

**SAN RAMON VALLEY FIRE PROTECTION DISTRICT
PERSONNEL SUBCOMMITTEE MEETING
Monday, September 30, 2024 – 1:00 p.m.**

Meeting Location: *SRVFPD Administrative Offices – Boardroom
2401 Crow Canyon Road, Suite A, San Ramon, CA 94583*

Website: <https://www.firedepartment.org/>

Committee: Vice President Stamey (Chair), Director Parker

AGENDA

1. CALL TO ORDER

2. PUBLIC COMMENT

Pursuant to the Ralph M. Brown Act (Government Code §54950 *et. seq.*), members of the public may comment on Agenda items and non-Agenda items related to any subject pertaining to District business during the Public Comment period. The time allotted for each speaker is determined by the Personnel Committee Chair and may be limited to three (3) minutes.

3. NEW BUSINESS

- 3.1 Approve the Minutes from the June 18, 2024 Personnel Subcommittee Meeting.
- 3.2 Review Proposed Board of Directors Policy and Procedures Manual.

4. ADJOURNMENT

Prepared by:

Stephanie Brendlen

Stephanie Brendlen, District Counsel/District Clerk

Agenda posted on September 25, 2024 at the District's Administration Building, Fire Stations 30, 31, 32, 33, 34, 35, 36, 38, 39 and the San Ramon Valley Fire Protection Districts website at www.firedepartment.org.

All public meetings under the Brown Act must comply with Section 202 of the Americans with Disabilities Act ("ADA") and its implementing rules and regulations. If you have a disability and require a reasonable accommodation to fully participate in a public meeting, please contact the District Clerk at (925) 838-6661 as soon as possible but at least 72 hours in advance of the scheduled meeting time. In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting may be viewed on the District website at www.firedepartment.org, at the District's Administrative Offices located at 2401 Crow Canyon Road, Suite A, San Ramon, California, or at the scheduled meeting.

**SAN RAMON VALLEY FIRE PROTECTION DISTRICT
PERSONNEL COMMITTEE MEETING
JUNE 18, 2024 MINUTES**

MISSION STATEMENT

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

Location: **SRVFPD Administrative Offices – Boardroom
2401 Crow Canyon Road, Suite A
San Ramon, CA 94583**

Board Members Present: Vice President Stamey (Chair), Director Parker

1. CALL TO ORDER

Chair Stamey called the meeting to order at 1:48 p.m.

2. PUBLIC COMMENT

None.

3. NEW BUSINESS

3.1 Approve the Minutes from the May 21, 2024 and September 14, 2023 Personnel Committee Meetings.

Chair Stamey made a motion to approve the Minutes from the May 21, 2024 and September 14, 2023 Personnel Committee Meeting; seconded by Director Parker. Motion carried unanimously.

The Committee entered Closed Session at 1:48 p.m.

4. CLOSED SESSION

4.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

California Government Code Section 53957(b)

Title: District Counsel/Clerk

4.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

California Government Code Section 53957(b)

Title: Fire Chief

The Committee returned to Open Session at 2:15 p.m. with no reportable action.

5. ADJOURNMENT

The meeting concluded at 2:15 p.m.

Prepared by: _____
Stephanie Brendlen

Approved by: _____
Matt Stamey, Vice President
Committee Chair

DRAFT

SAN RAMON VALLEY FIRE PROTECTION DISTRICT



BOARD OF DIRECTORS

POLICY AND PROCEDURES MANUAL

Approved and Adopted: October 23, 2024

CONTENTS

Article I PURPOSE.....	4
1.1 Authority and Purpose.....	4
Article II BOARD OFFICERS AND DIRECTORS	5
2.1 Powers of the Board.....	5
2.2 Seating of Directors and Administration of the Oath.....	5
2.3 Board Vacancies.....	5
2.4 Board Officers.....	5
2.5 Officer Elections	5
2.6 Duties of the President	5
2.7 Duties of the Vice President.....	6
Article III FIRE CHIEF	7
3.1 Responsibilities of Fire Chief.....	7
3.2 Delegation of Authority to Act on Claims and Lawsuits	7
3.2.1 Claims and Lawsuits	7
3.2.2 Workers Compensation Matters.....	8
3.2.3 Conflict Waivers and Related Agreements	8
Article IV DISTRICT COUNSEL	9
4.1 Responsibilities of the District Counsel	9
Article V MEETINGS.....	10
5.1 Meetings Generally	10
5.2 Attendance at Board and Standing Committee Meetings.....	10
5.3 Role of the President	10
5.4 Quorum and Voting.....	10
5.5 Rules of Order During Meetings.....	10
5.6 Agendas.....	11
5.6.1 Order of Business	11
5.6.2 Consent Calendar	11
5.6.3 Regular Agenda.....	12
5.6.4 Public Comment.....	12
5.6.5 Director Reports	12
5.7 Limitations on Debate	12

5.8 Dissents, Protests, and Comments.....	12
5.9 Adoption of Resolutions.....	13
5.10 Adoption of Ordinances	13
5.11 Minutes.....	13
Article VI BOARD COMMITTEES AND LIAISONS.....	14
6.1 Standing Committees	14
6.2 Ad Hoc Committees.....	14
6.3 Board Liaisons.....	14
Article VII BOARD COMPENSATION AND REIMBURSEMENT	15
7.1 Authorized Expenses.....	15
7.2 Expense Reimbursement.	15
7.3 Compliance With Laws.....	15
7.4 Compensation	15
Article VIII BOARD APPAREL, NAME TAG, AND EQUIPMENT.....	16
8.1 Director Apparel and Name Tag.....	16
8.2 Director Equipment	16
Article IX BOARD CODE OF CONDUCT	17
9.1 Board Code of Conduct.....	17
9.2 Prevention of Harassment, Discrimination and Retaliation	18
9.3 Media Communications	19
9.4 Conflicts of Interest.....	19
Article X COMPLIANCE AND ENFORCEMENT	20
10.1 Investigation and Determination	20
10.2 Disciplinary Action	20

ARTICLE I PURPOSE

1.1 Authority and Purpose.

The San Ramon Valley Fire Protection District (District) is organized and exists under the Fire Protection District Law of 1987 (Health and Safety Code 13800 *et seq.*). This Board of Director's Policy and Procedures Manual (Policy) governs the proceedings of the Board of Directors (Board) and is adopted to facilitate the business of the Board. This Policy is subordinate to state and federal law. Unless the provisions of this Manual are required pursuant to the District's enabling legislation or other applicable law (i.e., the Brown Act), a majority of the Board may waive, modify, or suspend each and every provision of this Policy.

This Policy reflects the Board's commitment to order, consistency, responsiveness and transparency in its actions and to make clear and readily available to the residents of the District all relevant information about the operations of the Board. In keeping with these principles, a current copy of the Policy will be posted on the District's website.

This Policy is designed solely to facilitate the handling by the Board of its own affairs. The Policy does not create procedural or substantive rights in any person who is not a member of the Board.

The Board has approved other policies governing or related to the Board and the activities of Directors. These policies, and any other policies adopted by the Board, remain in full force and effect.

ARTICLE II BOARD OFFICERS AND DIRECTORS

2.1 Powers of the Board.

The Board is the governing body of the District. Directors are elected or appointed to the Board as provided by law. The legal responsibilities of the Board are set forth by applicable state and federal laws, rules and regulations, and any policies the Board may adopt that hold Directors to standards of conduct above and beyond what is required by law. The role of the Board is to act as a legislative, policy-making, and quasi-judicial body. The Board delegates the administrative, personnel, and executive functions to the Fire Chief to carry out its legislative and policy-making decisions. (*See* Article III.)

2.2 Seating of Directors and Administration of the Oath.

Directors are qualified to take office upon certification of the applicable election results by the County elections officer. (Elec. Code § 15372.) Prior to taking office, each Director must take and sign the oath of office, which will remain on file with the District Clerk.

2.3 Board Vacancies.

Any vacancies on the Board will be filled as required by law. District Counsel will advise the Board of the legal requirements for filling any vacancy. In the event the Board desires to fill a vacancy by appointment, the Board will establish the procedures for evaluating applicants, which may include application submission requirements and deadlines, interview procedures, etc. The Board's appointment process will ensure that all applicants are treated with respect and consideration and will avoid all forms of discrimination.

2.4 Board Officers.

Pursuant to Health and Safety Code 13853, the officers of the Board are the President, Vice President, and District Clerk. The District Clerk may be an employee of the District and not a member of the Board.

2.5 Officer Elections.

At the regular meeting in December of each year, the Directors will elect a President and Vice President, who will assume their duties commencing in January. The President and Vice President serve for a period of one year. The Board may extend the limit on consecutive terms by a two-thirds vote of the Board.

2.6 Duties of the President.

The President serves as the presiding officer of the Board and preserves order and decorum at all meetings of the Board. The President has the same rights as the other Directors with regard to voting, introducing motions, and participating in any discussion.

- The President may act as the official Board representative of the District for ceremonial purposes.
- The President will determine all questions or interpretation of the rules of order, or other questions of procedure requiring ruling during a Board meeting. A majority of the Board may override the President's decision.
- The President may sign all documents on behalf of the Board and District.
- In advance of the January regular Board meeting, the President-elect may designate Directors to serve on the various committees, boards, and liaison positions for the upcoming year, subject to Board approval.

2.7 Duties of the Vice President.

The Vice President serves as acting president in the absence or temporary disability of the President. The Vice President has the same rights as the other Directors with regard to voting, introducing motions, and participating in any discussion. In the absence of both the President and the Vice-president, any Director may call a meeting to order and the Directors present will thereafter select a Director to chair the meeting.

The Vice President will become President upon the death, resignation, or removal of the President and will serve for the remainder of the President's term.

ARTICLE III FIRE CHIEF

3.1 Responsibilities of Fire Chief.

The Fire Chief is the Executive Officer of the District responsible for administering Board policies, directing District operations, providing day-to-day supervision of District employees, and controlling District expenditures subject to the policies, restrictions, and directions provided by the Board. The Board delegates to the Fire Chief the authority to determine the actions and procedures necessary for District operations. Responsibilities of the Fire Chief include, but are not limited to:

1. Preparing Board meeting agendas in collaboration with the President, attending all Board meetings, unless excused, and participating in deliberations of the Board as required.
2. Bringing matters that require Board consideration to the Board's attention.
3. Reporting periodically to the Board on significant events and emergencies within the District, including fire fatalities settlement of claims and lawsuits within the Fire Chief's authority, and on the progress of District programs.
4. Addressing personnel, financial, and capital improvement matters under the direction of the Board.
5. Providing for succession planning within the District to ensure that the District's long-term goals and objectives are met.
6. Providing data and reports to assist the Board in monitoring and overseeing the emergency response functions of the District.
7. Proposing an annual budget to the Board for adoption.
8. Accomplishing Board Goals for the Fire Chief.

3.2 Delegation of Authority to Act on Claims and Lawsuits.

3.2.1 Claims and Lawsuits.

The Fire Chief will perform, upon consultation and consideration of the advice of District Counsel and/or other appropriate legal counsel, the following functions of the Board with respect to handling administrative claims presented to the District: ascertaining the sufficiency of claims with respect to the required contents of a claim, notifying claimants of insufficiency, notifying claimants of failure to present claims within the time allowed by law, allowing or denying applications for leave to file late claims, rejecting claims, and allowing claims in whole or in part.

The Fire Chief may, upon the advice of District Counsel, allow, compromise, or settle any administrative claim or lawsuit against the District up to and including \$50,000.

3.2.2 Workers Compensation Matters.

The Fire Chief may perform the functions of the Board with respect to workers' compensation claims presented to the District, including those described in Labor Code Sections 5000 *et seq.* for compromise and settlement of the claims. The Fire Chief may allow, compromise or settle any workers' compensation claim against the District if the amount to be paid by the District pursuant to the allowance, compromise, or settlement does not exceed \$100,000.

3.2.3 Conflict Waivers and Related Agreements.

In connection with any claims, litigation, transactional, regulatory and other legal matters, the Fire Chief may approve any and all attorney or law firm conflict waivers, joint defense or prosecution agreements, common interest agreements and similar agreements necessary to efficiently retain legal representation for the District or collaborate with similarly situated parties engaged in legal matters.

ARTICLE IV DISTRICT COUNSEL

4.1 Responsibilities of the District Counsel.

The District Counsel is the chief legal officer of the District. The District Counsel's client is the District as a whole and not any single Director or member of staff. Accordingly, the District Counsel will not take mandatory direction from any individual Director. The District Counsel reports to the Board but may also provide legal counsel at the direction of the Fire Chief. The Board may also delegate day-to-day supervision of District Counsel to the Fire Chief.

District Counsel will attend all District Board meetings unless directed otherwise by the President or the Fire Chief. District Counsel serves at the will of the Board and will commence Board-directed work upon the approval of a motion by a majority of the Board.

ARTICLE V MEETINGS

5.1 Meetings Generally.

The Board will conduct its meetings and business of the Board in compliance with the requirements of the Ralph M. Brown Act ("the Brown Act," Gov. Code § 54950 *et seq.*) and other applicable provisions of law. The Board will establish the date, time, and location of regular meetings of the Board. Regular meetings of the Board will be held at the San Ramon Valley Fire Protection District Administrative Offices in the Boardroom, located at 2401 Crow Canyon Road, Suite A, San Ramon, on the fourth Wednesday of each month at 1:00 p.m. The President, in consultation with the Fire Chief, may alter the date or time of a regular meeting, as needed. Fire Chief, in consultation with the District Clerk, may alter the location of a regular meeting, as needed. The President, or a majority of the Board, may call a special meeting at any time.

5.2 Attendance at Board and Standing Committee Meetings.

Directors are expected to attend all regular and special meetings of the Board and any Standing Committee to which a Director is assigned. Directors may attend Board and Standing Committee meetings virtually and via teleconference in accordance with the Brown Act. Directors are expected to participate fully in deliberation and voting.

Directors not assigned to a Standing Committee may, as private citizens, attend those Standing Committee meetings. However, they may only observe and may not speak, comment, or otherwise participate in the Standing Committee meetings. Directors may not attend closed sessions for any Standing Committee to which they are not assigned.

5.3 Role of the President

The President is responsible for timely, fair, and reasonable conduct of the meeting's business. The President's decision on questions of procedure is final, subject to override by a majority of the Board.

5.4 Quorum and Voting.

A majority of the Board (i.e. three) or Committee (i.e. two) constitutes a quorum for the transaction of District business. Except as allowed by law, the approval of a majority of the entire Board (i.e. three) is required for any Board action.

5.5 Rules of Order During Meetings.

The Board prefers a flexible format for meetings and does not insist that its meetings be conducted strictly in accordance with formal rules of procedures. Generally, the conduct of the Board's meetings will be informed by Robert's Rules of Order. Robert's Rules of Order are intended to set rules that accomplish the following three goals: (1) Rules should establish a framework for the orderly conduct of meetings; (2) Rules should be clear and user-friendly, in particular for the public; and (3) Rules should enforce the will of the majority while protecting the rights of the minority. Failure to comply with Robert's Rules will not invalidate any action taken by the Board.

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5.6 Agendas.

The President and the Fire Chief will collaborate to establish the agenda for each regular and special meeting. The Vice President may participate in the agenda setting process. However, any Director may suggest to the President and Fire Chief an agenda item be placed on a future meeting agenda by providing a brief explanation of such item. All Directors should be mindful of the impact on staff time of adding items to meeting agendas. The Fire Chief, in consultation with the President, will determine the appropriate meeting to bring the item to the Board, unless otherwise directed by the Board.

5.6.1 Order of Business.

The Order of Business at Board meetings generally will be as follows:

- Call to Order
- Pledge of Allegiance
- Determination of Quorum and Confirmation of Agenda
- Public Comment
- Consent Calendar
- Special Announcements/Presentations/General Business
- Action Items
- Correspondence for Possible Board Action and/or Review
- Monthly Activity Reports
- Good of the Order
- Upcoming Calendar of Events
- Closed Session
- Return to Open Session
- Report Upon Return from Closed Session (if applicable)
- Adjournment

Any item on the agenda may be taken out of order at the discretion of the President.

5.6.2 Consent Calendar.

The Fire Chief may place items which are considered to be of a routine and non-controversial nature on the Consent Calendar. The Board will take action on the entire Consent Calendar, without discussion of individual items.

Directors may request that any item be removed from the Consent Calendar (“pulled”), and the Board will then take action separately on that item. Members of the public will have an opportunity to comment on the Consent Calendar as with any agenda item during Public Comment. Items which are pulled by a Director for discussion will typically be heard after the Board acts on remaining Consent Calendar items, unless the President orders an earlier or later time.

5.6.3 Regular Agenda.

In accordance with Robert’s Rules of Order, the Board will follow the basic format below for discussing items on the regular agenda:

- (a) The President announces the item.
- (b) The President invites the appropriate staff member to present a brief staff report.
- (c) The President invites brief clarifying questions from Directors.
- (d) The President invites a motion/second.
- (e) The President invites discussion among Directors (assuming there has been a motion/second for the item). Discussion will be limited to the motion under consideration.
- (f) The President asks for a vote on the item.
- (g) The President announces the result of the vote.

5.6.4 Public Comment.

Public comment is encouraged at all Board meetings. The District Clerk will advise members of the public that filling out a speaker request card is requested, but not required. Public comment is limited to three minutes per speaker, which may be waived or modified by the President.

5.6.5 Director Reports.

Directors may report on meetings they attended, and matters within the roles, responsibilities and jurisdiction of the District during Good of the Order.

5.7 Limitations on Debate.

Directors generally should not speak more than once on any item until every other Director choosing to speak has spoken. No Director shall speak more than twice during the same day to the same question, nor longer than ten (10) minutes at one time. If greater freedom is desired, the Board shall extend the limits of debate with Board approval of two-thirds vote without debate. Directors should keep their comments to no more than ten (10) minutes each time they have the floor, although the time may be extended on the immediately pending one with Board approval of two-thirds vote. Merely asking a question, or making a suggestion, is not considered as speaking.

5.8 Dissents, Protests, and Comments.

All Directors have the right to express dissent from, protest to or comment upon any action of the Board.

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5.9 Adoption of Resolutions.

The Board will ordinarily act by resolution, though the Board may act by motion, resolution, or ordinance. Resolutions are effective upon adoption. Ordinarily, staff will prepare resolutions in advance of the Board meeting at which the resolution will be considered. If a resolution has not been prepared in advance, the Board may adopt the resolution by title. In that case, District Counsel or staff will prepare the form of the resolution.

5.10 Adoption of Ordinances.

The Board adopts ordinances pursuant to Government Code section 25120 *et seq.* (See Health & Safety Code § 13861.) Examples of actions that must be taken by ordinance include: the adoption of fees for service, increasing Director compensation, and adoption of building standards that are more stringent than those established by the State Fire Marshal. Except as specified by law, ordinances become effective 30 days after final passage.

5.11 Minutes.

The official action of the Board is represented by written minutes as supplemented by the recording of the meeting, if a recording exists. The District Clerk will prepare the written minutes of each Board and Standing Committee meeting. The written minutes of Board and Standing Committee meetings are in an action format and include at a minimum the date and location of the meeting, identification of public speakers, and the actions taken on each agenda item, if any. The written minutes of the Board and Standing Committee meetings will be maintained in the Administration Office of the District. For convenience, a posting of the written minutes may be found on the District's website.

ARTICLE VI BOARD COMMITTEES AND LIAISONS

6.1 Standing Committees.

Standing Committees will be comprised of a maximum of two Directors. Standing Committees are established to make routine and regular recommendations on a specific subject matter and are a regular part of the District's structure. These Standing Committees meet on a regular or as needed basis and are subject to the Brown Act. Once the members of a Standing Committee have been established, the members, in consultation with the Fire Chief, will establish the Committee meeting time and frequency. The Board may provide direction on subject matter issues to be considered by the Standing Committees.

The District Clerk will maintain a list of the District's current Standing Committees and their membership. The President will announce Standing Committees and assignments for the calendar year by the regular January Board meeting under the Good of the Order. The President may adjust the list to change the number of Standing Committees, either temporarily or permanently, and to adjust the roster of Directors serving on committees. A majority of the Board may override the President's decision regarding assignments or adjustments to Standing Committees.

6.2 Ad Hoc Committees.

The President may create *ad hoc* committees as the President deems necessary for the proper conduct of District business. The Brown Act does not apply to *ad hoc* committees, or working committees, that do not have "continuing subject matter jurisdiction" and generally serve only a limited purpose and are established to accomplish a particular task temporary in nature. *Ad hoc* committees will meet as necessary in accordance with their specific mission and purpose. The maximum number of Directors that may be on an *ad hoc* committee is two. No minutes are required from an *ad hoc* committee. *Ad hoc* committees will be considered dissolved upon completion of their specific purpose, unless their standing is extended by the President.

6.3 Board Liaisons.

The President may appoint Directors as liaisons/representatives to outside organizations. The District Clerk will maintain a list of the Directors appointed as liaisons/representatives. The President may adjust the list to change the number of liaison/representative organizations, either temporarily or permanently, and to adjust the roster of Directors serving in the role of liaison/representative. A majority of the Board may override the President's decision regarding the appointment of liaisons/representatives.

ARTICLE VII BOARD COMPENSATION AND REIMBURSEMENT

7.1 Authorized Expenses. Expenses incurred in connection with the following types of activities generally constitute authorized and reimbursable expenses:

- a) Communicating with representatives of regional, state, and national governments on Board-adopted policy positions;
- b) Attending conferences or educational seminars designed to improve the skills and knowledge of Directors, so long as the skills and knowledge relate to their position with the District;
- c) Attending regional, state, and national meetings whose activities affect the District's interests or are affected by District activities;
- d) Participating in regional, state, and national organizations whose activities affect the District's interests; and
- e) Incidental expenses related to the performance of typical duties and responsibilities of a Director.

7.2 Expense Reimbursement.

Eligible expenses incurred by Directors in fulfillment of their duties and responsibilities shall be reimbursed pursuant to the District's Purchasing and Travel Reimbursement Policies. Directors shall follow the District's Purchasing Policy 221, which includes District policy for authorized expenses, transportation, lodging, meals and incidental expenses.

7.3 Compliance With Laws.

Directors should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All District expense reports and accompanying documentation are public records subject to disclosure under the Public Records Act and other applicable laws.

7.4 Compensation.

The Board of Directors Compensation and Benefits Policy 220 establishes appropriate levels of compensation, benefits, expense reimbursement and equipment for Board members commensurate with the workload and effective administration of the District and in furtherance of the District's business.

ARTICLE VIII BOARD APPAREL, NAME TAG, AND EQUIPMENT

8.1 Director Apparel and Name Tag.

Directors will be issued District apparel with the District logo identifying them as members of the District. Directors will also be issued name tag(s) designating they are a Director of the District. Directors are encouraged to wear name tags at all events they attend as a Director of the District. Directors will not be issued, or wear safety equipment unless required or requested to do so by the Fire Chief.

8.2 Director Equipment.

For the convenience of the District, and in order to streamline communication and the administration of Board meetings, Directors shall be issued standard communication and electronic devices such as cell phones and laptop computers. Such equipment is to be returned to the District at the conclusion of service as a Director.

ARTICLE IX BOARD CODE OF CONDUCT

9.1 Board Code of Conduct.

Directors agree to observe the following code of conduct designed to guide their actions in carrying out their responsibilities. Directors will:

1. Recognize that the Board's basic function is "policy-making" and not "administration;"
2. Recognize that Directors have no legal authority to act for the Board outside of official meetings;
3. Respect the rights of members of the public to be heard at official meetings, within established parameters and guidelines for public comment;
4. Accept the principle of "majority rule" in Board decisions;
5. Recognize the Fire Chief's administrative authority for properly discharging duties within the limits of established Board policies;
6. Present criticisms, complaints or problems regarding District operations directly to the Fire Chief and discuss them at a regular meeting only after failure of an administrative solution;
7. Declare conflicts of interest into the public record;
8. Conduct all District business in an ethical manner;
9. Refuse to use a position on the Board for personal gain;
10. If observing District personnel while they are engaged in emergency or disaster operations, a Director will not distract or engage personnel in any way. Directors will position themselves so as not to interfere with emergency operations or become a distraction to Command or staff;
11. If assigned to the Emergency Operations Center (EOC) during an emergency or disaster operation, a Director not assigned to specific duty will observe the chain of command under the direction of the Fire Chief or authorized designee Incident Command System (ICS);
12. Refer complaints from residents and property owners of the District directly to the Fire Chief;
13. Report issues related to safety, concerns for safety, or hazards to the Fire Chief;
14. Refer policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finance, and programming, directly to the Fire Chief;

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15. Direct inquiries from personnel directly to the Fire Chief. During contract negotiations, Directors may not communicate with the bargaining group or members or employees of the group on any matters related to or pertaining to the negotiation unless such communication is specifically authorized by the Board or the Fire Chief;
16. Give staff the respect and consideration due skilled professional personnel. Poor behavior toward staff is not acceptable. In particular, Directors should adhere to the following policies with regard to District staff:
 - a. Directors should not disrupt District staff while they are in meetings, on the phone, or engrossed in performing their job functions.
 - b. Comments about staff performance should be made to the Fire Chief privately. Directors should not express concerns about the performance of a District employee in public, to the employee directly, or to the employee's manager.
 - c. Directors may not engage in any form of public humiliation of the staff, nor threaten any such public humiliation to unduly influence decisions or the work of District personnel.
17. As individuals, Directors may not commit the District to any policy, act, expenditure, or give mandatory direction to the Fire Chief, staff, or District Counsel;
18. Directors may not directly provide District records to the press. Any such requests should be directed to the District Clerk and will be addressed in accordance with the District's obligations under the California Public Records Act; and
19. Attend and fully participate in public meetings. Directors should generally avoid interruptions from phone calls or texting.

9.2 Prevention of Harassment, Discrimination and Retaliation.

The District has policy and procedures governing the prevention of 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. The District has a zero tolerance for such behaviors which are unacceptable and will not be condoned or tolerated on the part of any employee, including Directors. All Directors must be familiar and comply with the District's policy prohibiting such behaviors. All new Directors must participate in harassment, discrimination, and retaliation prevention training within six months of joining the Board. All Directors must take harassment, discrimination, and retaliation prevention training at least once every two years. The District Clerk will maintain records of such. The Fire Chief, in consultation with District Counsel, is responsible for maintaining and updating the harassment prevention policy as

necessary to reflect current legal requirements. The Fire Chief or District Clerk will provide Directors with a copy of the policy whenever it is revised.

9.3 Media Communications.

The Fire Chief (or the President, when appropriate) is responsible for speaking on behalf of the District when communicating, or engaging, with the media. The Fire Chief may delegate the responsibility for communicating to the media to a Director or staff, as appropriate. All media inquiries should be referred to the Fire Chief.

Directors have all of the rights and privileges of any private citizen to speak with the media. Directors speaking to the media regarding the District should state that they are speaking as an individual and not as a spokesperson for the Board.

9.4 Conflicts of Interest.

Directors will comply with the requirements of California Government Code Section 1090 and the Political Reform Act (Gov. Code Section 81000 *et seq.*), which prohibit actual and apparent conflicts of interest in government contracting and in government decision making. Except as permitted by law, a Director may not have a financial interest in a contract entered into by the District. A Director may not make, participate in making, or in any way use or attempt to use their official position to influence a decision of the Board, if the Director has a prohibited conflict of interest.

A Director may not accept gifts that exceed the limitations specified in California law. Directors must report all gifts, campaign contributions, income, and financial information as required under the District's Conflict of Interest Code and the provisions of the California Political Reform Act and related regulations.

ARTICLE X COMPLIANCE AND ENFORCEMENT

10.1 Investigation and Determination.

Suspected or alleged violations of District or Board policy by a Director may be reported to the President or District Counsel. Upon receipt of the report, the District Counsel will preliminarily investigate the matter to determine whether a violation may exist. If the District Counsel determines that the complaint does not allege a violation of District or Board policy, District Counsel will notify the Board and the matter will be deemed closed absent Board direction. If the District Counsel determines that a violation may have occurred, then District Counsel will refer the matter to the Board for further action, including possible referral to an independent outside investigator. In order to address the alleged violation, the Board will conduct such proceedings and utilize such personnel as it deems necessary to determine how the matter may proceed, be resolved, or be reported to the appropriate authorities. As appropriate and necessary, District Counsel may consult with the President throughout the investigation process.

10.2 Disciplinary Action.

Upon completion of the process referred to in Section 10.1, the Board may place the matter on a meeting agenda for possible action and imposition of appropriate discipline. The intended purpose of Article 10 of this Policy is to promote ethical behavior, so disciplining a Director should be considered a last resort and additional training or other corrective processes should be implemented before formal discipline is imposed. If the Board reasonably determines that additional training and other corrective processes likely will not adequately address the issue, then formal discipline may be imposed. Such discipline may include, without limitation, (1) public reprimand or censure, (2) removal from all appointed committee or liaison assignments, (3) referral of the violation to the District Attorney or Grand Jury, (4) request for Director to resign from their Board position, or (5) such other discipline as the Board deems appropriate.