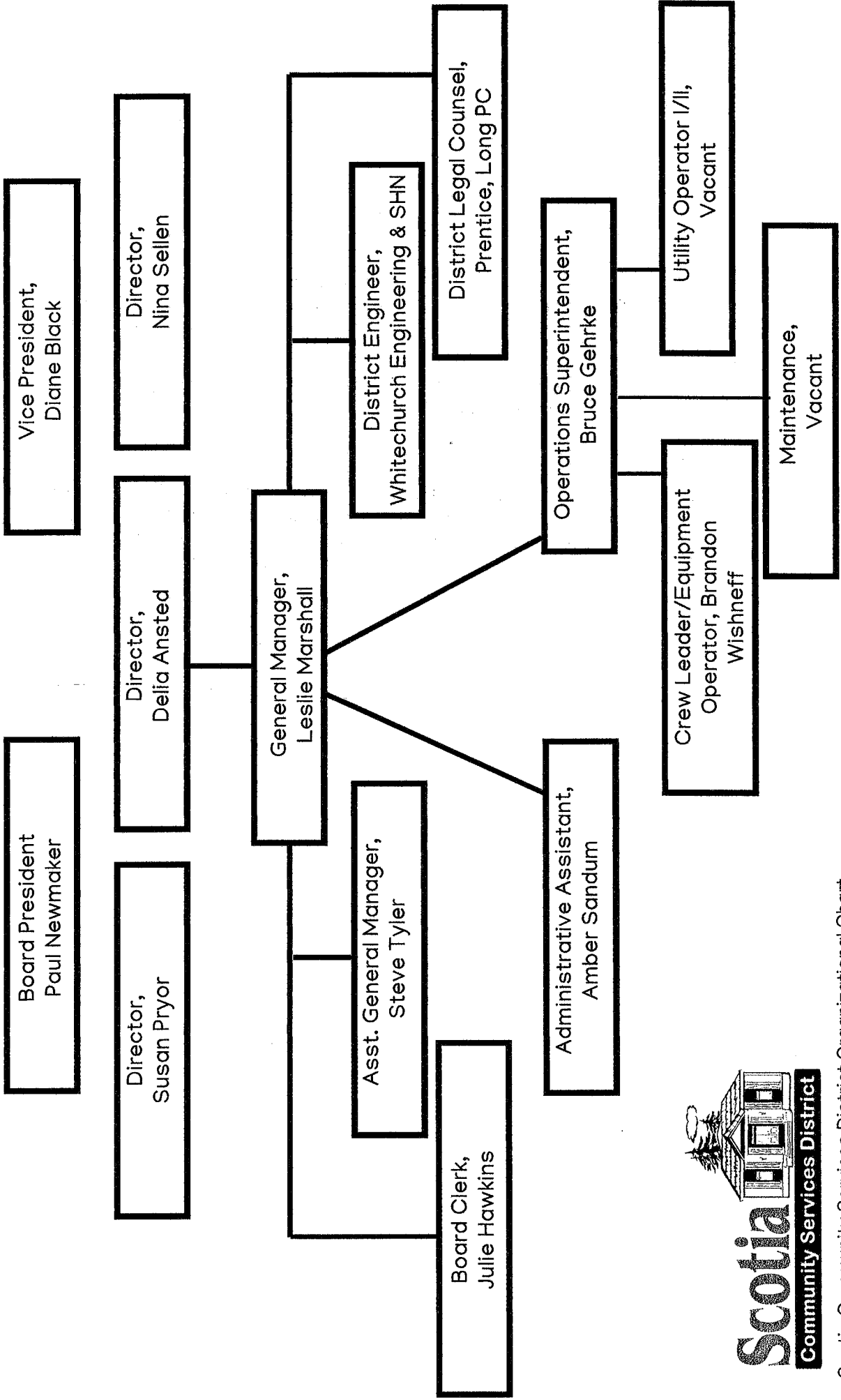
#### Category 1

- A. Interests in real property located entirely or partly within District boundaries, or within two miles of District boundaries, or of any landed owned or used by the District.
- B. Investments or business positions in or income (including gifts, loans and travel payments) from and non-profit organizations in which they have an investment or in which they are a director, officer, partner, trustee, employee or hold any position of management sources that provide, plan to provide, or have provided in the last two years facilities, goods, software, hardware, or services, including consulting services, to the District, or are engaged in the acquisition of real property within the District.

#### Category 2

- A. Consultants, including but not limited to architects, developers, contractors, sub-contractors, and materials suppliers shall disclose pursuant to the broadest disclosure category in the conflict of interest code subject to the following limitation: The District may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and, thus, is not required to comply with the full disclosure requirements described above, but instead must comply with more tailored disclosure requirements specific to that consultant. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements.

# Board of Directors





AUG 30 2022

## 2022 Local Agency Biennial Notice

HUMBOLDT COUNTY  
ELECTIONS

Name of Agency: North Humboldt Recreation and Park District

Mailing Address: 1150 16th Street, Arcata CA 95521

Contact Person: Dave Nakamura Phone No. 707-845-6072

Email: Acpgma.suddenlinkmail.com Alternate Email: \_\_\_\_\_

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

An amendment is required. The following amendments are necessary:

(Check all that apply.)

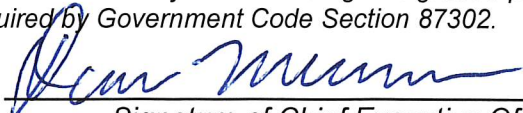
- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (describe) \_\_\_\_\_

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

**Verification** (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

  
Signature of Chief Executive Officer

8/29/2022  
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

**Humboldt County Office of Elections**  
Attn: Christina Strevey  
2426 6th Street, Eureka, CA 95501

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

## **CONFLICT OF INTEREST CODE FOR THE NORTH HUMBOLDT RECREATION & PARK DISTRICT**

### Section 1. Introduction.

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix [or Appendices], designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the North Humboldt Recreation and Park District (District).

### Section 2. Designated Employees.

The persons holding positions listed in Appendix A are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

### Section 3. Disclosure Statements.

A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix B. It has been determined that the financial interests set forth in a designated employee's disclosure category are the types of financial interests which he or she foreseeably can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interests as required by the applicable disclosure category.

### Section 4. Place of Filing.

Individuals holding designated positions will submit a statement of economic interest to the District. The District is the filing officer for non-elected/non-appointed positions; original statements will be retained by the District for these positions. The Humboldt County Office of Elections is the filing officer for elected/appointed board positions; originals for elected/appointed positions will be forwarded to the Office of Elections. Copies of all statements will be held by the District for public viewing. (Gov. Code Sec. 81008)

### Section 5. Time of Filing.

- (a) Initial Statements. All designated employees employed by the agency on the effective date of this Code shall file statements within thirty days after the effective date of this Code.
  
- (b) Assuming Office Statements. All persons appointed, promoted or transferred to designated positions after the effective date of the Code, shall file statements within ten days after assuming office.

- (c) Candidate Statements. All candidates for election to office shall file statements within five days after the final date for filing nomination petitions. This subsection shall not apply to candidates who have filed a disclosure statement with the agency within the previous 12 months.
- (d) Annual Statements. All designated employees shall file statements no later than April 1.
- (e) Leaving Office Statements. All persons who leave designated positions shall file statements within thirty days after leaving office.

Section 6. Contents of Statements.

- (a) Contents of Initial Statements. Initial statements shall disclose any reportable investments and interests in real property and management positions held on the effective date of the Code.
- (b) Assuming Office Statements. Assuming office statements shall disclose any reportable investments and interests in real property and management positions held on the date of assuming office.
- (c) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property and income, and management positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office, whichever is later.
- (d) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property and income, and management positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 7. Manner of Reporting.

Disclosure statements shall be made on forms supplied by the North Humboldt Recreation & Park District and shall contain the following information:

- (a) Contents of Investment and Real Property Reports. When an investment or interest in real property is required to be reported, the statement shall contain the following:
  - (1) A statement of the nature of the investment or interest;
  - (2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
  - (3) The address or other precise location of the real property;
  - (4) A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).
- (b) Contents of Personal Income Reports. When personal income is required to be reported, the statement shall contain:

- (1) The name and address of each source of income aggregating two hundred and fifty dollars (\$250) or more in value, or twenty-five dollars (\$25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
  - (2) A statement whether the aggregate value of income from each source was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or greater than ten thousand dollars (\$10,000);
  - (3) A description of the consideration, if any, for which the income was received;
  - (4) In the case of a gift, the name and address of the donor, a description of the gift, the amount or value of the gift, and the date on which the gift was received.
- (c) Contents of Business Entity Income Reports. When income of a business entity, including income of a sole proprietorship, if required to be reported, the statement shall contain:
- (1) The name, address, and a general description of the business activity of the business entity;
  - (2) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);
  - (3) In the case of a business entity not covered by paragraph (2), the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).
- (d) Contents of Management Position Reports. When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.
- (e) Acquisition or Disposal during Reporting Period. In the case of an annual or leaving office statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 8. Disqualification.

Designated employees must disqualify themselves from making, participating in the making or using their official positions to influence the making of any governmental decision which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on:

- (a) Any business entity in which the designated employee has a direct or indirect investment worth more than one thousand dollars (\$1,000);

- (b) Any real property in which the designated employee has a direct or indirect interest worth more than one thousand dollars (\$1,000);
- (c) Any source of income, other than loans by a commercial lending institution in the regular course of business, aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or
- (d) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. (The fact that a designated employee's vote is needed to break a tie does not make his or her participation legally required for purposes of this section.)

#### Section 9. Manner of Disqualification.

A designated employee required to disqualify himself or herself shall notify his or her supervisor in writing. This notice shall be forwarded to the Chairperson of the Board, who shall record the employee's disqualification. Upon receipt of such statement, the supervisor shall reassign the matter to another employee.

In the case of a designated employee who is a board member or commissioner, notice of disqualification shall be given at the meeting during which consideration of the decision takes place and shall be made part of the official record of the board or commission.

CONFLICT OF INTEREST CODE FOR  
THE NORTH HUMBOLDT RECREATION & PARK DISTRICT

**APPENDIX A**

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Board of Directors	All
<del>Pool Director</del> <u>General Manager</u>	1, 3
<del>Pool Manager</del> <u>Pool Director</u>	1, 3
<del>Operations Manager</del> <u>Operations</u>	1, 3
<u>Supervisor</u>	

**APPENDIX B**

General Provisions

When a designated employee is required to disclose investments and sources of income, he or she need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, he or she need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

Disclosure Categories

- Category 1: All interests in real property.
- Category 2: Investments in business entities and sources of income which engage in land development, construction, or the acquisition or sale of real property.
- Category 3: Investments in business entities and sources of income of the type which, within the past two years, have contracted with the North Humboldt Recreation & Park District to provide services, supplies, materials, machinery or equipment.