

2018 Local Agency Biennial Notice

Name of Agency: Arcata Fire Protection District
 Mailing Address: 2149 Central Ave., 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) Addition of missing FPPC requirements

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.

Rene Campbell
 Signature of Chief Executive Officer

08-21-18
 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 1, 2018**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

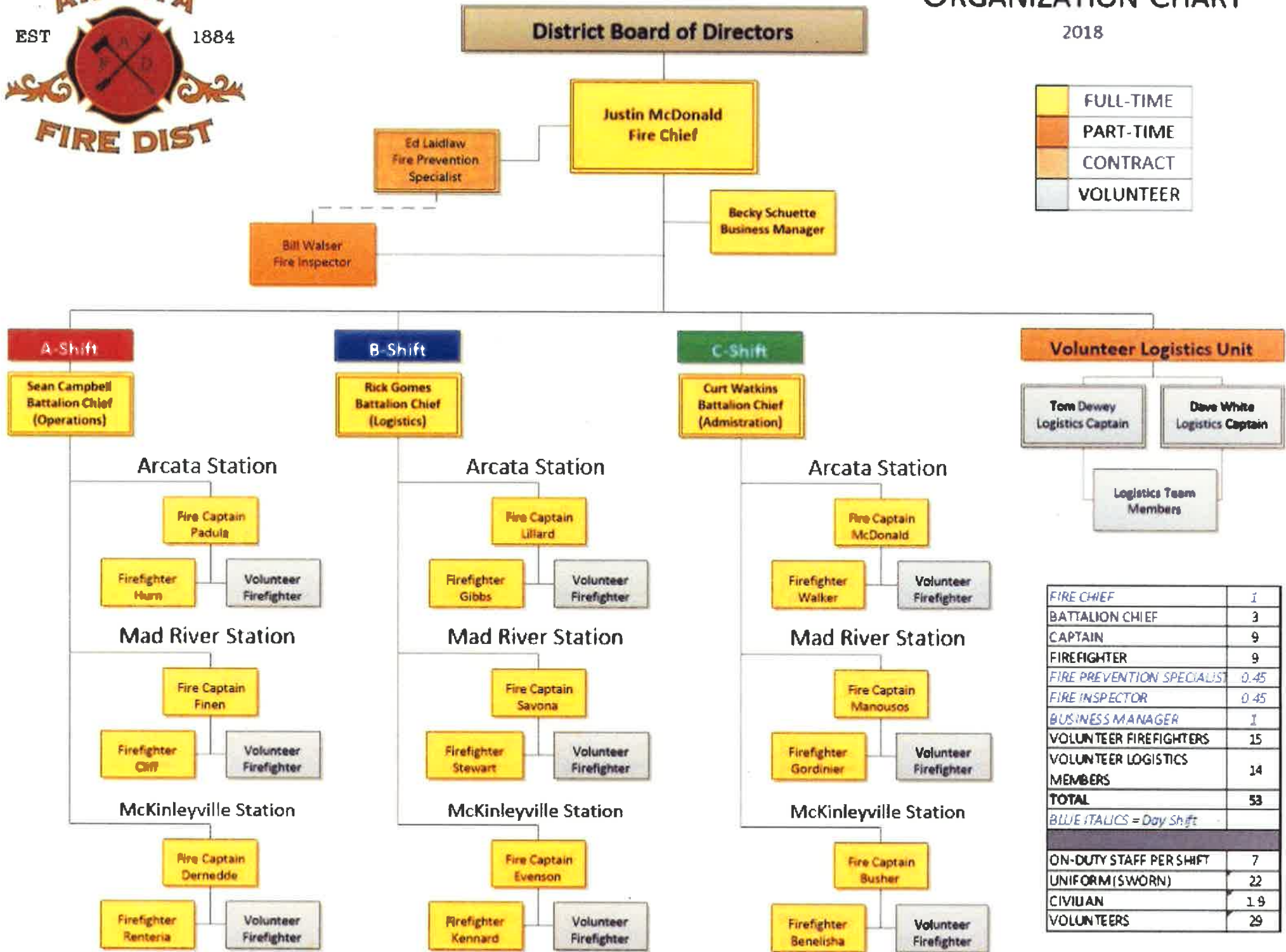
PLEASE DO NOT RETURN THIS FORM TO THE FPPC.



ORGANIZATION CHART

2018

	FULL-TIME
	PART-TIME
	CONTRACT
	VOLUNTEER



<i>FIRE CHIEF</i>	1
BATTALION CHIEF	3
CAPTAIN	9
FIREFIGHTER	9
<i>FIRE PREVENTION SPECIALIST</i>	0.45
<i>FIRE INSPECTOR</i>	0.45
<i>BUSINESS MANAGER</i>	1
VOLUNTEER FIREFIGHTERS	15
VOLUNTEER LOGISTICS MEMBERS	14
TOTAL	53
<i>BLUE ITALICS = Day Shift</i>	
ON-DUTY STAFF PER SHIFT	7
UNIFORM(SWORN)	22
CIVILIAN	19
VOLUNTEERS	29

**CONFLICT OF INTEREST CODE FOR
THE ARCATA FIRE PROTECTION DISTRICT**

Section 1. Introduction

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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.

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Section 2. Definition of Terms

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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.

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Section 3. Designated Employees

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 participated in the making of decisions, which may foreseeably have a material effect on financial interests.

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Section 4. Disclosure Statements

Section 4. Disclosure Statements

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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

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 ~~other than~~ 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.~~

~~Upon receipt of the statement of economic interests of the members of the Board of Directors, the agency will make and retain a copy and forward the originals of these statements to the Board of Supervisors of the County of Humboldt 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 6. Time of Filing

Section 6. 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 ~~(30)~~ days after the effective date of this Code.

(b) Assuming Office Statements.

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Commented [BS6]: Formatting change

Commented [BS7]: Spelling error, language change

Commented [BS8]: Paragraph rewritten with cleaner language.

Commented [BS9]: Formatting change

Commented [BS10]: Adding number, not just letter

(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.

Commented [BS11]: Same reason as above with number

(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.

Commented [BS12]: Same reason as above with number

(c) Annual Statements. All designated employees shall file statements no later than January 31st of each year. Original documents forwarded to the County must be submitted to the FPPC no later than April 1st of each year (or the Monday following the April 1st deadline).

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

Commented [BS14]: Reference pamphlet page 6 & Form 700 "When to file"

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.

Commented [BS15]: Missing from original document. Added based on page 7 of the reference pamphlet & Form 700 "When to file"

Section 7. Contents of Statements

Section 7. Contents of Statements.

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(a) Contents of Initial Statements. Initial statements shall disclose any reportable investments and interest in real property 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 business positions held on the date of assuming office. Additionally, income (including loans, gifts, and travel payments) receiving during the twelve (12) months prior to the date the office is assumed.

Commented [BS17]: This language is missing from the original document and referenced in numerous places throughout the reference pamphlet & Form 700

held on the date of assuming office.

(c) 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) held or** received during

Commented [BS18]: See note above. Same reference.

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.

Commented [BS19]: Language changed from "calendar year" to this.

~~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, **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 date of leaving office.

Commented [BS20]: Again, this language is missing from the original document and referenced in numerous places throughout the reference pamphlet.

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.

Commented [BS21]: Paragraph added refer page 4 of the reference pamphlet

Section 8. Manner of Reporting

Section 8. Manner of Reporting.

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Disclosure statements shall be made on forms supplied by Arcata Fire Protection 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 two thousand dollars (\$2,000), ~~one thousand (\$1,000)~~, exceeds ten thousand dollars (\$10,000), ~~or exceeds one hundred thousand dollars (\$100,000)~~ or exceeds one million dollars (\$1,000,000).

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Commented [BS23]: Threshold updates per Form 700 Schedules

(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) ~~two~~

~~hundred and fifty dollars (\$250)~~ or more in value, fifty dollars (\$50) ~~or twenty-five~~

Commented [BS24]: Threshold value updates Schedule C & D

~~(\$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)~~; or greater than one hundred thousand dollars (\$100,000);

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(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 and address of the donor and 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.

Commented [BS25]: Schedule D Instructions

In the case of a loan, the annual interest rate and security, if any, given for the loan and the term of the loan.

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Commented [BS26]: Schedule B Instructions

—(c) Contents of Business Entity Income Reports.

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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 (\$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 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.

Commented [BS27]: Sections 9-13 were missing from the document and changes in the reporting required that they be added and referenced in the Conflict of Interest Code. They are listed under the Terms & Definitions section of the reference pamphlet

Section 10. Prohibition on Receipt of Gifts in Excess of \$470

No designated employee shall accept gifts with a total value of more than \$470 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.

Commented [BS28]: This limit increased beginning January 1, 2017

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

Section 9. Disqualification

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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. (a) Any business entity in which the designated employee has a direct or indirect investment worth more than

2. two thousand dollars (\$2,000);

~~one thousand dollars (\$1,000);~~

3. (b) Any real property in which the designated employee has a direct or indirect interest worth more than

4. two thousand dollars (\$2,000);

~~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 five hundred dollars (\$500) ~~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

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(d) 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.

Commented [BS31]: This paragraph is a compilation summary from various paragraphs in the Form 700 and pamphlet.

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

Section 10. Manner of Disqualification

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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

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Designated Positions

Disclosure Schedule (Form

730) Categories

Members of the Board of Directors

A, B, C, D, F, All

Fire Chief

A, B, C, D, F, All

Commented [BS33]: Categories or Schedules have changed since the last update to the Code

Battalion Chief(s)

All

Commented [BS34]: BC positions added as ranking officers in decision making positions

APPENDIX B

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General Provisions

When a designated employee is required to disclose investments and sources of income, he 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 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 730 as recommended by the Fair Political Practices Commission and County of Humboldt. (See Form 730 for additional disclosure 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

Schedule A—Investments

Schedule B—Interest in Real Property

Schedule C—Investments and interest in real property held by business entities or trusts

Schedule D—Income

Schedule E—Loans

Schedule F—Gifts

Schedule G—Income of business entities

Schedule H—Employment and management positions in business entities

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MINUTES
Special Board Meeting
August 1, 2018
5:30 p.m.

*Location: 631 9th Street, Arcata
Arcata Station Classroom*

Board of Directors

*Rene Campbell (Division 1) - President, Randy Mendosa (Division 3) - Vice-President,
Nicole Johnson (Division 2) - Director, Elena David (Division 4) - Director,
David Rosen (Division 5) - Director*

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Campbell.

3. ATTENDANCE AND DETERMINATION OF A QUORUM

The meeting continued with a quorum and the following were present: President Campbell, Vice President Mendosa, Director Elena David, Director Nicole Johnson and Director David Rosen. Additional District staff included, Chief Justin McDonald and Board Secretary, Becky Schuette.

4. APPROVAL OF AGENDA

There were no updates or changes to the agenda.
It was moved to approve the agenda.

Motion: Mendosa; **Second:** David

5. PUBLIC COMMENT

There were no public comments.

6. NEW BUSINESS

There was no new business.

7. OLD BUSINESS

7.1 Update and Direction Regarding Future Funding Measure: Chief McDonald reviewed his staff report and explained his reasoning for recommending no action on the funding measure at this time. He went on to discuss his phone conference with the consulting agency SCI Consulting Group who has worked with several fire districts conducting community surveys. To be handled appropriate, such a survey would take

approximately 6 months for completion to properly gauge community support for a funding measure.

Discussion followed among the Board and staff concerning the cost of such a survey and the direction that this information could lead the Future Planning Workgroup toward prospective planning. Chief McDonald also added that this particular agency, SCI Consulting Group, could conduct the engineering study that would be required for a funding measure.

Further discussion ensued regarding the importance of a timeline and managing these processes in the correct order. The public that will be receiving the survey should be provided advance notice that this is coming, the reason for it and what to expect from the District. This would potentially increase participation and support of the survey.

There was no action taken, however the Board directed staff to initiate a Request for Proposal, with references, for consultation and administration of a community survey.

8. ADJOURNMENT

It was moved to adjourn the meeting at 5:52 pm.

Motion: David; **Second:** Rosen

The next Regular Meeting is scheduled for **August 21, 2018 at 5:30 pm** at the Arcata Station Classroom.

Respectfully submitted,



Becky Schuette
Clerk of the Board

ARCATA FIRE DISTRICT

Job Description / HR Book



Job Title: BATTALION CHIEF

Division: Operations
Supervisor: Fire Chief
Effective: July 2016
Revised:

Bargaining Unit: Senior Management Grp
FLSA Status: Exempt
PERS Status: Safety

BRIEF DESCRIPTION OF THE CLASSIFICATION:

Responsible for providing upper management leadership and strategic planning as assigned by the Fire Chief. Battalion Fire Chiefs may be assigned to work 24-hour shifts as the platoon supervisor in charge of all daily suppression operations or may be assigned to a division/bureau supervisor in an administrative assignment. The operational Battalion Fire Chief responds to fire, medical, hazardous material, and technical rescue emergencies and other hazardous events to provide incident command and control and manage the appropriate actions to control the emergency and care of the sick and injured.

Additionally, they direct and lead subordinates in associated duties including training, pre-incident planning, fire safety inspection, public education, and equipment and facility maintenance.

The Battalion Chief but may be called upon to perform the essential functions as outlined in the Firefighter EMT-classification during times of significant emergency and are subject to emergency recall during times of operational need. Examples of operational need include, but are not limited to, staffing shortages, weather events, multi-alarm fires, hazardous material incidents, and acts of terrorism. These events may require the Battalion Fire Chief to work multiple consecutive shifts.

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.

ARCATA FIRE DISTRICT

Job Description / HR Book



	Physical Strength Code	ESSENTIAL FUNCTIONS
1	M	Responds to medical emergencies, participates in and directs the delivery of basic and advanced life support procedures in accordance with North Coast Emergency Medical Services (NCEMS) protocols.
2	H	Responds to fire scenes, participates and directs the application of water and/or chemical agents to control and extinguish fires and the performance of search and rescue, forcible entry, ventilation, salvage, and overhaul. Responsible for insuring that a cause and origin are determined at all fire incidents.
3	M	Responds to hazardous materials emergencies (accidental or intentional), to participate in and or direct effective hazard control strategies.
4	M	Responds to technical rescue emergencies (accidental or intentional), to participate in and or direct and manage effective hazard control strategies.
5	M	Responds to hazardous conditions and general service calls to participate in and or direct and manage effective hazard control strategies. Provides salvage and recovery support to owners and/or occupants of damaged properties.
6	H	In reference to essential functions 1 through 5: Wears personal protective clothing and equipment including self-contained breathing apparatus to perform emergency operational tasks.
7	M	Manages personnel by determining goals and objectives, assigning and reviewing tasks, organizing, scheduling, training, determining policy, coordinating activities, allocating resources, supervising subordinates and interacting with inside and outside agencies. Evaluates and develops employees by advising, coaching, and recommending actions to personnel, by advising, coaching, and recommending actions to personnel
8	M	Provides administrative requirements by collecting, reviewing, and editing all incoming paperwork, disseminating information, maintaining records, and allocating personnel and resources. Completes fire, patient care, pre-incident, post-incident, inspection, and activity reports as needed.
9	M	Performs related duties by preparing correspondences, attending and chairing meetings and committees, attending training seminars, formulating, implementing and tracking department budgets and reviewing and evaluating new technology and information relating to fire and emergency work
10	M	Maintains proficiency and provides supervisory guidance to subordinates in using various software applications and technological advancements in both emergency and non-emergency situations.
11	L	Ensures compliance with the FLSA and other payroll related regulations, providing guidance for analytical studies and research projects, reviewing, editing, and making recommendations.
12	L	Supports the Fire Prevention Bureau by assisting with special events, meeting with and providing input to event organizers, other departments, divisions, and city/county agencies to ensure the safety of the public and compliance with the fire code.
13	L	Supports the Fire Chief by evaluating incoming information, determining information routing and acquiring needed facts. Participates in Fire Executive

ARCATA FIRE DISTRICT

Job Description / HR Book



	Leadership Group and maintains an on call function as a member of the executive staff.
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CLASS REQUIREMENTS:

SKILL	REQUIREMENT
Formal Education / Knowledge	High School/ GED
Experience	3 years of successful performance as a Fire Captain or experience in a supervisory role in an organized fire department.
Certifications and Other Requirements	High School/GED diploma, EMT 1, CSFM Firefighter 1 certificate, CSFM Firefighter 2 certificate, CSFM Fire Officer 1 certificate, valid, insurable Class B Driver’s License, Haz-Mat First Responder (FRO), Confined Space Awareness, SIDS, Blood Borne Pathogens, Elder/Child Abuse, ICS-200, 300, & 400, Basic Wildland Training, Emergency Vehicle Operations, Pump Operations.
Desirable Qualifications	CSFM Driver/Operator Certification, CSFM Chief Officer, NFA Executive Fire Officer Certification, CSFM &/or NFA Chief Officer Certification (or equivalent), CSFM Fire Command Series, Fire Management Series, and Fire Instructor Series
Reading	Requires the ability to read various reports, professional publications, technical references, rules and regulations, codes and ordinances, legal documents, and general correspondence.
Math	Work requires the ability to perform general math calculations such as addition, subtraction, multiplication and division. In addition the ability to calculate water flow problems are required.
Writing	Work requires the ability to write letters, reports, memos, research findings, operational procedures and general correspondences.
Managerial	Managerial responsibilities include strategic planning, logistics, and allocation of resources, training, investigating and making recommendations regarding disciplinary actions, and providing overall guidance to subordinates.
Budget Responsibility	Prepares documents and does research to justify language used in documents for a unit of department and may recommend budget allocations. Responsible for monitoring budget expenditures.
Supervisory / Organizational Control	Requires managing and monitoring work performance by directing subordinate supervisors or administrators, including providing input on decisions related to disciplinary actions, evaluating program/work objectives and effectiveness, and realigning work and staffing assignments, as needed.
Complexity	Work involves choices of action within limits set by standard practices and procedures. Professional judgment is required to apply the proper course of action.

ARCATA FIRE DISTRICT

Job Description / HR Book



Interpersonal / Human Relations Skills	Work involves serving the public. Work requires cooperative/supportive interaction with coworkers, supervisors. Work occasionally requires interaction with representatives of other agencies, other fire departments, and local, state, and federal agencies.
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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.

ARCATA FIRE DISTRICT

Job Description / HR Book



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 telephones.

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	--
Fire Hazards	W	Fumes and Odors	M	Vehicle	D
Explosives	S	Wetness/Humidity	S	Outdoors	D
Communicable Diseases	S	Darkness or Poor Lighting	M	Other (see 1 below)	D
Physical Danger or Abuse	M				
Other	N				

(1) Fire stations and emergency incident scenes

PROTECTIVE EQUIPMENT REQUIRED:

Turn out gear, fire gloves, fire resistive hood, helmet, safety glasses, safety shoes, self-contained breathing apparatus (SCBA), Wildland PPE (including helmet, shroud, goggles, nomex shirt, nomex pants, approved Wildland boots, gloves, and web-gear with fire shelter), body substance isolation garments, N95 mask, latex exam gloves, 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

ARCATA FIRE DISTRICT

Job Description / HR Book



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

RESOLUTION 17-171

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ARCATA FIRE PROTECTION DISTRICT ADOPTING A REVISED CONFLICT OF INTEREST CODE

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

WHEREAS, the Arcata Fire District has recently reviewed its conflict of interest code; and

WHEREAS, the District Conflict of Interest Code had not been updated in many years; and

WHEREAS, during the review process, it was determined that certain changes to the document body were necessary as a result of Government Code statute changes; and

WHEREAS, it was also determined that changes were required to the document appendix for the designated positions requiring disclosure.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Arcata Fire Protection District does hereby adopt this Resolution and Exhibit A, revising the conflict of interest code and the appendix specifying designated positions and disclosure categories; and

BE IT FURTHER RESOLVED that all earlier resolutions and/or appendices containing the District's conflict of interest code shall be rescinded and superseded by this resolution and appendix, which is included as Exhibit A to this resolution.

ADOPTED, SIGNED AND APPROVED at a duly called meeting of the Board of Directors of the Arcata Fire Protection District on February 21, 2017 by the following polled vote:

AYES: Campbell, David and Davis


NOES: None

ABSENT: Sundberg, Tyler

ABSTAIN: None

:

Signed:



John Davis, Vice President

Attest:



Becky Schuette, Board Clerk



CONFLICT OF INTEREST CODE

Approved by Resolution 17-171
February 21, 2017

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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 31st of each year. Original documents forwarded to the County must be submitted to the FPPC no later than April 1st 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 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 \$470

No designated employee shall accept gifts with a total value of more than \$470 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
Battalion Chief(s)	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



CONFLICT OF INTEREST CODE

Approved by Resolution 17-171
February 21, 2017

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Section 1. Introduction

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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 31st of each year. Original documents forwarded to the County must be submitted to the FPPC no later than April 1st 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.

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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 \$470

No designated employee shall accept gifts with a total value of more than \$470 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

Designated Positions

Disclosure Categories

Members of the Board of Directors

All

Fire Chief

All

Battalion Chief(s)

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

Jackson, Lucinda

From: Becky Schuette <bschuette@arcatafire.org>
Sent: Wednesday, August 29, 2018 3:58 PM
To: Jackson, Lucinda
Subject: Conflict of Interest 2018
Attachments: Conflict of Interest 2017 Track Changes.pdf; Org Chart 2018 (1).jpg; Declaration of Board President.pdf; Battalion Chief (2016).docx; Resolution No. 17-171.pdf; Approved Minutes Special August 1, 2018.pdf; Approved Conflict of Interest Code 02-21-17.pdf

Lucinda,

Attached is the version of the Conflict of Interest in track changes format with notes and comments as to all of the updates and changes made to the previous document. If the notes within the track changes need further explanation, or need to be in an actual transmittal letter instead, please let me know.

Also find attached the other required documents:

- Duty statements - Battalion Chief Job Descriptions
- Org chart 2018
- Declaration of Board President
- Recently Approved Minutes
- Resolution 17-171 Adoption of Revised Conflict of Interest
- "Pretty" version of the approved Conflict of Interest

Finally, the two committees that we have within the District are the Finance Committee and the Future Planning Workgroup. Two directors sit on each committee. Finance is Johnson and Rosen and Future Planning is Mendosa and Campbell.

Hopefully that is everything.

Thanks Lucinda!

-

Becky Schuette

Business Manager

Arcata Fire District
2149 Central Avenue
McKinleyville CA, 95519
(707) 825-2000

www.arcatafire.org



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