

Attachment (A)

CONFIRE Foundation

Draft Scope and Guiding Principles

A. Purpose & Scope of the Nonprofit

1) Public Benefit to Be Served

The nonprofit's overarching public benefit is to 911 Emergency Dispatch and ambulance transport services, consistent with CONFIRE's JPA mission to provide "911 Emergency Dispatch and ambulance transport services," to our member agencies and our community members we serve. This benefit includes lessening the burdens of government—a recognized charitable purpose—by privately funding equipment, technology, training, and programs that increase emergency readiness and reduce avoidable demand on public services.

2) Activities/Services the Nonprofit Will Provide

Programmatic pillars (each aligns to charitable purposes recognized by IRS and CA law):

- **Equipment & Technology Grants:** Fund dispatch/communications upgrades (CAD, radio, GIS, redundancy, resiliency), PPE for comm-center environments, and ambulance transport personnel and safety tech pilots (e.g., PulsePoint adoption/education).
- **Training, Scholarships & Workforce Development:** Scholarships for Emergency Dispatchers/EMDs, continuing education for supervisors, leadership academies, and public CPR/AED training.
- **Clinical & Demand Management Initiatives:** Support CONFIRE's Emergency Communications Nurse System (ECNS) tools, outreach, and evaluation to safely divert non-urgent 911 calls to appropriate care, reducing ER overcrowding and preserving resources.
- **Community Preparedness & Public Education:** Grants for multilingual disaster-readiness campaigns, home safety kits, and community AED mapping/training.
- **Well-Being & Resilience:** Micro-grants for responder mental health and wellness initiatives delivered by credible partners (modeled on vetted firefighter-support charities).

3) Tax-Exempt Goals (501(c)(3))

Organize and operate exclusively for exempt purposes under IRC §501(c)(3) (charitable/educational), with no private inurement or impermissible private benefit; prohibit campaign activities and restrict lobbying to insubstantial levels. Explicitly include asset dedication to exempt purposes on dissolution. Position the nonprofit as a public charity (not a private foundation) by meeting public-support tests through broad donations and grants.

Framing the nonprofit's exempt purposes should reference: charitable, educational, testing for emergency dispatch and ambulance transportation services, and especially "lessening the burdens of government"—each directly applicable to 911 emergency dispatch safety communications and EMS coordination.

4) Mission & Goals (Draft Language)

Mission

To strengthen community safety across San Bernardino County and partner regions by funding equipment, technology, training, and public education that enhance regional EMS communications—advancing CONFIRE's JPA work to deliver timely, effective emergency response for all and ambulance transport.

Goals (3-years)

- 1) **Equip & Innovate:** Provide \$X million in grants for dispatch/communications resilience projects and lifesaving technology pilots.
- 2) **Train & Grow:** Award Y scholarships and fund Z training cohorts for Emergency Services Dispatchers/ECN/EMD certification and leadership.
- 2) **Educate & Prepare:** Reach 100,000 residents with multilingual preparedness, CPR/AED, and PulsePoint education initiatives.
- 4) **Evaluate & Improve:** Establish a data-informed grants framework (KPIs: dispatch times, diversion success, call triage outcomes, community reach).

5) Governance & Oversight

Legal Form & Jurisdiction

- Incorporate as a California Nonprofit Public Benefit Corporation; adopt compliant bylaws and articles that limit purposes to §501(c)(3) uses and include a dissolution clause dedicating assets to another §501(c)(3) or to government.

Board Composition & Independence

- Board size: at least 3 directors; ensure no more than 49% interested persons (e.g., compensated individuals) to preserve independence; define staggered terms and vacancy rules per Corporations Code.
- Standing committees: Finance/Audit, Grants, and Gift Acceptance (complex assets review).
- Conflict-of-interest policy: Annual disclosures; recusal procedures; prohibition on self-dealing; reasonable compensation standards.
- Relationship to CONFIRE, JPA: Execute an MOU clarifying autonomy, brand use, shared services boundaries, data privacy, and grant eligibility for CONFIRE initiatives to avoid commingling and safeguard public assets.

A. Compliance & Filings

- IRS: File Form 1023/1023-EZ for recognition; thereafter file Form 990 annually and maintain public-support thresholds; track unrelated business income (UBI) and restrict lobbying/political activity.
- California Attorney General (Registry of Charities & Fundraisers):
 - Initial Registration (CT-1) within 30 days of first receiving charitable assets; pay \$50 fee; upload articles/bylaws, FEIN, IRS determination/application. Online filing is live for new registrants, with broader rollout and deadline relief updates in 2026.
 - Annual renewals: RRF-1 with CT-TR-1 or Form 990; monitor fee schedule and public search listing.
- Gift Acceptance Policy: Board-approved, concise, and separate from procedures; specify accepted assets, review thresholds (real property, closely-held stock), donor confidentiality, conflict avoidance, liquidation rules, and periodic review.

B. Alignment to CONFIRE's Current Mission & Operations (Why a Nonprofit Makes Sense)

- CONFIRE's JPA mission emphasizes regional communications and technology services for fire/EMS agencies. A nonprofit affiliate can fund innovation and resilience (e.g., redundant systems, GIS enhancements, training) that governmental budgets may not cover—lessening the burdens of government and accelerating impact.
- CONFIRE's ecosystem (dispatch centers, EMS, resource coordination) creates high-ROI opportunities for targeted philanthropy (e.g., ECNS outreach that safely

diverts non-urgent cases, public PulsePoint adoption), improving system efficiency and patient outcomes.

- California fire foundations demonstrate proven community support models (equipment, training, preparedness campaigns) that can be tailored to a communications/EMS-centered JPA context.

C. Governance Blueprint (Concise)

1. Board (3 directors)

- Mix of public safety, finance/audit, legal, community, and technology expertise; *limit interested persons to ≤49%*. Establish term limits and a skills matrix.

2. Committees

- Finance/Audit (budget, Form 990, audit firm), Grants (RFPs, scoring rubric, KPI tracking), Gift Acceptance (complex gifts, ethical screens).

3. Policies

- Conflict-of-interest, whistleblower, document retention, investment/endowment, gift acceptance (concise policy + separate procedures).

4. Oversight & Reporting

- Quarterly dashboard to board (KPI outcomes: dispatch latency, diversion success, training throughput); annual public report; independent audit if **revenue threshold warrants**.

5. MOU with CONFIRE, JPA

- Clarify brand permissions, data sharing, grant eligibility for CONFIRE JPA projects, procurement alignment, and firewalls guarding public assets.

D. Compliance Roadmap & Key Steps (60–120 Days)

1. Form the Entity

- Draft Articles of Incorporation (exempt purpose + dissolution clause) and Bylaws (board size, quorum, officer roles: president/chair, secretary, treasurer/CFO). File with CA Secretary of State.

2. Apply for Tax Exemption

- Obtain FEIN; file IRS Form 1023/1023-EZ; adopt core policies; set fiscal year.

3. Register with CA Attorney General

- Submit CT-1 within 30 days of first charitable assets; note \$50 fee and 2026 rollout of expanded Online Filing Service and filing-deadline relief.

4. Stand Up Governance

- Seat initial board; approve policies; create committee charters; calendar Form 990/RRF-1 due dates; adopt Gift Acceptance Policy and procedures.

5. Craft Operating Agreements

- Execute MOU with CONFIRE, JPA on shared services/brand/data boundaries; design grantmaking standards aligned to public safety outcomes.

6. Launch Pilot Programs

- Issue first RFP for equipment & training micro-grants; initiate ECNS outreach pilot with outcome tracking.

E. Risk & Ethics Safeguards

- No commingling of public and charitable assets; arm's-length transactions; documented cost-sharing.
- CONFIRE Employee's on Board – all Non-Profit contacts, activities, correspondence, must be on their personal time.
- No political activity; lobbying limited and tracked; board training on IRS rules.
- Transparent fundraising: honor donor intent, publish annual impact, follow Schedule M practices for non-cash gifts; maintain Gift Acceptance Policy.

2. FORMATION

a. Create Articles of Incorporation

Pursuant to California Corporations Code §§ 5000–5110, the Articles of Incorporation must include:

1. Name of the Nonprofit – Ensure the name is unique and complies with state naming requirements.
2. Statement of Purpose – As set forth in Section 5130, clearly define the organization's charitable or public benefit purpose.
3. Agent for Service of Process – Designate an individual or entity authorized to receive legal documents.
4. Street/Mailing Address – Provide the principal office address for the corporation.
5. Initial Directors – List the names and addresses of initial directors; these may include representatives from the JPA.

b. Establish Governance and Create Bylaws

Bylaws serve as the governing document for the nonprofit and should address:

- Board Structure – Define the number of directors, officer roles, and term limits.

- Membership (if any) – Specify whether the organization will have members and outline their rights and responsibilities.
- Voting Procedures – Detail quorum requirements, voting thresholds, and methods (in-person, electronic).
- Conflict of Interest Rules – Include policies to prevent self-dealing and ensure transparency in decision-making.

c. File articles of Incorporation with the Secretary of State

d. Apply for EIN – we have a number – Done

e. Apply for 501©(3) tax-exempt status with the IRS

f. Apply for California state tax-exempt status with the IRS

1. Franchise Tax Board (FTB) 3500/25500A form
2. Sales/use tax exemption if applicable

Note: Non-profit corporations exempt from federal income tax are not automatically exempt under California law and must also apply with the state.