

MINUTES

Regular Board Meeting

March 12, 2024

5:30 p.m.

Location: 631 9th Street, Arcata

Arcata Fire Station Classroom

Board of Directors

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice President Akana.

ATTENDANCE AND DETERMINATION OF A QUORUM

The meeting continued with a quorum and the following were present: Vice President Jason Akana, Director Nicole Johnson, Director Blaine Maynor, and Director Randy Mendosa. President Eric Loudenslager was absent.

Additional District administrative staff included Fire Chief Justin McDonald, Assistant Chief Chris Emmons, Board Secretary Becky Schuette, Board Secretary Trainee Katie Hill, and Public Information Officer Alyssa Alvarez.

APPROVAL OF AGENDA

Prior to approval of the agenda, Chief McDonald requested that Item 3 be pulled from the consent calendar due to missing documents.

There were no public comments or comments from the Board.

It was moved to approve the agenda.

Motion: Johnson; Second: Maynor

Roll Call: Ayes; Johnson, Maynor, Mendosa, and Akana. **Absent;** Loudenslager
Motion Carries

PUBLIC COMMENT

Senior Management Group – Nothing to report.

Local 4981 – Nothing to report.

Public Comment - There were no public comments.

CONSENT CALENDAR

1. Minutes from February 13, 2024, Regular Meeting
2. February 2024 Financial Report

3. Approve Employment Agreement Between Arcata Fire Protection District
4. and Fire Chief Christopher Emmons
5. Accept Written Measure F Citizen Advisory Committee Report from
6. FY 2022/23
7. Approve revision to Policy P208 Travel Policy

Prior to approval of the Consent Calendar, Chief McDonald made the following changes:

The following grammatical errors were made to consent calendar item 5, Approve revision to Policy P208 Travel Policy:

- *Page 1 of the policy, section 208.2 Policy, the word “be” was inserted into the first sentence between must and for.*
- *Page 3 of the policy, section 208.2.5 Transportation, the word “will” was deleted in the second paragraph between district and reimbursement.*
- *Page 4 of the policy, section 208.3 Authorization Procedure, the word “lease” was corrected to “least” in subsection c.*
- *Page 4 of the policy, section 208.4 Travelers Responsibilities, the word “for” was deleted in the first paragraph between authorization and they. In the bullet point of the same section, the word “for” was inserted after the word need.*

There were no comments from the public or the Board.

It was moved to approve the consent calendar with the noted changes and corrections.

Motion: Johnson; Second: Mendosa

Roll Call: Ayes; Johnson, Maynor, Mendosa, and Akana. **Absent;** Loudenslager
Motion Carries

DISTRICT BUSINESS

1. Approve the Purchase of a New Engine from Golden State Fire Apparatus and Authorize the Fire Chief to Sign the Agreement:

Chief McDonald summarized his staff note.

Following the recognition of the Orvamae Emmerson Endowment Fund and Edy Vaissade, several of the Directors asked questions or made comments.

There were no comments from the public.

It was moved to approve the purchase of a new fire engine, authorize the Chief to sign the contract with Golden State Fire Apparatus.

Motion: Mendosa; Second: Maynor

Roll Call: Ayes; Johnson, Maynor, Mendosa, and Akana. **Absent;** Loudenslager
Motion Carries

2. Adopt Resolution No. 24-301 Approving the Form and Authorizing the Execution and Delivery of Certain Financing Documents for the Purpose of Purchasing a New Fire Engine, and Authorizing Other Related Actions in Connection Therewith:

Chief McDonald summarized his staff report aloud. Chief McDonald also advised that the good faith estimate was not in the original posted draft Resolution however at the meeting, the Board and public were provided with an updated draft Resolution to reflect the numbers provided. A copy of the updated Resolution will be attached to these minutes.

Several Directors asked questions. Answers and clarification was made by Chief McDonald.

A member of the public queried as to when the District would take ownership of the engine.

It was moved to adopt Resolution 24-301 approving the form and authorizing the execution and delivery of certain financing documents for the purpose of purchasing a new fire engine and authorizing other related actions in connection therewith.

Motion: Johnson; Second: Maynor

Roll Call: Ayes; Johnson, Maynor, Mendosa, and Akana. **Absent;** Loudenslager
Motion Carries

3. Consider and Provide Staff Direction as to the Reinstatement of Board Member Compensation:

Chief McDonald reviewed his staff note aloud and requested direction from the Board on how to proceed.

Upon a question from Director Akana about Section 2 on page 292 of the sample draft ordinance, the Chief advised that the final ordinance would have the correct language.

There were no comments from the public.

No motion was made, the first reading of the ordinance will take place at the April regular meeting.

4. Consider Approval of the Fiscal Year 2023/24 Mid-Year Amended Budget:

Chief McDonald reviewed his staff note aloud.

Directors asked clarifying questions which the Chief responded to.

Vice President Akana confirmed that the date on page 302 should read July 1, 2023, and not July 1, 2022.

There were no comments from the public.

It was moved to approve the Final FY 2023/24 Mid-Year amended budget.

Motion: Maynor; Second: Johnson

Roll Call: Ayes; Johnson, Maynor, Mendosa, and Akana. **Absent;** Loudenslager
Motion Carries

5. Request for Nominations for Humboldt Local Agency Formation Commission (LAFco):

Chief McDonald reviewed his staff note aloud.

The Directors had a brief discussion.

There were no comments from the public.

No motion was made, no action was taken by the Board.

CORRESPONDENCE & COMMUNICATIONS

1. Public Correspondence

- a. AVFA Monthly Activity Report

2. Committee Reports:

- a. Fire Station Committee (Maynor, Akana) – Nothing to report.
- b. AVFA, L4981, AFD Relations Committee (Maynor) – Nothing to report.
- c. Budget Committee (Johnson, Loudenslager) – *Fiscal Year 23/24 ad hoc committee has completed their assignment.*

- i. Director Loudenslager and Johnson agreed to continue as Budget Committee, with support from the Board

3. Fire Chief's Monthly Report – Chief McDonald reviewed his staff report and expanded on the Charles Avenue structure fire. After briefly discussing annexation, the Chief requested a Director attend the LAFco public hearing meeting on March 20, 2023 with him, to represent the Fire District.

Assistant Chief Emmons updated the Board with the Standards of Cover progress, a SAFER grant update with corrected dates of application period, and provided a recap on recent National Fire Academy training.

4. Director Matters – Vice President Akana asked about the Assistant Chief hiring process.

Several of the Directors commented on the livestream funeral service for former career Engineer Benelisha.

ADJOURNMENT

Following a motion by Director Mendosa and a Second by Director Johnson, Vice President Akana adjourned the meeting at 6:48pm.

The next Regular Meeting is scheduled for **April 9, 2024, at the Arcata Downtown Station Classroom, 631 9th Street in Arcata at 5:30 pm.**

Respectfully submitted,



Katie Hill,
Clerk of the Board (*Trainee*)



Resolution Number: 24-301

A RESOLUTION OF THE ARCATA FIRE PROTECTION DISTRICT BOARD OF DIRECTORS APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN FINANCING DOCUMENTS FOR THE PURPOSE OF PURCHASING A NEW PIERCE ENFORCER TYPE 1 ENGINE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, the Arcata Fire Protection District (the “District”) is a fire protection district duly organized and existing under and pursuant to the laws of the State of California; and

WHEREAS, the District desires to work with the California Municipal Public Financing Authority, a nonprofit entity duly organized and existing under and by virtue of the laws of the State of California (the “Authority”), for the purpose of, among other things, procuring financing for the District’s purchase of a new Pierce Enforcer Type 1 Engine, all as more particularly described in **Exhibit A** to the hereinafter described Loan Agreement (the “Project”); and

WHEREAS, the Authority was formed pursuant to a joint exercise of powers agreement, dated as of June 24, 2020 (the “JPA Agreement”) and Article I (commencing with Section 6500) of Chapter 5 or Division 7 of Title I of the Government Code of the State of California for the purpose of, among other things, assisting California government agencies with the issuance of non-recourse debt, which may include bonds, loans, certificates of participation, notes, leases, installment sale or other evidences of indebtedness, and to otherwise undertake financing programs under the applicable provisions of the laws of the State of California to accomplish its public purposes; and

WHEREAS, to facilitate the financing of the Project the Authority proposed a cost-effective installment sale financing arrangement pursuant to the terms and conditions set forth in a Series 2024A Installment Loan Purchase Agreement, dated as of April 1, 2024, by and between the Authority and the District (the “Loan Agreement”), the proceeds of which will be administered pursuant to certain Irrevocable Payment Instructions, dated as of April 1, 2024, by and between the Authority, the District and the assignee of the financing arrangement (the “Irrevocable Payment Instructions”); and

WHEREAS, the Board of Directors (the “Board”), after due investigation and deliberation, has determined that it is in the public interests of the District at this time to undertake tax-exempt municipal financing for the purchase of the new Pierce Enforcer Type 1 Engine in accordance with the Loan Agreement (the “Financing”); and

WHEREAS, the Board, with the aid of its staff, has reviewed the form of the Loan Agreement and Instructions, the forms of which are on file with the Secretary to the

Board, and the Board wishes at this time to approve the foregoing documents as being within the public interests of the District; and

WHEREAS, pursuant to Government Code Section 5852.1, certain good faith information relating to the Financing is set forth herein and made public; and

WHEREAS, the Board desires to designate the Loan Agreement as a “Qualified Tax-Exempt Obligation;” for purposes of Paragraph (3) of Section 265(b) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the Board wishes at this time to authorize all proceedings relating to the Financing as well as the execution and delivery of the Loan Agreement and all other agreements and documents relating thereto; and

WHEREAS, all acts, conditions and things required by the laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of such financing authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the District is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such financing for the purpose, in the manner and upon the terms herein provided.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the Arcata Fire Protection District that:

Section 1. Recitals. The Board hereby specifically finds and declares that each of the statements, findings and determinations of the District set forth in the recitals set forth above are true and correct.

Section 2. Authorized Representatives. The President, Fire Chief, Board Clerk/Secretary and any other person authorized by the Fire Chief to act on behalf of the District shall each be an “Authorized Representative” of the District for the purposes of structuring and providing for the execution and delivery of the Loan Agreement, and are hereby authorized, jointly and severally, for and in the name of and on behalf of the District, to execute and deliver any and all documents and certificates that may be required to be executed in connection with the issuance, sale and delivery of the Loan Agreement (including, but not limited to, the documents referenced in this Resolution, and any other documentation required or necessary in connection therewith, which are sometimes hereafter referred as the “Financing Documents”), and to do any and all things and take any and all actions which may be necessary or advisable, in their discretion, to effectuate the actions which the Board has approved in this Resolution and said Financing Documents.

Section 3. Significant Public Benefits. The Board hereby finds and determines that the execution of the Loan Agreement is expected to result in significant public benefits to the District and its ratepayers.

Section 4. Approval of Loan Agreement. The Board hereby authorizes and approves the Loan Agreement in substantially the form on file with the Secretary together with any additions thereto or changes therein (including, but not limited to, the final aggregate principal amount of the Financing and the corresponding final debt service payment schedule) deemed necessary or advisable by an Authorized Representative of the District. Each Authorized Representative, acting singly, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Loan Agreement in substantially said form, with such changes therein as the Authorized Representative executing the same may approve (such approval to be conclusively evidenced by such Authorized Representative's execution and delivery thereof). The Board hereby authorizes the delivery and performance of the Loan Agreement.

Section 5. Approval Irrevocable Payment Instructions. The Board hereby authorizes and approves the Irrevocable Payment Instructions in substantially the form on file with the Secretary together with any additions thereto or changes therein deemed necessary or advisable by an Authorized Representative of the District. Each Authorized Representative, acting singly, is hereby authorized and directed, for and in the name and on behalf of the District, to execute the final form of the Irrevocable Payment Instructions for and in the name and on behalf of the District, and the execution thereof shall be conclusive evidence of the Board's approval of any such additions and changes. The Board hereby authorizes the delivery and performance of the Irrevocable Payment Instructions.

Section 6. Good Faith Estimates. Set forth below are good faith estimates of the Municipal Advisor, as required under Section 5852.1 of the Government Code. The following estimates have no bearing on, and should not be misconstrued as, any not-to-exceed financial parameters authorized by this resolution.

(a) The true interest cost of the Financing is estimated at 4.50%, calculated as provided in Section 5852.1(a)(1)(A) of the Government Code.

(b) The finance charge of the Financing, including all fees and charges paid to third parties, is estimated at \$12,500.

(c) Proceeds of the Financing received by the District of \$1,000,000, less the finance charge set forth in (b) above, is equal to \$987,500.

(d) The total payment amount (principal and interest) calculated as provided in Section 5852.1(a)(1)(D) of the Government Code is estimated at \$1,327,000.

Section 7. Qualified Tax-Exempt Obligation. The Board hereby designates the Loan Agreement for purposes of Paragraph (3) of Section 265(b) of the Code as a "Qualified Tax-Exempt Obligation" and covenants that the Loan Agreement does not constitute a private activity bond as defined in Section 141 of the Code and that the aggregate face amount of all tax-exempt obligations issued by the District (including all subordinate entities of the District and all entities which may issue obligations on behalf of the District) during the calendar year 2024 is not reasonably expected to

exceed \$10,000,000, excluding, however, private activity bonds, as defined in Section 141 of the Code (other than qualified 501(c)(3) bonds as defined in Section 145 of the Code) and current refunding obligations having a principal amount not in excess of the refunded obligation.

Section 8. Confirmation and Direction to Proceed with the Financing. All actions heretofore taken by the officers and agents of the District with respect to the Financing are hereby approved, confirmed and ratified. The Authorized Representatives and all other officers of the District are each authorized and directed in the name and on behalf of the District to make any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents which they or any of them might deem necessary or appropriate in order to consummate any of the actions and transactions contemplated by this Resolution and the Financing Documents. Whenever any officer of the District is authorized to execute or countersign any document or take any action contemplated by this Resolution and the Financing Documents, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer is absent or unavailable.

Section 9. Effective Date. This Resolution shall take effect from and after the date of its passage and adoption.

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

Ayes:

Nays:

Abstain:

Absent:

DATED: March 12, 2024

Signed:

Jason Akana, Vice President

Attest:

Becky Schuette, Board Clerk/Secretary