

ROSS VALLEY FIRE DEPARTMENT
Minutes of the Ross Valley Fire Board Special Meeting of May 12, 2021

1. **6:30 pm Call to order. Announce action in closed session, if any.**

Board Present: Hellman, Kuhl, Greene, Shortall, Finn, Goddard, Burdo, Brekhus

Board absent:

Staff present: Weber, Martinelli, Yeager

Town Managers Present: Toy, Chinn, Donery.

Agenda – June 9, 2021

2. **Open time for Public Expression: The public is welcome to address the Board at this time on matters not on the agenda. Please be advised that pursuant to Government Code Section 54954.2, the Board is not permitted to take action on any matter not on the agenda unless it determines that an emergency exists and that the need to take action arose following posting of the agenda.**

None

3. **Board requests for future agenda items, questions, and comments to staff, staff miscellaneous items.**

None

4. **Chief Report – Verbal Update by Fire Chief Weber**

COVID-19 Update: Chief Weber reported that the County very well positions with the number of vaccinated people. While restrictions are being lifted, public access to the Fire Stations is still restricted. Yet after June 15, most if not all restrictions will be lifted.

MWP Project Update: Chief Weber reported that fire season is starting soon; therefore, drought directives were issued for water use at the Fire Stations as preventive measures.

Disaster Coordinator Update: Chief Weber reported that four candidates applied for the position, and three were selected for interviews which will take place in May 21st.

5. **Consent Agenda: Items on the consent agenda may be removed and discussed separately. Discussion may take place at the end of the agenda. Otherwise, all items may be approved with one action.**

M/S Brekhus/Burdo – roll call vote, all ayes

6. Receive Presentation Regarding Defensible Space & how Neighbors can Deal with Non-compliant Neighbors

Chief Weber mentioned that this is a common theme, and to better navigate it, he asked the Prevention team to create a flowchart to be shared with the Board, this chart will outline the process. The first step is to have neighbors work out the issues and if that does not happen, they can reach out to the Fire Department. Then, the Department will perform an inspection on both properties to identify any violations. However, the law does not allow us to enforce the defensible space for adjacent properties, therefore, voluntary compliance is the only option.

Furthermore, Chief Weber added that the focus is on educating the public and providing resources and grants information. After this information is provided, we will perform a second inspection. If a second inspection is needed, the Fire Inspectors will send out a notice to abate. The property owners have thirty days to respond whether they are financially able to do a self-abatement. Yet, if there is no response from them, then the Department moves into the abatement process, which requires to send official fourteen-day intent of abatement notice, and in some cases, a court order is obtained.

Dir. Brekhus asked for clarification in the abatement process; she also asked if the Department has an attorney fees provision to get reimbursed for fees associated with the abatement. Chief Weber responded that if the property meets the defensible space code requirements, the Department cannot force them to remove anything outside the space. Also, Chief Weber responded that there is a provision to charge admin fees, expenses, and attorney fees with regards to the attorney fees. Moreover, Brekhus asked if it is normal for a Fire Department to work with a contractor to do the abatement work instead of getting a court order requiring the property owner to abate. Chief Weber responded that most fire agencies in California work this way to avoid any conflict and that in the Ross Valley area, most people need coaching and are willing to comply.

Dir. Goddard asked for the code for clearance distance between neighbors. Chief Weber responded that there is no specific code, but there are guides, and we rely on the Fire Inspectors' discretion. Additionally, FIRESafe Marin offers webinars and additional resources.

Dir. Greene asked what regulations are being enforced and who is the governing authority for such regulations. Chief Weber responded that each Municipality adopts its codes which get reviewed every three years. The Department has its fire codes, but they align with the Towns' and Districts, and we have jurisdictional authority to enforce, but the Towns are usually involved.

Dir. Brekhus added that we need to ensure that at least attorney's fees are collected and perhaps consider if we should have a uniform abatement within each code. Chief Weber said that the JPA created an abatement fund for the Marin Wildfire Authority.

Dir. Shortall added that Sleepy Hollow does adopt its code, but they take recommendations from RVFD and MCFD.

7. **Review Fiscal Year 2021-2022 Proposed Budget & 5yr Budget Projection**

Deputy Director Yeager provided a summary of the proposed FY2021-22 budget and the five-year budget projection. Yeager reminded the Board that every year in May, a proposed budget is presented for feedback, then in June, a revised budget is brought back to the Board for adoption. Yeager thanked San Anselmo Finance Director Helen Yu-Scott, RVFD BCs, and program managers for the support with the budget. Regarding the budget, there will be an increase of about \$680,000, further details and cost breakdown can be found in the staff report.

Yeager also mentioned that this year, there was a \$27,000 decrease in workers comp insurance. Further, Yeager added that the discretionary budget increases are related to equipment replacement such as hoses, nozzles, etc.

Dir. Goddard asked for clarification on last year's credit included in the upcoming year's budget. Helen responded that the credit is based on not having the total actual numbers on last year's budget. Therefore, the Towns decided to keep the same fund level for the following year. Goddard also asked for information about a \$45,000 Fairfax contribution for the inspection program. Since MWPA is picking up the cost, she would like to know where the money is allocated. Yeager responded that MWPA provides funding back to the jurisdictions for defensible space. Across the Ross Valley area, 24 defensible space inspectors and lead inspector, vehicles, and equipment are being shared with other fire agencies (Central Marin, Kentfield, and Marin County). To cover these expenses, the Towns are billed for their respective portion of inspections. For instance, last year, there were about 10,000 inspections with a cost of \$73.00 per inspection. Chief Weber added that before the MWPA was formed, the Towns allocated one-time funds to cover the costs, so it is not on the following year's budget.

Dir. Greene asked for clarification on MWPA and vegetation management enforcement. Chief Weber responded that the Department grants the authority for the inspections to the defensible space inspectors; however, the code enforcement lies on the individual fire agencies based on their processes.

Dir. Hellman asked for clarification on the year-over-year increase from last year to this year. She would like to know how the increases are determined. Yeager responded that on page 117, a chart provides a detailed breakdown; the chart shows that most agencies have a 4% increase, and Ross is near to 5%, based on the credit previously mentioned.

Dir. Brekhus asked for clarification on the vehicle replacement budget. Helen added that this year, we do not have a MERA bond contribution, and last year, Fairfax, San Anselmo, and Sleepy Hollow had MERA bond funds.

Dir. Greene asked if SAFER Grant funds are being budgeted just in case they are granted. Yeager responded that the funds are not included. Greene asked the Board if they had any budget proposed changes to be incorporated. No changes were requested.

8. Receive Town of Ross/Civic Center Facility Update

Dir. Greene thanked Chief Weber for providing the update.

Chief Weber mentioned that the purpose of the update was to get feedback and suggestions from the Board to ensure everything that needs to be discussed is covered. Additionally, Chief Weber summarized the Town of Ross's process regarding station 18 as outlined in the staff report. Further, Chief Weber also presented the multiple alternative models considered to keep the JPA partnership together with eliminating a physical fire station in the Town of Ross.

Dir. Greene asked about option four and the addition of three positions. Greene asked if the SAFER Grant would fund the positions. Chief Weber responded that they would not. Greene wondered if there were any questions about the eight options provided by Chief Weber.

Dir. Burdo asked about option four and that in the case the Department is granted the SAFER Grant if those funds would be used to cover the cost. Chief Weber responded yes. If the funds are granted, the funds would be utilized for that, but at that point, staff would come to the Board for directive.

Dir. Greene asked for a monthly update so that the Board is informed about what is being discussed and has sufficient time to make informed decisions.

Dir. Goddard asked about Ross Town Council's directed staff to look for alternative models; was this for Ross only or the entire RVFD. Chief Weber responded that it involves all JPA members.

Dir. Greene asked for clarification for option two. Chief Weber explained that typically, the engine has a Captain and a Firefighter Engineer, so if we went with option two, it would be redundant to have two captains in a fire engine. All these options will have to be discussed with the labor groups and JPA members. Greene also added that downgrading positions to apprentices look like a lower level of professional staffing. Chief Weber explained that what this means is that staff would increase, and the addition would be the apprentice, similar to what Ross had before it joined the JPA. Greene also asked about option four. Chief Weber responded that this option would eliminate engine 18, and the other engine companies would have three fully sworn personnel positions.

Dir. Burdo asked that if Ross opted to leave the JPA and contract with another agency, would the JPA members have to agree to it, and is there a severability clause in the JPA.

Dir. Finn added that any actions by the Board require at least five directors to vote in favor. Some occasions, such as budget revision increase on a member's contribution and fire service levels, require a unanimous vote. All other decisions require one vote at least from one director from each member agency called "multi-member majority."

Dir. Shortall asked what would happen if Ross decides to leave the JPA. Chief Weber responded that there is a severability clause in the JPA. Finn added that a member could withdraw on a two-year notice. Greene asked if there were any financial consequences, impositions or requirements

to withdraw. Finn responded that this could be found in section 13.3 of the JPA. Greene asked if Ross has given a withdrawal notice. Chief Weber responded that, as mentioned initially, the goal is to keep the JPA member agencies together.

Chief Weber added that the management team is recommending continuing discussions around items two and three. Greene and Burdo asked if option four is being considered, and Chief Weber said that it is not but that it could be brought back once we have more information about the SAFER Grant. Greene and Burdo asked to keep option four.

Dir. Goddard asked for clarification regarding what staff needs from the Board. Chief Weber responded that we are looking for feedback and recommendations to ensure nothing is missing during the discussion process.

Dir. Greene asked the Board if they would like monthly updates. Brekhus responded that she would like updates but would like to give staff time to consider labor. Burdo asked for a timeline. Chief Weber estimated about two to three months, and special meetings can be scheduled to provide updates.

Dir. Hellman also asked about the timeline and if a financial perspective will drive it. Chief Weber mentioned that the timeline is two to three months. And there are operational and labor considerations, insurance service impacts, safer grant, financial impacts, RVPA, etc. Greene asked if there is an inventory of impacts in writing and if it can be shared with the Board. Chief Weber responded that we have to make sure not to bargain in an open session but that the Board will be provided information that does not require to be discussed in a closed session.

Dir. Burdo hopes that whatever the outcome is that the result is fair and equitable for all member agencies. Greene agreed with him. Shortall added that they should be shared with all the member agencies if there are any negative financial impacts.

Sid Jamotte, President of the RVFD Firefighter Association, provided clarification on the association's staffing position. The association will not support any reductions to their daily staffing with regards to full-time professional firefighters. Regarding the safety of our firefighters and our community, the goal should be to achieve a three-person engine in each engine company as outlined in the Standards of Covers regardless of having three or four stations. The position should be a captain, engineer, and firefighter paramedic, and not downgrading to an apprentice. Further, Sid stated that the word downgrading should not be used when discussing their emergency response.

Additionally, Sid mentioned they have worked below their minimum staffing for the past twelve years, and though they appreciate the different options, they can barely meet the minimum staffing. They have two members out on work-related injuries and that due to a lack of action, hiring the final vacancy is not being considered. Another record-breaking fire season is approaching, and we are again beginning at a deficit. The RVFD encourages the Board to fill the vacant position and move us forward in the right place. Further, Sid asked what type of response force the Board wants for our citizens, yourself, and your families.

Chief Weber recommends having a Labor Management Sub-committee meeting within two weeks from today to discuss potential labor implications in more depth.

Dir. Goddard mentioned that she also supports option four, and she would like to know more about the vacant position. Hellman also supports this but hopes that next time, two or three options with the correspondent finances will be presented to the Board. She would like updates, perhaps every other meeting, and Hellman agreed with her.

Chief Weber will ensure the Board receives promptly updates.

Meeting adjourned.

The next meeting is scheduled for June 9th, via zoom video conferencing.

Respectfully submitted,

s/Mariana Gonzalez
Administrative Assistant