



# EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Board of Directors Regular Meeting

**Monday February 1, 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

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### COMMENDATION

Medical Response on October 26, 2015 By Engine 52

### 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 January 4, 2016 Regular Board of Directors Meeting

## **PUBLIC HEARINGS**

Members of the public wishing to address the Board on a listed item may complete and submit a "Public Comment Speaker Card" with the District Clerk.

- PH.1** Hold a Public Hearing On Proposed Schedule of Fees and Adopt Ordinance Determining a Schedule of Fees for the Recovery of Emergency Medical First-Responder Service Costs, and Adopt Resolution Establishing the Policy for Waivers and Appeals of Emergency Medical First-Responder Fees

## **DISCUSSION ITEMS**

- D.1** Authorize Execution of Memorandum of Understanding with Cities of Brentwood and Oakley and Contra Costa County to Implement Recommendations of Fire and Medical Services Task Force
- D.2** Receive Operational Update for January 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.

## **WORKSHOP/TRAINING**

1. Brown Act Training

## **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

## **REPORT ON THE CLOSED SESSIONS**

## **ADJOURN TO THE REGULAR BOARD MEETING SCHEDULED: March 7, 2016**

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

POSTING STATEMENT

A copy of this agenda was posted **January 29, 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 January 4, 2016 – 6:30 P.M.**  
Meeting Location: 3231 Main Street, Oakley

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

**CALL TO ORDER:** (6:30 P.M.)

**PLEDGE OF ALLEGIANCE**(6:30 P.M.)

**ROLL CALL:** (6:31 P.M.)

Directors Present: Barr, Bryant, Kenny, Johnansen, Michaelson, Morgan,  
Pope, Stonebarger, Young

Directors Absent: None

**ORGANIZATION OF THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT BOARD OF DIRECTORS:** (6:31 P.M.)

**A.1** Recognize Outgoing Directors Cooper and Smith

**A.2** Administration of Oath of Office for Directors Barr and Stonebarger, who have been appointed to the Board of Directors by the Brentwood City Council

**PUBLIC COMMENTS:** (6:38 P.M.)

There were seven (7) Public Speakers – Jessica LaChance, Jake Weir, Hal Bray, Vince Wells, Wendy Lack, Mark Whitock, Steven Smith

**CONSENT CALENDAR: (6:58 P.M.)**

**C.1 Approve Minutes from December 7, 2015 Regular Board of Directors Meeting**

**Motion by: Director Young to approve consent item C.1**  
**Second by: Director: Johansen**  
**Vote: Motion carried: 7:0:2**  
**Ayes: Michaelson, Bryant, Johansen, Kenny, Morgan, Pope, Young**  
**Noes:**  
**Abstained: Barr, Stonebarger**  
**Absent:**

**C.2 Approve Minutes from December 28, 2015 Special Board of Directors Meeting**

**Motion by: Director Young to approve consent item C.2**  
**Second by: Director: Johansen**  
**Vote: Motion carried: 5:0:4**  
**Ayes: Michaelson, Bryant, Johansen, Morgan, Young**  
**Noes:**  
**Abstained: Barr, Kenny, Pope, Stonebarger**  
**Absent:**

**DISCUSSION ITEMS**

**D.1 Selection of District Board Officers: President, Vice President for the 2016 Calendar Year (7:00 P.M.)**

There were no (0) Public Speakers

Director Johansen nominated Director Bryant to serve as Board President. Director Bryant nominated Director Johansen to serve as Board Vice President. There were no further nominations.

**Motion by: Director Young to adopt a resolution re-electing Director Bryant as President and Director Johansen as Vice President for the 2016 Calendar Year**  
**Second by: Director: Michaelson**  
**Vote: Motion carried: 9:0:0**  
**Ayes: Barr, Bryant, Kenny, Johansen, Michaelson, Morgan, Pope, Stonebarger, Young**  
**Noes:**  
**Abstained:**  
**Absent:**

**D.2 Discuss Filling of Open Seats on Finance Committee (7:04 P.M.)**

There were no (0) Public Speakers

Director Bryant appointed Director Stonebarger and Director Barr to join Director Young on the Finance Committee

**D.3** Discuss Filling of Open Seats on Public Education/Outreach Committee  
(7:09 P.M.)

There were two (2) Public Speakers – Jessica LaChance, Meghan Bell

Director Bryant re-appointed Director Johansen to join Directors Kenny and Morgan on the Public Education/Outreach Committee.

**D.4** Schedule a Public Hearing Regarding Proposed Schedule of Fees and Introduce and Waive First Reading of Ordinance Adopting a Schedule of Fees for the Recovery of Emergency Medical First-Responder Service Costs  
(7:17 P.M.)

There were three (3) Public Speakers – Gil Guerrero, Steven Smith, Mark Whitlock

**Motion by: Director Young to Schedule a Public Hearing Regarding Proposed Schedule of Fees and Introduce and Waive First Reading of Ordinance Adopting a Schedule of Fees for the Recovery of Emergency Medical First-Responder Service Costs**

**Second by: Director: Pope**

**Vote: Motion carried: 9:0:0**

**Ayes: Barr, Bryant, Kenny, Johansen, Michaelson, Morgan, Pope, Stonebarger, Young**

**Noes:**

**Abstained:**

**Absent:**

**D.5** Receive Operational Update for December 2015  
(7:42 P.M.)

There was one (1) Public Speaker – Vince Wells

**INFORMATIONAL STAFF REPORTS: (8:02P.M.)**

1. Receive Unupdate on Firefighter Recruitment

Chief Henderson gave an update on the Firefighter Recruitment process.

**DIRECTORS' COMMENTS: (8:02P.M.)**

Director Morgan would like to consider expanding the Education/Outreach Committee to include outgoing directors and/or other members of the community. Director Morgan also suggested

that the District start working on a "Plan B" to fund the District if a measure potentially to be developed by the multi-jurisdictional task force is not adopted.

**INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS: (8:02P.M.)**

**NONE**

**RECESS TO CLOSED SESSION ON THE FOLLOWING MATTERS: (8:02 P.M.)**

1. Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b)(1)  
Title: Fire Chief

**REPORT ON THE CLOSED SESSIONS: (9:21 P.M.)**

No reportable action was taken in Closed Session.

**ADJOURN TO THE REGULAR BOARD MEETING SCHEDULED: February 1, 2016 (9:21 P.M.)**

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS AGENDA ITEM NO. PH-1**

**Meeting Date:** February 1, 2016

**Subject/Title:** Hold a Public Hearing on Proposed Schedule of Fees and Adopt Ordinance Determining a Schedule of Fees for the Recovery of Emergency Medical First-Responder Service Costs, and Adopt Resolution Establishing the Policy for Waivers and Appeals of Emergency Medical First-Responder Fees

**Submitted by:** Hugh Henderson, Fire Chief

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**RECOMMENDATION FOR ACTION**

Waive second reading of Ordinance No. 2016-01 to adopt a schedule of fees reflecting the costs to the East Contra Costa Fire Protection District (District) of providing emergency medical first-responder services and permitting recovery of those costs, hold a public hearing on the proposed schedule of fees and ordinance, adopt the proposed ordinance, and direct the Fire Chief to arrange for requisite notice of the new ordinance to be published in accordance with State law. Introduce and adopt Resolution 2016-02 establishing the policy for waivers and appeals of Emergency Medical First-Responder Fees.

**PREVIOUS ACTION**

On December 17, 2015, the Finance Committee received and discussed a draft of the proposed ordinance, and recommended that the Board of Directors set a public hearing to consider its proposed adoption. On January 4, 2015, the Board of Directors introduced and waived the first reading of Ordinance No. 2016-01. At the same meeting, the Board set February 1, 2016 as the meeting date for a public hearing on the proposed ordinance and incorporated fee schedule. On January 8, 2016 and January 15, 2016, the District published a notice of intent to establish a schedule of fees.<sup>1</sup> The data related to the cost to the District of providing emergency medical first-responder services was made available to the public on January 15, 2016.

**SUBJECT BACKGROUND**

Under the Fire Protection District Law of 1987, if a district finds it does not have adequate revenue available to provide the services that it is empowered to provide including: 1) fire protection services, 2) rescue services, 3) emergency medical services, 4) hazardous material emergency response services, 5) ambulance services, or 6) any other services relating to the protection of lives and property, it may raise additional revenue pursuant to several alternative methods.

Among these methods, the District can charge a fee to recover the cost of any service it provides, such as providing emergency medical response services in case of injury or illness (known as "first-responder fees"). Such fees may not exceed the costs reasonably borne by the District in providing the service for which the fee is charged. The cost of holding the hearing

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<sup>1</sup> The District did not have any written requests on file pertaining to individuals interested in receiving mailed notice of District meetings or a meeting where action on new or increased fees would be taken. As a result, no such notices were mailed.



described below and the costs of administering the fee also may be recovered from the fees charged. The District may not use first-responder fees for new construction or acquiring equipment. The District Board may waive a first-responder fee when it finds that payment is not in the public interest. Prior to waiving any fee, the Board must first adopt a resolution specifying the policies and procedures governing waivers.

To impose a new first-responder fee, the District must take the following remaining actions:

1. Hold a hearing and consider any objections or protests to the proposed schedule of fees;
2. At a regular meeting at least five days after the ordinance is introduced, adopt the ordinance; and
3. If approved, direct that a summary or full copy of the ordinance be published in the newspaper of general circulation in the jurisdiction in a manner satisfying the requirements of Government Code Section 25124, with the names of the Directors voting for and against it.

Additionally, should the Board wish to provide for waiver of the payment of a first-responder fee, it must adopt a resolution specifying the policies and procedures governing such waivers.

The attached proposed ordinance would establish a schedule of fees for providing emergency medical first-responder services according to the following calculation:

#### **Emergency Medical First-Responder Fee Calculation**

##### **Total Hourly Rate**

Fire Captain	\$ 121.07
Fire Engineer	\$ 112.24
Firefighter	\$ 104.30

***Emergency Medical First-Responder Fee \$ 337.61***

These hourly rates were developed for and included in the District's 2015/16 Cost Allocation Plan developed by the City of Brentwood and presented to the Finance Committee.

The proposed ordinance does not differentiate between fees for residents and fees for non-residents of the District.

The Administration of first-responder fees consists of tasks including, but not limited to: tracking of first-responder services provided; identification of financially-responsible parties; calculation of total fees to be charged; invoicing and collecting payment; and processing of waiver requests (if permitted) and appeals. The proposed ordinance provides that the Fire Chief may delegate all or some tasks required for administration of the first-responder fees to another public agency in Contra Costa County.

Additionally, the draft proposed ordinance charges the Fire Chief, or his designee, with developing policies and procedures required for invoicing, billing, and receiving payments under the proposed ordinance, including a policy for discharging accounts that are not collectible.

The attached proposed resolution would authorize the Fire Chief, or his designee, to waive emergency medical first-responder fees when the Fire Chief finds that it is in the best interest of the District to do so. The resolution also would authorize the District to accept the actual amount of payments from insurance carriers for emergency responses, and waive the difference between fees issued and payments received from insurance carriers. The proposed resolution would charge the Fire Chief, or his designee, with developing procedures for receiving and processing requests for waivers and appeals of the fees. In addition, the proposed resolution directs the Fire Chief to develop recommendations on other types of waivers the District may choose to grant in the future, such as for hardship, for consideration by the Finance Committee. Lastly, the proposed resolution would authorize the Fire Chief to delegate the administration of the waiver and appeals policies and processes to any other public agency in Contra Costa County.

The proposed ordinance and related proposed resolution would have no effect on the provision of emergency medical first-responder services in the District, and their adoption would not be a waiver of any other means of cost recovery available to the District by law.

Attachment: Ordinance  
Resolution

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

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**ORDINANCE NO. 2016-01**

**ADOPTING A SCHEDULE OF FEES FOR THE RECOVERY OF  
EMERGENCY MEDICAL FIRST-RESPONDER SERVICE COSTS**

**WHEREAS**, the East Contra Costa Fire Protection District (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.*); and

**WHEREAS**, the District is authorized under Health and Safety Code Section 13916 to recover its actual costs reasonably borne in providing its services; and

**WHEREAS**, the District provides emergency medical first-responder services to both residents living within the District and to non-residents working in, visiting or travelling through the District; and

**WHEREAS**, the District has made a reasonable calculation of the costs it bears in providing emergency medical first-responder services, which costs include the District's actual costs of emergency medical personnel; and

**WHEREAS**, the emergency medical first-responder fee established by this ordinance is calculated based on recovering the District's actual costs of providing emergency medical first-responder services to each person at an incident for which such services are performed by the District.

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

**SECTION 1. STATUTORY AUTHORITY**

This ordinance is enacted pursuant to California Health and Safety Code Sections 13910 through 13919.

**SECTION 2. APPLICABILITY**

This ordinance establishes the cost-recovery fees charged by the District in accordance with Health and Safety Code Section 13916. By adopting this ordinance, the District is enacting user fees to recover the actual costs associated with providing emergency medical first-responder services as defined in Section 3.

**SECTION 3. DEFINITIONS**

(a) "District" means the East Contra Costa Fire Protection District.

- (b) "Emergency medical first-responder services" means care provided by District personnel at an incident including, but not limited to, oxygen therapy, injury and wound management, patient packaging, operation of an automated external defibrillator, and administration of drugs.

**SECTION 4. EMERGENCY MEDICAL FIRST-RESPONDER FEE**

- (a) An emergency medical first-responder fee to recover the actual and reasonable costs borne by the District in providing emergency medical first-responder services to each person is established in the amount specified in Exhibit A, attached hereto and incorporated herein.
- (b) The emergency medical first-responder fee shall be charged to each person who receives District provided emergency medical first-responder services during a single incident.
- (c) The District Board of Directors ("Board") may adjust the amount of the emergency medical first-responder fee established by this ordinance pursuant to Health and Safety Code Section 13916, with the understanding that an adjusted fee must reflect actual and reasonable costs borne by the District in providing emergency medical first-responder services.

**SECTION 5. FEE COLLECTION**

- (a) If the District provides emergency medical first-responder services to a person, the Fire Chief, or designee, will send an invoice seeking payment of the emergency medical first-responder fee to the person who received the service and to the insurance company that provides medical insurance coverage for the person (the "insurer"), if the person, or his or her representative, has identified to the District the insurer to which the invoice should be sent.
- (b) The Fire Chief, or designee, will develop policies and procedures for invoicing, billing, and receiving payments for each emergency medical first-responder fee charged under this ordinance. The policies and procedures will include a process to discharge from accountability accounts that are not collectible.

**SECTION 6. ADMINISTRATION OF THE FEE**

The Fire Chief, or designee, may delegate all or some of the tasks required for the administration of the emergency medical first-responder fee to any other public agency in Contra Costa County. Administration of the fee will consist of tasks including, but not limited to, tracking of emergency medical first-responder services provided by the District, identification of financially-responsible parties, calculation of total fees to be charged, invoicing and payment collection, and the processing of waiver requests and appeals, if permitted.

**SECTION 7. NO EFFECT ON EMERGENCY MEDICAL FIRST-RESPONDER SERVICES**

This ordinance neither expands nor limits emergency medical first-responder services. Nothing in this ordinance relieves the District from providing emergency medical first-responder services. Emergency medical first-responder services will continue to be provided without regard to whether a person is insured by an insurer, without regard to whether a person has the ability to pay the emergency medical first-responder fee, and without regard to whether a person has or has not paid the emergency medical first-responder fee in the past.

**SECTION 8. NO WAIVER OF OTHER MEANS OF COST RECOVERY**

This ordinance does not preclude the District from recovering its emergency response costs in any other manner authorized by law.

**SECTION 9. SEVERABILITY**

If any fee or provision of this ordinance is held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining fees or provisions, and the Board declares that it would have adopted each remaining part of this ordinance irrespective of any such invalidity.

**SECTION 10. 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 January, 2016.

**PASSED AND ADOPTED** at a regular meeting of the East Contra Costa Fire Protection District Board of Directors held on the 1st day of February, 2016 by the following roll call vote.

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Joel Bryant  
President, Board of Directors

ATTEST:

\_\_\_\_\_  
Hugh Henderson, Clerk of the Board

**EXHIBIT A**

**Emergency Medical First-Responder Fee Calculation**

**Total Hourly Rate**

**Personnel Costs**

Fire Captain	\$ 121.07
Fire Engineer	\$ 112.24
Firefighter	\$ 104.30

**Emergency Medical First-Responder Fee \$ 337.61**

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

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**RESOLUTION 2016-02**

**ESTABLISHING A POLICY FOR WAIVERS AND APPEALS OF EMERGENCY MEDICAL  
FIRST-RESPONDER FEES**

**WHEREAS**, the East Contra Costa Fire Protection District (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.*); and

**WHEREAS**, the District is authorized under Health and Safety Code Section 13916 to recover its actual costs reasonably borne in providing its services; and

**WHEREAS**, the District provides emergency medical first-responder services to both residents living within the District and to non-residents working in, visiting or travelling through the District; and

**WHEREAS**, the District has made a reasonable calculation of the costs it bears in providing emergency medical first-responder services, which costs include the District's actual costs of emergency medical personnel; and

**WHEREAS**, the District established an emergency medical first-responder fee, which is calculated based on recovering the District's actual costs of providing emergency medical first-responder services to each person at an incident for which such services are performed by the District; and

**WHEREAS**, the District desires to ensure that emergency medical first-responder fees may be waived when it is not in the public interest to charge such a fee, and appealed.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the East Contra Costa Fire Protection District does hereby:

1. authorize the Fire Chief, or a designee, to waive any emergency medical first-responder fee charged in accordance with Ordinance 2016-01 when the Fire Chief, or designee, determines it is in the best interest of the District to do so;
2. authorize the Fire Chief, or a designee, to accept the actual amount of payments from insurance carriers for emergency responses, and waive any difference between the invoiced fees and the amounts paid by the insurance carriers;
3. direct the Fire Chief, or a designee, to develop procedures for receiving and processing requests for waivers and appeals of emergency first-responder fees;
4. direct the Fire Chief to develop options for any other waivers, such as for hardship, for consideration by the Finance Committee at an upcoming meeting so that the Finance Committee can recommend any of the same for adoption by the Board of Directors; and

5. authorize the Fire Chief to delegate the administration of the waiver and appeals policies and process authorized herein to any other public agency in Contra Costa County pursuant to Section 6 of Ordinance 2016-01.

**PASSED, APPROVED AND ADOPTED** by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 1st day of February, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Joel Bryant  
President, Board of Directors

ATTEST:

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Hugh Henderson  
Clerk of the Board



**EAST CONTRA COSTA FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS AGENDA ITEM NO. D-1**

**Meeting Date:** February 1, 2016

**Subject/Title:** Approval and Authorization to Execute a Memorandum of Understanding to Implement the Recommendations of the Multi-jurisdictional Fire Task Force

**Prepared by:** Gustavo "Gus" Vina, City Manager, City of Brentwood

**Submitted by:** Gustavo "Gus" Vina, City Manager, City of Brentwood  
Hugh Henderson, ECCFPD Fire Chief

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**RECOMMENDATION**

Adopt a resolution approving, and authorizing the Board President and Fire Chief to execute, a Memorandum of Understanding between the City of Brentwood, the City of Oakley, Contra Costa County, and the East Contra Costa Fire Protection District (District) to implement the recommendations of the fire and medical services task force.

**PREVIOUS ACTION**

In June 2015, a self-appointed multi-jurisdictional task force was created to explore possible solutions that would address emergency fire and medical responses in the District. The task force evaluated both short-term and long-term mitigation measures that would help to reduce public safety risks in the District.

After several months of meetings, the task force unanimously voted to recommend solutions to all the appropriate stakeholder agencies, beginning with the District. On November 2, 2015 the District's Board of Directors voted 6-2 to approve the task force recommendations, allowing the task force to continue presenting its recommendations to the other stakeholders. On November 10, 2015, the City Councils for both the City of Oakley and the City of Brentwood unanimously voted to approve the task force recommendations. On November 17, 2015, the Contra Costa Board of Supervisors also approved the task force recommendations by a 4-1 vote.

On December 7, 2015, the District's Board of Directors unanimously approved a resolution implementing the final task force recommendations and related conditions. With the Board's approval of the final recommendations, a Memorandum of Understanding (MOU) has been prepared and is presented this evening for consideration and approval. The same MOU will be presented to the governing bodies of the other participating entities for their consideration and approval.

**SUBJECT BACKGROUND**

The proposed MOU memorializes the agreement among the stakeholders to fund: 1) the re-opening and staffing of the Knightsen fire station through June 2017, 2) an exploration of a 2016 ballot measure to provide sustainable long-term funding for the district, and 3) preparation of a master plan for the District envisioning the next 25 to 30 years of fire service in the jurisdiction.

Approval and execution of the proposed MOU will allow the District to collect funds from the other signatory agencies to pay costs related to opening and staffing the Knightsen Station.

The other agencies are expected to consider approval of the MOU over the next 10 days, after which the District can proceed with the requisite steps required to extend conditional job offers to new firefighters and re-open the Knightsen station.

**FISCAL IMPACT**

The two-year funding plan included in the MOU provides and commits funding as follows: the District will contribute \$873,978, the City of Oakley \$382,202, the City of Brentwood \$666,000 and Contra Costa County \$311,617, for a total of \$2,233,797. The District will invoice and collect the contributions from the two cities and the County. Up to \$290,000, combined, will be available for exploration of a potential ballot measure and the District's master planning effort, with the rest funding the re-commissioning and staffing of the Knightsen fire station.

Attachments: Resolution  
Memorandum of Understanding

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

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**RESOLUTION NO. 2016-**

**APPROVING AND AUTHORIZING THE BOARD PRESIDENT AND FIRE CHIEF TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF BRENTWOOD, THE CITY OF OAKLEY AND CONTRA COSTA COUNTY TO IMPLEMENT THE RECOMMENDATIONS OF THE FIRE AND MEDICAL SERVICES TASK FORCE**

**WHEREAS**, the East Contra Costa Fire Protection District (District) provides fire prevention and fire and medical emergency response services to the District, which covers 249 square miles and a population of over 110,000; and

**WHEREAS**, the District's jurisdiction is comprised of the entire cities of Brentwood and Oakley, as well as several unincorporated communities in Contra Costa County; and

**WHEREAS**, the District is funded primarily by property taxes, receiving an average of 7 cents per dollar paid, and lacks a dedicated funding source sufficient to provide requisite fire and medical emergency prevention and response services; and

**WHEREAS**, District voters and property owners have not passed a parcel tax or benefit assessment measure to increase funding for the District; and

**WHEREAS**, a lack of sufficient funding has required the District to reduce fire and medical response services, including with the recent closure of two fire stations, despite continuously increasing call volumes; and

**WHEREAS**, the District is currently served with only three fire stations and nine firefighters for any given shift, relying on neighboring agencies and CalFire for additional resources; and

**WHEREAS**, a task force (Task Force) was formed to identify and recommend both short-term and long-term solutions to improve fire and medical emergency response capabilities within the District; and

**WHEREAS**, Task Force members include the Fire Chief for Contra Costa Fire Protection District; the Fire Chief and a Battalion Chief for the District; the Chiefs of Staff from County Supervisors Mary Piepho's and Karen Mitchoff's offices; the President, Vice-President and Board Member for Firefighters Association Local 1230; the City Manager for Oakley, and the City Manager for Brentwood; and

**WHEREAS**, the Task Force met on multiple occasions, discussed various challenges hampering the District, and identified short- and long-term solutions to improve fire and emergency medical responses within the District; and

**WHEREAS**, the Task Force developed specific recommendations (Recommendations) that were ultimately adopted by the governing bodies of the participating entities in the manner further described below; and

**WHEREAS**, on November 2, 2015, the District's Board of Directors adopted the Recommendations and authorized preparation of a Memorandum of Understanding (MOU) to implement the Recommendations by Resolution 2015-22; and

**WHEREAS**, on November 10, 2015, the City Council of Brentwood adopted the Recommendations and authorized preparation of the MOU by Resolution 2015-167; and

**WHEREAS**, on November 10, 2015, the City Council of Oakley adopted the Recommendations and authorized preparation of the MOU by Resolution 127-15; and

**WHEREAS**, on November 17, 2015, the County Board of Supervisors adopted the Recommendations and authorized preparation of the MOU by Resolution 2015/424; and

**WHEREAS**, on December 7, 2015, the District's Board of Directors adopted revised Recommendations and reauthorized preparation of the MOU by Resolution 2015-25; and

**WHEREAS**, the Fire Chief recommends the Board approve, and authorize execution of, the proposed MOU between the District, the City of Brentwood, the City of Oakley and Contra Costa County to formally memorialize and implement the Task Force's Recommendations.

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

1. approves, and authorizes the Board President and Fire Chief to execute, a Memorandum of Understanding between the District and the City of Brentwood, the City of Oakley and Contra Costa County to implement the final recommendations of the fire and medical services task force; and
2. authorizes the Fire Chief to take any other steps necessary to give effect to this Resolution, including negotiating and agreeing to any pre-execution revisions to the MOU consistent with the previously-approved Task Force Recommendations, and in a form approved by Legal Counsel, so long as such changes do not increase the District's overall financial commitment to the Task Force Recommendations.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the East Contra Costa Fire Protection District board of Directors held on the 1st day of January, 2016 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Joel Bryant  
President, Board of Directors

ATTEST:

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Hugh Henderson, Clerk of the Board