

**SAN RAMON VALLEY FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS REGULAR MEETING (Teleconference)
NOVEMBER 17, 2021 MINUTES**

Board of Directors Regular Board Meeting

MISSION STATEMENT

In the spirit of our tradition, we strive for excellence, respectfully serving all with pride, honor and compassion.

Location: Teleconference.

Board Members Present: President Stamey, Vice President Crean, Directors Parker, Lee, and Kerr

Board Member Absent: None.

1. CALL TO ORDER

President Stamey called the meeting to order at 1:00 p.m.

2. PLEDGE OF ALLEGIANCE

District Staff led the Pledge of Allegiance.

3. DETERMINATION OF QUORUM AND CONFIRMATION OF AGENDA

President Stamey declared a quorum of the Board was present, and there were no changes to the Agenda.

4. PUBLIC COMMENT

Public Comment was made by Dominique Yancey. She is pleased with staff's recommendation to appoint H. Jay Kerr to fill the vacant District Director Board position.

5. BOARD APPOINTMENT TO FILL VACANCY AND OATH OF OFFICE

5.1 Appointment of H. Jay Kerr to Fill the Vacant District Director Board Position.

Chief Meyer confirmed there were no other applicants to fill the vacancy and finds it appropriate to recommend Jay Kerr. Chief Meyer commented Staff worked 8 years with former Director Kerr and stated he was a key part for the financial and strategic direction of the District. The Board supports the appointment of Jay Kerr to fill the member vacancy.

Motion by Director Parker to appoint H. Jay Kerr to fill the vacant District Director Board position; seconded by Vice President Crean. Motion carried unanimously by roll call vote.

5.2 Administer Oath of Office to Director H. Jay Kerr.

District Counsel/District Clerk Sakai administered the Oath of Office to Director H. Jay Kerr. Director Kerr signed his Oath of Office.

5.3 Comment from new Director H. Jay Kerr.

Director Kerr thanked the Board for the appointment and kind words. He appreciates the opportunity to serve the District and its citizens. He also thanked Dominique Yancey for her public comment.

6. CONSENT CALENDAR

Motion by Director Lee to approve Consent Calendar Items 6.1 through 6.7; seconded by Vice President Crean. Motion carried unanimously by roll call vote.

Chief Meyer reported a clarification on Agenda Item No. 6.1. For the demand register, Staff would like to acknowledge that transaction for Director Lee's shirts represents only one shirt in the \$30 range. Director Lee thanked Chief for the clarification.

7. SPECIAL ANNOUNCEMENTS/PRESENTATIONS/GENERAL BUSINESS

None.

8. OLD BUSINESS

8.1 Approve and Authorize the Fire Chief, or designee, to execute the agreement authorizing the District to provide emergency ambulance services in the County's Emergency Response Area IV.

Chief Meyer reiterated the significance of exclusive ambulance transport rights in light of changes in the law and regulations for public sector ambulances. After almost 9 years, the District has come to an agreement for its ambulance transport rights which was approved by the Board of Supervisors. Chief Meyer noted the following: (1) past contracts signed by previous District Fire Chiefs did not necessarily go to the Board. Staff researched and was unable to locate any history of the Board approving a Fire Chief to sign a contract over the past 20 years. However, Chief Meyer states it is important that the Board gives the Chief authority to sign the contract because the Board represents the constituents; (2) without proper documentation, it is difficult for the District to determine why a contract is signed or not signed and when the District discusses its exclusive operating area it includes the term 201 and 224 agreements. Under Health and Safety Code §1797.201, the District has the right to set their level of service with no oversight for the level of service for emergency medical transport. Chief Meyer stated it is important to understand that the District has not waived its rights to §1797.201. Under Health and Safety Code §1797.224, this is an agreement the District is exclusive, but may be regulated so the District has criteria to meet and move forward to keep exclusive operating rights. The Chief reiterated that the District will not be waiving its rights to the Health and Safety Code §1797.201 but is moving forward with 224 rights which has been made clear to the local EMS agency and the Board of Supervisors. Further, the Chief reports there could be changes at the state level in the upcoming years to strengthen the District's 201 rights. Therefore, the Board should understand by approving this agreement, it is not giving up the District's right to go back to the agreement if there are changes made at the state level. Chief Meyer emphasized that Citizens are the real winners because now the District can move forward to give them the best emergency services. Financial Consultant Ken Campo stated that the District insisted on contract language Section I.A. to make it clear that the Board is responsible for the deployment of emergency response resources within the District's territory and neither the County nor the County EMS agency may unilaterally alter the District's deployment of emergency response resources. Chief Meyer thanked Board of Supervisor Candace Anderson and Director of County Emergency Medical Services Marshall Bennett for their support for this agreement. President Stamey stated the citizens benefit from this agreement in the level of expected District services. Director Parker commented the problem over the years is Fire Chiefs signed agreements. He believes signing of agreement warrants the participation, advice, and consent from the Board and not

putting the pressure on the Fire Chiefs to sign these agreements. He said the Board needs to know what's going on. He congratulated the Chief Meyer, Financial Consultant Campo and staff for putting this agreement together, and AP Triton. Director Kerr agrees with Director Parker and commends the Chief and Financial Consultant Campo for this accomplishment. Vice President Crean thanked Chief and staff for their hard work, appreciates keeping the Board well-educated, and applauds the flow of the information to the Board. Director Lee appreciates retaining and reserving the District's rights. Director Lee questioned the contract's definition of the word "qualified" on page 18, under Section Q Nondiscriminatory Services and asked if the Chief could go back to Director Bennett or the appropriate person to ask about "non-substantive" changes to reflect an understanding that we serve all people within the District. President Stamey responded that he feels it is clear who the District serves and that going back to question this term is not worth jeopardizing the agreement. District Counsel Sakai agreed with President Stamey that the contract is clear who receives services under the contract and reiterated that any revisions to the contract language would require redrafting and going back to the Board of Supervisors for approval.

Motion by Director Parker to approve and authorize the Fire Chief, or designee, to execute the agreement authorizing the District to provide emergency ambulance services in the County's Emergency Response Area IV; seconded by Director Kerr. Motion carried unanimously by roll call vote.

9. NEW BUSINESS

9.1 Authorize staff to implement systems for Defensible Space Inspections and amend the fee schedule to include Defensible Space Inspection fee of \$281.00.

Deputy Chief Drayton presented information about California Civil Code §1102.19 requiring sellers of real property located in a High or Very High Fire Hazard Severity Zone (FHSZ) within the State Responsibility Area (SRA) or Local Responsibility Area (LRA) to provide the buyer with documentation stating the property is in compliance with the requirements of local vegetation management ordinances. Chief Meyer added the fee of \$281 is intended to cover the cost of the inspection. In response to a question from Director Kerr, Deputy Chief Drayton stated the District would provide the Defensible Space inspection document to the appropriate parties to be included as part of the real estate transaction packet. Director Lee commends the staff for its work on this in recognition of the law.

Motion by Director Lee to authorize staff to implement systems for Defensible Space Inspections and amend the fee schedule to include Defensible Space Inspection fee of \$281.00; seconded by Vice President Crean. Motion carried unanimously by roll call vote.

10. CORRESPONDENCE FOR POSSIBLE BOARD ACTION AND/OR REVIEW

Letters of appreciation and support from the community were received and acknowledged.

11. MONTHLY ACTIVITY REPORTS

11.1 Operations and Training Division - Deputy Chief Jim Selover
Operations and Training Report of monthly activities.

Deputy Chief Selover provided the monthly activities report for October 2021, including updates regarding Standards of Cover, CPR skill testing for Station 37 volunteers, quarterly testing of probationary employees, simulated structure fire-multi company training, Mental Health Training Curriculum.

11.2 EMS Division - Deputy Chief Jim Selover
EMS Report of monthly activities.

Deputy Chief Selover provided the monthly activities report for October 2021, including updates regarding COVID-19 testing and policy, EMS Academy, COVID-positive personnel, and recruitment. Chief Meyer reported that it's been challenging to find qualified Firefighter/Paramedic candidates, especially returning from the COVID-19 pandemic, and this puts a lot of stress on the Training Division because of the continuous interviewing of applicants.

11.3 Fire and Life Safety Division – Deputy Chief Frank Drayton
Fire and Life Safety Report of monthly activities.

Deputy Chief Drayton provided the monthly activities report for October 2021, including updates regarding plan reviews, completed inspections goals, Wildfire Emergency Prep Class, CERT Leader & Instructor Meetings. President Stamey expressed appreciation for the earthquake training program.

11.4 Fleet and Facilities Division – Deputy Chief Frank Drayton
Fleet and Facilities Report of monthly activities.

Deputy Chief Drayton provided the monthly activities report for October 2021, including updates regarding engine and truck specifications, ambulance specifications, public bid process for Station 34, landscape site inspections, and Public Safety Complex. In response to question from President Stamey, Chief Drayton confirmed that the District considers availability and longevity of equipment and parts when purchasing apparatus.

11.5 Communications and Technology Division – Director of Emergency Communications, Denise Pangelinan
Communications and Technology Report of monthly activities.

Chief Meyer provided the monthly activities report for October 2021 for Director Denise Pangelinan, including updates regarding fiber circuit installation in the Communications Center, 911 phone system, and “Aftermath K9 Grant.”

11.6 Human Resources Division – District Counsel, Stephanie E. Sakai
Human Resources Report of monthly activities.

District Counsel Sakai provided the monthly activities report for October 2021, including updates regarding recruitments, Open Enrollment, the Records Management System, and flu vaccinations.

11.7 Finance Division – Financial Consultant, Ken Campo
Finance Report of monthly activities.

Financial Consultant Campo provided the monthly activities report for October 2021, including updates regarding external audit, and property tax consultants. Chief Financial Officer Hatfield presented the monthly financial presentation covering General Fund revenues and expenditures, COVID-19 expenditures and FEMA reimbursements, overtime analysis, and ambulance revenue and transports.

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11.8 Fire Chief – Fire Chief, Paige Meyer

Verbal report on monthly meetings, seminars, committee meetings, and other District related activities.

Chief Meyer provided his monthly report for October 2021, including updates regarding Leadership San Ramon Valley speaking engagement, chairing EBRCs (East Bay Regional Communications System Authority) Finance Committee, staff presentation at City of San Ramon Government 101, Mental Health Initiative, and Measure X funding. The District will receive \$740,200.00 of Measure X funds for the Mental Health Initiative to offset initial program development costs, including the purchase of one single role ambulance, first year cost of one single role paramedic, and Mental Health training for first responders and dispatchers.

12. GOOD OF THE ORDER

12.1 Comments by Board of Directors.

In response to a question from Director Parker, Chief Meyer confirmed that Rodeo-Hercules Fire Protection District and East Contra Costa Fire Protection District will be absorbed by Contra Costa County Fire and funded by Measure X for the next 20 years.

13. UPCOMING CALENDAR OF EVENTS

13.1 Next CERT PAC Meeting, December 10, 2021 at 9:00 a.m.

13.2 Next Regular Board Meeting, December 15, 2021 at 1:00 p.m.

The Board took a recess at 2:29 p.m. and entered Closed Session at 2:39 p.m.

14. CLOSED SESSION

14.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2): 1 potential case. Facts and circumstances that might result in litigation need not be disclosed.

13.2 REORGANIZATION UPDATE

Pursuant to California Government Code Section 54957(b)(1).

15. RETURN TO OPEN SESSION

The Board returned to Open Session at 2:59 p.m.

16. REPORT UPON RETURN FROM CLOSED SESSION (if applicable)

President Stamey announced there was no reportable Board action from Closed Session.

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17. **ADJOURNMENT**

The regular meeting concluded at 3:00 p.m.

DocuSigned by:
Stephanie E. Sakai
Prepared by: _____
Stephanie E. Sakai
District Clerk

DocuSigned by:
Matt Stamey
Approved by: _____
Matt Stamey
Board President