

**ROSS VALLEY FIRE DEPARTMENT
STAFF REPORT**

For the meeting of June 12, 2024

To: Board of Directors

From: Dave Donery, Executive Officer

Subject: Fire Chief Employment Agreement and a Command Vehicle Purchase Funded Through Undesignated Reserves.

RECOMMENDATION

The Board consider approving the Fire Chief Employment Agreement with Daniel Mahoney and approve \$125,000 to be used from undesignated reserves to purchase a new command vehicle.

BACKGROUND

At the January 12, 2024 Special Meeting of the Ross Valley Fire Department (RVFD) Board of Directors (Board), a staff report (Attachment #1) was presented recommending the Board consider the remaining option that Local Motion Solutions identified in their “Leadership and Governance Study”. That option was as follows:

- Pursue the development of a stand-alone fire agency (Fire Chief & Executive Staff)

Staff was directed to bring back details and fiscal impacts on this option for the Board to further discuss at the February 2024 Board meeting.

At their February 14, 2024 Board meeting, a staff report (Attachment #2) was presented recommending an “RVFD Stand Alone Fire Chief Command Structure” be developed with the intention that the staffing structure be **re-evaluated in 12 months** to ensure the proposed positions are sufficient to support the organization. The proposed command structure also takes into consideration and allows for flexibility relating to shared services discussions in the future.

The Board directed staff to negotiate an employment agreement with Interim Fire Chief Dan Mahoney that would allow a smooth transition to the full-time Fire Chief position.

The Executive Officer, in consultation with the management team, worked with the Interim Fire Chief, to develop an employment agreement for the position of Fire Chief of the Ross Valley Fire Department.

DISCUSSION

During a closed session at their May 8, 2024 meeting, the Board discussed the proposed Ross Valley Fire Chief's employment agreement and salary recommendation. Staff presented the draft agreement, which was negotiated and developed by the management team in consultation with the Interim Fire Chief over the past several months. The provisions included in the proposed agreement are delineated below, with additional detail provided on certain provisions (marked with an asterisk (*)) to provide clarity.

- *Effective Date* (term)*: It is suggested that the agreement may be amended and shall continue until terminated.
- Duties and authority
- Employee obligation
- Compensation*
- Benefits*
- Evaluation*
- Indemnification
- At-Will Status
- Severance*
- Method of Amendment
- Notices
- Revision rights*
- General provisions

Additional Information:

Effective Date (term)*: It is suggested that the agreement may be amended and shall continue until terminated.

Compensation: The negotiated salary for the position is based on the County median compensation, which is \$249K, along with the calculation of what the Chief position would be paid today if the stand-alone model continued since the last stand-alone RVFD Chief's contract (2017) using the annual Chief Officer's COLA. The recommended salary has been developed using this model.

Benefits: Most of the benefits included in the employment agreement are indexed to the Chief Officer Association MOU with some exceptions such as Item I (Vehicle) and Item L (Administrative Leave) provisions which are unique to the Chief position.

Evaluation: In an effort to evaluate the Chief's performance on an ongoing basis and to provide support for the Chief's ongoing professional development, staff is recommending the inclusion of an annual written performance evaluation, a biennial 360 evaluation process which provides a way for an employee to understand their personal strengths and weaknesses using constructive feedback of others who work with them the most.

Severance: This section contains specific provisions related to termination of employment with cause and without cause along with provisions for if the employee voluntarily terminates their employment.

Revision Rights: This section contains information related to the employee's rights should the board terminate employment as Chief without cause. This clause is commonly included when a Chief is promoted from within a department.

FISCAL IMPACTS

Fire Chief Salary/Benefits - The proposed Fire Chief cost is \$361,726 (fully-burdened). Filling this position is not anticipated to impact member agencies' costs in Fiscal Year 2024-2025, as money was already allocated in the Fiscal Year 2023-2024 budget to account for the Department's transitional phase due to the MCFD contract ending.

Fire Chief Emergency Response Vehicle - Although the Fire Chief is not part of the normal response force, it is common practice to have this position staffed in an emergency response vehicle as they provide support to expanding incidents (large structure fire, earthquake, wildland fire, evacuations, etc). The estimated cost of a new Fire Chief's emergency response vehicle is approximately \$125,000.

Staff recommends the Board consider funding the vehicle cost of approximately \$125,000 by means of "Undesignated Reserves". After the purchase of this vehicle, the reserve account balance will be approximately \$2,636,805.

Note: If the 40-hour-per-week Battalion Chief command vehicle (\$140,000) and the Fire Chief command vehicle (\$125,000) are both approved at the June 12, 2024 Board meeting, the reserve account balance will be \$2,496,805 which is 16.7% of the current budget still within the Department's Reserve Fund Policy of 10%.

ATTACHMENTS

Attachment #1 – Staff Report January 2024

Attachment #2 – Staff Report February 2024

Attachment #3 – Employment Agreement For Ross Valley Fire Department Fire Chief With Daniel Mahoney