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1200.1

CENTRAL FIRE DISTRICT OF SANTA CRUZ COUNTY



Approved and Adopted:

BOARD OF DIRECTORS'
POLICY AND PROCEDURES MANUAL

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Article 1: The Central Fire District Board

1201.1 CENTRAL FIRE DISTRICT GOVERNING AUTHORITY

The Central Fire District of Santa Cruz County (herein referred to as District) was established in 2021 by the Santa Cruz County Board of Supervisors. The District is a California Special District (Independent) as a local government agency with taxation authority.

1201.1 POLICY ADOPTING GOVERNING BY POLICY

The policy of the Fire District Board (herein referred to as Board) recognizes that one of its major functions is to serve as the policy-making body of the District and to govern the activities and shape the future of the District. At the same time, the Board preserves for the Fire Chief and the professional staff the responsibility of the day-to-day administration and operations of the District in a manner consistent with the policies and procedures of the Board.

It is, therefore, the intent of the Board of this District to set forth a series of policies and board meeting procedural rules to govern the conduct and deliberations of the business conducted by the Board and to serve as a guide for the professional staff in carrying out the daily functions of the Fire District.

1201.3 BOARD POLICIES

It is the intent of the Board to be governed by a set of policies. The policies shall be adopted by the Board and made available as public documents.

The policies of the Board shall be drafted, adopted, and amended with full consideration for the Board's desire to provide fire and life safety protection of the best obtainable quality for the residents of the District within the limitations of the District's ability to support it.

The Board, as the governing body representing the people of the District, determines all questions of policy to be employed in the operation of the District.

In the event that a Board Policy is found to be in conflict with State or Federal law or the rules of a higher authority, that portion of such policy is automatically null and void without Board action and shall be deleted from the accumulated body of policies and rules.

If disagreement over the application, extent, or interpretation of a policy arises, the resolution of the conflict will be based on the majority opinion of the Board. If such an interpretation is deemed to have future significance, an amendment to the applicable policy shall clearly specify the intent of the Board in interpreting the policy.

Policy Adoption, Changes, Deletions, Additions, and Review: In its deliberations leading to the establishment or amendment of Board Policy, the Board's central concern will be for increased efficiency and effectiveness in carrying out the legally mandated tasks and general policies in the interest of the public good.

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The District recognizes that all Board policies shall remain flexible and be subject to review and change. Such review shall take place every two years. Years ending in odd numbers should be the year to review Board policies for any necessary updates.

Adoption, changes, additions to, and deletions from or repeal of the established policies shall be accomplished by a majority vote of the Board in the course of a single meeting.

The assembled policies of the Board, known collectively as the Board of Directors' Policy and Procedures Manual, shall be the reference instrument for conducting the business of the Board. Appendices to the Policy and Procedures Manual that are not in themselves policies such as Committee Assignments, Board Calendar, Issuances, and Brown Act Summary and other factual listings may be changed as necessary to provide up to date information.

Article 2 Board of Directors

1202.1 BASIS OF AUTHORITY

The Board is the unit of authority within the District. Apart from their normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, expenditure, or give individual direction to the Fire Chief.

Directors do not represent any fractional segment of the community, but are rather, a part of the body which represents and acts for the community as a whole.

1202.2 JOB DESCRIPTION

The primary responsibility of the Board is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are delegated to professional staff members of the District. The members of the Board or Directors have ultimate responsibility to ensure the lawful and efficient operations of the District. They are the supervisory body for the Fire Chief. It is their responsibility to ratify all annual budgets and expenditures, and to participate in and/or ratify annual salaries, wages and benefits.

The majority of the Directors set the official policy of the District. Said policies are to be mindful of the legal and constitutional rights of all employees and are to be set with care and in accordance with the law.

The Board is entitled to enter into all contracts on behalf of the District within the scope of its authority and in the line of duty.

Directors are expected to be familiar with the rules of the Brown Act regarding open meetings, required notice therefore, and the requirements for entering into closed session. All Directors should be aware of any issue of self-dealing and should abstain from voting on any issues in which the member is interested, or on those involving issues which could somehow affect their tenure or benefits. Directors are required to file Fair Political Practices Commission, Statement of Economic Interests, Form 700, upon assuming or leaving office and annually with the Board Secretary. The District is defined in accordance with the provisions of California Statutes. The Fire District includes geographical areas lying in Aptos, Capitola, La Selva Beach, Live Oak, Rio Del Mar, Soquel and certain unincorporated areas of Santa Cruz County. The Board, by policy, shall carry out its responsibilities and the will of the people of the District in keeping with State and Federal constitutions, statutes, and rules, interpretations of the courts, and all the powers and responsibilities they provide.

1202.3 ATTENDANCE IN MEETINGS

Directors shall attend all regular and special meetings of the Board unless there is good cause for absence. This shall include all Committee meetings to which the Director has been assigned.

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1202.4 ATTENDANCE AT COMMITTEE MEETINGS

Directors assigned to committees may teleconference if appropriate. Directors NOT assigned to a specific committee may, as private citizens, attend those specific committee meetings. However, they are members of the public and may not speak, comment or otherwise participate in those Committee meetings as this would be in violation of the Brown Act. While in attendance at such Committee meetings as members of the public, the Director may NOT attend the closed sessions of such Committees.

1202.5 ADVISORY COMMITTEES

It is the policy of the Board to establish advisory committees when it is found to be in the best interest of the District to do so.

It is the policy of the Board to maintain the following standing committees:

- **Personnel Committee** – the Board’s standing Personnel Committee shall be an advisory committee concerned with the functions, activities, operations, compensation, negotiations, and welfare of District personnel.
- **Finance Committee** – The Board’s standing Finance Committee shall be an advisory committee concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

It is the policy of the Board to establish an ad hoc committee as needed, formed for a specific purpose. Members of an ad hoc committee shall be appointed by the Board Chair. Ad hoc committees shall be considered dissolved upon submission of a final report, unless their standing is continued by a vote of the majority of Board members.

The Board Chair or designee shall outline the duties and responsibilities at the time of the appointment. A Director(s) shall serve on all standing or ad hoc committees.

Committees may provide information and serve in an advisory role concerning District matters assigned to them. The Board is responsible for adopting or rejecting committees’ priorities and/or recommendations.

It shall be the responsibility of the Fire Chief to advise the various committees as to the requirements of the Brown Act. Legal matters, code modifications, additions, deletions and Fire District Law changes shall be monitored and relayed to the Board.

The Fire Chief shall be responsible for posting notices of all committee meetings and notifying the press and public as required by the Brown Act (required when three Board members are present or when a committee with Board representation is making a specific recommendation for action to the Board).

The various committee chairpersons shall confer with all committee members to establish meeting date, time and agenda items.

All committee meetings will be scheduled to best meet the mutually agreed upon date and time.

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The committee chairperson shall, when possible, allow for five (5) working days before the meeting date. He/she needs to coordinate with the Fire Chief and staff to avoid conflicting meetings and to accommodate work schedules. The meeting dates shall be mutually pre-agreed upon by the committee members and the Fire Chief before the agenda is released.

1202.6 DELEGATION OF BOARD AUTHORITY

The Board has primary responsibility for the approval of District plans and procedures, for the appraisal of the ways in which these decisions are implemented and results obtained. The Board recognizes its authority to delegate specific responsibilities to the Fire Chief for the implementation of the programs and services of the District.

The Board will approve a job description for the Fire Chief as per District Policy. The Board will negotiate and enter into a contract with the Fire Chief, which specifies the terms and conditions of employment.

The Fire Chief shall serve as General Manager, Executive Officer and the Board Secretary of the District and shall have the responsibility for:

1. Preparing the agenda for each meeting, attending all Board meetings, unless excused, and participating in deliberations of the Board as required,
2. Bringing to the attention of the Board matters requiring its consideration,
3. Reporting monthly to the Board on the progress of programs, divisions, and functions in the District,
4. Personnel matters under the direction of the Board,
5. Reporting to the Board any promotions, demotions, transfers, and dismissals in accordance with the policies of the Board as applicable,
6. Represent the Fire Board as the Director of Personnel for the District.

Article 3 Membership of the Fire District's Board

1203.1 BOARD MEMBERSHIP REQUIREMENTS

The District's Board shall consist of five (5) members serving four-year, staggered terms. By State law, a resident of the District who is a registered voter over 18 years of age shall be eligible to serve as a Director. The election of the Directors shall be conducted as provided by California Law.

1203.1.1 BOARD ORIENTATION

The Fire Chief, in cooperation with the Board Chair (or designee), shall be responsible for the appropriate orientation and training of new Directors prior to taking their seat on the Board.

The orientation and training session for new Board members shall be for information purposes only to acquaint them with the facilities, equipment, and personnel of the Fire District and provide an overview and/or copies (if requested) of:

- (a) Board of Directors' Policy and Procedures Manual (this Manual)
- (b) District territory and boundaries
- (c) Labor and other major contracts
- (d) Brown Act Summary
- (e) Other matters concerning Conflict of Interest
- (f) The current District budget
- (g) Board Resolutions
- (h) District Ordinances
- (i) Any other important issues
- (j) After taking office, the new Director will be provided with additional orientation and issued additional items:
 - (a) District email address
 - (b) District cell phone
 - (c) District computer (lap top)
 - (d) District printer and associated printing supplies if requested

1203.2 TRAINING, EDUCATION AND CONFERENCES

Directors are encouraged to attend educational conferences and professional meetings when the purpose of such activities is to improve District operation. Directors may also attend or observe certain District training classes as approved by the Fire Chief. The internal training calendar will be provided to the Board members. Directors are encouraged to minimize expense to the District by using online courses where possible.

It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training,

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educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Notification should be provided to the Directors for meetings, travel and conferences outside of the District. Approval for the expenses necessary may be made by the Board Chair or his/her designee in consultation with Fire Chief. The Board Secretary is responsible for making arrangements for Directors for conference and registration expenses, and for per diem (at District mandated per diem allowance.) Per Diem, when appropriate, shall include reimbursement of expenses for meals, lodging and travel. All expenses for which reimbursement is requested by Directors or which are billed to the District by Directors shall be submitted to the Board Secretary, together with validated receipts. Expenses to the District for Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the Fire Chief and by the adopted budget amounts.

1. Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates, Directors traveling together whenever feasible and economically beneficial, and requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.
2. A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Board.

Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the sessions that will be of benefit to the District.

1203.3 DIRECTOR'S COMPENSATION AND REIMBURSEMENT

Per Ordinance 2025-01: The District shall reimburse Directors at the rate of \$207.47 per day at each day's attendance at any number of meetings of the Board that day, or for each day's Board service rendered as a member of the Board by Board request. Future Board meeting compensation increases shall not exceed an amount equal to five (5) percent, for each calendar year following the operative date of the last adjustment of the compensation which was received. At a Regular Board Meeting of each successive year the Board may consider a resolution determining and declaring any Board member compensation increase that is capped at up to 5% annually. If the resolution declaring Board member compensation increase is approved the compensation increase shall take effect the next full pay period following the Board Meeting. Except as specified in Ordinance 2025-01 Board members shall not be compensated for meetings on more than four (4) calendar days per month.

Director's Compensation and Reimbursement is applicable for all regularly scheduled Board Meetings, Special Meetings, Ad Hoc Committee Meetings, required training and when in response

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to subpoenas or legal actions. The District shall reimburse Directors for reasonable expenses actually incurred while on District business. Such reimbursement shall extend only to the bona fide expenses of Directors and shall not include recompense for a spouse's or companion's costs. Each Board member shall present a statement, supported by appropriate documentation, before reimbursement is made.

1203.4 DIRECTOR'S APPAREL AND EQUIPMENT

- A. Directors will be issued a laminated photo I.D. card identifying them as Directors. Directors shall not be issued, or wear, safety equipment unless required or requested to do so by the Fire Chief.
- B. I.D. card is to be returned to the District upon completion of service.
- C. I.D. card security is the responsibility of the Director. Should the I.D. card issued by the District be lost or stolen, the Director shall notify the Fire Chief.

1203.5 BOARD VACANCIES

Filling vacancies in the office of Director shall be in accordance with California Law. Generally, vacancies may be filled by appointment (by the current Board) or by special election. The position may also be left vacant until the next election.

1203.6 BOARD ELECTIONS

When a District election is to be held for the purpose of electing members to the Board, the election officer shall cause the following information to be published in accordance with California Law:

1. The date of the election;
2. The Board positions to be voted upon;
3. The latest date candidates may file for office.

The County Clerk, serving as elections officer, has total responsibility for the conduct and administration of District elections.

When a District election ends in a tie vote as defined in California Elections Code Division 15, Chapter 10, Article 1, Section 15651, the tie shall be resolved by lot.

1. The winner of the Board seat shall be determined by flipping a coin for two-way ties.
2. The winner of the Board seat shall be determined by either drawing straws or drawing a name for three-way ties.

Article 4 Officers and Committees of the Board

1204.1 POLICY

It shall be a policy of the Board to elect officers of the Board during the month of December, depending on ranges of Board terms Officers take office in January.

1204.1.1 BOARD OFFICERS

The Board shall hold annual elections at its December meeting for Chair and Vice Chair. The terms for Chair and Vice Chair shall commence on the first day of January and end on the thirty-first day of December. The Chair and Vice Chair shall be elected for a one-year term with no officer serving more than two (2) consecutive terms in any one position, however, in extraordinary situations, the Board may extend the limit on consecutive terms for an officer by majority vote of the Board. The Vice Chair shall become Chair upon the death, incapacitation, resignation, or removal of the Chair. In the case that the Vice Chair succeeds to the Chair, the Board shall elect a new Vice Chair at its next meeting.

1204.2 CHAIR DUTIES

The Chair shall be the presiding officer of the Board, shall collaborate with the Fire Chief to establish the agenda for the meeting, shall sign all documents on behalf of the Board and District that may be required, and shall have the same rights and responsibilities as other Directors to participate in and vote at Board meetings. The Chair-elect, with the approval of the Board, shall designate, no later than the January regular Board meeting, Directors who will serve on the various committees, boards, liaison positions for the upcoming year. The Chair may, at any time, change committees, boards and liaison positions with the approval of the Board.

1204.3 VICE CHAIR DUTIES

The Vice-Chair shall serve as acting Chair in the absence or temporary disability of the Chair. The Vice-Chair shall become Chair upon the death, resignation, or removal of the Chair.

1204.4 BOARD STANDING COMMITTEES AND LIAISONS

The Chair or designee shall outline the duties and responsibilities of a Director on a Committee at the time of appointment.

Article 5 Powers and Duties of The Board

1205.1 POLICY

It is the policy of the Board to exercise those powers granted to it by California Law and to carry out those duties assigned to it as may best meet the fire and life-safety needs of the District.

1205.2 BOARD RESPONSIBILITIES AND DUTIES OF FIRE CHIEF

Responsibilities of the Board are the formulation of policies and rules regarding District programs and services. In carrying out its legislative and policy-making responsibility, the Board shall delegate the administrative, personnel and executive functions to the Fire Chief.

1205.3 CODE OF ETHICS

The Board is committed to providing excellence in legislative leadership that will result in the highest quality of services to its constituents. Pursuant to AB 1234, Ethics Training for Local Officials, passed by the Legislature on October 7, 2005, requires that all local agencies that provide compensation, salary or stipend to, or reimburses the expenses of, members of a legislative body must provide ethics training to local agency officials every two years.

1205.4 DIRECTORS MEETING PARTICIPATION

The basic manner in which Directors fulfill their office must be at a regular, special, committee, or workshop meeting, and will be a matter of public record. The method of participation is discussion, deliberation, debate and voting. All Directors, including the Chair, are expected to participate fully in deliberation and voting.

1205.5 DIRECTORS DECORUM

It is understood that Directors will not always agree. Directors have the right to maintain and express differing viewpoints, styles, opinions and values. Nonetheless, Directors should aspire to respect the dignity of their office and to observe common standards of decorum to the extent possible.

In order to assist in the governing of the behavior between and among Directors, the following rules shall be observed:

The dignity, style, values and opinions of each Director shall be respected. Responsiveness and attentive listening in communication is encouraged.

The needs of the District's constituents should be the priority of the Board.

Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

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1205.6 DIRECTORS RESPONSIBILITY TO CONSTITUENTS

Directors, individually and collectively, act as representatives of the citizens of the District in maintaining and promoting fire and life-safety needs of the District.

1205.7 DIRECTORS ACTION AND SERVICE

Directors' decisions and actions shall best serve the needs of District citizens in light of available resources and information available to the Board at the time such decisions or actions are made.

1205.8 DIRECTORS MEMBERSHIPS AND CONTINUING EDUCATION

The Board encourages members to participate in organizations such as the Fire District Association of California and others with similar benefit to the District. Membership fees shall be paid by the Fire District and reasonable expenses incurred in attending meetings, seminars, and training sessions shall be paid by the Fire District.

1205.9 DIRECTORS CONDUCT AND RESPONSIBILITIES

Conduct

The Directors shall observe the following code of conduct designed to guide their actions in carrying out their responsibilities. A Director should strive to understand that their basic function is "policy" and not "administration";

1. Refuse to make commitments on any matter which should come before the Board as a whole;
2. Refuse to participate in secret meetings or other irregular meetings which are not official and which all members do not have the opportunity to attend (this includes: "liking", commenting or sharing posts on social media of fellow Board members with regard to District business);
3. Recognize that he/she has no legal status to act for the Board outside of official meetings;
4. Respect the rights of District constituents to be heard at official meetings within established parameters and guidelines for public testimony;
5. Make decisions only after available facts bearing on a question have been presented and discussed;
6. Accept the principle of "majority rule" in Board decisions;
7. Recognize that the Fire Chief should have full administrative authority for properly discharging duties within the limits of established Board policies;
8. Recognize that the Fire Chief or designee is the technical advisor to the Board;
9. Present personal criticisms, complaints or problems regarding District operation directly to the Fire Chief and discuss them at a regular meeting only after failure of an administrative solution;
10. Declare conflicts of interest into the public record;

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11. Conduct all District business in an ethical manner;
12. Refuse to use his/her position on the Board in any way, whatsoever, for personal gain;
13. If observing District personnel while they are engaged in emergency or disaster operations, a Director shall not distract or engage personnel in any way. Directors shall position themselves so as not to interfere with emergency operations.
- 14.
15. The District has policy and procedures governing harassment, discrimination and retaliation in the workplace. It is the policy of the District to establish and maintain a work environment free of all forms of harassment, discrimination and retaliation. Such behaviors are unacceptable and will not be condoned or tolerated on the part of any employee. All Directors must be familiar with and in compliance of the District's Policy prohibiting such behaviors. All new Directors shall participate in Harassment, Discrimination and Retaliation Training within one year of joining the Board if they have not already done so. All Directors should take Harassment Training at least once every two years. The Board Secretary shall maintain records of such.
16. Give staff and contemporaries the respect and consideration due to skilled professional personnel.

Responsibilities

Directors are responsible for monitoring the Fire Chief's progress in attaining District goals and objectives, while pursuing its mission.

Directors shall practice the following procedures:

- In seeking clarification on informational items, Directors shall contact the Board Chair, who will arrange a meeting with the Fire Chief.
- In handling complaints from residents and property owners of the District, said complaints shall be referred directly to the Fire Chief.
- In handling items related to safety, concerns for safety, or hazards shall be reported to the following:
 1. On duty Battalion Chief or;
 2. Any Administrative Chief Officer.

Emergency situations shall be dealt with immediately by seeking appropriate assistance.

In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finance, and programming, said concerns shall be referred directly to the Fire Chief.

When approached by District personnel concerning specific District policy, Directors shall direct inquiries to the Fire Chief. The chain of command shall be followed.

The work of the District is a team effort. All individuals shall work together in the collaborative process, assisting each other in conducting the affairs of the District. When responding to constituent requests and concerns, Directors shall be courteous, responding to individuals in a

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positive manner and routing their questions through appropriate channels and to responsible management personnel.

Directors function as a part of the whole. As such, issues shall be brought to the attention of the Board as a whole, rather than to individual members selectively.

Directors shall be expected to serve on standing and ad hoc committees as established. These committee assignments are two (2) member fact finding committees established for the purpose of making recommendations to the Board on modifications to current policies and related District business.

1205.10 DIRECTOR DISCIPLINE

Censure

The Board reserves the right to censure, criticize, disapprove or condemn actions taken by individual Board members if their actions exceed the grounds of authority conferred upon Board members by the law or, if by their actions, they fail to fulfill their fiduciary duty to the District.

The right to censure a fellow elected official is established by case law. Censure is a disciplinary matter and, as such, the person who is proposed for censure has a right to due process (i.e. hearing on the charges). Boards may also pass resolutions criticizing, disapproving or condemning a Board member for his/her conduct and that does not require a process hearing beforehand.

1205.11 BOARD AND DISTRICT PUBLIC COMMUNICATION

The Fire Chief, or his designee, is the spokesperson for the District when dealing with the media. In the course of normal events, Directors should refer inquiries to the Fire Chief. The Fire Chief and the Board should strive to be in agreement regarding the public posture of the District. Where possible it is desirable for the Board to have a unified position (e.g. "Board position") that may be communicated to the public through the media. If it is necessary for the Board to make a separate statement to the media, that responsibility should rest with the Board Chair or his/her designee.

Internal District information should not be distributed to the media without the permission of the Fire Chief.

However, Directors as elected officials have all of the rights and privileges of any private citizen to speak with the media. If a Director finds it necessary to speak to the media regarding the District, that Director should be clear that he/she is speaking as an individual Director and not as a spokesperson for the Board. In order to speak for the Board, any individual Director must be authorized by the Board. When speaking to the media on matters not related to the District, any Director should clearly state that he/she is speaking as a private citizen and not as a Director.

1205.12 FINANCIAL POLICY STATEMENT

A. Aggressive Oversight by the Board

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The Board recognizes their responsibility for fiscal accountability to the community, the employees of the District and the organization. The Board is committed to staying informed on all financial aspects of District Operations. The Board further commits to using utmost diligence in guaranteeing sound fiscal management principles throughout their decision-making process.

B. Treasurer

The Board acknowledges the Treasurer of the County of Santa Cruz as Treasurer of the District by Statute (Health and Safety Code Section 13854). The Fire Chief, with explicit approval from the Board of Directors, has the authority to invest surplus of funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all statutes governing the investment of District funds as defined in GC 53600 et seq.. Reserve fund balances will be held available for funding the "dry tax season", capital outlay and mobile equipment objectives rather than borrowing additional funds for that purpose. The District shall maintain a line of credit with the County of Santa Cruz for cash flow needs.

C. Open and Complete Reporting

The Board and Staff commit to disclose and report all current impacts to the District's finances at every regular monthly Board Meeting. Care will be given to report in a format easily understood by district clientele.

Budget deviations will be processed per policy and Staff shall provide quarterly financial statements to the Board formatted to include description of funds, expenditure and revenue balances and projected trends throughout the fiscal year.

D. Timely Payment

The District shall process all routine bills received by the District for payment within 30 days and submit all claims to the Board for review at the next regular meeting.

E. Reserves and Designations

Minimum Fund Balance: It is the goal of the District to achieve and maintain an unassigned fund balance in the general fund at a minimum of five (5) months of budgeted operating expenditures to provide adequate cash flow and avoid short-term borrowing in the subsequent fiscal year.

The District shall forecast future liabilities and plan for adequate funding based upon economic conditions. Categories shall include:

- (a) Accumulated unpaid compensated absences (vacation, cto, sick leave).
- (b) Equipment replacement.
- (c) Facilities – improvement, maintenance, purchase, construction.
- (d) Mobile equipment.
- (e) Other post employment benefits - Actuarially Determined Contribution (ADC).

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Article 5 Powers and Duties of The Board

The funds needed by each category in a fiscal year will be included in that current year budget. Funds not used in the current fiscal year will be transferred to the following years reserve accounts until those accounts become fully funded.

In a given fiscal year, the District's target prefunding contribution for Other Post Employment Benefits (OPEB) is equal to any excess of the year's "Actuarially Defined Contribution" (ADC) over the subsidized portion of premiums for retiree medical, dental, and life insurance. The ADC is determined by an actuarial valuation and includes an amortization of the District's unfunded OPEB liability. While the District strives to maintain a goal of contributing 100% of the ADC, it may temporarily reduce or forgo contributions in times of economic hardship. Any contributions will be deposited in the District's account within the California Employers' Retiree Benefit Trust (CERBT), which is a Section 115 trust operated by CalPERS.

Once funded, these accounts shall not be depleted for any reason other than their stated purpose. If revenues fall, current expenses will be cut to match revenues rather than spending of reserves.

F. Indebtedness

Great diligence will be used to accomplish the mission of the District by applying contemporary business practices and recognized cash management principles based on current economic conditions minimizing the use of debt issuance except where appropriate to meet District goals.

G. Budgets

The goal of the District Budget is to reflect a balance of recurring revenues which is allocated to wages and benefits while maintaining services and supplies. The District's goal is 85% to wages and benefits and 15% to services and supplies. This will be a reflection of current economic conditions and will demonstrate fiscal responsibility and provide adequate reserves.

1205.13 COLLECTIVE BARGAINING AGREEMENT

It is the policy of the Board to engage in discussions for the purpose of reaching agreements with recognized employee groups or individuals, as required in the Brown Act. The Board reserves to itself or:

1. A designee
2. A contract negotiator
3. The Board Personnel Committee
4. The Fire Chief
5. Ad Hoc Committee
6. A combination of resources

During contract negotiations a Director should limit communication with the bargaining group on matters pertaining to the negotiation. Individual Directors shall not negotiate directly with represented labor groups and cannot agree to anything as an individual or on behalf of the Board while bargaining is underway.

Article 6 Delegation of Board Authority

1206.1 POLICY

The Board has primary responsibility for the approval of District plans and procedures and for the appraisal of the ways in which these decisions are implemented and results obtained. The Board recognizes its authority to delegate specific responsibilities to the Fire Chief for the implementation of the programs and services of the District.

1206.2 BOARD APPROVAL OF FIRE CHIEF POSITION

The Board may select a Fire Chief by utilizing one of the following methods:

- Open Examination- open and competitive testing for all qualified individuals.
- Promotional Examination- open only to qualified District employees.
- Appointment-the appointment of any person meeting the established employment standards for the position.

The Board will approve a position description for the Fire Chief as per District Policy. The Board will negotiate and enter into a contract with the Fire Chief which specifies the terms and conditions of employment. The Fire Chief's contract must be considered at a regularly scheduled board meeting. During the agenda item where the Fire Chief's contract is being considered the Board Chair must announce compensation and fringe benefits orally in open session before the final action.

1206.3 RESPONSIBILITIES OF FIRE CHIEF TO THE BOARD

The Fire Chief shall serve as the Executive Officer and Board Secretary of the Fire District. Responsibilities of the Fire Chief may include:

1. Preparing the agenda in collaboration with the Board Chair for each meeting, attending all Board meetings, unless excused, and participating in deliberations of the Board as required.
2. Bringing to the attention of the Board matters requiring its consideration.
3. Reporting periodically to the Board on the progress of the programs in the District.
4. Addressing personnel, financial and capital improvement matters under the direction of the Board.
5. Reporting to the Board, appointments, demotions, transfers and dismissals in accordance with the policies of the Board as applicable.
6. Represent the Board as the Director of Personnel for the District.
7. Provide for succession planning for management and personnel within the District.

1206.4 FIRE CHIEF EVALUATION

The Board shall establish a process for evaluating the Fire Chief at least on an annual basis from the Fire Chief's anniversary date of hire. In the first year of appointment to the role of Fire Chief,

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Article 6 Delegation of Board Authority

the board may consider meeting with the Fire Chief twice a year, to provide an opportunity to discuss opportunities, goals, hurdles, and objectives.

1206.5 FIRE CHIEF DELEGATION

The Board delegates to the Fire Chief the function of specifying the required actions and designing the detailed arrangements under which the District will be operated. Such administrative policies and procedures will detail the operations of the District.

1206.6 FIRE CHIEF ADMINISTRATIVE ACTIONS

When action must be taken within the District where the Board has provided no guidelines for administrative action, the Fire Chief shall have the power to act, but the decisions shall be subject to review by the Board at its next regular meeting. It shall be the duty of the Fire Chief to inform the Board promptly of such action and of the possible need for policy or rule.

Article 7 Methods of Operation of District Board Meetings

1207.1 POLICY

It is the policy of the Board that all meetings be conducted in accordance with California and Federal statutes and rules, the decisions of the courts, and with proper regard to "due process" procedures. In so doing, the Board will seek information from staff and other sources, as appropriate, before decisions are made on policy and procedural matters.

1207.2 MEETING LOCATION

Regular meetings of the Board shall be held at the Central Fire District Administrative Office, 930 17th Avenue, Santa Cruz, on the second Thursday of each month at 9:00 a.m., unless by specific action of the Board a different meeting place or time is selected.

The Chair and the Fire Chief shall insure that appropriate information is available for the audience at meetings of the Board, and that physical facilities for said meetings are functional and appropriate.

1207.3 REGULAR MEETINGS

At least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review at the Central Fire District Administration Office and are open to the public, except as provided for Closed Sessions. Notice of all meetings and a copy of the proposed agenda shall be sent to all persons making request in writing and will be made available to the news media prior to the date of the meeting in accordance with the Brown Act, an additional posting of the agenda to the District web site. A nominal fee may be charged for copies of public records in accordance with rules established by the Board.

1207.4 SPECIAL MEETINGS

At least twenty-four (24) hours prior to the time of all special meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review at the Central Fire District Administration Office and are open to the public, except as provided for Closed Sessions. The Presiding Officer (Chair) of the Board or a majority of the legislative body of the Board may call a Special Meeting under the terms of the Brown Act.

1207.5 EMERGENCY MEETINGS

An Emergency Meeting may be called by the Board if a work stoppage, crippling activity, or other activity severely impairs public health or safety.

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Alternatively, the legal body may determine a dire emergency exists, such as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses immediate and significant peril. All of the Brown Act provisions apply to emergency meetings, except for the 24-hour notice requirement.

1207.6 AD HOC COMMITTEE

Ad hoc committees shall meet as necessary in accordance with their specific mission and purpose. An Ad hoc committee generally has a limited purpose and/or a limited span or time frame. These committees exist as long as necessary to accomplish their goal after which they are disbanded. There are no notice or agenda requirements for ad hoc committees. A maximum of two (2) Directors shall serve on all standing and ad hoc committees. Ad hoc committees shall be considered dissolved upon submission of the final report, unless their standing is continued by a vote of the majority of the Directors. No minutes are required from an ad hoc committee.

1207.7 AGENDAS

Agendas for respective meetings shall be determined in the following manner and shall comply with appropriate noticing and publishing.

Agenda Item Requests - Directors

As stated in Policy 1204.2, the Fire Chief in collaboration with the Board Chair shall prepare an agenda for each regular, committee and special meeting of the Board. Any Director may request the placement of any item related to District business on the agenda of an upcoming scheduled regular Board Meeting in one of four ways:

1. By voicing a request during the open session of a Board Meeting that an item be placed on the agenda for the following meeting;
2. By submitting a request, outside of a Board Meeting, to the Board Chair or the Fire Chief /Board Secretary;
3. By submitting a request, outside of a Board Meeting, to the Fire Chief;
4. By the Board member adding agenda items directly by submitting a form.

All requests for agenda items are subject to the requirements and limitations of the open meeting laws of the State of California must be within the subject matter jurisdiction of the Board and shall be consistent with these rules governing Board roles and responsibilities. Issues in this regard will be resolved by the Board Chair. Barring emergencies or other exigent circumstances, all agenda requests shall be made at least the Wednesday prior to the Board meeting at issue. The Fire Chief and the Board Chair shall honor all agenda requests that meet the requirements of this policy and state law. Agendas should be finalized 72 hours prior to the scheduled regular meeting.

Agenda Item Requests - Members of the Public

Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board. The request may be made during

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the public comment portion of any Board meeting, but unless the requirements of the Brown Act can be met, the agenda item may only be added to a future meeting agenda using the following procedure:

1. The request must be submitted, in writing, to the Fire Chief at least one week prior to the Board meeting, and;
2. The Board Chair, upon consultation with the Fire Chief, will determine whether the public request is a "matter directly related to the District Business" and if so, with the authorization of the Chair and Fire Chief, it may be placed on the Board's next scheduled meeting agenda.

Consent Agenda

Items of recurring nature may be included for consideration. These items will be determined during agenda-setting meetings between the Board Chair and Fire Chief.

Directors' Communications on Agenda Items

Questions regarding when an Agenda Packet will be finalized for a particular meeting should be directed to the Board Chair. In the event the Board Chair has any question or concern regarding whether or not a particular comment is suitable for publication, he or she shall contact District Counsel for assistance.

1207.8 CLOSED SESSIONS

A Closed Session is a part of a meeting where no member of the public may be present. Only the following topics are grounds for calling a closed session Government Code Section 54953 (b) (3):

- Personnel Matters: Appoint, employ, evaluate performance, discipline, dismiss or release an employee;
- Pending or Anticipated Litigation;
- Labor Negotiations;
- Real Property Negotiations;
- Public Security;
- License Application by persons with a criminal record;
- Liability Claims;
- Trade Secrets;
- Charges or complaints involving information protected by federal law;
- Conference involving Joint Powers Agency;
- Audit by Bureau of State Audits.

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1207.9 QUORUM

A quorum is the minimum number of members of a deliberative body necessary to conduct the business of the Board. Three (3) members of the five (5)-member Board must be physically present within the District to conduct District business. In the event that a board meeting proceeds with only three (3) members present, any motion, resolution or ordinance must be passed with a unanimous vote.

Effective January 1, 2023 until January 1, 2026, AB 2449 amends the Brown Act to provide an additional procedure for members of legislative bodies to attend public meetings remotely. Under the law, members of a legislative body may attend public meetings remotely without identifying their teleconference site on the agency's agenda or ensuring it is accessible to the public if the procedures below are followed.

As long as a quorum of the legislative body participates in person from a physical location open to the public, the remaining agency members can participate remotely in two (2) situations:

1. If there is "just cause". Just cause is defined as any one of the following:
 1. Childcare or caregiving of a child, parent, grandparent, grandchild, sibling, spouse or domestic partner that requires a member to participate remotely;
 2. a contagious illness that prevents a member from attending in person;
 3. a need related to a physical or mental disability; or
 4. travel while on business of the legislative body or another state or local agency.

In order to participate remotely under the just cause provisions, the member must:

- Notify the legislative body at the earliest possible opportunity, including at the start of a meeting, of their need to participate remotely and
- provide a general description of the circumstances related to one of the four items above.

A member may only participate remotely under the just cause provisions up to two (2) meetings per calendar year.

1. If there are "Emergency Circumstances": Emergency Circumstances means a physical or family medical emergency that prevents a member from attending in person.
 1. In order to participate remotely under the emergency circumstances provisions, the member must request that the legislative body allow them to participate in the meeting remotely because of emergency circumstances and the legislative body must take action to approve the request.
 2. A member must make a request to participate remotely under the emergency circumstances provision as soon as possible. The legislative body may take action on this request at the earliest opportunity. If the request does not allow sufficient time to place it on the agenda for the meeting for which the request is made, the legislative body may take action on the request at the beginning of the meeting by majority vote.

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3. The legislative body must request a general description of the circumstances relating to the member's need to appear remotely. The description does not have to be more than 20 words and the member does not have to disclose any personal medical information.

1207.10 PUBLIC COMMENTS

Public comment is encouraged at all Board meetings. Public comment is limited to three minutes per speaker, which may be waived or modified by the Board Chair. The agenda will emphasize the right to public comment.

There are two opportunities for public comment:

- (a) *Under "Oral Communications"*, the public may address the Board on any subject NOT listed on the agenda. Each speaker may address the Board once under Public Comment for a limit of three minutes. Speakers will be asked (but are not required) to clearly state their name and address or political jurisdiction where they live. The Board cannot act on items that are not listed on the agenda and, therefore, the Board cannot respond to non-agenda items brought up under Public Comment other than provide general information. This will generally take place before the consideration of the Consent Calendar.
- (b) *Public Comment for Agenda Items* - District policy assures members of the public the opportunity to speak to any regular or special meeting agenda item before final action. This opportunity to speak is during the public discussion portion of each agenda item and must be related to matters under consideration for that agenda item.

1207.11 PRESIDING BOARD MEETING

The Board Chair shall normally preside at meetings of the Board. In the absence of the Board Chair, the Board Vice-Chair shall preside. In the absence of both the Chair and the Vice-Chair, the first order of business at the Board meeting shall be the appointment, by the Directors present, of a presiding Board member to chair the meeting.

Article 8 Meeting Minutes, Public Record

1208.1 BOARD MEETING MINUTES

The minutes of the meetings of the Board shall be maintained in the Administration Office of the District and shall provide for information as required by law and Board policies. For convenience, an additional posting of the Board Minutes may be found on the District website.

1208.2 BOARD SECRETARY

The Board Secretary/Fire Chief performs various administrative and managerial duties such as facilitation of the execution of official and legislative processes, which includes administering provisions of the Political Reform Act of 1974, attesting to the passing of resolutions and ordinances, and participating in the Board Meetings.

The Board Secretary also records official actions and legislation of the District, documenting the proceedings of meetings and retaining other legal and historical records. Records are maintained while providing appropriate public access to District business. The Board Secretary manages the proper maintenance and disposition of District records and information.

1208.3 BOARD MEETING MINUTES-PUBLIC RECORD

The official minutes of Board meetings, including supporting documents, shall be open to inspection by the public at the office of the Fire Chief during regular business hours.

1208.4 PUBLIC RECORDS PROCESS

The District recognizes the right of any member of the public to inspect non-exempt public records, limited only by rules of reasonableness, and in accordance with guidelines established by California State Law. When access to District records is granted, examination will be made in the presence of the record custodian regularly responsible for maintenance of the files or by a staff member designated by the Fire Chief. In accordance with the Public Records Act, certain records, including personnel records, are not included in the category of records to which the right of access may be granted by the District.

The Board Secretary shall keep minutes of all regular and special meetings and standing committees of the Board, but minutes shall not be taken of Closed Sessions or Study Sessions.

Copies of said minutes shall be made for distribution to Directors with the agenda for the next regular Board Meeting.

The official records of the meetings are the approved typed minutes. The official typed minutes of the regular and special meetings and standing committees of the Board shall be kept in a secured office with easy access for public review during normal business hours.

Motions, resolutions, or ordinances shall be recorded as having passed or failed and individual votes will be recorded unless the action was unanimous.

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Article 8 Meeting Minutes, Public Record

All resolutions and ordinances adopted by the Board shall be numbered consecutively starting new at the beginning of each calendar year.

The minutes of Board meetings shall be maintained as hereinafter outlined:

1. Date, place, and type of each meeting;
2. Directors present and absent by name;
3. Call to order;
4. Arrival of tardy Directors by name;
5. Pre-adjournment departure of Directors by name, or if absence takes place when any agenda items are acted upon; adjournment of the meeting; record of written notice of special meetings; and, record of items to be considered at special meetings;
6. Complete information as to each subject of the Board's deliberation; Approval or amended approval of the minutes of preceding meetings;
7. Complete information as to each subject including the roll call record of the vote on a motion if not unanimous;
8. All Board resolutions and ordinances in complete context numbered serially for each fiscal year;
9. A record of all contracts entered into;
10. A record of all bid procedures, including calls for bids authorized, bids received and other actions taken;
11. A record by number of all warrants approved for payment;
12. Adoption of the annual budget;
13. Financial reports, including collections, received and deposited and sales of District property shall be presented to the Board every month;
14. A record of all important correspondence;
15. A record of the Fire Chief's report to the Board;
16. Approval of all policies and Board-adopted regulations; and
17. A record of all visitors and delegations appearing before the Board.

1208.5 BOARD ELECTRONIC COMMUNICATIONS POLICY

The District has established an Electronic Communication Policy and Information Security Procedures to which users are expected to adhere. The purpose of these policies is to ensure the proper use of the District technologies.

The Electronic Communication Policy covers such items as Personal Use, Protocol for Use, Unauthorized Purposes, Authorized Hardware and Software Configurations, Data Backup, Security, Internet Use, Shared Resources, the Public Records Act, Confidentiality, Privacy, and Misuse.

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Article 8 Meeting Minutes, Public Record

The Information Security Procedures include such items as Passwords and the Use of the District Network with Non-District Equipment.

Article 9 Rules of Order During Meetings

1209.1 POLICY

The Board Chair is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Board Chair and all questions and remarks shall be addressed to the Chair.

1209.1.1 POINTS OF ORDER

The Board Chair shall determine all Points of Order subject to the right of any member to appeal to the entire Board. If any appeal is taken, the question shall be, "Shall the decision of the Board Chair be sustained?" in which event a majority vote shall govern and conclusively determine such question of order

1209.2 DECORUM AND ORDER - DIRECTORS

Any Director desiring to speak shall address the Chair and, upon recognition by the Chair, shall confine themselves to the question under debate.

- A. A Director desiring to question the staff shall address their question to the Fire Chief, who shall either answer the inquiry themselves or designate a member of their staff for that purpose.
- B. A Director, once recognized, shall not be interrupted while speaking unless called to order by the Chair, unless a Point of Order is raised by another Director, or unless the speaker chooses to yield to questions from another Director.
- C. Any Director called to order while they are speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, they shall be permitted to proceed. If ruled to be not in order, they shall remain silent or shall alter their remarks so as to comply with rules of the Board.
- D. Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings and public sessions.
- E. Any Director may invite any members of the public to speak at a Board meeting during the period reserved for public comment.

1209.3 DECORUM AND ORDER EMPLOYEES

Members of the administrative staff and employees of the District shall observe the same rules of procedure and decorum applicable to Directors.

1209.4 CONFLICT OF INTEREST

All Directors are subject to all provisions of California law relative to conflicts of interest and to conflict of interest codes adopted by the Board. Any Director prevented from voting because of a conflict of interest shall refrain from debate and voting. Such Director may choose to leave the Board chambers during debate and voting on the Item.

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Article 9 Rules of Order During Meetings

1209.5 LIMITATION ON DEBATE

No Director should normally speak more than once on any one subject until every other member choosing to speak on the matter has spoken. No Director shall speak for longer than five (5) minutes each time they have the floor, without the approval of a majority vote of the Board.

1209.6 DISSENTS, PROTESTS AND COMMENTS

Any Director shall have the right to express dissent from, protest to, or comment upon any action of the Board and have the reason entered in the minutes. If such dissent, protest, or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reason."

1209.7 RULINGS OF THE CHAIR FINAL UNLESS OVERRULED

In presiding over meetings, the Board Chair, Vice-Chair, or temporary Chair shall decide all questions or interpretation of these rules, points of order, or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Board Members/Directors present and voting and shall be binding and legally effective (even though clearly erroneous) for purposes of the matter under consideration.

1209.8 ACTIONS NOT INVALIDATED

Failure to strictly comply with these Rules of Procedure shall not invalidate any action taken by the District Board.

1209.9 ACTIONS

The Board may act only by ordinance, resolution, or motion. For example: Board actions setting rules for long-term application are taken by ordinance, whereas more routine business and administrative matters (usually more temporary in nature) are accomplished by "resolutions."

The "motion" (assuming it was one which passed) is a Board action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it (unless a minute order is requested).

1209.10 PROCESSING OF MOTIONS

When a motion is made and seconded, it shall be stated by the Board Chair before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

1209.11 MOTIONS OUT OF ORDER

The Board Chair may at any time, by majority consent of the Board, permit a Director to introduce an ordinance, resolution, or motion out of the regular agenda order.

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Article 9 Rules of Order During Meetings

1209.12 DIVISION OF QUESTION

If the question contains two or more divisional propositions, the Board Chair may, and upon request of a Director shall, divide the same.

1209.13 PRECEDENCE OF MOTIONS

When a motion is before the Board, no motion shall be entertained except the following, which shall have precedence in the following order:

- A. Adjourn
- B. Fix hour of adjournment
- C. Table
- D. Limit or terminate discussion
- E. Substitute
- F. Reconsider
- G. Amend
- H. Postpone

1209.13.1 MOTION TO ADJOURN - NOT DEBATABLE

A motion to adjourn shall be in order at any time, except as follows:

- (a) When repeated without intervening business or discussion.
- (b) When made as an interruption of a Director.
- (c) When discussion has been ended and vote on motion is pending.
- (d) When a vote is being taken, a motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

1209.13.2 MOTION TO FIX HOUR OF ADJOURNMENT - NOT DEBATABLE

Such a motion shall be to set a definite time at which to adjourn and shall not be debatable or amendable except by unanimous vote.

1209.13.3 MOTION TO TABLE - NOT DEBATABLE

A motion to table shall be used to temporarily bypass the subject. A motion to table shall not be debatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

1209.13.4 MOTION TO LIMIT OR TERMINATE DISCUSSION - NOT DEBATABLE

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall not be debatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

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Article 9 Rules of Order During Meetings

1209.13.5 MOTION TO AMEND - DEBATABLE

A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and voted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.

1209.13.6 MOTION TO CONTINUE - DEBATABLE

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

1209.13.7 RECONSIDERATION - DEBATABLE

Any Director who voted with the majority may move a reconsideration of any action at the same or next meeting. After a motion for reconsideration has once been acted upon, no other motion for a reconsideration thereof shall be made without unanimous consent to the Board.

1209.13.8 VOTING PROCEDURE

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Director present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall be alphabetical with the Board Chair voting last. The Secretary shall call the names of all directors seated when a roll call vote is ordered or required. Directors shall respond 'yes' or 'no' or 'abstain.' Any Director not audibly and clearly responding 'no' or 'abstain' or otherwise registering an objection shall have their vote recorded as 'yes.'

1209.14 TIE VOTES

Tie votes shall be considered a no vote or denial.

Article 10 Procedure for Adopting a Resolution

1210.1 PROCEDURE

Actions of the Board on matters of policy or procedure of a less formal nature than the subject of an ordinance are taken by resolution, which are effective upon adoption. Ordinarily, resolutions should be prepared in advance. The procedure for adoption is:

- A. Motion;
- B. Second;
- C. Discussion;
- D. Vote, pursuant to the methods set out for motions;
- E. Result declared.

When a resolution has not been prepared in advance, the Board may adopt the resolution by title. In that case, the general counsel or staff shall prepare the form of the resolution for presentation at the next meeting.

Article 11 Procedure for Adopting an Ordinance

1211.1 PROCEDURE

Ordinances of the District shall be adopted by the Board pursuant to Government Code Sections 25120 et seq.

All Ordinances shall be placed on the agenda for regular meetings by title and a brief description of the content. (An exception is an urgency ordinance which may be adopted at a special meeting.)

The procedure for adoption is:

- A. Discussion;
- B. First Reading/Introduce the Ordinance.

Motion to waive reading of the entire ordinance and read by title and number only must be carried by a majority.

Reading by title by the Board Secretary Motion to introduce.

- A. Moved by:
- B. Seconded:
- C. Carried by:

Adoption/Second Reading, in general, must occur at least five (5) days after the first reading.

Second Reading/Adopt the Ordinance. Except as specified by law, ordinances become effective 30 days after final passage providing the ordinance has been published one time in a newspaper of general circulation published in the District.

Article 12 Fire District Legal Counsel

1212.1 POLICY

It shall be the responsibility of the Board to select legal counsel to represent the legal needs of the District. The Board shall recognize its responsibility to seek the advice of legal counsel whenever it is unclear regarding legal questions or whenever an action being considered by the Board may result in placing the District in legal jeopardy.

Legal counsel for the District may be in attendance for Regular Board Meetings when legal advice, contract consultation, and/or Closed Session interactions deem it necessary by the Board Chair or the Fire Chief.

In keeping with District Policy and fiscal responsibility, all legal counsel contact shall have prior approval by the Board Chair and/or Fire Chief for matters requiring a legal interpretation.

Appendix A

1213.1 BOARD OF DIRECTORS ORIENTATION/ACCESSORIES

- Tour of the District Facilities
- Roster and Phone Lists: Battalion Chiefs, Division Chiefs, Assistant Chief, Fire Chief and Directors
- District Map
- Ethics Training Materials
- District Harassment Policy Acknowledgement
- Laminated Plastic Photo Identification
- District cellular phone
- District computer (lap top)
- District email account

Investment of District Funds

1214.1 PREMISE

- A. The State Legislature has declared the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern to protect local agency funds, provide liquidity and to achieve a return on investment (Government Code (GC) § 53600.6 and § 53630.1); and,
- B. Government Code Sections 53601, et seq., allow the legislative body of a local agency to invest surplus monies not required for the immediate necessities of the local agency; and,
- C. The treasurer or fiscal officer of a local agency is required to annually prepare and submit a statement of investment policy and such policy, and any changes thereto, is to be considered by the local agency's legislative body at a public meeting (GC §#53646(a)). The statement shall also be annually presented to any oversight agency of the local agency.
- D. For these reasons, and to ensure prudent and responsible management of the public's funds, it is the policy of the District to invest funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all statutes governing the investment of District funds as defined in GC §53600 et seq.

1214.2 SCOPE

This investment policy applies to all financial assets of the District. These funds are accounted for in the annual audited financial statements of the District.

1214.3 PRUDENCE

The Board and the Fire Chief when authorized by the Board, may make investment decisions subject to these policies, and, are fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a fiduciary shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the District.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived.

The Board or the Fire Chief, acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from policy or expectations are

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reported in the next issued quarterly treasury report and appropriate actions are taken to control adverse developments. When a deviation poses a significant risk of financial safety, liquidity or yield to the District's financial position, the Fire Chief shall notify the Board immediately.

1214.4 OBJECTIVES

As specified in GC §53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, the primary objectives of the investment activities, in priority order, shall be:

- A. **Safety:** Safety of principal is the foremost objective of the investment program. Investments of the District shall be undertaken in a manner that seeks to ensure the preservation of capital in the whole portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- B. **Liquidity:** The secondary objective shall be to meet the liquidity needs of the District.
- C. **Yield:** The third objective shall be to achieve a return on the funds under the District's control.

1214.5 REPORTING

The District will comply with the reporting requirements as defined in GC §53646 et seq. and GC §53607.

The Fire Chief and/or the Finance Director will report to the Board of Directors any investment transactions of the District's surplus funds.