



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Board of Directors Regular Meeting

Monday April 4, 2016 – 6:30 P.M.

Meeting Location: 3231 Main Street, Oakley

BOARD OF DIRECTORS

Steve Barr
Robert Kenny
Jonathan Michaelson

Joel Bryant-President
Ronald Johansen-Vice President
Cheryl Morgan

Randy Pope
Erick Stonebarger
Joe Young

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION

Hal Bray and Bryan Scott from East County Voters for Equal Protection

PUBLIC COMMENTS

At this time the public may address the District Board on subject matters pertaining to District business listed on the Consent Calendar, Closed Session, Future Agenda Items, or items *not* listed on the agenda. Remarks may be limited to 3-minutes subject to the discretion of the Board President and with the concurrence of the Board of Directors. Members of the public wishing to address the Board may submit a "Public Comment Speaker Card" to the District Clerk. While the District encourages your comments, State law prevents the Board from discussing items that are not set forth on this meeting agenda. The Board and staff take your comments very seriously and, if appropriate, will follow up on them.

CONSENT CALENDAR

Consent Calendar items are considered routine in nature and will be enacted by the Board in one motion. If discussion or public comment is required, any Board Member may request the item be removed from the Consent Calendar and considered separately.

C.1 Approve Minutes from March 7, 2016 Regular Board of Directors Meeting

DISCUSSION ITEMS

- D.1** Receive Update from the Multi-Jurisdictional Fire Task Force
- D.2** Adopt Policy for Public Records Requests
- D.3** Elect to Become Subject to the Uniform Public Construction Cost Accounting Act for Building and Maintenance and Introduce and Waive First Reading of Ordinance to Provide Informal Bidding Procedures for Construction Contracts
- D.4** Receive Operational Update for March 2016

INFORMATIONAL STAFF REPORTS

- 1. Receive Update on Firefighter Recruitment

DIRECTORS' COMMENTS

INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS

This portion of the agenda shall provide an opportunity for Board Members to report on activities, committee or event attendance pertaining to District business or to request a future item to be placed on the agenda.

RECESS TO CLOSED SESSION ON THE FOLLOWING MATTERS:

- 1. Conference With Labor Negotiator Pursuant to Government Code Section 54957.6
Agency Designated Representatives: Fire Chief and Glenn Berkheimer
Employee Organization: East Contra Costa Battalion Chiefs Association
- 2. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8
Property: 1535 Discovery Bay Boulevard, Discovery Bay, California
Agency Negotiator: Fire Chief
Negotiating party: Town of Discovery Bay Interim General Manager Catherine Kutsuris
Under negotiation: Price and terms of payment

REPORT ON THE CLOSED SESSIONS

ADJOURN TO THE REGULAR BOARD MEETING SCHEDULED: May 2, 2016

All items appearing on the agenda are subject to action by the Board.

POSTING STATEMENT

A copy of this agenda was posted **April 1, 2016 at the East Contra Costa Fire Protection District Administrative Office, 134 Oak Street, Brentwood, CA 94513**. Pursuant to CA Government Code §54957.5, disclosable public records and writings related to an agenda item distributed to all or a majority of the Board of Directors including such records and writing distributed less than 72 hours prior to this meeting are available for public inspection at the East Contra Costa Fire Protection District Administrative Office, 134 Oak Street, Brentwood, CA 94513.

NOTICE In compliance with the Americans with Disabilities Act, any individuals requesting special accommodation to attend and/or participate in District Board meetings may contact the District Administrative Office at (925) 634-3400. Notification 48 hours prior to the meeting will enable the District to make reasonable accommodations.



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Meeting Minutes Board of Directors Regular Meeting

Monday March 7, 2016 – 6:30 P.M.

Meeting Location: 3231 Main Street, Oakley

BOARD OF DIRECTORS		
Steve Barr	Joel Bryant-President	Randy Pope
Robert Kenny	Ronald Johansen-Vice President	Erick Stonebarger
Jonathan Michaelson	Cheryl Morgan	Joe Young

CALL TO ORDER: (6:31 P.M.)

PLEDGE OF ALLEGIANCE: (6:32 P.M.)

ROLL CALL: (6:32 P.M.)

Directors Present: Barr, Bryant, Kenny, Johansen, Michaelson, Pope, Stonebarger, Young

Directors Absent: Michaelson, Morgan

PUBLIC COMMENTS: (6:32 P.M.)

There was one (1) Public Speaker – Mark Whitlock

CONSENT CALENDAR

C.1 Approve Minutes from February 1, 2016 Regular Board of Directors Meeting: (6:32 P.M.)

Motion by: Director Kenny to approve consent item C.1

Second by: Director: Young

Vote: Motion carried: 6:0:1

Ayes: Barr, Bryant, Kenny, Pope, Stonebarger, Young

Noes:

Abstained: Johansen

Absent: Michaelson, Morgan

DISCUSSION ITEMS

D.1 Receive Update from the Multi-Jurisdictional Fire Task Force: (6:36 P.M.)

There was one (1) Public Speaker – Hal Bray

D.2 Adoption of a Resolution Authorizing Waivers of Emergency Medical First-Responder Fees: (7:01 P.M.)

There were no (0) Public Speakers

Motion by: Director Barr motion to adoption the Resolution Authorizing Waivers of Emergency Medical First-Responder Fees

Second by: Director Stonebarger

Vote: Motion carried: 7:0:0

Ayes: Barr, Bryant, Kenny, Johansen, Pope, Stonebarger, Young

Noes:

Abstained:

Absent: Michaelson, Morgan

D.3 Approve Mid-Year Fiscal Year 2015-16 Operating Budget Amendments: (7:01 P.M.)

There were no (0) Public Speakers

Motion by: Director Young motion to approve Mid-Year Fiscal Year 2015-16 Operating Budget Amendments

Second by: Director Barr

Vote: Motion carried: 7:0:0

Ayes: Barr, Bryant, Kenny, Johansen, Pope, Stonebarger, Young

Noes:

Abstained:

Absent: Michaelson, Morgan

D.4 Receive Update on New District Website: (7:22 P.M.)

Chief Henderson gave an update on the new District Website.

There were no (0) Public Speakers

D.5 Receive Operational Update for February 2016: (7:37 P.M.)

Chief Henderson gave an update on the Operation for February 2016

There was one (1) Public Speaker – Jessica LaChance

INFORMATIONAL STAFF REPORTS: (7:51 P.M.)

Chief Henderson gave an update on the Firefighter Recruitment process

DIRECTORS' COMMENTS: (7:54 P.M.)

The Board of Directors sent their condolences to Director Morgan

INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS: (7:54 P.M.)

Director Barr requested that the Chief bring back information on the amount of previously-unfunded pension liabilities the District is and has been paying down.

ADJOURN TO THE REGULAR BOARD MEETING SCHEDULED: April 4, 2016: (7:55 P.M.)

**EAST CONTRA COSTA FIRE PROTECTION
DISTRICT BOARD OF DIRECTORS AGENDA ITEM
NO. D-2**

Meeting Date: April 4, 2016
Subject/Title: Adopt Policy 1-8 on Public Records Act
Submitted by: Brian Helmick, Battalion Chief

RECOMMENDATION FOR ACTION

That the East Contra Costa Fire Protection District (ECCFPD) Board of Directors (Board) adopt a Resolution establishing a Public Records Act Policy.

PREVIOUS ACTION

At the October 5, 2015 Board meeting, the Fire Chief provided an update on the development of new District policies for Board consideration and adoption, including a policy governing District responses to requests of public records.

SUBJECT BACKGROUND

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, subject to certain exceptions and legal exemptions. 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.

The proposed District Policy 1-8 and implementing procedures would provide guidance for the public on how to submit requests for public records, and establish protocols for staff to follow in responding to such requests. While the proposed policy could only be amended by the Board, the implementing procedures could be amended from time to time by the Fire Chief in accordance with applicable law and in furtherance of District policy.

Staff recommends the Board enact the proposed Resolution adopting the attached Public Records Act policy, and delegate authority to the Fire Chief to implement the associated procedures.

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT BOARD
OF DIRECTORS**

STATE OF CALIFORNIA

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RESOLUTION 2016-XX

ADOPTING BOARD OF DIRECTORS POLICY 1-8, PUBLIC RECORDS ACT

WHEREAS, the California Public Records Act (Act) (California Government Code section 6250 et seq.) requires the East Contra Costa Fire Protection District (District) to provide, upon request, a copy of certain identifiable public records held by the District subject to certain exceptions; and

WHEREAS, the Board wishes to adopt a Public Records Act Policy (Policy) to govern the District's compliance with the Act; and

WHEREAS, the Board further desires that the District adopt and abide by procedures to implement the Policy, provide guidance for the public on how to submit requests for public records, and establish protocols for District staff to follow in responding to such requests; and

WHEREAS, the Board wishes to delegate authority to the Fire Chief to amend the procedures implementing Policy 1-8 from time to time in accordance with applicable law and in furtherance of the District's Policy.

NOW, THEREFORE BE IT RESOLVED that the East Contra Costa Fire Protection District hereby adopts Board of Directors Policy 1-8, Public Records Act, and delegates authority to the Fire Chief to amend the procedures implementing Policy 1-8 in accordance with applicable law and in furtherance of the Policy.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 4th day of April, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Joel Bryant

President, Board of Directors

ATTEST:

Hugh Henderson, Clerk of the Board

BOARD OF DIRECTORS POLICY

Subject: Administration	Policy No: 1-8	Date: April 4, 2016
Title: PUBLIC RECORDS ACT	Resolution No:	Page 1 of 1

1-8.1 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.

1-8.2 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).

ATTACHMENT A: PROCEDURES IMPLEMENTING DISTRICT POLICY 1-8, PUBLIC RECORDS ACT

I. PURPOSE

These procedures implement District Policy 1-8, 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: 134 Oak Street, Brentwood, CA 94513
 - iii. By Email: inforequest@eccfpd.org
 - iv. By Phone: 925-634-3400
 - v. By Fax: 924-634-1423

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 Administrative Assistant on the same day.
 - iv. Unless otherwise directed by the Fire Chief, the District's Administrative Assistant 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 Administrative Assistant 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 Administrative Assistant 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:

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

**EAST CONTRA COSTA FIRE PROTECTION
DISTRICT BOARD OF DIRECTORS AGENDA ITEM
NO. D-3**

Meeting Date: April 4, 2016

Subject/Title: Elect to Become Subject to the Uniform Public Construction Cost Accounting Act and Introduce Ordinance Setting Forth Informal Bidding Procedures for District Construction Contracts

Submitted by: Hugh Henderson, Fire Chief
Shayna van Hoften, Legal Counsel

RECOMMENDATION FOR ACTION

1. Adopt a Resolution to become subject to the Uniform Public Construction Cost Accounting Procedures Act and directing the Fire Chief to notify the State Controller of this election.
2. Introduce and waive the first reading of an Ordinance providing informal bidding procedures for construction contracts.

PREVIOUS ACTION

Before creation of the independent special district known as East Contra Costa Fire Protection District (District), the Districts' predecessor agencies took action to make themselves subject to the Uniform Public Construction Cost Accounting Procedures Act (the "Act"). Such actions lost their effect when the predecessor agencies ceased functioning and combined to form a new agency.

At the February 3, 2010 Board meeting, the Board of Directors (Board) approved and authorized the continuation of signature authority of the Fire Chief pursuant to Contra Costa County Purchasing and Personnel Policies and Procedures, with the understanding that this authorization would remain in effect until staff prepared a District purchasing policy for consideration by the Board. The Board did not take steps at that time to make the District subject to the Act.

SUBJECT BACKGROUND

Staff has developed a District-specific draft purchasing policy for Board consideration. The draft policy includes that the District would undertake public construction and maintenance projects in accordance with the Act. However, in order for the Act to apply to the District, the Board first must adopt a resolution making such an election, and an ordinance establishing the District's procedures for carrying out purchases in accordance with the Act.

If these two initial steps are taken at this April meeting, the Board will be able to adopt the ordinance and the District's own purchasing policy in May.

Uniform Public Construction Cost Accounting Procedures Act

The Act was enacted by the state legislature in 1983. The Act allows local agencies to perform public projects up to \$45,000 with its own work force if the agency elects to follow the cost accounting procedures set forth in the Cost Accounting Policies and Procedures Manual of the California Uniform Construction Cost Accounting Commission (the "Commission").

In addition, the Act provides for alternative bidding procedures when an agency performs public works by contract. For example:

- Public projects of \$45,000 or less may be performed by negotiated contract or by purchase order.
- Public projects of \$175,000 or less may be let to contract by the informal procedures set forth in the Act.
- Public projects of more than \$175,000 shall be let to bid by formal bidding procedures.

The Commission established under the Act has developed uniform public construction cost procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects. Every five years the Commission considers whether there have been material changes in public construction costs and makes recommendations to the State Controller regarding adjustments to the bidding procedure monetary limits.

Attachments:

Resolution
Ordinance

**EAST CONTRA COSTA FIRE PROTECTION
DISTRICT BOARD OF DIRECTORS**

STATE OF CALIFORNIA

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RESOLUTION 2016-XX

**ELECTING TO BECOME SUBJECT TO THE UNIFORM PUBLIC CONSTRUCTION
COST ACCOUNTING PROCEDURES SET FORTH IN THE CALIFORNIA UNIFORM PUBLIC
CONSTRUCTION COST ACCOUNTING ACT AND DIRECTING STAFF TO
NOTIFY THE STATE CONTROLLER OF THIS ELECTION**

WHEREAS, California Public Contract Code Section 22000 et seq., the Uniform Public Construction Cost Accounting Act (the "Act"), establishes a uniform cost accounting standard for construction work performed or contracted by local agencies; and

WHEREAS, the California Uniform Construction Cost Accounting Commission (the "Commission") established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, staff recommends the Board of Directors elect that the East Contra Costa Fire Protection District become subject to the procedures set forth in the Act and to the Commission's policies and procedures manual, and cost accounting review procedures, as they may each be amended from time to time.

NOW, THEREFORE BE IT RESOLVED that the East Contra Costa Fire Protection District hereby:

1. Elects, under California Public Contract Code Section 22030, to become subject to the uniform public construction cost accounting procedures set forth in the Act, and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each be amended from time to time; and
2. Directs the Fire Chief to notify the State Controller of this election.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 4th day of April, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Joel Bryant

President, Board of Directors

ATTEST:

Hugh Henderson, Clerk of the Board

EAST CONTRA COSTA FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS

STATE OF CALIFORNIA

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ORDINANCE NO. 2016-XX

**RELATING TO THE CALIFORNIA UNIFORM CONSTRUCTION COST
ACCOUNTING ACT TO PROVIDE INFORMAL BIDDING PROCEDURES
FOR DISTRICT CONSTRUCTION CONTRACTS**

WHEREAS, California Public Contract Code Section 22000 et seq., the Uniform Public Construction Cost Accounting Act (the "Act"), establishes a uniform cost accounting standard for construction work performed or contracted by local agencies; and

WHEREAS, the California Uniform Construction Cost Accounting Commission (the "Commission") established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, the East Contra Costa Fire Protection District Board of Directors has elected to become subject to the procedures set forth in the Act, and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each be amended from time to time.

NOW, THEREFORE, the Board of Directors of the East Contra Costa Fire Protection District hereby ordains as follows:

SECTION 1. BIDDING PROCEDURES FOR PUBLIC PROJECTS

The East Contra Costa Fire Protection District (District) adopts the procedures set forth herein for the bidding and award of Public Projects.

(a) Informal bid procedures.

Public projects, as defined by the Uniform Public Construction Cost Accounting Act (Section 22000 et. seq. of the Public Contract Code) (the "Act") and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et. seq., of the Public Contract Code.

(b) Contractors list.

A list of contractors shall be developed and maintained by the Fire Chief in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission (the "Commission").

(c) Notice inviting informal bids.

Where a public project is to be performed, which is subject to the provisions of this Chapter, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 1(b) and to all construction trade journals as specified by the Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the District's discretion, provided however:

- (1) If there is no list of qualified contractors maintained by the District for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.
- (2) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

(d) Award of contracts.

The Fire Chief or his/her designee is authorized to award informal contracts pursuant to this Chapter.

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, the holding shall not affect the validity or enforceability of the remaining provisions, and the Board of Directors declares that it would have adopted each provision of this ordinance irrespective of the validity of any other provision.

SECTION 3. EFFECTIVE DATE

This ordinance becomes effective 30 days after passage. Within 15 days after passage, this Ordinance or a summary of the Ordinance shall be published, with the names of Directors voting for and against it, once in the Brentwood Press, a newspaper published in this District.

INTRODUCED at a regular meeting of the East Contra Costa Fire Protection District Board of Directors held on the 4th day of April, 2016.

PASSED AND ADOPTED at a regular meeting of the East Contra Costa Fire Protection District Board of Directors held on the ___ day of ___, ___ by the following roll call vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

Joel Bryant

President, Board of Directors

ATTEST:

Hugh Henderson, Clerk of the Board

BOARD OF DIRECTORS AGENDA ITEM NO. D-4

Meeting Date: April 4, 2016

Subject/Title: Receive Operational Update March 2016

Submitted by: Hugh Henderson, Fire Chief

RECOMMENDATION FOR ACTION

Receive operational update March 2016

SUBJECT BACKGROUND

This report summarizes District activities for the month of March 2016.

Calls for service:

There were a total of 558 service calls in the month of March, with an average response time of 8:16 minutes. In the month of February the District ran 537 calls with an average response time of 8:16 minutes. In the calendar year of 2015, the District ran 6918 calls for service with an average response time of 7:54 compared to calendar year of 2014, where the District ran 6550 calls for service with an average response time of 7:21.

Calls for Service			
Service Area	March		2015
	Calls	Ave Resp Time	Ave Response Time
Brentwood West	135	7:27	6:51
Brentwood East	113	7:24	7:12
Discovery Bay / Bryon	69	10:15	9:08
Oakley	172	7:08	7:08
Knightsen	16	9:00	10:21
Bethel Island	36	14:48	14:29
Marsh Creek / Morgan Ter.	17	9:47	10:38

Engine Company Roll Outs		
Engine Company Roll Outs	March	% of Total
52 - ECCFPD	239	36%
59 -ECCFPD	107	16%
93 - ECCFPD	283	42%
16 - CAL Fire	22	3%
Auto Aid Received	17	3%
Mutual Aid Received	0	0%
TOTAL	668	100%

Looking at the response times by Areas:

- **Brentwood West** had 135 calls in the month of March with an average response time of 7:40 minutes. In February there were a total of 164 calls with an average response time of 7:35 minutes. In the calendar year of 2015 the area had 1928 calls for service with an average response time of 6:51.
- **Brentwood East** had 113 calls in the month of March with an average response time of 7:24 minutes. In February there were a total of 106 calls with an average response time of 8:21 minutes. In the calendar year of 2015 the area had 1389 calls for service with an average response time of 7:12.
- **Discovery Bay/ Byron** had 69 calls in the month of March with an average response time of 10:15 minutes. In February there were a total of 57 calls with an average response time of 10:06 minutes. In the calendar year of 2015 the area had 860 calls for service with an average response time of 9:35.
- **Oakley** had 172 calls in the month of March with an average response time of 7:08 minutes. In February there were a total of 151 calls with an average response time of 7:04 minutes. In the calendar year of 2015 the area had 1959 calls for service with an average response time of 7:08.
- **Knightsen** had 16 calls in month of March with an average response time of 9:00 minutes. In February there were a total of 12 calls with an average response time of 10:21 minutes. In the calendar year of 2015 the area had 206 calls for service with an average response time of 10:21.
- **Bethel Island** had 36 calls in the month of March with an average response time of 14:48 minutes. In the month February of there were 31 calls with an average response time of 13:36 minutes. In the calendar year of 2015 the area had 378 calls for service with an average response time of 14:15.
- **Marsh Creek/Morgan Territory** had 17 calls in the month of March with an average response time of 9:47 minutes. In February there were a total of 16 calls with an average response time of 11:31 minutes. In the calendar year of 2015 the area had 198 calls for service with an average response time of 10.28.

Auto aid:

In the month of March District received auto aid from Contra Costa County Fire 17 times, with them sending 27 engines. The District sent auto aid to Contra Costa County Fire 18 times providing them with 19 engines. During the month of February, Contra Costa County Fire came into the District 12 times with 18 engines and we responded into Contra Costa County Fire 16 times with 16 engines.

<i>Automatic Aid with Contra Costa County Fire 2016</i>		
<i>Month</i>	<i>Received</i>	<i>Provided</i>
January	12	28
February	12	16
March	17	18
April		
May		
June		
July		
August		
September		
October		
November		
December		
<i>Total</i>	<i>41</i>	<i>62</i>

*In 2015, the District received auto aid from Contra Costa County Fire **373 times** and the District sent auto aid to Contra Costa County Fire a total of **225 times**.*

Major Incidents/ Reduced Responses and Mutual Aid Requests:

In the month of March, the District responded to 7 structure fires, 27 vehicle accidents and 9 vehicle accidents with rescue. Due to call volume during the month the District had zero engines available for responses 10 times, which totaled 3:46 hours

Operational Personnel:

The District is currently budgeted for 34 operational personnel, which are comprised of 3 Battalion Chiefs and 31 Station Suppression Personnel. As of April1, our staffing level is 3 Battalion Chiefs and 29 station suppression personnel.