

IMPLEMENTATION OF A CITIZENS ADVISORY COMMITTEE

Related to

AN ORDINANCE OF THE ARCATA FIRE PROTECTION DISTRICT ADJUSTING THE RATE OF A FIRE PROTECTION SPECIAL TAX IN ORDER TO CONTINUE TO PROVIDE QUALITY LOCAL FIRE PROTECTION, RESCUE, AND OTHER ESSENTIAL SERVICES (the “Ordinance 20-20” or “Measure F”)

1. BACKGROUND

In an effort to increase voter acceptance for Measure “F” the Arcata Fire Protection District (“District”) recommended provisions establishing and appointing members to a Citizens Advisory Committee (“Committee”) to monitor and provide oversight of the voter-approved special tax funds. Upon receipt of the special taxes the District shall cause those funds to be deposited in a special tax account or such other account established by the District which allows the District to properly account for the special taxes in compliance with the provisions of Government Code Section 50075.1. Funds deposited into this account cannot be used for any other purpose than those outlined in Section 2 of Ordinance 20-20 as described below.

2. PURPOSE OF THE COMMITTEE

The purpose of the Committee shall be to inform the public at least annually in a written report concerning the expenditure of the funds received, or expected to be received, by the District. In carrying out this purpose the Committee shall:

- Actively review and report on the proper expenditure of taxpayers’ money related to the purpose and intent of Measure F, which is defined in Section 2 of Ordinance 20-20 as: ***“The proceeds from this special tax shall be used solely for the purpose of providing fire protection, rescue, and emergency medical services within the District. In particular, the special tax will be used to maintain and improve the current level of community-based fire protection services provided by the District. This includes annual budget support to maintain current firefighter positions, and provide for adequate firefighting equipment, apparatus, and necessary capital improvements, consistent with the needs of the residents of the District and the Fire Protection District Law of 1987.”***
- Become familiar with current and projected District revenues and expenditures;
- Participate in a public forum reviewing expenditures of funds derived from the special tax;
- Advise the public as to whether the District is in compliance with the requirements of Ordinance 20-20;
- Make a determination that funds are expended only for the purpose established by Ordinance 20-20;
- Acknowledge that the Committee shall not have the authority to override, or veto, any District determination to expend or commit funds in a particular manner;

- Ensure that an annual independent financial audit or performance audit is performed that is satisfactory to the Committee.
- Work collaboratively with the District staff and Board and members of the public to address potential public concerns about expenditure of funds derived from the special tax.
- Provide an annual report of findings of the Committee of expenditures and compliance with Ordinance 20-20.

3. COMMITTEE APPOINTMENT AND MEMBERSHIP

The committee shall be established, and the initial members of the committee appointed as follows:

- The governing board of the District shall appoint the members of the Committee after public solicitation of applicants;
- Initial members shall be appointed within one-hundred eighty (180) days after the date that the governing board of the District enters the results of the election on its minutes;
- The District shall adopt a standard and equitable method of adding and/or replacing members as necessary;
- The Committee shall consist of at least three (3) members and no more than five (5) members to serve for a term of two (2) years, without compensation, and for no more than three (3) consecutive terms, of which the initial terms of up to one-half of the members may be extended by up to an additional one year to allow for the staggering of the expiration of member terms;
- Members must be registered voters residing within the District, or the majority or minority owner or duly authorized representative of a legally operating commercial business for which the aforementioned special tax has or will be levied, or the owner of any real property parcel or parcels within the District; The Committee may not include any employee or official of the District or any vendor, contractor, or consultant of the District and no more than one (1) member from each Division of the District. In the event applications are received from more than one (1) eligible applicant from an individual District Division, the successful applicant shall be selected for that Division by random lot.

Minimum eligibility and application requirements for applicants shall include:

- Name and address of the applicant confirming permanent residence within the District and Division, or the name and address of the applicant and the name and address of the legally operating qualifying business;
- A brief statement, not to exceed 250 words, as to the reason for seeking a position on the Committee;
- Applicants signature attesting to a commitment to attend all meetings of the Committee.

The governing board of the District may also adopt additional policies, guidelines, and procedures to be applicable to the Committee once it is established.

4. ACTIVITIES OF THE COMMITTEE

The Committee may engage in any of the following activities in furtherance of its purpose:

- Receive and review copies of the annual operating budget and financial audit;
- Inspect District facilities and grounds to ensure that funds are expended for the purposes set forth in Ordinance 20-20;
- Receive and review copies of any staffing proposals or plans developed by the District;
- Review efforts by the District to maximize revenues by implementing cost-saving measures, including, but not limited to mechanisms designed to reduce the cost of any budget line item such as professional fees, facility maintenance and the joint use of core facilities;
- Issue regular reports, at least annually, to the public of the results of its activities.

5. MEETING PROCEDURES OF THE COMMITTEE

Regular meeting dates, time, and place shall be established by the Committee and published/posted in accordance with applicable District procedures. All Committee proceedings shall be open to the public. All documents received by the Committee and reports issued by the Committee shall be a matter of public record.

6. DISTRICT SUPPORT OF THE COMMITTEE

The governing board of the District should provide the Committee with:

- Any necessary technical assistance and administrative assistance in furtherance of the Committee's purpose; and
- Sufficient resources to publicize the conclusions of the Committee.

7. OTHER RECOMMENDED GUIDELINES AND PROVISIONS

The governing board of the District should consider the adoption of other guidelines or policies applicable to the Committee and Committee activities. The guidelines or policies should not limit the required authority or required actions of the Committee but can provide for additional help and guidance. The following are types of provisions and requirements that should be considered by the District for inclusion in such guidelines or policies:

- Requiring the Committee provide for minutes of its meetings to be taken. Minutes of such meetings are a matter of public record and should be available for public review;
- Regular attendance by Committee members is essential to effective operation of the Committee and timely implementation of the District's programs. If a Committee member is unable to attend regularly scheduled meetings, the District's governing board may appoint a replacement for that member on recommendation of the District's Board President;
- Committee actions and decisions should be made and recorded as individual votes, noting the Committee member's name and vote on a particular matter. Committee decisions should be by majority vote of the members of the Committee present, provided that there is a quorum;

- Community members and news media representatives should be encouraged to attend Committee meetings.
- Members of the public attending Committee meetings shall have an opportunity to address the Committee;
- Any reports by the Committee shall be presented to the District governing board at its meetings.
- The guidelines or policy should specify what expenses and costs will be absorbed by the District in its provision of technical and administrative assistance and publicizing Committee reports and conclusions. Matters for consideration should include, but would not necessarily be limited to:
 - Providing the Committee with meeting location(s) and facilities;
 - Providing for Committee meeting agendas, materials, requested information, informational reports, and Committee meeting minutes;
 - Presentation of information on the District website and by other means, such as newsletters, etc.;
 - Maintaining Committee records and files;
 - Completing and transmitting correspondence on behalf of the Committee;
 - Responding to informational requests from the Committee or its individual members;
 - Determining if members of the Committee are subject to the provisions of the Political Reform Act of 1974 and the conflict-of-interest rules relative to public officials promulgated by the Fair Political Practices Commission (FPPC).