

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.

Central Fire District of Santa Cruz County

Central FD of Santa Cruz County Policy Manual

Article 5 Powers and Duties of The Board

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;

Central Fire District of Santa Cruz County

Central FD of Santa Cruz County Policy Manual

Article 5 Powers and Duties of The Board

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. If assigned to the EOC during an emergency or disaster operation, a Director not assigned to specific duty shall observe the chain of command under the direction of the Fire Chief or his authorized designee Incident Command System (ICS).
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
 - 3.

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.

Central Fire District of Santa Cruz County

Central FD of Santa Cruz County Policy Manual

Article 5 Powers and Duties of The Board

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 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.

Central Fire District of Santa Cruz County

Central FD of Santa Cruz County Policy Manual

Article 5 Powers and Duties of The Board

1205.12 FINANCIAL POLICY STATEMENT

A. Aggressive Oversight by the Board

The Board of 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). All cash and reserve funds are held in the investment pool of Santa Cruz County under the management of the County Treasurer. 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)

Central Fire District of Santa Cruz County

Central FD of Santa Cruz County Policy Manual

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.