



PLACER HILLS FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS

Established 1949

Alex Harvey Peter Hills Fred Lofrano Russell McCray Mark Wright

NOTICE of a REGULAR MEETING and AGENDA

WEDNESDAY, AUGUST 22, 2018 at 6 p.m.

Fire Station 84, 16999 Placer Hills Rd, Meadow Vista CA 95722

1. Call to Order, Pledge of Allegiance and Roll Call
2. Agenda Approval; Board action may be taken on any item on this agenda.
3. Minutes Approval; Prior meeting(s) minutes
4. Public Comment; Persons may address the Board on matters not on the agenda. Topics should be of jurisdictional interest to the Fire District. Please limit your comments to 5 min. as the Board is not permitted to take any action on non-agenda items.
5. Correspondence (not covered in agenda items): Supervisor Montgomery email regarding special election procedures; Successful OES grant agreement # EM19006 for \$25,000 for extrication equipment
6. Information Items:
 - a. Report by Fire Chief Kirk Kushen
 - b. Placer Hills Firefighters Association report
 - c. Nevada County Professional Firefighters (Local 3800) report
 - d. Board Committee reports: Finance Committee report
7. Discussion and Action Items:
 - a. Closed Session (at 6:30 pm):
 - i. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; Pursuant to CA Govt. Code Section 54956.9 Tess Clark v. Placer Hills Fire Protection District SCV0040302
 - ii. Govt. Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATORS (Harvey/Lofrano) (Chief's contract amendment)
Reconvene and report Action taken in Closed Session
 - b. Consider and Approve amendment to the Fire Chief's employment contract to clarify reimbursement for out of district deployments: *action required*
 - c. Final approval of Ordinance 2018-01 establishing Fire Inspection Fees for commercial buildings and premises to go into effect on July 1, 2019: *action required*
 - d. Consider and Adopt Resolution No. 2018-03 approving the Department of Forestry and Fire Protection Agreement #7FG18088 for grant funding not to exceed \$3,375.00: *action required*
 - e. Consider and Approve a Fire Marshal Job Description: *action required*
 - f. Update on the FEMA Fire Prevention & Safety grant application #EMW 2017-FP-00394 and approval to move forward with the process if awarded prior to next Board meeting: *action required*
 - g. Consider and Approve a Joint Operations Agreement with Foresthill and Newcastle Fire Districts; *action required*
 - h. Consider and approve public outreach and education flyers/mailers: *action required*
 - i. Consider and approve application to borrow county funds until property tax revenues are received: *action required*
 - j. Placer County Fire Districts' Financial Stability Task Force update: *no action required*
 - k. Budget update and approval of expenses: *action required*
8. Director's comments; This time is designated for Directors to:
 - a. Report on activities of interest to the District which the Director is engaged in or is considering. No action will be taken on these items at this meeting.
 - b. Request item(s) for inclusion on subsequent meetings, or request a Special Meeting.
 - c. Reminder of the next Board meeting (regular or special) date, time and location.

9. Adjournment

Next regular meeting: September 26, 2018, 2018 at 6 p.m.

Note: Placer Hills Fire District is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. Please contact the District Office at (530) 878-0405 in advance of the meeting to enable the District to arrange reasonable accommodations for participation in the meeting. Except for records that are exempt from disclosure under the California Public Records Act, agendas and other writings relating to this agenda and meeting which are distributed to the Board Members prior to or at this meeting are available to the public.

BOARD OF DIRECTORS

PLACER HILLS FIRE PROTECTION DISTRICT
P.O. Box 350, Meadow Vista, CA 95722
(530) 878-0405 Fax (530) 878-0959
www.placerhillsfire.org



Alex Harvey
Peter Hills
Fred Lofrano
Russell McCray
Mark Wright

MINUTES OF THE REGULAR MEETING: July 25, 2018

1. Call to order; Flag salute; Roll call:

Director Hills convened the regular meeting at 6:00 p.m.

Directors in attendance: Harvey, Hills, Lofrano, McCray and Wright.

Directors absent: None.

Staff in attendance: Chief Kushen, Battalion Chief Nelson, District Manager Lofrano and Captain Slusher.

2. Agenda approval:

Items 7a (Closed session) and 7b (Chief's salary increase) were moved to the end of the discussion and action items. The amended agenda was approved. (Wright/McCray)

3. Approval of the minutes: The minutes of the regular meeting on June 27, 2018 were approved as presented. (Lofrano/Wright).

4. Public Comment: Bill Kahrl, a Board member from Newcastle Fire Protection District introduced himself to the Board. He thanked the Board for endorsing his nomination for the open Placer LAFCO special district representative position. He will be appointed as the other nominee dropped out. Mr. Kahrl noted that it was important to have a fire representative on the LAFCO Board in the light of the consolidation discussions.

5. Correspondence (not covered in Agenda items below): Director Hills sent a letter to Supervisor Montgomery and copied several other County officials requesting the County to fund a special tax election and assist in a public education outreach program.

6. Information items:

a. Chief Kushen:

- Battalion Chief Nelson, as Strike Team Leader, and engines from both Placer Hills and Foresthill were deployed for 10 days at the County and Klamathon wild fires. The Newcastle engine covered the Cal Fire stations with staff and their one volunteer. This is the first time Engine 41 has been assigned. With this realized revenue, Chief Kushen has created a seasonal position for Newcastle to allow them to continue to participate in the mutual aid system. The seasonal firefighter started today and was very beneficial in mitigating a vegetation fire this afternoon.
- Chief Kushen received notification that Captain Reams from Foresthill was injured while on deployment at the Mariposa wild fire. After informing Director Reams that his son was injured, he was notified that it was actually the Captain on the Penryn engine. The Penryn Captain suffered a dislocated knee and was unable to continue on the strike team. Placer Hills sent a replacement engine with Captain Wood. They will probably be out for 21 days. This is a case when a shared staffing agreement would have been beneficial.

- Battalion Chief Nelson has completed his first annual evaluation. Chief Kushen congratulated him on his high level of service. There has been many changes in operations over the past year. Chief Kushen appreciates the efforts of all the command staff.
- Director Randy Neifer from Penryn has invited Chief Kushen to attend the next Penryn Fire Board meeting to discuss the cooperation of services.
- Chief Kushen signed the agreement with Lexipol to provide Placer Hills, Foresthill, Newcastle and Penryn a shared platform for fire district policies and procedures.
- FEMA requested confirmation of Placer Hills' banking account in association with the Fire Prevention and Safety grant application for \$920,000. With the assistance of a grant writer, we applied for a Fire Marshal, an office assistant, a vehicle, computers and software for 5 years to establish a self-sufficient regional fire prevention program. The Board would have to officially approve the grant and the new positions at a Board meeting if we are successful with the grant application.
- Chief Kushen is meeting with Cal Fire's Chief Morris tomorrow to work together to improve services.
- Chief Kushen has reached out to Holly Powers, the new Assistant Director of Placer County OES but, at this time, has not heard back from her.

d. *PHF Association and Local 3800 Report by Captain Slusher:*

- The Association is replacing the flagpole at Station 84.
- The Association is building a barbeque with a griddle and cooktop.
- Captain Slusher is working with the union's attorney to include the apprentices in the MOU.

7. Discussion and Action Items:

c. Approve Ordinance 2018-01 establishing fire inspection fees for commercial buildings:

This was continued to next meeting due to the publishing requirements. Crews have been doing a good job informing our customers of the fees that will go into effect next year. The fees will be an incentive for the businesses to comply with the regulations and compensate staff time and fuel usage.

d. Approve Policy # 2-025 Incident Deployment Rules of Engagement formally Strike Team:

Motion made and approved unanimously to approve policy #2-025 Incident Deployment Rules of Engagement. (Harvey/Wright). We will schedule workshops to approve the new policies from Lexipol.

e. Biennial review of the Conflict of Interest Code:

Motion made and passed unanimously that no amendment was needed for the district's current Conflict of Interest policy. (McCray/Lofrano).

f. Consideration of a Special Tax to address the financial stability of the District:

There has been no response from the County to Director Hills' letter requesting assistance with a special election. Director Lofrano suggested that we could move forward with a special tax for funding with the condition that the district receives financial assistance

with the election costs from the County. The Board discussed options for the special tax fee. The County is slowly moving forward with the consolidation plan for the CSA's so any help from the County with public education would be in a couple of years. Director McCray suggested that the incentive for the Foresthill special election on September 18, 2018 is the re-opening of the second station. The Finance Committee will meet to crunch the numbers and generate real projections to provide a fact sheet for the district's funding needs. Staff requested that they need clear direction to educate community members. This item will be continued at the board meeting in September.

- g. Approval to pre-pay annual lump sum option for the Cal PERS Unfunded Accrued Liability:*
Motion made and passed unanimously to pre-pay the annual lump sum for Cal PERS unfunded accrued liability for a savings of \$2,922.12. (Harvey/Wright).
- h. Discussion on staff retention:*
Chief Kushen reported that the apprentices are limited term employees with no job security and they leave for permanent positions with other agencies. The union has some suggestions for the retention of our employees. It was decided that the Finance and Personnel committees will meet with staff in September and discuss this issue.
- i. Update on the District's Financial Stability Task Force:*
Ms. Berry from LAFCO gave a presentation to the Task Force on the application process. It will involve some fee, probably under \$10,000. Ms. Berry will research the ambulance rights with a reorganization. It was positive meeting but Director Hills still has many questions. It was decided that the group will meet after the Foresthill election. Board representatives will meet with Supervisors Montgomery and Holmes.
- j. Budget update and approval of expenses:* No report.

The public meeting was adjourned at 8:30 pm and the Board went into Closed Session.

- a. Closed Session under Govt. Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS (Harvey/Lofrano) (Fire Chief):*
The public meeting was reconvened at 8:47 pm. Director Hills reported that the Board concluded Fire Chief Kushen's annual evaluation and voted unanimously to increase his salary by 3%, retroactive to July 1, 2018.
- b. Approve Chief Kushen's 3% salary increase retroactive to July 1, 2018:*
Motion made and approved unanimously to increase the Fire Chief's salary by 3% and make it retroactive to July 1, 2108. (Lofrano/McCray).

8. Directors' comments:

Report on activities of interest to the District which the Director is engaged in or is considering. No action will be taken on these items at this meeting.

a. *Request items for inclusion in subsequent meetings, or request a special meeting:*

Director Hills anticipates a Closed Session regarding the District's litigation next month.

Director Lofrano has drafted 2 options for Station 84 engine bays.

The radios still have to be installed in the Battalion Chief's vehicle.

b. *Reminder of next Board meeting: August 22, 2018 at 6 pm.*

9. Adjournment:

There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully submitted by: _____


Gillian Lofrano, Board Secretary

Approved by: _____



PLACER HILLS FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS

Established 1949

Alex Harvey

Peter Hills

Fred Lofrano

Russell McCray

Mark Wright

July 5, 2018

Supervisor Jennifer Montgomery
175 Fulweiler Ave.
Auburn, Ca. 95603

Re: Special Tax Election and Public Education Program

Dear Supervisor Montgomery:

The Placer Hills Board of Directors at its June 27th Board Meeting discussed the feasibility of proceeding with another special tax election. The primary purpose of the special tax election is to raise additional revenue that will allow the fire district to operate for an undefined additional period and not be subject to fiscal insolvency within the next couple of years.

As your office is fully aware, the amount of the additional special taxes that the district ultimately needs to be fully functional is somewhere in the range of \$500 to \$600 per parcel. As prior surveys have indicated, it will be very difficult to obtain the 66 2/3 approval of our district citizens for any amount of additional special taxes. However, an amount that places our District's special taxes somewhere in the range of our neighboring fire districts may be attainable with significant public education and outreach. Our Board has not finalized the amount of additional special taxes we would support being placed on a future ballot.

At the May 22, 2018 Board of Supervisors meeting, when the fiscal difficulties of the independent fire districts were discussed, it was suggested that the County would potentially fund the cost of a special election if Placer Hills was to proceed with a ballot measure. At that same meeting, the Board of Supervisors did approve funding the upcoming Foresthill special tax election.

The Placer Hills Board of Directors is, therefore, formally requesting that the County fund the cost of a special tax election for our District. At our Board's July board meeting, I anticipate the Board will formalize the amount of additional special taxes to be placed on a ballot measure, and the timing of when to conduct an election. Based on the upcoming November elections and the subsequent holidays, in addition to the significant amount of information and outreach the election will require, we may be looking at sometime in early 2019 to conduct the election.

We are aware that the County may also be considering a ballot measure to fund fire services in the community services areas where the County currently provides fire protection services. If in fact the County is going to proceed with a special tax measure, jointly scheduling the election in the same timeframe and assistance from the County in a public education outreach program, could be very beneficial for our District. Therefore, please be advised that our Board would be very supportive of working with the County in a public information endeavor if in fact the timing of both our District's and the County's election did in fact coincide.

Thank you for considering this request and we look forward to working with the County in a public outreach program that will provide our citizens with the vital information needed to support a special tax for fire protection and advanced life support medical services.

Respectfully,

Peter R. Hills
Board President

Kirk Kushen
Fire Chief

cc: Jim Holmes, Supervisor
Jenine Windeshausen, Treasurer-Tax Collector
Ryan Ronco, Registrar of Voters
Bekki Riggan, Deputy CEO
Jocelyn Maddux, District Director

Subject: PH Ballot Initiative

Howdy Chief,

I finally have some clarity on steps to get something on the ballot next Spring(?) for you guys. Here is a summary of a meeting that explains the process:

"Of note, Placer Hills would need to formally submit to Elections a Reso from their Board of Directors requesting the election, along with the specific language of the measure. This should happen between 125-150 days prior to the election date and would trigger Ryan's return to the Board for authorization to proceed. Ryan affirmed that the memo would look similar to the July 10, 2018 memo that authorized Foresthill's election, and would clarify Board direction on waiving the upfront payment of elections fees, and repayment should they be successful.

One more item, Ryan's 2017 and 2018 memos identified 2 differing figures for Foresthill's costs (\$39,920 and \$25,000), I asked Ryan to affirm the figure we should use moving forward. Although there are several factors which could influence Placer Hill's final costs (e.g. if Placer County went with a measure at the same time), for discussion purposes now, we would assume double the cost of Foresthill, given they have double the population."

I hope this helps clarify next steps and I apologize for the delay!

Jennifer Montgomery
Placer County Supervisor, District 5
530-889-4010

Placer Hills Fire Protection District

ORDINANCE NO: 18-01

**AN ORDINANCE ESTABLISHING FIRE INSPECTION FEES FOR
Placer Hills Fire Protection District of Meadow Vista, California**
Pursuant to Health and Safety Code §13869, §13916 and Government Code §66016

WHEREAS, pursuant to the International Fire Code/State Code, as adopted by the State of California, the Placer Hills Fire Protection District is required to annually conduct a fire code compliance inspection for commercial buildings and premises; and

WHEREAS, the Placer Hills Fire Protection District incurs administrative time and expense in connection with the performance of fire code compliance inspections for commercial buildings and premises within the Placer Hills Fire Protection District; and

WHEREAS, the Placer Hills Fire Protection District has studied the aforementioned costs and expenses associated with the performance of fire code compliance inspections for commercial businesses and premises within the Placer Hills Fire Protection District; and

WHEREAS, the Placer Hills Fire Protection District has made certain recommendations to establish a fire code compliance inspection fee; and

NOW, THEREFORE, BE IT RESOLVED by the Board of the Placer Hills Fire Protection District that Fire Inspection Fees shall be added to the Local Ordinances per the attached Fee Schedule/Exhibit; and the Board does

AUTHORIZE THE FOLLOWING:

(a) *Authority to Enter.* The Fire Marshall or designee is authorized to enter and inspect, or cause to be inspected, all commercial buildings and premises for the purpose of conducting an annual fire code compliance inspection.

(b) *Annual Inspection Fee.* The Fire Marshall or designee shall charge an annual inspection fee for each fire code compliance inspection except local and state government buildings. It shall be the duty of every person owning a building or maintaining or operating the business or premise within a commercial building or premise to pay the annual inspection fee. Each separate business or premise, even if housed within a single building, if separated by walls (as in a strip mall type of structure), shall be subject to these inspection requirements and fee schedule. Said fee schedule shall state the fee for an initial inspection, a re-inspection fee in the event of a failed initial inspection, and an hourly rate for fire inspector services in the event of non-compliance with the initial inspection. Equipment requiring periodic testing or operation shall be tested or operated as specified by the International Fire Code/State Code, as adopted by the State of

California, and the equipment testing fees shall be included in the fire inspection fee schedule.

(c) *Required Posting of Fire Inspection Certificate.* Each commercial building or premise shall post their Fire Inspection Certificate in plain view and each Fire Inspection Certificate will be updated upon the completion of the annual fire inspection.

(d) *Finding of Dangerous or Hazardous Conditions; Notice of Violation.* Whenever the Fire Marshal or designee determines that there are reasonable grounds to believe that there has been a violation of any provision of this section, he or she shall give notice of the alleged violation to the persons responsible. The notice shall be in writing, include a statement of the reasons why it is being issued, allow a reasonable time, not less than ten (10) days, for the performance of any act it requires, be served upon the owner or his agent, or the occupant, as the case may require. The notice shall be deemed properly served upon the owner, agent or occupant if a copy thereof is sent by regular mail or email to the last known address. The notice may contain an outline of remedial action, which, if taken, will affect compliance with the provisions of this article.

EFFECTIVE, This Ordinance shall take effect on July 1, 2019.

Passed: _____
Signature

Approved _____
Signature

VOTE ON PASSAGE: ___ Yea ___ Nay ___ Abstain

Attest: _____
Clerk

I, Gillian Lofrano, Secretary to the Board, do hereby certify that the foregoing Ordinance No. 18-01 was duly published in the Auburn Journal, a newspaper of general circulation in the Community on the 5th day of August, 2018; and I further certify the compliance with the Codified Ordinances and the laws of the State of California, pertaining to Public Meetings.

Clerk

EXHIBIT A

FIRE INSPECTION FEES

ENGINE COMPANY INSPECTION

\$100 Initial Inspection

\$50 Re-Inspection if there is a failure to pass the initial inspection

FIRE INSPECTOR

\$250/HOUR if the business or property owner fails to comply with allowing an initial inspection or any subsequent inspections required to obtain passage.

