



POLICIES AND PROCEDURES

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| | TABLE OF CONTENTS |
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Section 100: GENERAL

- 100 Mission and Vision**
- 110 Adoption/Amendment of Policies**
- 120 Association Memberships**
- 130 Basis of Authority**
- 140 Board/Staff Communication**
- 150 Board Bylaws**
- 160 Ethics**
 - 161 Code of Ethics
 - 162 Conflict of Interest Code
 - 163 Ethics Training (A.B. 1234)
- 170 Correspondence to the Board**
- 180 Legal Counsel and Auditor**
- 190 Overview of the Fire Chief's Role**

Section 200: ADMINISTRATION

- 210 Financial Management**
 - 211 Accounting Policies and Procedures
 - 212 Budget Policy (Reserved)
 - 213 Procurement Policy
 - 214 Investment Policy
 - 215 OPEB Trust Investment Policy(Reserved)
 - 216 Amended: Revenue Enhancement/Cost Recovery/Fees for Service
 - 217 Policy for Waivers and Appeals of Fees and Authorizing Waivers of All District Fees
 - 218 Purchase Card and District Corporate Account Policy
- 220 Record Retention**
 - 221 Record Retention
 - 222 Electronic Document Retention Policy (Reserved)

230 Inventory & Property Management

- 231 Disposal of Surplus Property or Equipment
- 232 District Electronic Resources Policy and Procedures(Reserved)
- 233 Vehicle Use Policy(Reserved)
- 234 Expense Reimbursement Policy
- 235 Use/Rental of District Facility(Reserved)
- 236 Naming of District Facilities
- 237 Sponsorship of District Facilities/Equipment (Reserved)
- 238 Flag Display Policy
- 239 Donated Structures Policy

240 Health, Safety & Security

- 241 Emergency Preparedness
- 242 Emergency Response Guidelines for Hostile or Violent Incidents
- 243 Workers' Compensation
- 244 Illness and Injury Prevention Program(Reserved)
- 245 Workplace Violence Prevention Policy

250 HIPAA Compliance(Reserved)

260 Communications & Technology

- 261 Customer Relations
- 262 Press Relations
- 263 Public Complaints
- 264 Use of District Website
- 265 Social Media Use (Reserved)
- 266 Responding to California Public Records Act Requests

270 Claims Against the District (Reserved)

280 Legislative and Grants Policies

- 285 Grants Policy

Section 300: PERSONNEL

310 Gifts

- 311 Gift Policy
- 312 Distribution of Tickets and Passes to Officers and Employees

320 Outside Employment

330 Nepotism

340 Reserved

- 350 Unlawful Harassment**
- 360 Whistleblowing Policy**
- 370 Dress Code & Personal Standards(Reserved)**
- 380 Reserved**
- 390 Administrative Bulletins and Memoranda of Understanding**

Section 400: FIRE PREVENTION AND EDUCATION

- 410 Roles and Responsibilities(Reserved)**
- 420 Fire Code**
- 430 Weed/Nuisance Abatement**
- 440 Outreach Activities**

Section 500: Revenue

- 510 Local Goals Policy**
- 520 Responsible Growth and Revenue Generation**



Board Policy No. 100

Mission and Vision

SUBJECT CATEGORY: SECTION 100, GENERAL

100: Mission and Vision

101.1 Our Mission: Our mission is to protect life, property and the environment with service above all else.

101.2 Our Vision: Our vision is to be recognized as:

- a) A district that is a model of excellence in both fire protection and life safety programs.
- b) Responsive to the needs of the communities we serve.
- c) Committed to continuous organizational development.
- d) Committed to an environment of trust, involvement, innovation, creativity and accountability.

101.3 Our Values:

- a) Be fiscally responsible while maintaining a commitment to excellence.
- b) Safeguard the lives of our team and the public.
- c) Offer reliable, compassionate and professional community services.
- d) Communicate openly and share knowledge.
- e) Integrity, courage and personal accountability will guide our actions.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 110
Adoption/Amendment of Policies

SUBJECT CATEGORY: SECTION 100, GENERAL

110: Adoption/Amendment of Policies

110.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the Fire Chief. The proposed adoption or amendment shall be initiated by a Director or the Fire Chief by submitting a written draft of the proposed new or amended policy to the Board President and the Fire Chief, which may be submitted in person or by any communication method approved by the District, and requesting that the item be included for consideration on the agenda of the next appropriate regular meeting of the Board of Directors. The process for placing items on the agenda for a future meeting is handled in accordance with the Board Bylaws.

110.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors in accordance with the District's Bylaws.

110.3 Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ies) shall be made available to each Director for review at least 72 hours, per the Brown Act, prior to any meeting at which the policy(ies) are to be considered.

Adopted as: Policy 1-2 on February 3, 2010, Repealed February 5, 2018 by Resolution 2018-05

Amended: Replaced December 12, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 120
Association Memberships

SUBJECT CATEGORY: SECTION 100, GENERAL

120: Association Memberships

120.1 Purpose: This policy sets forth the rules for membership in associations and establishes who may represent the District.

120.2 Appropriate Memberships: To take advantage of in-service training opportunities, the District may hold membership in industry related associations. Board Members and staff may attend meetings of national, state, and local associations directly related to the purposes and operations of the District. Decisions to continue, discontinue, or add new memberships shall occur through the annual budget process.

120.3 Appointment of Representatives: The President shall appoint Board Members as representatives and alternates, as appropriate, to serve as contacts between the District and stakeholder groups, associations and others. The representatives and alternates shall report to the Board in a timely manner on their activities involving these associations. In some cases members may be allowed certain expenses for travel and membership in such associations. This shall be determined and approved by the full Board.

120.4 Staff Memberships: The President may designate the Fire Chief or his/her designee as the appropriate representative or alternate in connection with memberships in any association. The Fire Chief may designate those associations or industry specific organizations with which his/her association is necessary or desired.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 130

Basis of Authority

SUBJECT CATEGORY: SECTION 100, GENERAL

130: Basis of Authority

130.1 The Board of Directors is the legislative body and unit of authority within the District. Power is centralized in the elected Board collectively and not in an individual Director. Apart from their normal functions as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

130.2 Directors do not represent any fractional segment of the community but are, rather, a part of the body that represents and acts for the community as a whole. Routine matters concerning the operational aspects of the District are delegated to District staff members.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 140
Board/Staff Communication

SUBJECT CATEGORY: SECTION 100, GENERAL

140: Board/Staff Communication

140.1 Objectives: Effective governance of the District relies on the cooperative efforts of the agency's elected Board, which sets policy and priorities, and the District's staff members, who analyze problems and issues, to make appropriate recommendations, and implement and administer Board policies. It is the responsibility of District staff to ensure Board members have access to information and to ensure such information is communicated completely and with candor to those making the request. However, Board members should avoid intrusion into those areas that are the responsibility of District staff. Individual Board members must avoid intervening in staff decision-making, the development of staff recommendations, scheduling of work, and execution of department priorities without the prior knowledge and approval of the Fire Chief and Board as a whole. This is necessary to protect District staff from undue influence and pressure from individual Board members and to allow staff to execute priorities given by management and the Board without fear of reprisal.

140.2 Role of the Board:

- a) As the legislative body for the agency, the Board is responsible for approving the District's budget, setting policy goals and objectives and adopting strategic plans. The primary functions of the District staff members are to execute Board policy and other Board actions and to keep the Board well informed.
- b) Individual members of the Board should not make attempts to pressure or influence staff decisions, recommendations, workloads, schedules, and department priorities, without the prior knowledge and approval of the Board as a whole. If a Board member wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of staff, that member must prevail upon the Board to do so as a matter of Board policy.
- c) Board members also have a responsibility of information flow. It is critical that they make extensive use of staff and agency reports and Board meeting minutes. Board members should come to meetings prepared, having read the agenda packet materials and supporting documents, as well as any additional information or memoranda provided on agency projects or evolving issues. Additional information may be requested from staff, if necessary.
- d) Individual Board members, as well as the Board as a whole, are permitted complete freedom of access to any information requested of staff and shall receive the full cooperation and candor of staff in being provided with any requested information. The Fire Chief or Legal Counsel will pass critical information to all Board members.
- e) There are limited restrictions when information cannot be provided. Draft documents (e.g. staff reports in progress, etc.) are under review and not available for release until

complete and after review by District staff. In addition, there are legal restrictions on the agency's ability to release certain personnel information even to members of the Board. Any concerns Board members may have regarding the release of information or the refusal of staff to release information should be discussed with Legal Counsel for clarification.

140.3 Policies: There shall be mutual respect from both staff and Board members of their respective roles and responsibilities at all times. There is a need for access to staff by Directors and at the same time, unlimited access could result in work priority conflicts for staff. The purpose of the policies listed below is to facilitate Board/staff communications consistent with these principles.

- a) All requests for information or questions by the Board to staff outside of a Board or Committee meeting, shall be directed to the Fire Chief, Legal Counsel, or the Clerk of the Board as appropriate and shall include the desired time and date for receiving the information. Staff will confirm the date they can provide the information. So that all Board members are equally informed, all written informational material requested by any Director shall be submitted by staff to all Board members with the notation indicating which Board member requested the information. If a Board member requests information from any other member of the staff, staff may either direct the matter to the Fire Chief or may ask the Board member to contact the Fire Chief directly.
- b) Individual Directors cannot directly assign work to staff members. Board-initiated projects will follow organizational channels, through the Fire Chief, unless there is an emergency. As no formal procedure will answer all cases, the following should be considered as a guide and used with restraint and judgment:
 1. Directors should clear all short-term requests of Staff with the Fire Chief prior to contacting individual members of the staff and, in most cases, the Fire Chief should direct and handle the request for the Director.
 2. For long-term, involved studies or where the matter includes confidential material, the Fire Chief should be contacted and the subject matter discussed with the full Board at a Board meeting prior to staff working on the assignments.
 3. In the event that staff is a participant or representative of a Committee or Work Group of the Board, the Board may contact the staff member directly to request or provide information or confer regarding matters of the Committee or Work Group.
- c) At Board meetings and other public meetings, respectful communication is expected. Staff is encouraged to give their professional recommendations, and the Board should recognize that staff may make recommendations that could be viewed as unpopular with the public and with individual Board members. Board members may request clarification and ask questions of staff at public meetings, and Directors are encouraged to participate in healthy discussions amongst each other regarding items under discussion on the Agenda. However, Directors should refrain from debate with staff at Board meetings about staff recommendations or other items being discussed. Staff must recognize that the Board, as the decision maker, is free to reject or modify a staff recommendation and that the Board's wishes will be implemented by staff even if it was contrary to a staff recommendation.

- d) Directors shall not attempt to coerce or influence staff, including in the making of recommendations, the awarding of contracts, the selection of consultants, the processing of any projects or applications, or the granting of permits. Directors shall not attempt to change or interfere with the operating policies and practices of any district department through interaction with staff. Individual Directors may discuss these items with the Fire Chief to get clarification or raise concerns.
- e) Board members should not make public comments critical of the performance of a District staff member. Any concerns by a Director over the behavior or work of a District employee during a Board meeting should be directed to the Fire Chief privately to ensure the concern is resolved. All complaints about employees from Directors should be submitted privately to the Fire Chief or, if a complaint concerns the Fire Chief, to Legal Counsel.
- f) Staff will respect the right of Directors to refuse to provide information or answers to staff and recognize that Directors may be bound by other rules of law or procedure that do not permit the Director to speak about the subject matter presented. If a Director violates any of the policies regarding communications as stated in this policy, any member of staff has the right to request that the Director speak directly with the Fire Chief about the subject matter presented without any fear of reprisal.

Adopted as: Policy 1-3.30 on February 3, 2010, Repealed February 5, 2018 by 2018-05

Amended: Replaced on December 12, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 150

Board Bylaws

SUBJECT CATEGORY: SECTION 100, GENERAL

150: Board Bylaws (Attached)

Adopted as: Policies 1-1, 1-2, 1-3 on February 3, 2010, Repealed and Replaced February 5, 2018 by Resolution 2018-05

Amended: November 5, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

BYLAWS OF THE BOARD OF DIRECTORS OF THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT

The East Contra Costa Fire Protection District ("ECCFPD" or "District") is established under the California Fire Protection District Law of 1987, Health and Safety Code Sections 13800, et seq., to provide local fire protection services, rescue services, emergency medical services, hazardous material emergency response services and other services relating to the protection of lives and property. The Board of Directors ("Board") of the ECCFPD hereby promulgates the following rules to govern its proceedings:

ARTICLE I. BOARD OF DIRECTORS

1.1. Board Membership; Terms.

- a. Five Directors are elected at-large. Three directors will serve a two-year term expiring in December, 2020. Thereafter, all Directors will have staggered four-year terms, with approximately half of the Board's seats up for election in November of each even-numbered year.

1.2. Compensation; Reimbursement.

- a. Effective January 1, 2019, Directors are entitled to compensation from ECCFPD in an amount of \$100 for attending each meeting of the District Board. The number of meetings for which a Director may receive compensation shall not exceed four meetings in any calendar month. The Board has determined that attendance at each regular and special meeting of the full Board of Directors, and at each regular and special meeting of any Standing Committee, is compensable.
- b. Directors may recover actual and necessary expenses related to their service pursuant to the District's policies governing reimbursement, including expenses related to attendance at training activities as discussed in Section 1.3.

1.3. Training. Members of the Board of Directors are encouraged to attend educational conferences, seminars, trainings, and professional meetings when the purpose of any such activity is to improve District operation. There is no limit as to the number of Directors attending a particular activity when it is apparent that attendance is beneficial to the District, as long as a majority of the members of the Board or any committee of the Board

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

do not discuss issues related to the Board or Committee's business. Directors shall not attend conferences or training events when it is apparent that there is no significant benefit to the District. Directors shall not attend or engage in any tour or journey for pleasure at public expense (e.g. "junkets" or other such events that are not beneficial to the District).

ARTICLE II. OFFICERS

2.1. President. The President of the Board of Directors is elected at the first regular meeting of the Board each December.

- a. It is the duty of the President to preside over all meetings of the Board. The President regulates the order of presentation to the Board and may regulate the time allowed to each person making such presentation or who is allowed to speak.
- b. The President may call a special meeting of the Board for the purposes and in the manner designated in Section 3.2.
- c. The President may make motions, second motions and debate, subject to the same limitations imposed upon all Directors.
- d. The President may appoint members of the Board to committees, whether standing or ad hoc, and to serve as liaisons to other governmental and non-governmental organizations.
- e. The President signs all instruments requiring execution or agreement by the Board, including but not limited to resolutions, ordinances, contracts and other acts of the Board.
- f. The President serves as the chief spokesperson and representative for the Board for matters concerning public policy.
- g. The President performs such other duties as may be required by law or as may pertain to such office.

2.2. Vice President. The Vice President of the Board of Directors is elected at the first regular meeting of the Board each December. The Vice President exercises the duties and powers of the President in the absence of the President, serves with the President as spokesperson and representative for the Board, and assists the President in anticipating issues and problems deserving or in need of special meetings.

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

- 2.3. Absence of the President and Vice President. In the absence of the President and Vice President, the Clerk of the Board will preside over the election of President pro tempore, who will preside until the return of one of the President or Vice-president.
- 2.4. Clerk of the Board. The Fire Chief or his/her designee serves as the Clerk of the Board. The Clerk of the Board is responsible for:
- a. Publishing notices of and agendas for all Board and standing committee meetings as described herein;
 - b. Attending all Board and standing committee meetings, either in person or by delegate;
 - c. Recording and maintaining a full and true record of all the proceedings of the Board and its standing committees, including minutes of all Board and standing committee meetings;
 - d. Maintaining signed originals or copies of all ordinances and resolutions;
 - e. For any ordinance or other action requiring publication under State law: ensuring publication and keeping a record of publication with the original copy of the ordinance or other subject action;
 - f. Maintaining all executed contracts specifically authorized by Board action, and of all official bonds of the District; and
 - g. Ensuring compliance with State laws concerning the maintenance, destruction or disposition of the records of a special district, and with the District's Board-adopted policy on the maintenance, destruction or other disposition of District records, documents, instruments, books, and papers.

ARTICLE III. MEETINGS

- 3.1. Regular Meetings. Except as otherwise determined by the Board or otherwise provided herein, regular meetings of the Board are held on the second Wednesday of every month commencing at 6:30 p.m. in the City Council Chambers of the City of Brentwood located at 150 City Park Way, Brentwood, California. In the event any regular meeting would fall on a legal holiday, or the day before a legal holiday, the meeting will be held on the following Wednesday, unless otherwise determined by the Board.

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

- 3.2. Special Meetings. The Board President may, within his or her discretion, or upon the request of any two members of the Board, call a special meeting for the purpose of transacting any business specified in the meeting notice.
- 3.3. Meetings Open to the Public; Public Comment. All regular and special meetings of the Board and all standing committees must be open and public as required by law (Government Code Sections 54950 et seq., the Ralph M. Brown Act, referred to herein as "the Brown Act"). The agenda for regular meetings must provide an opportunity for persons to address the Board or committee concerning items of interest to the public that are not otherwise listed on the agenda but are within the subject matter jurisdiction of the Board or committee. The agenda for regular and special meetings must provide an opportunity for persons to address the Board or committee concerning any item that has been described in the notice for the meeting before or during consideration of that item. Each individual public speaker will be allotted three (3) minutes per agenda item; however this length of time may be shortened by the Board President or Committee Chair during each meeting. The Board or committee may adopt reasonable regulations during each meeting pertaining to the permitted scope of public testimony. The Board may not limit the total time of public testimony on any one or more agenda items.
- 3.4. Notice; Agenda. Prior to every meeting of the Board and each standing committee, the Fire Chief, in consultation with the Board or committee Chair, must prepare an agenda which sets forth a brief general description of each item of business to be transacted or discussed by the Board or committee, including matters to be discussed in closed session and matters specifically requested for consideration by any Director pursuant to Section 3.8 Of these Bylaws. A copy of the agenda, containing a brief general description of each item of business to be transacted or discussed, must be posted in a location freely accessible to the public and on the District's website at least seventy-two (72) hours before each regular meeting, and at least twenty-four (24) hours before each special meeting. Such postings serve as notice of upcoming meetings as required by the Brown Act. A complete copy of each agenda will be transmitted to each Board or committee member and each individual requesting to receive notice of Board meetings as provided by the Brown Act. All material pertaining to and accompanying the agenda must be made available to the public when made available to the Board or Committee.

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

3.5. Quorum. A majority of the total members of the Board constitute a quorum and are sufficient to convene a meeting and transact regular business. A Director present but abstaining from any vote is counted for purposes of constituting a quorum. A Director disqualified from voting by law, such as for a conflict of interest, will not be counted for purposes of constituting a quorum. The foregoing will not prevent less than a quorum, otherwise gathered at the time and place for the purpose of conducting a meeting, from adjourning such meeting in accordance with the law until a quorum is present.

3.6. Attendance; Extended Unavailability.

a. Each member of the Board is expected to attend each meeting of the Board and each meeting of any committee to which the Director has been appointed. Members of the Board should inform the Fire Chief and Board President at least 96 hours (4 days) in advance of a scheduled meeting if the Director expects to be absent. If the Director later becomes aware of the need to miss a meeting, the Director should to inform the Fire Chief and Board President as soon as possible, and at least 4 hours before the meeting is scheduled to begin.

b. Each member of the Board should alert the Fire Chief and Board President each time the member is going to be outside of the District for 14 or more days in a row, and each time the member is going to be unable to attend a Board meeting in person or by teleconference for 14 or more days in arrow.

3.7. Order of Business. The Order of Business of each Board of Directors meeting, which may be changed or suspended for any purpose at any particular meeting by the President with the consent of a majority of the Directors present, is as follows:

1. **Call to Order**

The President of the Board calls each regular, adjourned, recessed or special meeting to order at the appointed hour.

2. **Pledge of Allegiance**

3. **Roll Call**

The Clerk of the Board calls the roll of the members of the Board and records those present and those absent. If present, members of the Board

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

Will be recorded present regardless of their answer or failure to answer to the roll call. Immediately after the roll call, or the appointment of a President pro tempore in the event that the President and Vice President are absent, the presiding officer will proceed with the order of business.

4. **Presentations**

The Board may make or receive presentations, awards, commendations, proclamations, oaths of office and honorary resolutions.

5. **Public Comment on Items Not on the Agenda**

See Section 3.10.

6. **Consent Calendar**

The Consent Calendar may include items that are regularly presented to the Board and are routine in nature, such as minutes, financial statements and recurring contracts. Upon presentation of the Consent Calendar for approval, any member of the Board may request of the Board President that an item or items listed on the Consent Calendar be considered and acted upon separately. Each such request must be granted and the item(s) separately heard and acted upon by the Board of Directors after approval of the remainder of the Consent Calendar. Consent calendar items will be enacted by one motion. A Director may vote against or abstain on a particular consent calendar item without pulling it from the Consent Calendar.

7. **Public Hearing**

The term “public hearing” includes all public hearings having specific notice requirements by state law or District ordinance. The Board must afford any interested person or his or her authorized representative, or both, the opportunity to present witnesses, documentary evidence, statements, arguments or contentions orally and/or in writing, subject to the rules on addressing the Board set forth in Section 3.10. All oral statements, documents, exhibits, communications, petitions, maps or displays submitted at the hearing may be considered by the Board as evidence and in such event retained as part of the record. Public hearings are conducted in the following order:

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

- a. Staff Report, including summary of notice provided to the public
- b. Questions of staff
- c. Hearing opened by President
- d. Public testimony
- e. Submittal of communications received by the District following publication of notice of public hearing
- f. Closure of hearing by majority vote
- g. Discussion among District Board
- h. Potential Board action following motion and second pursuant to section 3.11

8. **Committee Reports**

Board committees provide reports on their meetings and may recommend Board action on items within their subject matter jurisdiction.

9. **Other Matters for Board Consideration**

10. **Report of the Fire Chief/Informational Staff Reports**

11. **Board Reports and Requests**

12. **Closed Sessions**

Closed Sessions also may be conducted at the beginning of the meeting or immediately before the regular meeting time if publicly noticed.

13. **Report of Closed Session Actions**

14. **Date and Place of Next Meeting**

15. **Adjournment**

3.8. Items Not on the Agenda. No action may be taken on any item not appearing on the posted agenda unless (1) a majority of the Board or committee determines that an emergency situation exists; (2) four Directors, or, if less than four are present, all of the members present (or, in the case of a committee, both members) determine that there is a need to take immediate action and that the need for action came to the attention of the District subsequent to the agenda being posted; or (3) the item was posted in an agenda for a meeting of the Board or committee held not more than five calendar days earlier, where the item was continued to the meeting where action is being taken.

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

3.9. Requests for Placement of Items on the Agenda.

- a. Requests Made Other than During Board Meetings. Directors seeking to place an item on the agenda for a future meeting may ask the Board President to place the item on the agenda. Requests must be made no later than one week before the next scheduled Board meeting to be included on that agenda. The President may (a) add the item to the agenda for discussion at the next meeting or a later meeting upon agreement of the requesting Director, or (b) place the request on the next meeting's agenda under "Board Reports and Requests," indicating the topic and requesting Director's name. Such requests will be considered as set forth in paragraph c.
- b. Requests Made During Board Meetings. Directors wishing to have an item placed on a future agenda may propose such placement during the "Board Reports and Requests" portion of the agenda.
- c. Board Discussion and Action to Place an Item on a Future Agenda. When an item is proposed as a Board Request, the Director making the request will describe the request and the Board may have a brief discussion of the requested item, which discussion must be limited to whether District resources (including staff time) should be spent to prepare for substantive Board consideration of the item. The Board may not take action on the item itself, and concurrence that staff time and District resources will be devoted to the item does not signify approval of the item. Proposed items will be added to the agenda for a future meeting upon concurrence of at least one other Director present.

- 3.10. Speaking Rights of Directors. Every Director desiring to speak must address the President, and upon recognition by the President, may offer comments that are confined to the question under debate or topic under discussion. Directors may not interrupt another Director except to call such member to order. If called to order while speaking, a Director must cease speaking until the question of order is determined. A Director moving the adoption of an ordinance, resolution or other Board action will have the privilege of closing debate on the motion.

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

3.11. Public Comment; Written Communications. Interested parties or their authorized representatives may address the Board with regard to any matter before the Board before action is taken on that matter, or with regard to a matter not before the Board under "Public Comment on Matters Not on the Agenda." The Board cannot discuss nor take any action on any matter not on the agenda except as provided in Section 3.7, except to refer such matter to a future agenda in accordance with Section 3.8. When written comments are furnished to each Director present, the communications will not be read aloud at the meeting unless so ordered by a majority vote of the Board. Written communications from ECCFPD staff will not be read aloud unless requested by any Director.

3.12. Official Action of the Board of Directors. No motion may be voted upon unless it has received a second. The Board of Directors may take official action by ordinance, resolution or motion. Voting on ordinances and resolutions, or any other matters which may be requested by the majority of the Board members, must be by roll call. The order of roll call votes will be assigned by random, with a new order called for each roll call vote; an electronic randomizing mechanism may, but need not, be used for purposes of determining the roll call order. Voting by motion may be by voice vote, though all votes cast and any abstentions must be recorded in accordance with the Brown Act. Any vote may be taken by electronic voting device, when available. Adoption of ordinances, resolutions and other matters submitted to the Board requires a majority vote of the full Board, unless a greater number of votes is required by law. Every Board member present when a question is put to a vote must vote for or against it, unless a member has abstained for cause.

After the announcement of the result, a Director is not permitted to change his or her vote or abstention, except in the case of a motion to reconsider as set forth below.

3.13. Reconsideration.

a. Motion made at the same meeting. A motion to reconsider an action approved by the Board may be made by a member of the majority and seconded by any Director. Such motions may be made during the same meeting or at a recessed or adjourned and reconvened session of the same meeting. Such motion may be

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

Made at any time, will have precedence over all other motions, and is subject to debate. When a motion for reconsideration is heard, testimony is limited to the facts giving rise to the motion. The motion must be approved by a majority of the entire Board of Directors. If the motion to reconsider is made and approved at the same meeting at which the initial action was taken and all directly involved persons (including applicants and owners) are still present, the matter may be reconsidered at that meeting or at the next regular meeting or intervening special meeting (subject to the discretion of the maker of the motion) and no further public notice is required. If the motion to reconsider is made and approved at the same meeting at which the initial action was taken but all directly involved persons are not still present, or if the motion is made and approved at the next regular meeting or intervening special meeting, the item will be scheduled for consideration at the earliest feasible Board meeting and must be re-noticed in accordance with the Brown Act and these Bylaws.

- b. Motion made after the same meeting. If a Director in the majority on the subject action desires to make a motion for reconsideration after the meeting when the subject action was taken, such motion will be entertained until the next regular meeting is adjourned. Such motions for reconsideration may be placed on the agenda in accordance with the procedures set forth in Section 3.8. The Clerk of the Board must provide notice to all known involved and otherwise interested parties as soon as possible when a matter becomes the subject of a motion to reconsider. No more than two motions to reconsider will be entertained for any single action.
 - c. Reconsideration upon successful motion. Upon approval of a motion to reconsider, and at such time as the matter is heard, the Board will only consider new evidence or facts not presented previously with regard to the item, or a claim of error in applying the facts.
- 3.14. Minutes of Meeting. Written minutes of the meetings of the Board and standing committees must be kept by the Clerk of the Board. The minutes serve as a record of business considered and actions taken by vote of the Board or committee, and must

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

Include a summary of matters discussed and actions taken. The minutes are not a verbatim transcript of the proceedings but all proposed actions voted upon by the Board or committee are recorded in the minutes with the names of those Directors who voted for and against each proposal. In addition, all Board and standing committee meetings are recorded and made available on the District website. The Clerk of the Board must make a record of the names and cities of residence of persons addressing the Board or committee, if such information is provided to the Clerk of the Board upon request, along with the title of the subject matter to which their remarks were directed and an indication as to whether they spoke in support of or in opposition to such item. A copy of the minutes of the Board or committee must be provided to the Board or committee to be considered and approved at a future Board or committee meeting. Directors who are absent at a meeting may choose to vote to accept, or abstain on acceptance of, the minutes of that meeting.

- 3.15. Adjournment; Continuation of Meeting. Any regular or special meeting may be adjourned to another date and place specified by the Board or committee, regardless of whether or not all matters on the agenda or under discussion have been completed, acted on or concluded. Any such adjourned meeting will be deemed to be a part of the regular or special meeting so adjourned. Any meeting may either be terminated or continued to another time, place or date by adjournment. Notwithstanding the above, no meeting may be terminated before closing all public hearings which were notified for such meeting, without first continuing such public hearings to another time, place and date. Subject to the above, a motion to adjourn will always be in order and decided without debate.

No meeting may be adjourned to a date beyond the next regular meeting. Where a meeting is continued to a future date, if either the time or place, or either of them is not stated in the order of adjournment, it will be deemed to be scheduled at the hour and place specified for meetings of the Board in Section 3.1.

If less than a quorum of Directors appear at a meeting, a Director or the Clerk of the Board must adjourn the meeting to a stated day and hour. If all Directors are absent, the Clerk of the Board must adjourn the meeting provide for publication of a written notice of the

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

Adjournment to be given in the manner provided for special meetings. Once adjourned, a meeting may not be reconvened until the noticed continuation.

- 3.16. Rules of Order. Except as otherwise provided in these Bylaws, proceedings of the Board will be governed by Rosenberg's Rules of Order. In the event of a dispute concerning procedural matters not specifically covered in these Bylaws, the majority vote of the Board will prevail.

Rules adopted herein or by future action of the Board to expedite the transaction of business of the Board in an orderly fashion are procedural only, and the failure to strictly observe such rules will not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with the law.

ARTICLE IV. BOARD COMMITTEES

- 4.1. Committee Membership; Meetings. The Board President appoints the members of each committee in advance of its first meeting in each calendar year, may fill committee vacancies whenever they arise, and designates a chairperson of each committee. Each committee's membership must be less than a quorum of the Board. Standing committee regular meetings are held once a month, at a time and place established by the committee.

Persons wishing to address a standing committee concerning items of interest to the public that are within the subject matter jurisdiction of the committee may do so, provided that the committee may adopt reasonable regulations during each meeting pertaining to the permitted scope and duration of public testimony to be received including, but not limited to, regulations limiting the amount of time allocated for each individual speaker.

- 4.2. Committee Actions. Committees report on any subject referred to them by the Board, or by the President of the Board, and give their recommendations thereon. Any item acted upon by a standing committee or Committee of the Whole, and any advice from an ad hoc committee, will require consideration and action by the full Board as a prerequisite to its legal enactment.

- 4.3. Standing Finance Committee. The Finance Committee is responsible for:

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

- a. Review of the District's annual operating, capital and other budgets; multi-year operating and capital expenditure projections, and long-range financial planning;
 - b. Review of accounting practices and all financial reports prepared by the staff or a designee;
 - c. Review of all audits prepared for the District;
 - d. Review of any major financial commitments which will bind the present Board or its successors to fixed annual payments (e.g. capital improvement debt obligations, insurance contracts, employee benefits (including pension plans), etc.);
 - e. Whenever timing allows, review of procurement contracts and contract amendments that cannot be awarded without Board approval, including certain public works, professional services, and technology contracts; contract terminations that cannot be effected without Board approval; and rejection of proposed proposals or bids that cannot be effected without Board action.
 - f. When requested by the Fire Chief, providing input to the Fire Chief or his designee on contract-related matters, including contracts and contract amendments within the Fire Chief's signature authority, and rejection of proposed proposals or bids that can be rejected by the Fire Chief; and
 - g. Submitting recommendations concerning these matters for further consideration by the Board.
- 4.4. Committee of the Whole. To allow full participation by Directors at standing committee meetings, each standing committee meeting is noticed as a meeting of the "Committee of the Whole." In the event that a quorum of the Board is present at such a noticed meeting, the standing committee will automatically convert into a Committee of the Whole. Thereafter, if there is no longer a majority of the Board present at such meeting, the Committee of the Whole will automatically convert back into a standing committee. The chair of the standing committee will serve as the chair of the Committee of the Whole. In

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

Order for a standing committee to meet as the Committee of the Whole, the agenda for the standing committee meeting must include the following:

"This Committee may be attended by Board members who do not serve on this Committee. In the event that a quorum of the entire Board is present, this Committee will act as a Committee of the Whole. In either case, any item acted upon by the Committee or the Committee of the Whole will require consideration and action by the full Board of Directors as a prerequisite to its legal enactment."

- 4.5. Ad Hoc Advisory Committees. The Board President may create and convene temporary advisory committees (also known as "ad hoc committees") of the Board at any time. Ad hoc committees establish their own meeting schedules; dissolve when their purposes have been fulfilled, when their pre-established terms have reached an end or if discharged by a majority of the Board; and do not have continuing subject matter jurisdiction. Membership of ad hoc committees cannot include a quorum of the full Board or a majority of members of a standing committee if the ad hoc committee's purview overlaps with the subject matter jurisdiction of the standing committee.

ARTICLE V. ADMINISTRATION & RESPONSIBILITIES

5.1. Board of Directors.

- a. The Board of Directors has the authority to carry out all functions of the ECCFPD.
- b. The Board of Directors may adopt policies and procedures as necessary for administration of the District.
- c. The Board of Directors must employ a Fire Chief to administer the programs and operations of the ECCFPD. The Board of Directors sets District policy, oversees the Fire Chief and provides direction for the Fire Chief's conduct of District business.
- d. The Board of Directors may engage legal counsel for the District.
- e. All expenditures of District funds must be authorized by the Board of Directors or by the Fire Chief subject to a delegation of authority duly enacted by the Board of Directors.

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

- f. The Board of Directors must annually adopt an operating, capital and other budgets showing each of the purposes for which the ECCFPD will need monies and the estimated amount of monies that will be needed for each such purpose for the ensuing fiscal year.
- g. The Board of Directors has the power to invest, or cause to be invested, in compliance with Section 6509.5 of the California Government Code and the District's Board-adopted Investment Policy, such reserve surplus funds as are not necessary for the immediate operation of the ECCFPD. The level of cash to be retained for the actual operation of the ECCFPD is determined by the Board of Directors.

5.2. Fire Chief.

- a. The Fire Chief carries out the policies adopted by the Board.
- b. The Fire Chief exercises authority over tactical operations of the ECCFPD.
- c. The Fire Chief, or his/her designee, is the Board of Directors' designee as Clerk at all meetings and, in that capacity, performs or oversees the performance of the duties and functions set forth in Section 2.4 of these Bylaws.
- d. The Fire Chief hires and manages all other employees of the District.
- e. The Fire Chief carries out other duties as may be prescribed from time to time by the Board of Directors or the President of the Board.

5.3. Acceptance of Communications and Service of Process. The Fire Chief is authorized to receive service on behalf of the ECCFPD and on behalf of the Board of Directors. The ECCFPD will receive notices, correspondence, service of process and other communications at its office located at 150 City Park Way, Brentwood, CA, 94513.

ARTICLE VI. WAIVER AND AMENDMENT

6.1. Waiver. The Board may waive procedural rules set forth herein with the affirmative vote of a majority of the entire Board of Directors so long as the resulting Board actions conform to the law.

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

- 6.2. Amendment Proposal Process. Consideration of an amendment to these Bylaws may be initiated by any Director, or by the Fire Chief. The proposed amendment is initiated by requesting the item be included for consideration on the agenda of the appropriate regular meeting of the Board of Directors.

The proposed amendment must be included in the agenda packet for review in advance of the Board meeting where it will be considered.

- 6.3. Amendment Approval. Amendments to the Bylaws may be adopted at a regular or special meeting of the Board of Directors and requires the affirmative vote of a majority of the entire Board.

ARTICLE VII. INDEMNIFICATION

The ECCFPD indemnifies and holds Directors harmless against and free from all third-party claims, expenses, demands, penalties, fines, forfeitures, judgments, settlements, attorney's fees, and any other amount whatsoever actually and reasonably incurred or threatened by reason of, or as a result of, their official participation and actions to administer the District, including but not limited to amounts arising out of or by any judicial or quasi-judicial action or proceeding, whether civil, criminal, administrative or investigative, on condition that it appears to the satisfaction of the Board of Directors that the indemnitee acted in good faith and in a manner reasonably believed by him or her to be in the best interest of the ECCFPD, and that such a person had no reasonable cause to believe that his or her conduct under the circumstances was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or plea of *nolo contendere* or its equivalent will not for purposes of these Bylaws create any presumption that the indemnitee did not act in good faith and in a manner which he or she reasonably believed to be in the best interest of the ECCFPD, nor any presumption that such a person had reasonable cause to believe that his or her conduct under the circumstances was unlawful. This indemnification does not obligate the ECCFPD to pay any liability, including but not limited to, punitive damages, which by law would be contrary to public policy or itself unlawful. The Board of Directors, at its discretion, may self-fund or provide for errors and omissions insurance policy coverage or fiduciary liability insurance policy coverage for the Directors, officers and employees of the ECCFPD, at the expense of the ECCFPD.

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BYLAWS
ADOPTED MARCH 5, 2018

AMENDED NOVEMBER 5, 2018, EFFECTIVE DECEMBER 11, 2018

ARTICLE VIII. SEVERABILITY

Should any portion, term, condition, or provision of these Bylaws be decided by any court of competent jurisdiction to be illegal or in conflict with any law of the State of California, or of the United States of America, or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions, and provisions will remain in full force and effect.



Board Policy No. 161

Code of Ethics

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| | SUBJECT CATEGORY: SECTION 100, GENERAL, ETHICS |
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161: Code of Ethics

161.1 Background information: East Contra Costa Fire Protection District designed its Code of Ethics & Values (the “Code”) to provide clear, positive statements of ethical behavior reflecting the core values of the District and the communities it serves. The Code includes practical strategies for addressing ethical questions and a useful framework for decision-making and handling the day-to-day operations of the District. The Code is developed to reflect the issues and concerns of today’s complex and diverse society.

161.2 Goals of the Code of Ethics & Values:

- a) To make East Contra Costa Fire Protection District a better District built on mutual respect and trust.
- b) To promote and maintain the highest standards of personal and professional conduct among all involved in District government, District staff, volunteers and members of the District’s Board. All elected and appointed officials, officers, employees, members of advisory committees, and volunteers of the District, herein called “Officials” for the purposes of this policy.
- c) The Code is a touchstone for members of District Board and staff in fulfilling their roles and responsibilities.

161.3 Preamble:

- a) The proper operation of democratic government requires that decision-makers be independent, impartial and accountable to the people they serve. The East Contra Costa Fire Protection District has adopted this Code to promote and maintain the highest standards of personal and professional conduct in the District’s government.
- b) All Officials, and others, who participate in the District’s government are required to subscribe to this Code, understand how it applies to their specific responsibilities and practice its eight core values in their work. Because we seek public confidence in the District’s services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this Code.

161.4 Applicability: This Code shall apply to all District Officials as defined in paragraph (b) of the Preamble.

161.5 Core Values: As participatory Officials in the District’s government, we subscribe to the following Core Values:

a) As a representative of the East Contra Costa Fire Protection District, I will be ethical. In practice, this value lookslike:

1. I am trustworthy, acting with the utmost integrity and moral courage. I am truthful. I do what I say I will do. I am dependable.
2. I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, financial, and other personal interests that impair my independence of judgment or action.
3. I am fair, distributing benefits and burdens according to consistent and equitable criteria.
4. I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions or any improper or unauthorized representations on behalf of the District.
5. I show respect for persons, confidences, and information designated as "confidential."
6. I use my title(s) only when conducting official District business for information purposes or as an indication of background and expertise carefully considering whether I am exceeding or appearing to exceed my authority.
7. I will avoid actions that might cause the public or others to question my independent judgment.
8. I maintain a constructive, creative, and practical attitude toward the District's affairs and a deep sense of social responsibility as a trusted public servant.

b) As a representative of East Contra Costa Fire Protection District, I will be professional. In practice, this value lookslike:

1. I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent and productive manner.
2. I approach my job and work-related relationships with a positive, collaborative attitude.
3. I keep my professional education, knowledge, and skills current and growing.

c) As a Representative of East Contra Costa Fire Protection District, I will be service-oriented. In practice, this value looks like:

1. I provide friendly, receptive, courteous service to everyone.
2. I attune to and care about the needs and issues of citizens, public Officials and District workers.
3. In my interactions with constituents, I am interested, engaged and responsive.

- d) As a representative of East Contra Costa Fire Protection District, I will be fiscally responsible. In practice, this value lookslike:
1. I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the District, especially its financial stability.
 2. I demonstrate concern for the proper use of District assets (e.g., personnel, time, property, equipment, funds) and follow established procedures.
 3. I make good financial decisions that seek to preserve programs and services for District residents.
 4. I have knowledge of and adhere to the District's Purchasing and Contracting and Allocation of Funds Policies.
- e) As a representative of East Contra Costa Fire Protection District, I will be organized. In practice, this value lookslike:
1. I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long-term goals.
 2. I follow through in a responsible way, keeping others informed and responding in a timely fashion.
 3. I am respectful of established District processes and guidelines.
- f) As a representative of East Contra Costa Fire Protection District, I will be communicative. In practice, this value lookslike:
1. I positively convey the District's care for and commitment to its citizens.
 2. I communicate in various ways, that I am approachable, open-minded, and willing to participate in dialog.
 3. I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response, which adds value to conversations.
- g) As a representative of East Contra Costa Fire Protection District, I will be collaborative. In practice, this value lookslike:
1. I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.
 2. I work towards consensus building and gain value from diverse opinions.
 3. I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.
 4. I consider the broader regional and state-wide implications of the District's decisions and issues.

h) As a representative of East Contra Costa Fire Protection District, I will be forward-thinking and dynamic. In practice, this value looks like:

1. I exhibit a proactive, innovative approach to setting goals and conducting the District's business.
2. I display a style that maintains consistent standards; but is also sensitive to the need for compromise, "thinking outside the box" and improving existing paradigms when necessary.
3. I promote intelligent and thoughtful innovation in order to forward the District's policy agenda and District services.

161.6 Enforcement: Any Official found to be in violation of this Code may be subject to Censure by the District Board.

Adopted as: Code of Ethics on July 2, 2018 via Resolution 2018-19

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 162
Conflicts of Interest Code

SUBJECT CATEGORY: SECTION 100,
GENERAL, ETHICS

162: Conflict of Interest Code (to be updated upon approval by Contra Costa County Board of Supervisors)

The Political Reform Act of 1974 (Government Code Sections 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, it may be amended by the FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the East Contra Costa Fire Protection District (the District).

Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction.

(Gov. Code Sec. 81008.) The District will retain a copy of each statement and forward the originals to the Contra Costa County Board of Supervisors, which shall be the filing officer.

**APPENDIX A:
DESIGNATED POSITIONS**

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|------------------------------------|-------------------------------------|
| Fire Chief | 1, 2, 3, 4 |
| Battalion Chief | 1, 2, 3 |
| General Counsel | 1, 2, 3, 4 |
| Consultants/New Positions* | |

* Consultants/ New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Fire Chief may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not

Required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Fire Chief's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008.)

The following positions are NOT covered by the conflict of interest code because they must file a statement of economic interests pursuant to Government Code Section 87200 and, therefore, are listed for information purposes only:

Members of the Board of Directors

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe their position has been categorized incorrectly. The Fair Political Practices Commission makes the determination whether a position is covered by Section 87200.

APPENDIX B:

DISCLOSURE CATEGORIES

Designated positions must disclosure pursuant to the categories below:

Category 1: Interests in real property within the jurisdiction of the District or within five miles of the District.

Category 2: Investments, business positions and income, including gifts, loans and travel payments, from sources that are subject to a land use proceeding in which the District has authority to provide agency input (e.g., a zoning application).

Category 3: Investments, business positions and income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the District.

Category 4: Investments, and business positions in business entities, and income (including receipt of gifts, loans, and travel payments) from sources that have filed a claim against the District within the last two years or have a claim pending against the District.

***** To be updated upon approval by the Contra Costa County Board of Supervisors to include Business Services Manager and Fire Marshal positions.***

Adopted as: Resolution 2012-19 on October 1, 2012

*Amended: Resolution 2014-28 on October 6, 2014
Amended November 5, 2018 by Resolution 2018-35; Amended version will replace Policy 162
upon approval by the Contra Costa County Board of Supervisors.*

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 163
Ethics Training (A.B. 1234)

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| | SUBJECT CATEGORY: SECTION 100, GENERAL, ETHICS |
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163: Ethics Training (A.B. 1234)

163.1 All Directors, designated staff, and members of all commissions, committees and other bodies that are subject to the Brown Act shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 et seq. as may be amended from time to time.

163.2 All ethics training shall be provided by providers whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.

163.3 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person, or online.

163.4 Attendees shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training shall be reimbursed by the District.

District staff shall maintain records indicating both the dates that attendees completed the ethics training and the name of the provider that provided the training. These records shall be maintained for at least five years after the date of training and may be public records subject to disclosure under the California Public Records Act.

163.5 District staff shall provide the prospective attendees with information on available training that meets the requirements of this policy at least once every year.

163.6 A single training course may be used to satisfy the obligation to receive training for multiple agencies or positions.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 170
Correspondence to the Board

SUBJECT CATEGORY: SECTION 100, GENERAL

170: Correspondence to the Board

All written or electronic correspondence addressed to the Board of Directors is to be sent to the District office. Copies of the written or electronic correspondence and written responses in reply thereto, if any, shall be distributed to each member of the Board, together with the next regular agenda or at the next regular meeting of the Board, depending on date of receipt or response. Individual Board members may receive correspondence addressed to him or her in his or her official capacity. However, Board members are not permitted to use agency resources for sending or receiving personal correspondence.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 180
Legal Counsel and Auditor

SUBJECT CATEGORY: SECTION 100, GENERAL

180: Legal Counsel and Auditor

180.1 The Board of Directors shall appoint a Legal Counsel to assist the Board and District in all applicable issues and activities.

180.2 Legal Counsel shall be the legal adviser of the District, including the Board as a whole, the Fire Chief and department heads. Legal Counsel shall perform such duties as may be prescribed by the Board of Directors. Such duties include, but are not limited to, providing legal assistance necessary for formulation and implementation of legislative policies and projects; represent the District's interests, as determined by the District, in litigation, administrative hearings, negotiations and similar proceedings; and to keep the Board and District staff apprised of court rulings and legislation affecting the legal interest of the District. Legal Counsel is required to review and approve as to form District legal documents, i.e. contracts, agreements, etc. The Legal Counsel shall present and report on all legal issues and Closed Session items before the Board. The Legal Counsel shall serve at the pleasure of the Board and shall be compensated for services as determined by the Board.

The Legal Counsel reports to the Board as a whole but is available to each Director for consultation regarding legal matters particular to that Board member's participation. No Board member may request a legal opinion of legal counsel without concurrence by the Board, except as such requests relate to questions regarding that member's participation. The Legal Counsel shall be available to the District Fire Chief for consultation on applicable issues and activities.

180.3 The District Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. The Auditor shall serve at the pleasure of the Board.

Selection of the Auditor shall be done in a noticed public meeting and at least every five years.

The Business Services Manager/Fire Chief will install and maintain an accounting system that will completely, and at all times, show the financial condition of the District.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 190

Overview of the Fire Chief's Role

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| | SUBJECT CATEGORY: SECTION 100, GENERAL |
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190: Overview of the Fire Chief's Role

190.1 The Fire Chief is an employee of the District and has an employment agreement which specifies his or her terms of employment. The Fire Chief is the administrative head of the District under the direction of the Board of Directors. He or she shall be responsible for the efficient administration of all the District's affairs which are under the Fire Chief's control. The Fire Chief plans, organizes, directs, coordinates and evaluates all District operations, programs, and resources in accordance with short and long range goals, policy statements, and directives from the Board.

190.2 The District's Fire Chief shall be responsible for:

- a) The implementation of policies established by the Board of Directors for the operation of the District;
- b) The planning, direction, and coordination of the day-to-day operations of the District through the appropriate members of District management including administration, financing, maintenance, engineering, human resources, and others to effect operational efficiency;
- c) The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employment policies established by the Board of Directors;
- d) Attend and participate in District Board meetings, prepare and present reports as necessary, represent the Board before external organizations including other agencies, governmental and regulatory entities, business and community groups;
- e) The supervision of the District's facilities and services; and
- f) The supervision of the District's finances.

190.3 The District's Fire Chief serves at the pleasure of the Board. The Board will provide policy direction and instruction to the Fire Chief on matters within the authority of the Board during duly-convened board meetings. Members of the Board will deal with matters within the authority of the Fire Chief through the Fire Chief and not through other District employees. Members of the Board will refrain from making requests directly to District employees (other than the Fire Chief) to undertake analyses, perform other work assignments, or change the priority of work assignments. As members of the public, Directors may request non-confidential, factual information regarding District operations from District employees. If requesting public records, Directors must follow the District's Request for Public Records Policy.

190.4 A more detailed job description is set forth in the Fire Chief's employment agreement.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 211
Accounting Policies and Procedures

SUBJECT CATEGORY: SECTION 200,
ADMINISTRATION, FINANCIAL MANAGEMENT

211: Accounting Policies and Procedures

211.1 Fiscal Year: The District's Fiscal Year commences on July 1 and ends on June 30.

211.2 Accounts Receivable: It is the policy of the District that accounts receivable be reviewed monthly, as it is critical to the cash flow of the District and requires continued follow-up and attention.

211.3 Handling of Remittances: It is the policy of the District that remittances be timely received and deposited to ensure accountability in the receipt and holding of public funds.

211.4 Financial Controls: It is the policy of the District to incorporate financial internal controls into its financial practices to protect and assure appropriate use of public resources.

211.5 Protection of Assets: It is the policy of the District to protect its assets against the risk of loss or misuse. Accordingly, it is the policy of the District to identify and promptly investigate any possibility of fraudulent or related dishonest activities against the District and, when appropriate, to pursue available legal remedies.

211.6 Implementation: It is the responsibility of the Fire Chief to ensure that the District document and abide by procedures to effectuate each of the policy statements set forth above.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 213

Procurement Policy

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| | SUBJECT CATEGORY: SECTION 200, ADMINISTRATION, FINANCIAL MANAGEMENT |
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213: Procurement Policy

213.1 Purpose: These Policies and Procedures for the Purchase or Lease of Equipment, Supplies and Real Property, and for Service and Construction Contracts (Policy) will guide the fair and equitable competition for business with the East Contra Costa Fire Protection District, and help ensure the efficient use of District resources.

213.2 Purchase of Equipment and Supplies – Solicitation of Bids:

- a) Purchases Less than and including \$45,000: When the estimated cost of equipment or supplies is at or below \$45,000, the Fire Chief may award the contract or purchase order. If the estimated cost is less than \$10,000, the Fire Chief must attempt to secure the best value for the District, but need not solicit quotes or bids. If the estimated cost is between \$10,000 and \$45,000, the Fire Chief must solicit informal quotes from at least two vendors.
- b) Purchases Over \$45,000: All contracts over the amount of \$45,000 must be submitted to the Board of Directors (Board) for approval. When the estimated cost of equipment or supplies is over \$45,000, staff must solicit formal written bids through means and methods which staff determines to be the most cost-effective, which may include advertisement in a newspaper of general circulation in the District.
- c) Leasing of Equipment: Leasing or renting of equipment is permitted if advantageous to the District. If the total rental payments due under a lease are not over \$45,000, the Fire Chief may follow the procedure in Section 213.2.A. If the total rental payments due under a lease are more than \$45,000, staff must follow the procedure in Section 213.2.B.
- d) Specialized Equipment: Rather than seek competitive bids, the District may use competitive negotiation when the Board of Directors makes a finding that a procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus, and authorizes the use of competitive negotiation for such equipment. Competitive negotiation cannot be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public.
- e) Reporting: The Fire Chief or a designee must report to the Board on all contracts or leases entered into under Section 213.2.A or 213.2.C at the next regular meeting of the Board.
- f) Group Purchasing, Joint Procurement and Piggybacking: The Fire Chief is authorized to purchase equipment and supplies through the State of California cooperative purchasing

Program authorized by Public Contract Code Section 10298, California Multiple Awards Schedule (CMAS). If the cost of such purchase is expected to exceed \$45,000, the Fire Chief must obtain Board approval before participating in the CMAS procurement.

Additionally, the Fire Chief is authorized to pursue joint procurements with other local agencies in the State when the original procurement contemplates the purchase of equipment or supplies by the District. The use of joint procurements is only permissible when the solicitation documents meet the District's own procurement requirements as set forth in this Policy. Award of a contract must be approved in accordance with the same authorization thresholds set forth herein.

Furthermore, the Fire Chief is authorized to procure supplies or equipment by a method known as "piggybacking." Piggybacking is the post-award use of a contractual document or process that allows an agency that was not contemplated in the original procurement to purchase the same supplies/equipment through that original document or process. The agency that originally issued the procurement must have included a piggybacking provision or assignability clause in their solicitation documents in order for another agency to piggyback on their procurement. The use of piggybacking is only permissible when the solicitation documents meet the District's own procurement requirements as set forth in this Policy. Award of a contract must be approved in accordance with the same authorization thresholds set forth herein.

213.3 Purchase or Lease of Real Property: Any contract for the purchase of real property must be submitted to and approved by the Board of Directors.

Any lease or sublease of real property, including any renewal or extension of an existing lease or sublease, must be submitted to and approved by the Board of Directors.

213.4 Contracts for Services: Contracts for services in which the maximum compensation payable does not exceed \$45,000 may be entered into by the Fire Chief following an informal solicitation and selection process. All other contracts must be submitted to and approved by the Board of Directors.

When the estimated cost of non-professional services (i.e., services that are not listed in Public Contract Code Section 20812) is over \$45,000, the Fire Chief must (a) solicit formal written bids or proposals, and (b) award the contract to the lowest responsible bidder or the proposer that offers the best value to the District, or reject all bids/proposals.

When the estimated cost of specialized services listed in Public Contract Code Section 20812 is over \$45,000, the Fire Chief must solicit formal written bids through a formal advertising process, which will include advertisement at least twice, at least 5 days apart, with the first advertisement being at least 10 days before the opening of bids, in a newspaper of general circulation in the District's service area. The contract must be awarded to the lowest responsible bidder. If two or more bids are tied, the District may accept the one it chooses.

The Board of Directors may reject any bids. If the Board rejects all bids, it may either re-advertise or adopt a resolution, by two-thirds vote, declaring that the service can be performed more economically by the District's employees or obtained at a lower price in the open market. Upon adoption of the resolution, the Board of Directors may undertake the service contract without further complying with this section. If no bids are received, the Board may undertake the service contract without further complying with this section.

In the case of an emergency, the Board of Directors shall respond to the emergency pursuant to Chapter 2.5 of the Public Contract Code (commencing with Section 22050) if notice for bids to let contracts will not be given.

213.5 Contracts for Public Projects: Any contract for construction over \$45,000 requires approval of the Board of Directors.

Contracts for Public Projects, as defined in California Public Contract Code section 22002(c), of \$60,000 (or the threshold set forth in California Public Contract Code section 22032(a), whichever is greater) or less may be let by negotiated contract or purchase order; contracts for Public Projects greater than \$60,000 (or the threshold set forth in California Public Contract Code section 22032(a), whichever is greater) and up to \$200,00 (or the threshold set forth in California Public Contract Code section 22032(b), whichever is greater) must be let by the informal bidding procedures set out in the California Uniform Public Construction Cost Accounting Act and implementing policies or guidance, as they may be amended from time to time; and contracts for Public Projects valued at more than \$200,000 (or the threshold set forth in California Public Contract Code section 22032(c), whichever is greater) must be let by the formal bidding procedures set out in the California Uniform Public Construction Cost Accounting Act and implementing policies or guidance, as they may be amended from time to time.

The District may also apply the thresholds and requirements set forth above to Maintenance Work as defined in California Public Contract Code section 22002(d).

In the case of an emergency, the Board of Directors must respond to the emergency pursuant to Chapter 2.5 of the Public Contract Code (commencing with Section 22050) if notice for bids to let contracts will not be given.

213.6 Fire Chief Authority:

- a) The Fire Chief may make purchases of equipment, supplies, leases, services not listed in Public Contract Code section 20812, and construction up to \$45,000. All such expenditures over \$45,000 must be approved by the Board of Directors.
- b) Contracted procurements approved by the Board of Directors within the authorized budget will be approved for payment by the Fire Chief.
- c) The Fire Chief is authorized to administer all contracts on behalf of the District.
- d) For purchases under \$45,000, the Fire Chief is authorized to issue change orders or amendments up until the original purchase and any change orders and amendments, equal a total of \$45,000. For purchases approved by the Board, the Fire Chief is authorized to issue change orders of up to 20% of the initial contract amount, but not to exceed \$45,000, without further Board approval.

213.7 Waiver: The Board of Directors may suspend or waive the requirements of this Policy in any instance when the Board deems it in the best interest of the District to do so.

Adopted as: Resolution 2010-05 on February 3, 2010

Amended: As Policy 1-11 in July 11, 2016 and November 5, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 214

Investment Policy

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| SUBJECT CATEGORY: SECTION 200, ADMINISTRATION, FINANCIAL MANAGEMENT |
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214: Investment Policy

214.1 Purpose: This Statement of Investment Policy (Investment Policy) provides guidelines for the prudent investment and cash management of the East Contra Costa Fire Protection District's (District) funds.

214.2 Objective: The District's cash management system is designed to monitor and forecast accurately expenditures and revenues, thus enabling the District to invest funds to the fullest extent possible. The District's primary objective is to safeguard the principal of the funds; the second objective is to meet the liquidity needs of the District; and the third objective is to achieve a return on its invested funds.

214.3 Policy: At all times, the District shall invest its funds in accordance with the rules and restrictions established by the laws of the State of California (Government Code Sections 53600 et seq.). In addition, the District shall conduct its investments under the "prudent investor standard": when investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, a trustee shall act with care, skill, prudence and diligence under the circumstances then prevailing, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the District. (California Government Code Section 53600.3).

The District's current policy is to invest in the Contra Costa County Investment Pool (CCCIP). Any change in that policy must be brought to the Board of Directors for approval. The General Manager shall serve as the District's trustee for the purposes of placing investments pursuant to this policy. The Investment Policy may be reviewed annually by the District's Board of Directors at a public meeting. (California Government Code Section 53646(a)).

- a) Criteria for Selecting Investments: Criteria for selecting investments and the order of priority area.
 1. Safety: The safety and risk associated with an investment refer to the potential loss of principal, interest or a combination of these amounts. Investments of the District shall be undertaken in a manner that seeks to ensure preservation of capital in the portfolio.
 2. Liquidity: An adequate percentage of the portfolio, in the approximate amount of annual operating expenses, should be maintained in liquid short-term investments which can be converted to cash if necessary to meet disbursement requirements. A short-term investment is defined as any investment which matures within a one year period.

3. Return on Investments: Return on investments becomes a consideration only after the basic requirements of safety and liquidity have been met.
- b) Delivery of Securities: Securities shall be delivered by book entry, physical delivery or by third party custodial agreement. (California Government Code Section 53601).
- c) Diversification: The investment portfolio should consist of investments in the CCCIP. Alternatively and subject to prior Board approval, the investment portfolio may consist of a mix of the authorized types of investment instruments described in this Investment Policy. As a general rule, long-term maturities should not represent a significant percentage of the total portfolio, as the principal risk involved can outweigh the potential for higher earnings.
- d) Terms of Investments: Except for public statutory exceptions or when authorized by the Board of Directors either specifically or as part of an investment program no less than 3 months prior to the investment, no investment shall be made in a security with a term remaining to maturity in excess of five years. (California Government Code Section 53601).
- e) Deposit of Funds: As far as possible, all money belonging to or in the custody of the District including money paid to the District to pay the principal, interest or penalties of bonds, shall be deposited for safekeeping in state or national banks, savings associations or federal associations, state or federal credit unions or federally insured industrial loan companies in California (as defined by California Government Code Section 53630). Pursuant to California Government Code Sections 53635, 53637 and 53638, the money shall be deposited in any authorized depository with the objective of realizing maximum return, consistent with prudent financial management.

Subject to the applicable statutory requirements, no more than 25% of the District's total investment portfolio will be invested in a single security type or with a single financial institution. For purposes of this policy, the CCCIP is not considered a security type or financial institution.

- f) Authorized Transfers: Only the President and Vice President of the Board, and the Fire Chief are authorized to transfer funds between bank accounts and investments and they must do so with at least two signatures by the authorized parties.
- g) Authorized Investments: The District may invest in the investment instruments authorized by the California Government Code, subject to any conditions set forth in the California Government Code. Authorized investments shall include, as set forth below, investments into the CCCIP. Subject to prior Board approval, the District may also invest in the authorized investment instruments set forth in Section 8 below.
 1. Contra Costa County Investment Pool: The District's current policy is to invest in the CCCIP pursuant to California Government Code Sections 53600 et seq. Any change in that policy must be brought to the Board of Directors for approval.
- h) Authorized Investment Instruments Subject to Board Approval: If the District desires to change its policy of investing solely in the CCCIP, it must obtain prior Board approval. With prior Board approval, the District may utilize the following investment instruments:

1. United States Treasury notes, bonds, bills or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.
 2. Negotiable certificates of deposits issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by California Financial Code Section 5102), a state or federal credit union, or a state-licensed branch of a foreign bank.
- i) Prohibited Investments: The District shall not invest any funds in inverse floaters, range notes or interest-only strips that are derived from a pool of mortgages. The District shall not invest any funds in any security that could result in zero interest accrual if held to maturity; however, the District may hold this prohibited instrument until its maturity date. The limitation does not apply to investments in shares of beneficial interest issued by diversified management companies as set forth in California Government Code Section 53601.6.

214.4 Reporting. The Fire Chief may render a quarterly investment report to the Board of Directors. If a report is filed, it shall be submitted within 30 days of the end of the quarter covered by the report. The report shall include the following information:

- a) Type of investment, issuer, date of maturity, paramount, dollar amount invested on all securities, investments and money held by the District;
- b) Description of any of the District's funds, investments or programs that are under the management of contracted parties, including lending programs;
- c) For all securities held by the District and under management by any outside party that is not a local agency or the CCCIP, a current market value as of the date of the report and the source of this valuation;
- d) Statement that the portfolio complies with the Investment Policy or the manner in which the portfolio is not in compliance; and
- e) Statement that the District has the ability to meet its cash flow requirements for the next six months or provide an explanation as to why sufficient money shall or may not be available.

If the District places all of its investments in the CCCIP, in a National Credit Union Share Insurance Fund-insured accounts in a credit union, or in Federal Deposit Insurance Corporation-insured accounts in a bank or savings and loan association, in a county investment pool, or any combination of these, the Fire Chief may supply to the Board of Directors the most recent statements from these institutions to meet the requirements of items a-c above, with a supplemental report addressing items d and e above. (California Government Code Section 53646(b)-(e)).

Adopted as: Resolution 2014-29 on November 3, 2014

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 216

Revenue Enhancement, Cost Recovery/Fees for Service

**SUBJECT CATEGORY: SECTION 200,
ADMINISTRATION, FINANCIAL MANAGEMENT**

216: Revenue Enhancement, Cost Recovery/Fees for Service

216.1 It is the policy of the District to provide the levels of service required to adequately protect our community.

216.2 The District explores and adopts, when deemed appropriate and consistent with applicable laws, available mechanisms to enhance District revenues until the District has sufficient economic means to provide such service.

216.3 The District explores and adopts, when deemed appropriate and consistent with applicable laws, ways to recover the costs of providing fire protection and fire and medical emergency responses.

216.4 The District explores and adopts, when deemed appropriate and consistent with applicable laws, ways to fund services and capital resources required to respond to increased burdens associated with growth in the District's service area resulting from all forms of property development.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 217

Policy for Waivers and Appeals of Fees
and Authorizing Waivers of All District Fees

SUBJECT CATEGORY: SECTION 200,
ADMINISTRATION, FINANCIAL MANAGEMENT

217: Policy for Waivers and Appeals of Fees and Authorizing Waivers of All District Fees

217.1 The District has found that it does not have sufficient revenue to provide the services that it is charged with providing under the Fire Protection District Law of 1987 (California Health and Safety Code Section 13800 *et seq.*). The District is authorized under Health and Safety Code Section 13916 to recover its actual costs reasonably borne in providing its services, and the District has established a schedule of fees for the recovery of emergency medical first-responder, fire protection, hazardous material emergency response, and rescue service costs

217.2 The Fire Chief, or a designee, is authorized to waive any fee charged by the District when the Fire Chief, or designee, determines it is in the best interest of the District to do so:

- a) For any fee charged by the District, authorize the Fire Chief, or a designee, to accept the actual amount of payments made by insurance carriers and individuals, and to waive any difference between the invoiced fees and the amounts paid by the insurance carriers or individuals;
- b) For purposes of waivers under this Resolution, defines "in the best interest of the District" to include, but not be limited to, when the Fire Chief, or a designee, determines that a charged fee is non-collectible.

217.3 The Fire Chief, or a designee, is authorized to bill a fee directly to any individual who receives services for which the District has authorized the imposition of a fee if either:

- a) The individual does not provide with District with insurance information, or
- b) The individual's insurance carrier denies payment of the fee.

217.4 The Fire Chief, or a designee, is authorized to grant a waiver of a fee for financial hardship when an individual so requests and provides documentation that the Fire Chief, or designee, determines adequately supports the waiver request.

217.5 The Fire Chief, or a designee, is authorized to waive a fee if the individual who received the District-provided services has died.

217.6 The Fire Chief is authorized to delegate the administration of this waiver and appeals policy to any other public agency in Contra Costa County pursuant to Section 6 of Ordinance 2016-01 and Section 6 of Ordinance 2018-02.

Adopted as: Resolution 2016-02 on February 1, 2016 and Resolution 2016-04 on March 7, 2016, both repealed on October 1, 2008

Amended: Replaced by Resolution 2018-32 on October 1,

2018 Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 221

Record Retention

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| SUBJECT CATEGORY: SECTION 220, ADMINISTRATION, RECORD RETENTION |
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221: Record Retention

221.1 Purpose: The purpose of this Records Retention & Destruction Policy (Policy) is to establish comprehensive and uniform guidelines for cost-effective and efficient records management for the East Contra Costa Fire Protection District (District). The Policy will assist District efforts to streamline and organize its records by establishing procedures (Procedures) for the destruction of those records no longer required to be retained for business purposes or legal reasons.

221.2 Policy: It is the Policy of the District to maintain and dispose of records and information in accordance with accepted records management practices and standards, and all applicable state and federal laws.

221.3 Definition of "Record": The term "record" as used in this Policy shall mean: handwriting, typewriting, printing, photocopying, photographing, video recording, e-mail, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or a combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

221.4 Delegation of Authority to Implement Policy: By adopting this Policy, the Board of Directors grants to the Fire Chief, or his/her designee, the authority to interpret and implement this Policy, and to retain and destroy all District records as specified in this Policy and in the Procedures implementing this Policy.

221.5 General Guidelines:

- a) All District records must be retained in their original form for a minimum of **two years**, unless otherwise provided for in the Procedures implementing this Policy. The Fire Chief may authorize the destruction of any **duplicate** records, including duplicates less than two years old, if no longer needed.
- b) The District reserves the right to retain records longer than the recommended minimum retention period. Authority regarding retention periods for the records referenced herein is derived from the California Government Code, and from the Local Government Records Management Guidelines (February 2006) issued by the California Secretary of State.
- c) Except where a longer retention period is required hereunder or in the Procedures implementing this Policy, after two years, the District, with the Fire Chief's approval, may destroy any original document without the District retaining a record or copy of these documents.

- d) The District must retain **indefinitely** original records that are essential to:
- 1... Resume and/or continue operations;
 2. Re-create the legal and financial status of the District in case of a disaster; or
 3. Fulfill obligations to District residents, businesses, other service recipients and/or employees.
- e) The District must retain any record that is the subject of a pending request made pursuant to the California Public Records Act, whether or not the District has concluded that the record is exempt from disclosure, until the request has been granted or two years have elapsed since the District provided written notice to the requester that the request has been denied. (Gov't Code § 60201(d) (5).)

221.6 Implementing Procedures: The Board of Directors directs staff to follow the attached Procedures (Attachment A) in carrying out this Policy. These Procedures may be amended from time to time by the Fire Chief as laws and regulations change; as District needs evolve; and as records not addressed therein are created. Any amendments to the Procedures must be consistent with State and federal law and this Policy, and must further the intent of this Policy.

Adopted as: Policy 1-9 on February 6, 2017

Renumbered: December 12, 2018

Clerk of the Board

Board President

**ATTACHMENT A:
PROCEDURES IMPLEMENTING
EAST CONTRA COSTA FIRE PROTECTION DISTRICT
RECORDS RETENTION & DESTRUCTION POLICY**

PURPOSE

These procedures (Procedures) implement District Policy 221, Records Retention & Destruction Policy adopted by the East Contra Costa Fire Protection District (District). These Procedures provide guidance for the retention of records and may be amended from time to time by the Fire Chief in accordance with applicable law and in furtherance of District policies.

A. LEGAL HOLDS

Under certain circumstances, the District's Legal Counsel determines that destruction of records in accordance with the Retention Schedule must be suspended for certain individuals (including their emails) and/or certain categories of records. Legal holds are most often implemented in the following circumstances:

- A lawsuit filed by or against the District;
- Threatened or anticipated litigation known to the District;
- A government investigation conducted in connection with the District;
- Protection or enforcement of the District's legal rights; or Tax audits, assessments or other investigations.

Regardless of whether the Legal Counsel has issued a formal legal hold, no records may be destroyed, even if to do so would otherwise be compliant with the Retention Schedule, if they reasonably relate to ongoing or reasonably anticipated litigation, audits or governmental investigations. District personnel must immediately report to the Fire Chief any issues, claims, or disputes where litigation is threatened or reasonably foreseeable. Prompt reporting is critical in order for the District to take appropriate steps to impose a legal hold, to suspend destruction of relevant records (including pertinent emails), and to ensure the District's compliance with a legal obligation to preserve potential evidence. All questions regarding whether records or writings should be retained for legal or litigation purposes should be directed to the Fire Chief and Legal Counsel.

In case of a legal hold, Legal Counsel will coordinate with the Fire Chief to suspend automatic deletion of email for affected District personnel. Legal Counsel will disseminate instructions to affected District personnel to inform them what emails and other records must be retained. Although automatic email deletion will be suspended, affected District personnel must nevertheless take care not to manually delete email that are subject to the legal hold, and must not destroy relevant email or other records until Legal Counsel has notified them in writing that the legal hold has been lifted.

B. RETENTION SCHEDULE

All District records must be retained for a minimum of two years, unless otherwise provided for in these Procedures. The principal categories of records that may not be destroyed until such time as the applicable retention period has expired are as follows:

("Current" means the most recent version.)

RECORDS CATEGORY**RETENTION PERIOD**

| <u>RECORDS CATEGORY</u> | <u>RETENTION PERIOD</u> |
|--|--|
| Administration | |
| Audit Reports and Budget Documents | Permanent |
| Board and Committee Meeting Minutes and Packets including Final Resolutions and Ordinances | Permanent |
| Board of Directors' Form 700s | Maintain until term ends |
| Ballots for Property Assessments | 2 years |
| California Environmental Quality Act (CEQA) Records | Permanent |
| Hazard Abatement Records | Permanent |
| Historical records including records relating to formation, change of organization or reorganization of District | Permanent |
| Inspection Reports | Current |
| Journals, Fire Station | Current + 2 years |
| Organizational Charts | Current |
| Policies/Procedures | Current + 2 years |
| Recordings of Telephone and Radio Communications | 100 days |
| Tapes or Recordings of Board/Committee Meetings | Destroy 30 days after the taping or recording or after the Board has approved the minutes, whichever is longer |
| Budget and Financial Records | Audit year + 5 years |
| Contracts & Procurements | |
| Advertising for Notices of Public Hearings, RFPs, etc. | 4 years |
| Contracts for Capital Improvements | Permanent |

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| Contracts for Goods and Services | Audit + 5 years, or 4 years after contract terminates or expiration of warranty period, whichever is longer |
| Invitations for Bids and Requests for Proposals | 4 years |
| Purchase Orders | 4 years |
| Successful Bids and Proposals | 2 years |
| Unsuccessful Bids and Proposals | Award of contract or rejection of all bids or proposals |
| Duplicate Records | Destroy any time |
| Emails | |
| Emails in "2-Year" folder | Destroyed 2 years after the receipt or sending of the email |
| Emails in the "Permanent" folder | Destroyed after the applicable retention period passes |
| Transitory Emails in Inbox, Sent, and Deleted Items folders | Destroyed 30 days after the email enter the Inbox, Sent, and Deleted Items folders |
| Equipment, Supplies, and Vehicles | |
| Air Fill Station | 3 years |
| Equipment Maintenance | Active until maintenance complete + 2 years |
| Extrication Tools | Current service |
| Fire Sprinkler Inspections at Fire Stations | Current |
| Fuel Vault Service Records | 3 years |
| Garment Inspections | Life of garment |
| NFPA Standards Certifications | Permanent |
| Self-Contained Breathing Apparatus Maintenance | Current + 3 years |
| Surplus Property Disposal & Auction | Audit year + 4 years |
| Vehicle Records | Life of Vehicle + 2 years |

| Hazardous Materials | |
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| Hazardous Waste Disposal | Permanent |
| Hazardous Materials Storage Permits Sheets | Permanent |
| Material Safety Data Sheets | Current |
| Training Materials | Current + 2 years |
| Human Resources | |
| Application Records | 2 years |
| Personnel Records | Until employee termination or retirement + 30 years |
| Retiree Records | Permanent |
| Insurance | |
| Endorsements | Permanent |
| Insurance Certificates | Permanent |
| Insurance Policies | Permanent |
| Memoranda of Coverage | Permanent |
| Real Property | |
| Appraisals (Exempt until final acquisition or contract agreement obtained) | Closed + 2 years |
| Building Maintenance | All until lease terminates |
| Pending Construction Projects | Completion of Project + 2 years, or Expiration of Warranty period, whichever is longer |
| Records relating to sale, purchase, exchange, lease or rental of real property | Permanent |
| Records related to known pending claims, litigation or settlements | 5 years following resolution of claim or litigation |

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| Records stored on Microfilm or Other Electronic Media | The original record from which the electronic file is derived may be destroyed immediately if the electronic files cannot be altered, are accurately and fully reproduced on the electronic media, and are stored in accessible files. |
| Records subject of a pending Public Records Act (PRA) request | Until PRA request has been granted or two years have elapsed since the District provided written notice to the requester that the request has been denied. |
| Reports | |
| <p>Incident Reports</p> <p>In the event that the incident addressed in any accident/occurrence records are subject to claims or litigation involving the District, they shall be preserved for five years following resolution of the claim or litigation.</p> | Closed + 3 years |
| Investigation, Evidence of Arson | Closed + 3 years |
| Investigation, Evidence of Arson resulting in great bodily harm or damage to inhabited structure | Closed + 6 years |
| Investigation, Evidence of Arson resulting in homicide | Permanent |
| Inspections, Fire Prevention and Weed Abatement | Closed + 3 years |



Board Policy No. 231

Disposal of Surplus Property or Equipment

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| SUBJECT CATEGORY: SECTION 230, INVENTORY AND PROPERTY MANAGEMENT |
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231: Disposal of Surplus Property or Equipment

231.1 Purpose: To establish a policy and procedure for disposing of East Contra Costa Fire Protection District surplus property.

231.2 Policy: It is the policy of the District to dispose of all property that is of no further use to the District in a manner that maximizes income to the District. Property that has no further use shall be considered surplus property and the following procedures shall be used for its disposal.

231.3 Equipment And Other Personal Property:

- a) Staff identifies the property that is of no further use to the District.
- b) Staff establishes a fair market value, if any, for the surplus property and recommends the most appropriate disposal method will be determined.
- c) Staff determines if the item(s) is/are capital assets. Capital assets are defined as property with an original purchase price of \$10,000 or more. If the item(s) is/are capital assets, standard accounting procedures will be followed for recording the disposal.
- d) Disposal of all capital assets must be authorized by the District Board. Non-capital assets may be disposed of by authority of the Fire Chief
- e) Options for disposal are as follows:
 1. Sales: Surplus property may be offered for sale. District property cannot be sold to District Directors, employees or immediate family of District Directors or employees. All surplus property is for sale "as is" and "where is," with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or usability of the property offered for sale. Appropriate methods of sale are as follows:

Negotiated Sale to Another Fire Agency - Surplus property may be sold outright to another fire agency if the agency has notified the District of their interest in the item(s).

Public Auction - If appropriate for the dollar value of the item(s) being sold, the District may contract with a professional auctioneer to sell surplus property at a public auction.

On-line Auction - Surplus property may be listed on the District's website or an on-line auction company's web site for sale to the highest responsible bidder.

Sealed Bids - Sealed bids may be solicited for the sale of surplus property. Surplus property disposed of in this manner shall be sold to the highest bidder.

Negotiated Sale to an Individual - Surplus property may be sold to an individual if it is determined that only one known buyer is available or interested in acquiring the property.

Selling for Scrap - Surplus property may be sold as scrap if it is determined that the value of the raw material exceeds the value of the property as a whole.

Proceeds - Revenue from the sale of surplus property shall be returned to the Capital Improvement Fund, Equipment Replacement Fund or Operating Fund as determined by the Board (for capital assets) or the Fire Chief (for all other assets).

2. Trade-In: Property declared as surplus may be offered as a trade-in or for buy-back or credit toward the purchase of new property.
3. Donations: When donating surplus property, consideration shall be given to the potential needs of other agencies, using a priority methodology based on local agencies first, then outward to local jurisdictions and other agencies in adjacent and remote areas.

Provide notification of surplus property to local public agencies (e.g. any Fire Agency within Contra Costa County, California Department of Forestry and Fire Protection, or East Bay Regional Parks).

Provide notification of surplus property to other local government agencies (e.g., Cities of Brentwood, Oakley, or any other government agency associated with the communities that the District serves.)

Provide notification of surplus property to local school agencies (e.g., local colleges providing fire service-related curriculum).

Contact California State Firefighter's Association, CSFA, Surplus Equipment Placement Program, and dispose of equipment as appropriate.

4. Disposal as Junk: When the cost of locating a buyer exceeds the estimated sale price of surplus property, the item(s) may be destroyed or disposed of as junk.

All agencies, local jurisdictions or individuals that purchase or receive surplus property via donation from the District will sign a release/liability waiver with the express understanding that District assumes no

Responsibility whatsoever for the condition, use, operation or performance of the donated or sold equipment.

231.4 Real Estate:

- a) Staff identifies the property that is of no further use to the District.
- b) Staff establishes a reasonable fair market value for the property, through consultation with experts in local real estate or through appraisal.
- c) The designation of real property as surplus and its offer for sale must be authorized by the District Board after a public hearing. Notice of the public hearing shall be published in one newspaper of general circulation serving the District at least ten (10) days before the hearing, and posted on the District's web site for at least ten (10) days before the hearing.
- d) If the Board concurs that the property is surplus to the District's need, it shall authorize offering the property to local public agencies as required by Government Code section 54222 for not less than sixty (60) days, and thereafter a public offering for at least thirty (30) days. No property may be sold to Directors, employees or immediate family of Directors or District employees, and all surplus property is for sale "as is" and "where is," with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or usability of the property offered for sale.
- e) Staff shall bring all bids on the property to the Board for approval, together with a recommendation for sale. Subject to the public agency preferences required by law, sales shall be to the highest bidder that complies with all other terms of the offer. The Board shall have the right to reject all offers.
- f) Sales shall be subject to purchase and sale agreements that include the following provisions: a) the buyer to pay all costs of sale, including but not limited to escrow fees and any requested title insurance; b) no sales commissions; c) cash sale only; d) no assignment permitted; e) statement that the property is being sold "AS IS" with no warranties or representations as to condition; and f) a release/liability waiver with the express understanding that District assumes no responsibility whatsoever for the condition, use or operation of the property.
- g) Revenue from sales of surplus real property shall be returned to the Capital Improvement Fund.

Adopted as: Policy 1-7 on May 6, 2013

Amended: December 12, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 234
Expense Reimbursement Policy

**SUBJECT CATEGORY: SECTION 230,
INVENTORY AND PROPERTY MANAGEMENT**

234: Expense Reimbursement Policy

234.1 Purpose: The East Contra Costa Fire Protection District (District) is obligated to ensure that expenditures made by the District are solely for public purposes. The District also is responsible to taxpayers and the public to be prudent and wise in making those expenditures. The purpose of this Policy is to govern and provide for a process by which a member of the District's Board of Directors or a District employee may seek reimbursement for expenses that he or she has incurred in the conduct of agency business as authorized by the Board President for Directors and the Fire Chief, the Board Vice President for the Board President, and the Fire Chief for District employees. District Board members and employees should ensure that their proposed expenses are reimbursable before incurring the expenses.

In addition, the purpose of this Policy is to comply with Government Code Section 53232.2, which provides that if a local agency reimburses members of its legislative body for actual and necessary expenses incurred in the performance of official duties, then the agency's governing board must adopt a written policy, in a public meeting, specifying the types of activities that qualify for reimbursement of expenses such as those related to travel, meals and lodging.

234.2 Policy: It is the policy of the District to utilize a uniform set of standards in reimbursing District Board members and employees for authorized expenses incurred in the normal conduct of District business as set forth herein. Additional procedures are set forth in Attachment A, which may be amended from time to time by the Fire Chief in accordance with applicable laws and in furtherance of the purposes of this Policy.

234.3 Authorized Expenses: Expenses incurred in connection with the following types of activities generally constitute authorized and reimbursable expenses, and do not need pre-expense approval of the Board, as long as the other requirements of this Policy and implementing procedures are met:

- 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 Board members or District employees, so long as the skills and knowledge relate to their position with the District;
- c) Participating in regional, state and national organizations whose activities affect the District's interests;
- d) Providing essential lodging, travel, subsistence, and visitor gym fees where gym or fitness center services are not included in the cost of lodging or in a non-discretionary

Resort fee, when personnel are required by the District to respond to issues in other jurisdictions for firefighting purposes; and

All other expenses must be approved by the Board, in a public meeting, before the expense is incurred.

234.4 Expenses Not Eligible For Reimbursement:

Expenses that are not eligible for reimbursement include:

- a) The personal portion of any trip;
- b) Political or charitable contributions;
- c) Family expenses, including a partner's expenses when accompanying a Board member or an employee on District-related business, as well as child- or pet-related expenses;
- d) Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf-related expenses), or other cultural events;
- e) Alcohol/personal hotel honor bar expenses;
- f) Tips greater than 15 percent (unless automatically included in the bill);
- g) Regular commuting costs and personal automobile expenses, including for vehicle maintenance and repairs, traffic citations, insurance and gasoline; and
- h) Personal losses incurred while on District business.
- i) Visitor gym fees where the lodging includes free gym services.

Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred.

234.5 Transportation: Board members and employees are encouraged to use public transit and carpool to the maximum extent possible when travelling on District business. Personnel assigned District vehicles are encouraged to use these vehicles for District purposes as set forth in the District's Vehicle Use Policy. When transportation is needed for Directors or employees to travel for District business other than in District vehicles, costs are eligible for reimbursement as follows:

- a) Airfare: Airfares that are reasonable and economical (coach fare) are eligible for reimbursement. Ticket purchases should be made well in advance to take advantage of low fares when possible.
- b) Automobile: Personal automobile mileage is reimbursed at Internal Revenue Service (IRS) rates in effect at the time of travel. Tolls are eligible for reimbursement, unless the charges are incurred as part of the Director or employee's normal commute to or from the District.

Reimbursement for auto mileage will be capped at the cost of corresponding coach airfare for the same trip when it would be less expensive to fly than drive.

- c) Car Rental: Rental car costs and fees are authorized for reimbursement only when absolutely necessary and when other transportation is not feasible or car rental is more economical. Cars are to be reserved at a rate that does not exceed the standard-size car rate.
- d) Taxis: Taxi fares and gratuity (of no more than 15%) will be reimbursed only when shuttle or public transportation is not practical.
- e) Parking and Shuttles: Reasonable parking costs will be reimbursed. Long-term parking or shuttle service to and from the airport may be claimed as a miscellaneous expense for reimbursement.
- f). Public Transit: Actual fares for public transit will be reimbursed.

234.6 Lodging: Lodging costs are only reimbursable when Directors or personnel travel for purposes set forth in Section 234.3, above.

The District will not provide reimbursement for lodging to facilitate personnel being in the District for the beginning of a shift or to provide respite after or between shifts.

Lodging expenses at the single-room rate will be reimbursed or paid for when travel on District business reasonably requires an overnight stay. If such lodging is in connection with a conference, training or other educational activity, lodging expenses must not exceed the group rate published by the conference sponsor or training provider for the event in question, if such rates are available at the time of booking. If the group rate is not available, reimbursement will be limited to within a reasonable percentage of the U.S. General Services Administration (GSA) rate at the time of travel.

234.7 Meals & Incidental Expenses: Meals and incidental expenses are reimbursable whenever Directors or personnel travel for purposes set forth in Section 234.3 a-d, above, and as otherwise set forth below.

- a) Business Meetings: Actual and reasonable costs of business meals and gratuities are allowed when representing the District, regardless of geographic location.
- b) Conference, Seminar or Training: When Directors attend conferences, seminars and trainings for the District, reimbursements will be provided for the actual cost of meals, capped by the maximum established GSA for all meals, based on the locations of the events. Employees are entitled to reimbursement at the GSA rates for all meals not provided under conference, seminar and training registration fees.
- c) Gym Fees: Reasonable visitor gym fees are reimbursable where the lodging does not include a gym or fitness center.
- d) Alcohol: The District will not pay for alcohol or hotel-room personal bar/honor bar expenses.

- e) Other: Employees may be reimbursed for other meal costs under the following conditions:
1. When an overnight absence from the employee's normal area of operation is required.
 2. When the employee is performing emergency work and cannot leave the job during the normal meal period.
 3. When an exempt employee is required to work outside of their normal work hours.
 4. When a meal is purchased for non-District personnel performing a complimentary service for the District, e.g., serving on a District oral interview panel.
 5. When provided during staff meetings, open houses and other District-sponsored obligatory meetings.

234.8 Registration Fees: Registration fees for conferences or meetings will be reimbursed at actual cost.

234.9 Telephone/Fax/Internet: Board members and employees will be reimbursed for actual telephone, fax, or Internet connection expenses incurred for Fire District business. One personal call per day is allowed when calling home when traveling on Fire District business.

234.10 Reports to The Board: When a Board member attends a conference, training, seminar or other event for which he or she seeks reimbursement from the District, the Board member must submit a brief oral or written report at the next regular Board meeting. If multiple members attended, a joint report may be made.

234.11 Compliance with Laws: District Board members and employees should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All District expense reports, Travel Authorization Forms and accompanying documentation are public records subject to disclosure under the Public Records Act and other applicable laws.

234.12 Implementing Procedures: The District and its Board members and employees must follow the procedures adopted to implement this Policy. The procedures may be revised by the Fire Chief in compliance with all laws and in furtherance of this Policy.

234.13 Violation Of Policy: Misuse of public resources or falsifying expense reports in violation of District Policy or Procedures may result in any or all of the following:

- a) Loss of reimbursement privileges;
- b) Restitution to the District;
- c) The District reporting the expenses as income to State and Federal tax authorities;
- d) Civil Penalties of up to \$1,000 per day and three-times the value of the resources used;
- e) Prosecution for misuse of public resources;

- f) For employees, discipline up to and including employee termination; and
- g) For Board members, censure by the Board or such other measure as may be determined by the Board.

Adopted as: Policy 1-10 on June 6, 2016

Amended: December 12, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President

ATTACHMENT A:
PROCEDURES IMPLEMENTING
EAST CONTRA COSTA FIRE PROTECTION DISTRICT:
EXPENSE REIMBURSEMENT POLICY

1. PURPOSE

These procedures implement the East Contra Costa Fire Protection District (District) Expense Reimbursement Policy (Policy). The procedures provide guidance for how the District will reimburse Board members and employees for authorized expenses incurred in the normal conduct of District Business. These procedures may be amended from time to time by the Fire Chief in accordance with applicable laws and in furtherance of the Policy.

2. TRAVEL AUTHORIZATION FORM

- a. Travel authorization forms must be submitted before District travel to:
 - 1. Attend any meeting, conference, training or other event involving overnight accommodations;
 - 2. Travel outside of the counties of San Mateo, Santa Clara, San Francisco, Sacramento, Alameda, Contra Costa and Marin, other than when directed by the Fire Chief to provide fire emergency response;
- b. Travel Authorization Forms may only be approved:
 - 1. By the President of the District's Board of Directors (Board) for the other members of the Board and for the Fire Chief;
 - 2. By the Board Vice President for the Board President; and
 - 3. By the Fire Chief for all other District employees.

3. EXPENSE REPORT FORM SUBMISSIONS

- a. All cash advance expenditure reports and expense reimbursement requests must be submitted on an Expense Report Form provided by the District. Completed Expense Report Forms must document that the expense in question met the requirements of the Policy.
- b. Expense Report Forms must be submitted within thirty (30) calendar days of an expense being incurred, and must include the following attachments:
 - 1. Approved Travel Authorization Forms, when relevant for reimbursement of travel costs;
 - 2. Original receipts showing the claimed expenses (e.g., restaurant receipts as opposed to credit card receipts or statements), except for employee meals being reimbursed at per diem rates in accordance with the Policy;

3. Names and positions of participating individuals, as well as a description of the purpose of the meeting, for reimbursement of meals for individuals in addition to the Director or employee submitting therequest.
 4. A copy of the Program or Agenda of the event(s) attended, when relevant;
 5. In the event a Director or employee does not attend a planned trip and nonrefundable expenses have been incurred for registration, lodging and/or travel, a written explanation of the reasons for non-attendance; and
 6. When original receipts are required under these procedures, but have been lost, a duplicate receipt if available;
 7. If neither an original nor duplicate receipt is available, or if a receipt is not available for a small expenditure (e.g., parking meters), a detailed explanation of the expenditure and explanation of which receipts are not available; and
 8. Telephone bills identifying calls made on Fire District business, when relevant.
- c. Expense Report Forms may only be approved:
1. By the Board President for the other members of the Board of Directors and for the Fire Chief;
 2. By the Board Vice President for the Board President; and
 3. By the Fire Chief for all other District employees. The Fire Chief has the discretion to approve employee expenses that occur under unusual circumstances when there is clearly a benefit to the District.

4. **ADVANCE OF FUNDS - EMPLOYEES ONLY**

- a. From time to time, it may be necessary for an employee to request a cash advance to cover anticipated expenses while traveling or doing business on the District's behalf.
- b. Such requests must be submitted to the Fire Chief on an Expense Report Form with a copy of the approved Travel Authorization Form (if applicable). The advance of funds cannot exceed the amount listed in the approved Travel Authorization Form.
- c. Overpayment on advances shall be repaid no later than seven (7) calendar days after the subject purchase is made or the employee returns from the subject travel, unless an extension of time is provided by the FireChief.
- d. No employee will be permitted an advance if that employee has an outstanding expense report.

5. **AUDITS OF EXPENSE REPORTS**

All evidence of expenses and related documentation are subject to verification that they comply with the Policy and these Procedures.



Board Policy No. 236
Naming of District Facilities

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| | SUBJECT CATEGORY: SECTION 230, INVENTORY AND PROPERTY MANAGEMENT |
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236: Naming of District Facilities

236.1 Purpose: These guidelines are intended to establish rules and procedures for naming District facilities (including fire stations), sections of facilities, or rooms within the facilities. This policy also applies to the naming of any exterior spaces of District facilities (e.g., training grounds, parking areas, and front gardens) as deemed appropriate. The policy is intended for use in limited circumstances and to reflect the wishes of District operational personnel and leadership.

The intent of naming a Facility or Special Feature is for permanent recognition. Therefore, any request of the District to rename a Facility or Specific Feature should be subject to examination so as to not diminish the original justification for the name.

236.2 Definitions: "Facilities" are buildings or amenities owned and/or managed by the District to conduct District business.

"Specific features" are amenities that could be located within or as part of a facility.

236.3 Naming Policy: It is the policy of the District to name District facilities and Specific Features in honor of personnel who have made significant, unique and lasting contributions to the legacy of the District.

236.4 Procedures: The District's procedures for naming a Facility or Specific Feature are:

- a) Any active member of the District's operations personnel may propose to any District Battalion Chief that a District Facility or Specific Feature be named for a qualified honoree.
- b) The Battalion Chief works with the nominating personnel to prepare a written proposal describing how the suggested honoree made one or more significant, unique and lasting contributions to the legacy of the District.
- c) The Battalion Chief involved then presents the proposal to the rest of the Battalion Chiefs.
- d) If the Battalion Chiefs determine that the proposal should be submitted to the Board of Directors for approval, the Battalion Chiefs identify which of them will work with the Business Services Manager to prepare the proposal for consideration by the Board of an upcoming Board of Directors meeting.
- e) Before a proposal is made to the Board of Directors, the Fire Chief, or a designee, must get approval from the honoree, if living, or family of the honoree is deceased, to proceed with Board consideration.

- f) Upon approval of the honoree or family of the proposed honoree, the Board of Directors may grant or deny the request. The Board of Directors may choose to name a different Facility or Specific Feature for the proposed honoree with the concurrence of the Fire Chief and Battalion Chiefs.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 238

Flag Display Policy

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| | SUBJECT CATEGORY: SECTION 230, INVENTORY AND PROPERTY MANAGEMENT |
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238: Flag Display Policy

238.1 Purpose: The purpose of this policy is to maintain consistency and ensure proper respect for the flag. The following policy is also adopted to ensure the proper care and display.

238.2 Policy:

- a) Flags should be displayed in conformance with Federal and State law (4 U.S.C. § 1 et seq. and the State of California Government Code § 430 –439).
- b) To establish a policy with respect to the location, time, and manner the flags should be displayed, the following procedures should be followed.
- c) The Fire Chief or his designee shall be responsible for ensuring the proper execution of this policy at all district facilities.

238.3 Location of the flags The flag of the United States (“National flag”) and the flag of the State of California (“State flag”) shall be prominently displayed:

- a) In all rooms where the District’s Board of Directors meets.
- b) At each public building belonging to the District.

The flags should be displayed daily on or near the main entrance of the building.

238.4 Display of the flags:

- a) The National flag and State flag shall be the same size.
- b) If only one flagpole is used for the display of both flags, the National flag shall be placed above the State flag and the State flag shall be hung in such a manner as not to interfere with any part of the National flag. The National flag shall be placed in the higher position than the State flag at all times.
- c) Flags flown outdoors shall be all-weather flags.

238.5 Time of Display:

- a) The National flag and State flag should only be displayed outdoors from sun-rise to sunset, unless the flags are properly illuminated during the hours of darkness.
- b) If the flags are not illuminated then they shall be raised after sunrise, and lowered prior to sunset from the flagpole daily.

238.6 Days of Display:

The flags should be displayed on all days, especially on:

- New Year's Day, January 1
- Inauguration Day, January 20
- Martin Luther King Jr.'s birthday, third Monday in January
- Lincoln's Birthday, February 12
- Washington's Birthday, third Monday in February
- National Vietnam War Veterans Day, March 29
- Easter Sunday (variable)
- Mother's Day, second Sunday in May
- Armed Forces Day, third Saturday in May
- Memorial Day (half-staff until noon), the last Monday in May
- Flag Day, June 14
- Father's Day, third Sunday in June
- Independence Day, July 4
- National Korean War Veterans Armistice Day, July 27
- Labor Day, first Monday in September
- Constitution Day, September 17
- Columbus Day, second Monday in October
- Navy Day, October 27
- Veterans Day, November 11
- Thanksgiving Day, fourth Thursday in November
- Christmas Day, December 25
- The birthday of the State of California (date of admission), September 9
- State holidays or any other such days as may be proclaimed by the President of the United States.

238.7 Half-Staff Flags:

- a) The flags should be flown at half-staff on the following days:
- Peace Officers' Day, May 15
 - Memorial Day (flag shall be flown at half-staff only until noon and then raised to the top of the staff), the last Monday in May
 - Patriot Day, September 11
 - Pearl Harbor Day, December 7
 - In response to a national or state declaration
 - Upon the death of the following: President, former President, Vice President, former Vice President, Chief Justice or retired Chief Justice of the U. S., Speaker of the House of Representatives, Associate Justice of the Supreme Court, a member of the Cabinet, President pro tempore of the Senate, Majority Leader of the House of Representatives, Minority Leader of the House of Representatives, member of Congress, a State Governor. (*Citation: Federal Flag Code, Title 4, Section 7(m)*)
 - Upon the death of a Firefighter working within Contra Costa County or any county bordering Contra Costa County killed in the line of duty. Flags will be flown at half-staff from the date of death until interment
 - Upon the death of a Police Officer working within Contra Costa County or any county bordering Contra Costa County killed in the line of duty. Flags will be flown at half-staff from the date of death until interment
 - Upon the District's receipt of notice of the death of a current or retired District employee, flags will be flown at half-staff until the burial of the deceased, but not for more than three days. When the funeral occurs more than three days from the date of death, the flags will then again be flown at half-staff on the burial day
- b) Flags should also be flown at half-staff upon the death of a United States president, California State Governor, or other principal figure of the United States or State Government as a mark of respect to their memory. In the event of the death of other officials, foreign dignitaries, or a member of the Armed Forces, the flag is to be displayed at half-staff according to President (or Governor) instructions.
- c) The term "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff.
- d) To display the flag at half-staff, first raise it briskly to the full height, and then lower it ceremoniously to half-staff. When a district office is closed, and no staff is available to lower the flag to half-staff, then the flag should not be flown.
- e) The flying of flags at half-staff shall be coordinated among the district's offices. The Fire Chief or designee shall be responsible for coordinating. Except for the days listed in Section b above, approval shall otherwise be obtained from the Fire Chief or designee

Prior to flying flags at half-staff. When a staff member is aware of a situation, which would seem to be appropriate to fly the flags at half-staff, he/she should advise the Fire Chief or Designee and obtain direction.

238.7 The State flag or any other flag shall never be placed above the National flag; thus, all other flags shall also fly at half-staff when the National flag flies at half-staff or shall be removed.

238.8 Whenever the flag is required to be flown at half-staff, a memorandum including:

- a) The purpose.
- b) The duration and
- c) Whether staff should wear the mourning bands on their badges. The memorandum will be distributed to all District employees and Board members. The memorandum will be issued by the on-duty Battalion Chief. If the on-duty Battalion Chief is unavailable, the memo will be issued by the Administrative Battalion Chief. If neither of these individuals are available, the memo will be issued by the Business Services Manager. If none of these individuals are available, the memo will be issued by the Fire Chief.

238.9 Care and Removal of the flags:

- a) The flags should be hoisted briskly and lowered ceremoniously.
- b) Upon being removed from the flagpole, the National flag should be properly folded into the shape of a triangle. It should be folded as follows:
 1. Begin by holding the flag so that its surface is parallel to the ground.
 2. Fold the flag in half twice, length-wise.
 3. Fold one corner into the opposite side of the flag, forming triangle.
 4. Repeat this triangular folding until only a strip of the star field shows.
 5. Tuck the remaining strip into the triangle.
- c) When the flag is completely folded, only a triangular blue field of stars should be visible.
- d) Note that the folding procedure identified in Section b above only applies to the National flag, not the State flag.
- e) When not on the flagpole, the flags should not be left unfolded, nor should they be allowed to touch or lie on the ground. Flags should be properly stored to ensure their safekeeping. Flag should never be stored in such a manner as to permit it to be easily torn, soiled, or damaged in anyway.
- f) Questions regarding the display or care of the flags should be directed to the Fire Chief or Designee.

238.10 Administration staff shall maintain subscriptions to half-staff notification sites:

Administration staff shall notify the District facilities in advance of occasions authorized by the Flag Code and this Policy that require the flags be flown at half-staff.

In the event of an unscheduled occasion requiring the flags to be lowered to half-staff, administration staff shall immediately notify on duty personnel at District facilities of the event and the duration of which the flags should remain lowered.

Staff shall raise the flags to its peak for a moment prior to lowering them to half-staff in accordance with flag etiquette. As no other flag should be flown above the United States Flag, it shall be lowered last and raised first.

The Fire Chief or designee shall also notify the Directors of the Board when flags are lowered to half-staff and the reasons for lowering.

Adopted as: Policy 1-6 on March 4, 2013

Amended: December 12, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 239
Donated Structures Policy

**SUBJECT CATEGORY: SECTION 230,
INVENTORY AND PROPERTY MANAGEMENT**

239: Donated Structures Policy

239.1 Introduction: This Policy for Receiving Donated Access to Structures for Training permits the District to obtain access, for training purposes, to structures that have been scheduled for demolition, at no direct cost to the District.

This Policy supports the District's Live Fire Training Program (Program) and addresses situations in which: (a) access to a building is donated; (b) the property owner agrees to execute a license, waiver and release in the District's favor; and (c) training would provide fire and emergency response personnel with opportunities to train in circumstances similar to those in which they could be expected to respond to fire and medical emergencies within the District.

The Program is designed to train suppression personnel in procedures normally performed during emergency situations. This training may be the only opportunity for suppression personnel to perform certain tasks outside of an emergency. Many of these procedures, such as Forcible Entry, Wall and Ceiling Breaching (for rescue and overhaul), Vertical Ventilation, Emergency Shoring of Collapsed Structures, and Live Fire Training, will result in destruction of or damage to a structure; therefore, donated access to these structures will provide an excellent and rare opportunity for hands-on training that is very realistic.

239.2 Purpose: The purposes of the Policy are to establish guidelines for District employees to follow when accepting and managing potential donations of building access; to establish guidelines for evaluating potential donations; and to establish procedures to be followed in preparing, operating at, and leaving a donated structure.

239.3 Policy: It is the policy of the District that any potential donation of access to buildings for training purposes be evaluated for (a) the property's value and safety as a training location, (b) potential impacts of potentially destructive training on the surrounding area, and (c) the availability of time on the District's Operations Calendar.

It is the policy of the District that, prior to any District operations at a donated property, the donating party must be given this Policy for review, and both the donating party and the Fire Chief, or a designee, must sign a "Release and Indemnity Agreement." Proof of clear title and removal of insurance must first be provided by the donating party.

It is the policy of the District that NFPA 1403 (Standard on Live Fire Training Evolutions) be followed where appropriate while preparing and operating at a donated structure.

Finally, it is the policy of the District that demolition and removal of a donated structure remains the responsibility of the donating party, and without assistance from the District.

239.4 Procedures:

a) Responding to an Inquiry/Offer:

When an inquiry or offer is made to the District, staff must take the name of the person making the offer, obtain his or her contact information (address, phone, e-mail, etc.), and refer the inquiring party to the Training Division.

b) Due Diligence; Building and Training Preparations:

Before accessing the property:

1. The District must explain the Program to the donating party (is) and send all related documents to the inquiring party for review.
2. The District must gather information on the property including, at least: the building address; building type (commercial, residence, other); whether the building is vacant or occupied; whether there are hazards around the property that make access dangerous (such as a garage with hazardous substances stored or spilled inside), the date the property will be available, and the planned demolition date.
3. The Training Division Chief or a Training Captain must view the structure and evaluate it in accordance with the factors listed in section 239.3 of this Policy.
4. The District must obtain sufficient evidence of ownership of the property and removal of insurance, as determined in conjunction with Legal Counsel.
5. The Training Division Chief, in conjunction with an Operations Chief and after conferring with the Training Captains, must decide whether the District will accept the offered donation and use of the structure.
6. The property owner must be informed of the District's decision.
7. Should the property owner wish to donate the property under the parameters of the program, the District and the property owner must sign and enter into a "Release and Indemnity Agreement" in a form approved by Legal counsel. The District will provide an original or a copy to the donor and retain an original of the fully executed agreement.
8. The training will be planned and scheduled on the Operations Calendar.
9. The District must obtain all necessary permits and approvals. As of adoption of this Policy, required permits and approvals for "Live Fire Training" include the Bay Area Air Quality Management District Regulation 5 Notice and Regulation 11, Rule 2 Notification and confirmation of "burn day status" on the day of the planned burn.
10. The Training Division must prepare the training site using appropriate safety guidelines.
11. The District must provide residents and businesses in the surrounding neighborhood with notice of the planned training. The Training Division Chief will respond to any inquiries or concerns. Serious consideration should be given to all neighborhood concerns.
12. The District must develop an Incident Action Plan (IAP), including approval of the District

Operations Battalion Chief.

13. The District must inform Contra Costa County Regional Dispatch Center will be informed of the planned training.

c) During and After the Training:

In addition to all requirements established in the permits and authorizations granted for the training, and applicable NFPA standards:

1. The District must evaluate neighborhood impacts continually during each training. Training should be stopped if any unsafe condition exists.
2. The District must keep Contra Costa County Regional Dispatch Center updated continually during each training, as appropriate.
3. The property should be left in as safe a condition as possible and appropriate.
4. The property owner should be encouraged to either complete demolition as soon as possible following training or fence-off the property.
5. The District will provide a "Thank You" letter to the donating party stating the training accomplished at the donated structure. This letter will include the District's Federal ID# for tax purposes.
6. If requested, the Training Division Chief will sign the donating party's IRS form 8283, verifying the donation.

Adopted as: Policy 1-11 on February 6, 2017

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 241
Emergency Preparedness

**SUBJECT CATEGORY: SECTION 240,
HEALTH, SAFETY & SECURITY**

241: Emergency Preparedness

241.1 It is the policy of the District to create and maintain an active emergency preparedness program to manage the District's critical functions during any emergency and to protect District staff. The District will coordinate the emergency plan, function and response with those responders from the public and private entities and organizations charged with emergency services.

241.2 Emergency Defined: "Emergency" means the actual or threatened existence of conditions of disaster or of extreme peril to critical District functions and the health and safety of staff or the public, caused by such conditions as fire, severe storm, riot, hazardous materials releases, earthquake, power outages, dam failures, freezes, water supply contamination, and other conditions which may be beyond the capability of the services, personnel, equipment, and facilities of this District, and response to which may require the combined forces of other agencies.

241.3 Emergency Preparedness: The Board of Directors authorizes the establishment of an Emergency Preparedness Program, which consists of the nationally-recognized four phases of emergency management: mitigation, preparedness/planning, response, and recovery. District actions will include developing and maintaining a District-wide emergency plan, identifying and training District staff to activate and use the plan, appointing District staff to critical positions identified in the emergency plan, and appointing staff to represent the District in negotiations or consultations with other agencies on matters pertaining to response to the emergency and recovery of damaged systems and costs incurred during the emergency.

241.4 Standardized Emergency Management System: The California Office of Emergency Services regulates the Standardized Emergency Management System (SEMS), which was created pursuant to Government Code § 8607 following the East Bay Hills Firestorm in 1991. To ensure reimbursement for claims filed after a disaster, all District emergency plans, procedures, and training will follow the SEMS regulations, and coordinate with the District-wide emergency plan.

241.5 District Emergency Declaration: When an emergency condition arises, the Fire Chief may, in consultation with the Board President, contact the city manager, county administrator of the city/cities/county where the emergency exists if there is a need to call a local emergency. The Board must ratify the declaration within 14 days at a regular, special or emergency Board meeting.

241.6 Authorization during District Emergencies: The Fire Chief's Declaration of a District Emergency is a public acknowledgement of the serious situation the District faces, and that the District's resources may not be adequate to respond to the emergency. In the case of an emergency, the Board of Directors, must respond to the emergency pursuant to chapter 2.5 of

The Public Contract Code (commencing with Section 22050) if notice for bids to let contracts will not be given.

241.7 Mutual Aid: The California Master Mutual Aid Agreement (Government Code §§ 8561–8619.5) allows for the implementation of mutual aid during threatened, actual, or declared emergencies. The Fire Chief, in accordance with the Emergency Plan, may request mutual aid assistance from other agencies, or commit District resources to other agencies requesting aid. The Fire Chief may sign appropriate documents to effectuate mutual aid and other emergency response agreements.

241.8 Continuity of Management: The District’s emergency plan will list at least two successors to critical staff identified in the plan, including the Fire Chief. If the primary person is unable to respond to an emergency, each successor, in order, may assume all the duties and powers of the primary person.

241.9 Status Reports: The Fire Chief will provide annual reports to the Board of Directors on the progress of the Emergency Preparedness Program. Additional reports will be given to the Board on the effectiveness of the plan and District response within 60 days of the occurrence of a declared District Emergency.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 242

Emergency Response Guidelines for
Hostile or Violent Incidents

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| SUBJECT CATEGORY: SECTION 240, HEALTH, SAFETY & SECURITY |
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242: Emergency Response Guidelines for Hostile or Violent Incidents

242.1 Purpose of the Policy: To provide direction for the District Board of Directors and staff regarding responses to hostile or violent incidents including possible armed intruders or related threats on District facilities or properties.

242.2 Background: The potential for hostile or violent incidents on District facilities or operational locations always exists. Recent incidents involving armed intruders have occurred in increasing frequency involving injuries and deaths at government institutions, offices and educational facilities. Often, an intruder is a person who is an ex-employee, customer, or person known to the agency. The person often is upset at an event or person who works at the facility. However, armed intruders can be any person with or without a prior relationship with the District or its officers and employees. Incidents involving armed intruders can escalate to include multiple persons and potentially taking of hostages, including District customers.

Threats of these types are dire emergencies and the safety and well-being of employees and/or customers is the District's highest priority.

242.3 Response to an Incident: Any evidence of the exposure to a hostile or violent person or situation on District facilities or operating areas should be taken seriously. Any District Director or employee observing or sensing that a violent or hostile situation is occurring or threatened should consider precautionary and safety actions. Any event resulting in awareness of a possible violent act including gunfire, explosion, fighting, or scuffling could indicate an incident of violent potential. Any staff person observing such potential activities should take steps to protect themselves and others on the District premises, including but not limited to:

- a) Attempt to communicate the situation to everyone in the facility by means of telephone, paging, and email and/or radio system including basic information that a potential incident is occurring. If a perpetrator(s) is seen or known, information on the person(s) should be provided.
- b) Since different types and levels of workplace violence may require various responses, establishing basic information on the type of event is essential. Examples are:
 1. Gunfire: Awareness of gunfire in a District facility should result in evacuation to the extent possible. If not possible, securing of rooms or offices and notification of others by phone or email is encouraged. Calling emergency services via 911 is imperative once it is safe to do so. Remain in the most secure location possible until contacted by public safety personnel or a facility supervisor, etc.
 2. Explosion: An explosion could occur naturally or by violent intention. Awareness of an explosion or fire in the facility should result in immediate evacuation in accordance with established fire safety procedures. Response to a planned location is important so safety personnel can determine who is out of the facility.

3. Physical or bomb threat: Awareness of a telephone or in-person threat to facility or staff should be met with action to evacuate and clear staff from the threatened area. Calling 911 as soon as it is safe to do so is imperative.
4. Situations involving hostages: If a possible hostage incident is known, evacuation of the facility is paramount to safety of persons in the area. Contact 911 as soon as it is safe to do so.
5. Irrate customer/threat at counter or meeting: When any person threatens a staff person or customer at a District facility in a manner causing fear for safety, action to summon public safety personnel by 911 should be taken. In no way should steps be taken to physically confront or subdue such a person except in defense of life at the facility. If a volatile situation occurs at a Board of Directors or other public meeting, the person chairing or hosting the meeting should take steps to control the situation or adjourn the meeting to abate the confrontation, if possible. In event of threatening or hostile situation, call 911 immediately and proceed with evacuation or other appropriate actions.

242.4 Planning for Emergency Incidents: Steps should be taken to plan response capabilities for emergencies in addition to fires, earthquakes, etc. that may involve hostile situations. These include but are not limited to:

- a) Preparation of a facility evacuation plan for each room. Post the plan at each doorway and hallway exit. Establish a safe area zone for staging.
- b) Procedures to lock both exterior and interior doors to secure the facility.
- c) Training of all personnel in dealing with customers, employees and other persons in threatening situations and in how to identify and assess potential threats or volatile situations. All employees assigned or expected to serve at the front desk or counter shall receive such training regularly.

All employees and members of the Board of Directors shall receive training on response to violent or hostile incidents. In the event of a potential incident, employees should notify a supervisor or the Fire Chief as may be possible or call 911. If assessment of a possible threat is needed, the Fire Chief or ranking staff person shall be notified. Public safety agency shall be contacted by 911 whenever a perceived threat is considered valid.

242.5 Actions for Violent or Armed Threat Situation: The existence or potential for an event involving a violent person or armed intruder at a District facility should be considered an emergency condition. Actions could include some or all of:

- a) Notify your supervisor or Fire Chief and other staff immediately if a threat is received but not actively in process. If validated, contact public safety by calling 911 immediately.
- b) The Fire Chief or ranking staff member shall evaluate the situation and consider appropriate actions including shutting down operations and evacuation and/or locking down the facility until public safety response abates the threat.
- c) Initiate notification of other facility staff of active threat by emergency code procedure. Evacuate the facility if possible. Secure money or computer equipment if time allows.
- d) Activate an alarm for notifying other staff or an alarm company if one is engaged by the District. A call contact would be included in procedure to double check for safety at the facility.
- e) Upon sighting an armed intruder, an alert to all employees should be made by page, email, or radio.

- f) Secure your work area or evacuate if safely possible. If not able to evacuate, find a safe hiding place and stay put until contacted by public safety personnel.
- g) Once outdoors after an evacuation, proceed to designated staging area to report in for identification. Inform public safety personnel of any information on the incident.
- h) Attempt to remain calm and assist others; wait for instructions from public safety or supervisory personnel.
- i) Do not attempt to look around to see what is happening. Evacuate whenever possible and with others in areas you see directly. Do not confront or attempt to apprehend a violent perpetrator unless directly attacked for self-defense. Do not assume someone already called 911, call them immediately.

242.6 Post Event Actions: Following the clear announcement of ending of a violent or hostile-person situation, contact public safety or supervisory personnel for instructions. Report any first hand observations or other knowledge of the incident. Contact your family and immediate friends so they will not take any unnecessary actions to respond to new reports. Await direction as to return to work or other steps dependent on level of the incident. If not able to do so, consult with your supervisor or notify the ranking person on-site.

An Emergency Response Coordinator shall evaluate and debrief any major incident and take needed steps to abate the conditions after the event and prepare as necessary for continued operations. Planning and actions to address conditions are expected and your input via your supervisor is important. There may be the potential to lock-down or close the facility for some time or other corrective steps. If necessary, seek direction on what actions you should take to assist in procedure.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 243
Workers' Compensation

SUBJECT CATEGORY: SECTION 240,
HEALTH, SAFETY & SECURITY

243: Workers' Compensation

243.1 All employees are covered for Workers' Compensation, effective the first day of employment. Workers' Compensation provides employees and/or their beneficiaries with certain benefits in the event of a work related illness, injury, or accidental death. The District pays the full cost of this coverage, whether through a self-insurance mechanism or an insurance product. If an employee sustains a work-related illness or injury, he or she must report the illness or injury to the Business Services Manager or his or her supervisor in the absence of the Business Services Manager, within 24 hours of the occurrence. Failure to do so could result in a delay of benefits.

243.2 All payments for lost wages or salary due to a work-related illness or injury, medical treatment, and any other benefits will be made by the workers' compensation claims administrator or insurance carrier as required by law. Workers' Compensation benefit payments may be coordinated with any accrued sick leave or vacation leave as part of a medical or disability leave of absence. For more information about Workers' Compensation benefits, employees shall contact the Business Services Manager or their supervisor.

243.3 The District provides medical treatment for work-related injuries and illnesses through designated hospitals or clinics. Clinics are selected due to their experience in treating work-related injuries; an emergency hospital may be needed in major injury situations and used for first treatment pending added review by the Business Services Manager.

243.4 Employees who are injured in a work-related accident will be referred to the designated clinic unless the District has received a written notice that the employee wishes to be treated by his/her own health care provider. This notification must have been submitted to the employee's supervisor before any injury.

243.5 Any supervisor who learns that an employee has incurred a work-related illness or injury shall provide that employee with a notice of his or her right to seek workers' compensation benefits in a form provided by the Business Services Manager and shall promptly report doing so to the Business Services Manager.

243.6 Notices of workers compensation benefits shall be posted annually as required by California law by or at the direction of the Business Services Manager. A form for such notices is available at: <https://www.dir.ca.gov/dwc/NoticePoster.pdf>.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 245

Workplace Violence Prevention Policy

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| SUBJECT CATEGORY: SECTION 240, HEALTH, SAFETY & SECURITY |
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245: Workplace Violence Prevention Policy

245.1 The District is committed to providing a safe work environment that is free of violence and the threat of violence. Effectively handling critical workplace incidents, especially those dealing with actual or potential violence, is a top priority.

245.2 Violence, or the threat of violence, against or by any employee of the District or any other person is unacceptable.

- a) Should a non-employee or elected official, on District property, demonstrate or threaten violent behavior the District will call law enforcement and he/she may be subject to criminal prosecution.
- b) Should an employee demonstrate or threaten violent behavior, he/she may be subject to disciplinary action up to and including termination.

245.3. The following actions are considered violent acts:

- a) Striking, punching, slapping, or otherwise assaulting another person.
- b) Fighting or challenging another person to a fight.
- c) Grabbing, pinching or touching another person in an unwanted way whether sexually or otherwise.
- d) Engaging in dangerous, threatening or unwanted horseplay.
- e) Engaging in a pattern of unwanted or intrusive behavior against another person or persons, including without limitation, spying and stalking;
- f) Possession, use, or threat of use, of a gun, knife or other weapon of any kind on District property, including parking lots, other interior and exterior premises, District vehicles and vessels, or while engaged in activities for the District in other locations, unless such possession or use is a requirement of the job.
- g) Verbal assaults. Verbal assaults are statements that would place a reasonable person in fear of harm for the safety of himself/herself or others and that serve no legitimate workplace purpose.
- h) Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.

i) Damaging, or threatening to damage, District property or the property of another.

245.4 Any employee or District elected official who is a victim of any violent threatening or harassing conduct, any employee or District elected official witness to such conduct, or any employee or District elected official receiving a report of such conduct, whether the perpetrator District employee or a non-employee, shall immediately report the incident to their supervisor or other appropriate person in the chain of command.

245.5 No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment by the District.

245.6 Any employee reported to be a perpetrator, will be provided both due process and representation before the District takes disciplinary action.

245.7 Anyone who fears for the safety of persons at the scene of the violent act should call law enforcement. In cases of emergency, immediately call 911.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 261

Customer Relations

**SUBJECT CATEGORY: SECTION 260,
COMMUNICATIONS & TECHNOLOGY**

261: Customer Relations

261.1 Employees are expected to be polite, courteous, prompt, and attentive to every customer. Never regard a customer's question or concern as an interruption or an annoyance. All employees must make every effort to achieve complete, accurate, and timely communications - responding promptly and courteously to all proper requests for information and to all complaints.

261.2 Employees may not place a telephone caller on hold for an extended period. Employees must direct incoming calls to the appropriate person and make sure the call is received. Through their conduct, employees must show a desire to assist the customer in obtaining the help he or she needs. If the employee is unable to help a person requesting assistance, the employee is expected to find someone who can.

261.3 All correspondence and documents, whether to customers or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates the District's commitment to those with whom we do business.

261.4 When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, the on-duty Battalion Chief, Administrative Battalion Chief or Business Services Manager should be called immediately for assistance. Employees should never argue with a customer. If problems develop or if customers remain dissatisfied, employees must ask their supervisors to assist in a resolution.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 262

Press Relations

**SUBJECT CATEGORY: SECTION 260,
COMMUNICATIONS & TECHNOLOGY**

262: Press Relations

262.1 Purpose: The purpose of this policy is to provide for an orderly presentation to the press of factual information about District activities and Board action.

262.2 Press Relations: The Fire Chief, or designee, is hereby designated as the official of the District to represent the District to the press. Employees of the District shall refer all press inquiries to the Fire Chief and/or his designee. Board members and other District officials are encouraged to refer press inquiries regarding District activities and Board actions to the Fire Chief or the President of the Board.

Individual Board members should take care not to represent their own opinions as those of the Board or the District, even when those opinions coincide with formal Board action. When submitting an opinion piece, column, letter to the editor, blog post or other such communication for online or print publication as an individual (as opposed to as a representative of the District), the author(s) is encouraged to include a statement such as: "This opinion is my own and does not reflect an official position of the East Contra Costa Fire Protection District."

262.3 Press Releases: Press releases regarding the District shall be approved by the Fire Chief and the President of the Board.

Adopted as: Policy 1-3.33 on February 3, 2010, Repealed February 5, 2018

Amended: Replaced on December 12, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 264
Use of District Website

**SUBJECT CATEGORY: SECTION 260,
COMMUNICATIONS & TECHNOLOGY**

264: Use of District Website

264.1 Purpose: This Policy for the Use of East Contra Costa Fire Protect District's (District) Website will guide the process for altering the content of the District's website and ensure that the information provided on the District's website is accurate.

264.2 Policy: It is the Policy of the District to develop and maintain a website that is consistent with the District's mission, policies, and applicable law. The District's website is a public resource which cannot be used for campaign activity, or personal or other purposes which are not authorized by law. (Cal. Const art. XVI, § 6; Pen. Code § 424; Gov't Code § 8314.)

264.3 Delegation of Authority to Implement Policy: By adopting this Policy, the Board of Directors grants to the Fire Chief, or his/her designee, the authority to interpret and implement this Policy and to serve as the District web manager who will develop, curate, design, and maintain the District's website and all associated content. The Fire Chief will develop a website privacy policy and update said policy as required.

264.4 Procedure for Requesting Website Posting: Any District Board Director, official or employee may request that information be posted on the District website by submitting a request to the Fire Chief in Microsoft Word format as an email attachment or in any other format(s) that the Fire Chief deems acceptable. It is the submitter's responsibility to check the item for accuracy both prior to submission and after posting to the District's website to ensure no inadvertent errors appear on the final document. The Fire Chief will (a) confer with legal counsel as necessary to review requests; (b) approve, modify, or deny requests; and (c) update the website as needed to reflect approved requests and to remove outdated information. The requestor will inspect the posted submission within 24 hours of posting.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 266

Responding to California Public Records Act Requests

**SUBJECT CATEGORY: SECTION 260,
COMMUNICATIONS & TECHNOLOGY**

266: Responding to California Public Records Act Requests

266.1 Purpose: The purpose of this Policy is to affirm the public's right to access District records in accordance with the California Public Records Act (the Act) (California Government Code section 6250 et seq.) and any amendments thereto, as well as to adopt procedures to implement this Policy.

266.2 Policy: Public records are available upon request and are open for inspection at all times during office hours. Every member of the public has a right to inspect any public record, except those records exempted from disclosure under the Act. The District is not required to create a record in response to a public records request. In addition, the District is not required to respond to prospective requests by providing records not yet in the District's possession or records that will be created in the future.

Determination as to whether a requested record is a public record and available for inspection or copying shall be made by the Fire Chief or designee. Decisions to withhold a record shall be reviewed by Legal Counsel.

The District will respond to every public records request in accordance with the Act and the procedures set forth in the Procedures set forth in Attachment A, which may be amended from time to time by the Fire Chief in furtherance of this Policy. If a request does not reasonably describe an identifiable record, the requested record does not exist, or the record is exempt from disclosure, the District will respond and inform the requester. In order to assist a member of the public to make a focused and effective request, the District will make a reasonable effort to elicit additional clarifying information from the requester that will help identify the record(s).

Adopted as: Policy 1-8 on April 4, 2016

Amended: December 12, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President

**ATTACHMENT A:
PROCEDURES IMPLEMENTING DISTRICT POLICY 266, PUBLIC RECORDS ACT**

I. PURPOSE

These procedures implement District Policy 266, Public Records Act by the East Contra Costa Fire Protection District (District). The procedures provide guidance for the public on how to submit requests for public records, and establish procedures for staff to follow in responding to such requests. These procedures may be amended from time to time by the Fire Chief in accordance with applicable law and in furtherance of District policy.

II. RECORDS SUBJECT TO THE ACT

- A. Public Records: Under the California Public Records Act (the Act) (California Government Code section 6250 et seq.), the District has a legal obligation to make public records available to the public during the hours that the District is open for business. In accordance with Government Code Section 6252, “public record” means any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by the District regardless of physical form or characteristics. The Act defines a “writing” to include handwriting, typewriting, printing, photographs, photocopies, email, facsimile, and every other tangible form of recording of any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof.
- B. Documents Not Subject to Disclosure: Certain categories of documents that are generally not subject to disclosure under the Act include:
- i. Preliminary drafts, notes or memoranda which are not retained by the District in the ordinary course of business;
 - ii. Records related to pending litigation;
 - iii. Attorney-client communications;
 - iv. Personnel records, medical information or similar records the disclosure of which would constitute an unwarranted invasion of personal privacy;
 - v. Corporate financial and proprietary information, including trade secrets;
 - vi. Geological and geophysical data, plant production data and similar information relating to utility systems development, or market or crop reports, which are obtained in confidence from any person;
 - vii. Records of complaints to or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice, and any state or local police agency or any such investigatory or security files compiled by any other state or local agency for correctional, law enforcement or licensing purposes;
 - viii. Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination;

- ix. The contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by the District relative to the acquisition of property, or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all of the contract agreement obtained, provided, however the law of eminent domain shall not be affected;
- x. Information required from any taxpayer in connection with the collection of local taxes which is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying such information; and
- xi. Records protected by State or Federal law.

III. REQUESTING COPIES OF PUBLIC RECORDS

- A. A request for public records may be made in writing or orally, in person or by phone. A written request may be made in paper or electronic form and may be mailed, emailed, faxed or personally delivered. The District may ask, but not require, that the requester put an oral request in writing.
- B. Requests for public records should be submitted through one of the following:
 - i. By Website (preferred): www.eccfpd.org (*complete URL to be added*)
 - ii. By U.S. Mail: 150 City Park Way, Brentwood, CA 94513
 - iii. By Email: inforequest@eccfpd.org
 - iv. By Phone: 925-634-3400
 - v. By Fax: 925-240-2130

IV. RESPONDING TO A PRA REQUEST

- A. Reviewing Requests:
 - i. If a member of the public wishes to review documents that are (a) readily identifiable and accessible at the District counter; or (b) posted on the District's website, and are not privileged or exempt, the District must make the records available upon request.
 - ii. If the District cannot resolve the request immediately, then staff must calendar the deadline to respond and arrange to contact the person as soon as the requested documents are located within the timelines set forth in section IV.D and E below.
 - iii. Information requests received by any ECCFPD employee must be forwarded to the District's Business Services Manager on the same day.
 - iv. Unless otherwise directed by the Fire Chief, the District's Business Services Manager is responsible for responding directly to the requesting party for all Public Records Act requests other than subpoenas.

- B. Subpoenas:
- i. Any subpoena served on the District or request for information related to litigation must be brought to the immediate attention of the Fire Chief and Legal Counsel.
 - ii. Unless otherwise directed by the Fire Chief, the District's Business Services Manager is responsible for responding directly to the requesting party for subpoenas related to incidents.
 - iii. The Fire Chief and Legal Counsel are responsible for responding directly to the requesting party for subpoenas related to medical or personnel records.
- C. Withholding Privileged or Exempt Records: Not all documents are subject to disclosure under the Act. The District's Business Services Manager or Fire Chief screens all documents identified in response to a request and ascertains, in consultation with the District's Legal Counsel, whether the documents fall within any of the privileges and exemptions as stated above or as provided by law. Email is a record under the Act.
- D. 10-Day Initial Response Period: The District will respond to all requests for public records in a timely fashion. No later than 10 calendar days from receipt of the request, the District will:
- i. Provide the records electronically (e.g. via email or other file sharing system);
 - ii. Notify the requester that the records are available for (a) in-person review (see IV.F) or (b) to be mailed to the requester for a fee (see V);
 - iii. Notify the requester that responsive records were located, but are exempt from disclosure (see II.B) (Contact Legal Counsel prior to sending this letter or email.);
or
 - iv. Invoke a 14-day extension (see IV.E).

When counting days, the date the request is received is day zero. If the tenth day falls on a holiday or weekend, then the next work day after the tenth day becomes the last day to respond.

- E. 14-Day Extensions: The District may extend the 10-day response period for up to 14 additional calendar days. The District must notify the requester in writing (email and faxes are acceptable) when extending the response period, stating the reason(s) for the extension and the anticipated date of the response within the 14-day extension period. The District may only extend the response period for the reasons permitted by the Act including:
- i. Need to search for and collect the requested records from other locations separate from the office processing the request;
 - ii. Need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records demanded in a single request;

- iii. To consult with another agency having substantial interest in the request, or among two or more components of the District with substantial interest in the request; or
 - iv. In the case of electronic records, to compile data, write programming language or a computer program, or to construct a computer report to extract data.
- F. If Applicable, Advise the Requesting Party of Procedure for In-Person Review: If the requester wishes to review the records before copying, the District's Administrative Assistant will set up a mutually agreeable time for the requesting party to review the records. The person should be advised to bring his or her own paper clips or tabs to indicate material to be duplicated. District Staff must monitor all members of the public at all times when they are reviewing District documents or files to ensure the integrity of the District records.
- G. Send a Confirming Letter or Email to Create a Record of Compliance: For all public information requests, a letter or email always must be sent to the requester documenting the District's compliance with the Act. The Fire Chief, Legal Counsel, or Administrative Assistant will respond, as applicable, and copy the other two parties on all written communications. This will act as notification to the Fire Chief, Legal Counsel and the Administrative Assistant that the District responded to the request. The confirming written communication will document all communications between the District and the requester and state that:
- i. Records are electronically attached to the communication;
 - ii. Records are not available electronically, but are available for review (i) in-person (see IV.F) or (ii) to be mailed to the requester for a fee (see V);
 - iii. The District has no responsive records;
 - iv. The District is invoking a 14-day extension. State the reason(s) for the extension and the anticipated date of the response within the 14-day extension period; or,
 - v. Responsive records were located, but are exempt from disclosure. (Contact Legal Counsel prior to sending this letter or email.)

V. FEES AND CHARGES FOR COPYING PUBLIC RECORDS

- A. In most situations, the District will not charge any fees to cover the time and costs incurred in searching for, collecting and reviewing records. The District may charge a fee (as defined below) for the direct costs of duplicating paper copies or for providing a compact disc, or other storage device for electronic records when a requester seeks a copy in accordance with the District's Fee Schedule, below. There is no cost associated with emailing scanned images or electronic versions of documents, but the District may recover costs of duplication of an electronic record and/or programming and computer services necessary to produce a copy of a requested record. (Government Code Section 6253.9.)

B. The District will charge these allowable fees according to the following schedule:

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| Standard size page up to 8½" by 14" (Black and White) | \$0.25 per page |
| Large size page (over 8½" by 14" up to 11" by 17") (Black and White) | \$0.40 per page |
| Color copy up to 8½" by 14" | \$0.60 per page |
| Color copy – large sizes (over 8½" by 14" up to 11" by 17") | \$1.10 per page |
| Compact discs and other electronic storage devices | Actual cost |
| Cost of duplication of an electronic record and/or programming and computer services necessary to produce a copy of the record | To be determined by District |



Board Policy No. 311

Gift Policy

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| | SUBJECT CATEGORY: SECTION 300, PERSONNEL, GIFTS |
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311: Gift Policy

311 All District officers and employees must abide by the Political Reform Act and related regulations issued by the California Fair Political Practices Commission.

311.1 Gifts from Sources Doing or Seeking to Do Business with the District: District officers or employees, and all members of their immediate families, may not accept or provide gifts, entertainment, and/or other services or benefits, from or to individuals or companies doing or seeking to do business with the District, unless the transaction meets all of the following guidelines:

- a) Is customary and gives no appearance of impropriety and does not have more than a nominal value;
- b) Does not impose any sense of obligation on either the giver or the receiver;
- c) Does not result in any kind of special or favored treatment;
- d) Cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances including the ability of the recipient to reciprocate at District expense.
- e) Is given and received with no effort to conceal the full facts by either the giver or receiver.

311.2 Gift Reporting: For all District employees who are not required to abide by the gift regulations issued by the California Fair Political Practices Commission, any gift received must be tracked for potential disclosure on the officer or employee's annual Statement of Economic Interests in accordance with State law.

311.3 On-Duty Receipt of Gifts: For all District employees who are not required to abide by the gift regulations issued by the California Fair Political Practices Commission:

- a) If an on-duty employee receives a gift valued at \$50 or more, the employee must inform the on-duty Battalion Chief before using the gift.
- b) If the gift is valued at \$50-\$100, the Battalion Chief may determine that staff must refuse or repay the cost of the gift if in the best interest of the District, or that the gift must be shared among on-duty personnel.
- c) If the gift is valued at over \$100, the Battalion Chief must inform the Fire Chief before the gift is used. The Fire Chief may determine that staff must refuse or repay the cost of the

gift if in the best interest of the District, or that the gift must be shared among on-duty personnel.

311.4 Gifts to the District: All gifts to the District must be reported and distributed in accordance with the then-current regulations issued by the California Fair Political Practices Commission for Gifts to Agencies.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 312

Distribution of Tickets and Passes to Officers and Employees

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| | SUBJECT CATEGORY: SECTION 300, PERSONNEL, GIFTS |
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312: Distribution of Tickets and Passes to Officers and Employees

312.1 Purpose: The purpose of this Policy is to ensure that any ticket or pass provided by the East Contra Costa Fire Protection District (ECCFPD) to, or at the behest of, an ECCFPD official or ECCFPD employee (employee) for admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose (Ticket), shall be distributed in furtherance of a governmental and/or public purpose and in accordance with section 18944.1 of the Fair Political Practices Commission (FPPC) Regulations (Title 2, Division 6 of the California Code of Regulations, hereinafter FPPC Regulations), and reported. Tickets are not considered to be gifts to an ECCFPD official or employee, and do not need to be reported on an official or employee's Statement of Economic Interests (Form 700), when the tickets are distributed and reported by the ECCFPD in accordance with this Policy.

312.2 Definitions: Unless otherwise expressly provided herein, words and terms used in this Policy have the same meaning as that ascribed to such words and terms in the Political Reform Act of 1974 (Government Code Sections 81000 et seq.) and the FPPC Regulations, as they may be amended from time to time.

312.3 Application Of Policy:

- a) This Policy governs the distribution of Tickets acquired or received, and distributed by, the ECCFPD that are:
 - 1. Provided to the ECCFPD, at no cost to the ECCFPD, by an outside source;
 - 2. Acquired by the ECCFPD by purchase at fair market value;
 - 3. Acquired by the ECCFPD as consideration pursuant to the terms of a contract for the use of a ECCFPD venue, as consideration for ECCFPD sponsorship of an event, or because the ECCFPD controls or hosts an event.

- b) This Policy does not apply to:
 - 1. Any other item of value provided to the ECCFPD or official or employee.
 - 2. A Ticket received by an official or employee from a source other than the ECCFPD.
 - 3. A Ticket received by an official or employee from the ECCFPD where both the official or employee and the ECCFPD treat and report the

value of the Ticket as income consistent with applicable state and federal income tax laws.

4. A Ticket for which the ECCFPD receives reimbursement from the official or employee.

312.4 Public Purpose:

The public purpose of providing the Ticket to an official or employee for admission to an event is to enable him or her to promote the ECCFPD and ECCFPD events, activities, or programs. This includes, but is not limited to the following:

- a) Promotion of special events in accordance with any ECCFPD agreement.
- b) Promotion of ECCFPD visibility, recognition, or profile on a local, state, or national scale.
- c) Promotion of ECCFPD-controlled or sponsored events, activities, or programs.
- d) Promotion of fire service-related activities within the ECCFPD, including conferences and conventions.
- e) Marketing promotions highlighting the achievements of the ECCFPD.
- f) Employment recruitment programs.
- g) Promoting enhanced ECCFPD employee retention or morale, or to reward employees' public service.

312.5 General Provisions:

The use of Tickets is a privilege extended by the ECCFPD and not the right of any person to which the privilege may from time to time be extended.

A person who receives a Ticket pursuant to this Policy not may sell or receive reimbursement for the value of such Ticket, nor transfer the Ticket any other person except to members of the official's or employee's immediate family for their personal use.

312.6 Authority Of Fire Chief:

The Board of Directors delegates the authority to distribute any Tickets in accordance with this Policy to the Fire Chief or designee.

The Fire Chief has the authority, in his or her sole discretion, to establish procedures for the distribution of Tickets in accordance with this Policy. All requests for Tickets which fall within the scope of this Policy must be made in accordance with procedures established by the Fire Chief.

In instances where the Fire Chief desires to obtain a Ticket, the Board President may make the determination whether the Fire Chief's use of the Ticket is in accordance with this Policy.

312.7 Tickets Provided From An Outside Source:

A Ticket from an outside source provided to the ECCFPD official or employee by the ECCFPD is not considered a "gift" to the ECCFPD official or employee, and is not required to be reported by the officer and employee on his or her Statement of Economic Interests (FPPC Form 700), provided all of the following requirements are met:

1. The Ticket is not earmarked by the outside source for use by the particular ECCFPD official or employee who uses the Ticket;
2. The ECCFPD determines, in its sole discretion, which ECCFPD official or employee may use the Ticket; and
3. The distribution of the Ticket by the ECCFPD is made in accordance with this Policy.

312.8 Other Benefits:

To the extent that the benefits an official or employee receives with a Ticket are not provided to all members of the public with the same class of Ticket, the additional benefits will need to be accounted for as gifts by the ECCFPD officer or employee on his or her Form 700, if provided by a source that would otherwise need to be disclosed by the official or employee (e.g., under the ECCFPD Conflict of Interest Code). Such other benefits may include food, beverages or other gifts provided to the ECCFPD official or employee, but not provided to all members of the public with the same class of Ticket.

312.9 Reporting Requirement:

The ECCFPD must provide to the FPPC the ECCFPD's website link where this Policy and completed Form 802s are or will be posted.

Each completed FPPC Form 802, as it may be amended, or such other form(s) as the FPPC may designate, must be filed with the ECCFPD Secretary within 45 days of the Ticket distribution, and maintained as a public record for a period of seven years, subject to inspection under California Government Code sections 6250 et seq. and 81008. The ECCFPD must post this Policy and each completed Form 802 or a summary of the information on the form.

Adopted as: Policy 1-12 on March 5, 2018

Renumbered: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 330

Nepotism

**SUBJECT CATEGORY: SECTION 300,
PERSONNEL**

330: Nepotism

330.1 It is the policy of District to seek for its staff the best possible candidates through appropriate search procedures. There shall be no bars to appointment of individuals who have close relatives in any staff category in the District so long as the following standard is met:

- a) No employee shall vote, make recommendations, or in any way participate in decisions about any personnel matter that may directly affect the selection, appointment, promotion, termination, other employment status, or interest of a close relative.
- b) For the purpose of this policy, "close relative" is defined as husband, wife, mother, father, son, daughter, sister, brother, father-in-law, mother-in-law, sister-in-law and brother-in-law.

330.2 When an individual is considered for appointment in the District in which an immediate family member is already assigned, review of this fact shall be required at all appointing levels. The objective of this review shall be to assure equity to all members of the District.

330.3 When an individual is considered for appointment in the District where a close relative has supervisory responsibility, the appointment shall not be granted.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 350

Unlawful Harassment

**SUBJECT CATEGORY: SECTION 300,
PERSONNEL**

350: Unlawful Harassment

350.1 Harassment and discrimination in employment on the basis of sex, race, color, national origin, ancestry, citizenship, religion, age, physical or mental disability, medical condition, sexual orientation, gender identity or gender expression, veteran status, marital status, registered domestic partner status, genetic information, or any other protected basis is prohibited by federal and state law. The District does not tolerate unlawful discrimination or harassment in the workplace or in a work-related situation. Unlawful discrimination and harassment is a violation of these Guidelines. Section 350 shall also include and applied to members of the District Board of Directors including the use of complaint procedures described herein.

350.2 Unlawful harassment in employment may take many forms. Some examples include, but are not limited to:

- a) Verbal conduct such as epithets, derogatory comments, slurs, or unwanted comments and jokes;
- b) Visual conduct such as derogatory posters, cartoons, drawings, or gestures;
- c) Physical conduct such as blocking normal movement, restraining, touching, or otherwise physically interfering with work of another individual;
- d) Threatening or demanding that an individual submit to certain conduct or to perform certain actions in order to keep or get a job, to avoid some other loss, or as a condition of job benefits, security, or promotion; and
- e) Retaliation by any of the above means for having reported harassment or discrimination, or having assisted another employee to report harassment or discrimination.

350.3 Sexual harassment under state and federal laws is defined as unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c) Such conduct has the purpose or effect of interfering with a person's work performance or creating an intimidating, hostile or offensive work environment; or adversely affected

the employee's performance, appraisal, assigned duties, or any other condition of employment or career development; or

- d) Such conduct is offered in order to receive special treatment or in exchange for or in consideration of any personal action.

350.4 Prohibited acts of sexual harassment can take a variety of forms ranging from unwanted verbal or physical actions, subtle pressure for sexual activity to physical assault. Sexual harassment conduct need not be motivated by sexual desire. Examples of the kinds of conduct included in the definition of sexual harassment are:

- a) Direct or indirect threats or suggestions of sexual relations or sexual contact which is not freely or mutually agreeable to both parties.
- b) Continual or repeated verbal abuses of a sexual nature including graphic commentaries on the person's body; sexually suggestive objects or pictures placed in the work area that may embarrass or offend the person, sexually degrading words to describe the person, or propositions of a sexual nature.

350.5 Abusive conduct or workplace bullying of the District's employees, by any person in or from the work environment, is strictly prohibited. Abusive conduct or workplace bullying is the conduct of any employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interest. Abusive conduct or workplace bullying includes, but is not limited to:

- a) Repeated infliction of verbal abuse;
- b) Derogatory remarks, insults, epithets;
- c) Verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or
- d) Gratuitous sabotage or undermining of a person's work performance.

350.6 Policy Publicizing: All employees shall be informed of the District's unlawful harassment policy and complaint process prior to their need to know, and again when any complaint is filed. Also, said policy and complaint process shall be readily available to all employees and members of the general public utilizing the District's facilities and services.

All new employees shall be given a copy of the sexual harassment policy at the time of hiring and said policy's contents shall be discussed with said employee at that time by the Battalion Chief or Business Services Manager within whose division they will be working.

350.7 Complaint Process: Any employee who believes he or she is the victim of unlawful harassment, abusive conduct, or discrimination on any prohibited basis, or who has observed such conduct, or believes he or she is subject to retaliation ("Unlawful Harassment") may file a formal or informal confidential complaint without fear of reprisal or embarrassment.

- a) An informal complaint is made verbally by the employee to the immediate supervisor. Although filing the complaint with the immediate supervisor is preferred, the employee is free to file a complaint with any supervisory employee.

- b) A formal complaint by a member of the public or a member of the Board of Directors must be made in writing and submitted to the Fire Chief or President of the Board. A formal complaint by the Fire Chief must be presented to the President of the Board or, if against the President of the Board, to any other member of the Board. Complaints by all other employees must be submitted in accordance with general employee complaint procedures.

350.8 Complaint Response Process: Any supervisory employee who receives a formal or informal Unlawful Harassment complaint shall maintain the confidentiality of the plaintiff to the extent possible, and shall personally deliver said complaint immediately and directly to a Battalion Chief, Business Services Manager or to the Fire Chief if the Battalion Chief or Business Services Manager is unavailable or personally involved in said complaint.

- a) Promptly after the filing of a formal or informal complaint, an investigation shall be conducted by the supervising Battalion Chief, in cooperation with the Fire Chief, or other appropriate neutral investigator as determined by the District.
- b) A written record of any investigation of an alleged Unlawful Harassment shall be maintained. Findings will be sent to the Fire Chief. The Fire Chief shall immediately inform, in total confidentiality, the Board of Directors.
- c) All discussions resulting from said investigation shall be kept confidential by all informed of said investigation to the extent possible, unless disclosure is required by law.

350.9 Disciplinary Procedures and Sanctions: Upon conclusion of the investigation of an alleged Unlawful Harassment claim, appropriate action shall be taken by the Fire Chief against the harasser where Unlawful Harassment is found, including mandatory sexual harassment training to prevent future incidents.

- a) Appropriate action may be taken to remedy the victim's loss, if any, resulting from the Unlawful Harassment. Making the employee whole may involve reinstatement, back pay, promotion, etc.
- b) Action taken to remedy a sexual harassment situation shall be done in a manner so as to protect potential future victims. An employee involved in a confirmed incident shall be removed from supervision of a person verified to have committed a harassment activity.

350.10 Retaliation: Retaliation against any individual for making a report, or for participating in an investigation, under this policy is strictly prohibited. Individuals are protected by law and by District policy from retaliation for opposing unlawful discriminatory practices, for filing an internal complaint under this policy or for filing a complaint with the DFEH or EEOC, or for otherwise participating in any proceedings conducted by the District under this policy or by either of these agencies.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 360

Whistleblowing Policy

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| | SUBJECT CATEGORY: SECTION 300, PERSONNEL |
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360: Whistleblowing Policy

360.1 It is the District's policy that Board Members should report violations of law, abuse of authority, fraud, economic waste, or gross misconduct, incompetence or inefficiency (collectively, "Illegal or Improper Activity") without fear of retaliation. The District requires Board Members to file complaints or reports about alleged Illegal or Improper Activity or retaliation with the Fire Chief. All such complaints shall include specific facts supporting any allegation so that they may be investigated pursuant to District procedures. Complaints may be made anonymously, but such anonymity may impede the District's ability to conduct a thorough investigation. If the Fire Chief is alleged to be involved in the complaint or report, then such complaint shall be filed with the President of the Board of Directors.

360.2 The District prohibits retaliation by employees and Board members, against any employee or Board member for making good faith complaints, reports or inquiries regarding Illegal or Improper Activity to the District or any law enforcement agency, or for participating in a review or investigation of any such complaints under this policy. This protection extends to those whose allegations of suspected violations are made in good faith, but prove to be mistaken. The District reserves the right to discipline (in the case of employees) or censure (in the case of Board members) persons who make bad faith, knowingly false, and/or frivolous or vexatious complaints or reports, or who otherwise abuse this policy.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 390

Administrative Bulletins and Memoranda of Understanding

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| | SUBJECT CATEGORY: SECTION 300, PERSONNEL |
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390: Administrative Bulletins and Memoranda of Understanding

It is the Fire Chief's responsibility to maintain a complete set of administrative bulletins applicable to all personnel that cover at least the following:

- a) Accommodations for Disability
- b) Demotion (Nondisciplinary)
- c) Disciplinary Action
- d) Driver Training and Record Review
- e) Drug and Alcohol Testing
- f) Employee Information/Emergency Data
- g) Employee Promotion
- h) Employee Records
- i) Employee Status
- j) Equal Opportunity
- k) Grievance Procedure
- l) Hours of Work and Overtime
- m) Letters of Recommendation
- n) Payroll Deductions for Salaried Employees
- o) Recruitment & Hiring
- p) Separation from District Employment
- q) Temporary Reclassifications
- r) Authorized Leave
- s) Bereavement Leave

- t) Catastrophic Time Bank
- u) Compensation
- v) Educational Assistance
- w) Family and Medical Leave
- x) Holidays
- y) Jury Duty
- z) Leave for Crime Victims and Family Members
- aa) Military Leave
- bb) Pregnancy Disability Leave
- cc) Sick Leave
- dd) Time Keeping/Time Records
- ee) Time off to Vote
- ff) Unauthorized Voluntary Absence
- gg) Vacations
- hh) Workers' Compensation Leave
- ii) Smoke-free Workplace: Admin bulletin
- jj) Substance Abuse: Admin bulletins
- kk) Performance Evaluation

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 420

Fire Code

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| SUBJECT CATEGORY: SECTION 400, FIRE PREVENTION & EDUCATION |
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420: Fire Code

The East Contra Costa Fire Protection District is permitted by State law to adopt an ordinance establishing local amendments to the State Fire Code. It is the policy of the District to adopt such ordinances each time the State Fire Code is updated.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 430
Weed/Nuisance Abatement

**SUBJECT CATEGORY: SECTION 400,
FIRE PREVENTION & EDUCATION**

430: Weed/Nuisance Abatement

430.1 It is the policy of the East Contra Costa Fire Protection District to consider all weeds (as defined in the Fire Code) growing upon private property or streets in this District, and all rubbish on private property or streets in this District, to be public nuisances. It also is the policy of the District to abate or require abatement of such nuisances.

430.2 To the extent authorized by law, the Fire Chief is authorized to enforce the minimum abatement standards set forth in the District's Fire Code for land in residential, rural and/or rural residential, business, and industrial areas, or land which is unused or vacant. The Fire Chief may enforce additional or more stringent abatement on certain properties due to site-specific issues with terrain, regrowth, location, land use, or fire related history.

430.3 District staff, including the District's weed abatement contractor(s), are authorized to enter upon private property to inspect and abate weeds and rubbish upon providing proper notice and an opportunity for the property owner to abate the nuisance first.

430.4 The Fire Chief is required to issue and maintain procedures for implement this Policy in accordance with all federal, State and local laws.

Adopted: December 12, 2018

Clerk of the Board

Board President



Board Policy No. 440

Outreach Activities

**SUBJECT CATEGORY: SECTION 400,
FIRE PREVENTION & EDUCATION**

440: Outreach Activities

440.1 It is the policy of the East Contra Costa Fire Protection District to increase public awareness about health, safety and the services the District provides. To that end, District staff is encouraged to engage directly with the public through organized activities throughout the District's service area. These outreach activities must be limited by available time and resources, and must not interfere with District emergency response and prevention activities.

440.2 Activities encouraged under this Policy include, but may not be limited to:

- a) Accommodating group tours of District facilities
- b) Holding open houses at District facilities
- c) Visiting schools, neighborhoods and community groups
- d) Participating in community events such as health fairs, parades and celebrations
- e) Taking District apparatus on such visits

440.3 At the direction of the Fire Chief or his designee, the District may extend invitations and accept requests for ride-alongs. Invitations and requests for ride-alongs must be carefully considered and may be restricted in part or in full by the Fire Chief so as not to interfere with District emergency response and prevention activities.

440.4 The District must require a waiver and release of liability from members of the public who engage in ride-alongs and other activities on District property, as may be determined by the Fire Chief or designee.

Adopted: December 12, 2018

Clerk of the Board

Board President