

Joan E. Baker
4636 Silvercrest Way
Antioch, CA 94531
(925) 778-1069

September 3, 2019

Rodeo-Hercules Fire District Board of Directors
c/o Rodeo-Hercules Fire District
1680 Refugio Valley Road
Hercules, CA 94547

Attn: Andrew Gabriel, Chair
Board of Directors

Dear Mr. Gabriel and RHFD Board Members:

Late last year, I received a call from Chief Bryan Craig with a request for my permission to submit an application to the California Fire Foundation to add my late husband's name to the California Firefighters Memorial Wall in Sacramento. Approximately 4 weeks ago, I received notification that "William E. Baker III" will be added to the wall in a ceremony on September 28, 2019.

Bill absolutely loved his time with Rodeo-Hercules Fire and we made life-long friends while he was there. My son Brendan and I miss Bill greatly, and it's so nice to know that he is not forgotten by his Rodeo-Hercules Fire family. For this, we are grateful.

I would like to take this opportunity to thank Chief Bryan Craig for honoring my husband's memory with this meaningful tribute.

With a Grateful Heart,

Joan E. Baker

cc: Chief Bryan Craig

Rodeo Hercules Fire Protection District-General Fund 7800

Transaction List by Date

August 2019

Date	Name	Memo	Account	Amount
08/01/2019	IEDA, INC.	August 2019	2310-09 · REGULAR CONTRACT SERVICES	1,587.00
08/01/2019	American Messaging	August 2019	2110 · COMMUNICATIONS	38.13
08/01/2019	American River Benefit Administrators	September 2019	1060 · EMPLOYEE GROUP INSURANCE	565.44
08/01/2019	Health Care Dental	August 2019	1060 · EMPLOYEE GROUP INSURANCE	2,925.15
08/01/2019	Boundtree Medical	Medical Supplies	2140 · MEDICAL & LAB SUPPLIES	142.00
08/01/2019	PRECISION IT CONSULTING	September 2019	2310-09 · REGULAR CONTRACT SERVICES	1,781.60
08/01/2019	The Standard	September 2019	1060 · EMPLOYEE GROUP INSURANCE	550.00
08/02/2019	First Net	07/03-08/02	2110 · COMMUNICATIONS	203.69
08/05/2019	Fire District Association of California	19-20 Membership Dues	2200 · MEMBERSHIPS	440.00
08/05/2019	EAST BAY MUNICIPAL UTILITY DIS	Station 76-05/31-07/30/19	2120 · UTILITIES	1,071.03
08/05/2019	EAST BAY MUNICIPAL UTILITY DIS	Station 76-05/31-07/30	2120 · UTILITIES	285.13
08/09/2019	Streamline Automation System		2310 · PROFESSIONAL SERVICES -2310	7,250.00
08/09/2019	Boundtree Medical	Medical Supplies	2140 · MEDICAL & LAB SUPPLIES	47.76
08/09/2019	KEL-AIRE	August 2019	2281 · MAINTENANCE-BLDGS AND GROUNDS	390.30
08/10/2019	VERIZON WIRELESS	07/11-08/10	2110 · COMMUNICATIONS	19.06
08/12/2019	Meyers Nave	General Services	2310-00 · LEGAL SERVICES-GENERAL	4,744.75
08/12/2019	Meyers Nave	Travel	2310-00 · LEGAL SERVICES-GENERAL	42.34
08/14/2019	P.G. & E.	Station 75-7/12-08/12	2120 · UTILITIES	274.48
08/14/2019	P.G. & E.	Station 76 Annual True up	2120 · UTILITIES	6,017.93
08/14/2019	Kansas State Bank	Annual Payment	2250 · RENTS & LEASES -EQUIPMENT	80,400.68
08/15/2019	COUNTY DOIT	DATA0719	2315 · DATA PROCESSING SERVICE	160.68
08/15/2019	COUNTY DOIT	DATA0719	2315 · DATA PROCESSING SERVICE	17.84
08/15/2019	COUNTY DOIT	DATA0719	2326 · INFORMATION SECURITY CHG	150.41
08/19/2019	Rich Clarine	Copay Reimbursement	1060-01 · Co-Pay Reimbursement	15.00
08/19/2019	American River Benefit Administrators	August 2019	1060 · EMPLOYEE GROUP INSURANCE	565.44
08/19/2019	Entenmann-Rovin Co.	Badge	2479 · OTHER SPECIAL DEPARTMENTAL EXP	121.71
08/19/2019	P.G. & E.	Station 75-0/13-08/13	2120 · UTILITIES	21.79
08/19/2019	Team People	August Board Meeting	2310-09 · REGULAR CONTRACT SERVICES	432.00
08/21/2019	Boundtree Medical	Medical Supplies	2140 · MEDICAL & LAB SUPPLIES	16.47
08/30/2019	4850 Reimbursement	4850 Reimbursement	1011 · PERMANENT SALARIES	-2,430.54
08/30/2019	4850 Reimbursement	4850 Reimbursement	1011 · PERMANENT SALARIES	-1,215.27



RODEO-HERCULES FIRE PROTECTION DISTRICT
1680 REFUGIO VALLEY ROAD, HERCULES, CALIFORNIA 94547
(510) 799-4561 FAX: (510) 799-0395

REGULAR BOARD MEETING MINUTES
July 10, 2019

1. CALL TO ORDER/ROLL CALL(0:18)

Directors Present: Covington, Gabriel, Hill, Thorpe

Directors Absent: Prather

2. PLEDGE OF ALLEGIANCE (0:20)

3. ANNOUNCEMENTS (00:41)

Audio-Visual recording of board meetings; contract from Labor Negotiator regarding closed session.

4. ADJOURN TO CLOSED SESSION (NO RECORDING DEVICES ARE PERMITTED)

Tabled

5. CLOSED SESSION

Tabled.

6. RECONVENE IN OPEN SESSION/CLOSED SESSION REPORT OUT

Tabled.

7. CONFIRMATION OF AGENDA

8. BOARD CORRESPONDENCE

9. PUBLIC COMMUNICATIONS

None.

10. CONSENT CALENDAR (07:20)

A. Approval of meeting minutes of June 12, 2019

Director Covington moved to approve minutes of June 12, 2019, seconded by Director Hill. Motion passed 4-0.

B. Review of Transmittals

11. RESOLUTION NO. 2019-09: A RESOLUTION DECLARING INTENTION TO CONTINUE TO LEVY A FIRE SUPPRESSION ASSESSMENT AND SUPPLEMENTAL FIRE SUPPRESSION ASSESSMENT ON ALL PARCELS OF REAL PROPERTY FOR FISCAL YEAR 2019-20 FOR THE RODEO-HERCULES FIRE PROTECTION DISTRICT (10:29)

- A. Set Benefit Assessment rate of \$52.00 per risk unit for fiscal year 2019-2020 (Action Item)
- B. Set Supplemental Benefit Assessment rate of \$59.00 per risk unit for fiscal year 2019-2020 (Action Item)

Director Hill moved to approve Resolution 2019-09 Continuing Fire Suppression Assessment, seconded by Director Covington.

Roll Call Vote:

Covington: Aye

Gabriel: Aye

Hill: Aye

Thorpe: Aye

Motion passed 4-0-1 absent.

12. MEASURE O OVERSIGHT COMMITTEE REPORT (16:38)

- A. DISCUSSION AND POSSIBLE ACTION: MEASURE O OVERSIGHT COMMITTEE BYLAWS

Motion by Director Covington to approve bylaws as amended, seconded by Director Thorpe.

Roll Call Vote:

Covington: Aye

Gabriel: Aye

Hill: Aye

Thorpe: Aye

Motion passed 4-0-1 absent.

13. FIRE CHIEF REPORT (1:18:46)

14. STAFF REPORTS (1:32:17)

None.

15. BOARD MEMBER REPORTS (1:32:29)

None.

16. AD HOC BOARD COMMITTEE REPORTS (1:33:00)

- A. Live Broadcast- None.
- B. Reserve Program ad hoc committee (Prather & Thorpe)-none.
- C. Proposition 172 ad hoc committee (Gabriel)-none.

Motion by Director Hill to disband Live Broadcast ad hoc committee; seconded by Director Covington. Motion passed 4-0.

17. LOCAL 1230 CORRESPONDENCE (1:33:58)

None.

18. REQUESTS FOR FUTURE AGENDA ITEMS (1:34:07)

- 1. Measure O stipend
- 2. Move closed session to end of board meeting
- 3. Strategic Planning workshop
- 4. Cost of overtime vs. full time employment

19. ADJOURNMENT (1:49:54)

Meeting adjourned at 9:03 p.m.

Audio from this board meeting can be heard at www.rhfd.org
Number in parenthesis is time stamp on audio where agenda item begins.

Board Secretary



RODEO-HERCULES FIRE PROTECTION DISTRICT
1680 REFUGIO VALLEY ROAD, HERCULES, CALIFORNIA 94547
(510) 799-4561 FAX: (510) 799-0395

BOARD MEETING MINUTES
August 14, 2019

1. CALL TO ORDER/ROLL CALL

Present: Gabriel, Hill, Thorpe

Absent: Covington, Prather

2. PLEDGE OF ALLEGIANCE (1:38)

3. ANNOUNCEMENTS (1:53)

Consensus to move closed session to end of board meeting, and to move Item 3 to follow Announcements.

4. ADJOURN TO CLOSED SESSION (NO RECORDING DEVICES ARE PERMITTED) (1:04:25)

5. CLOSED SESSION (1:04:44)

6. RECONVENE IN OPEN SESSION/CLOSED SESSION REPORT OUT

No reportable actions-direction given to staff.

7. CONFIRMATION OF AGENDA

8. BOARD CORRESPONDENCE (17:33)

None.

9. PUBLIC COMMUNICATIONS (17:45)

Sue Pricco.

10. CONSENT CALENDAR (21:55)

- A. Approval of minutes Tabled to September.
- B. Review of Transmittals

11. PUBLIC HEARING-19/20 BUDGET (25:45)

Director Hill moved to approve Resolution 2019-10 Adopting Budget for 19-20 Fiscal Year; seconded by Director Thorpe.

Roll Call Vote

Gabriel: Yes

Hill: Yes

Thorpe: Yes

Motion passes 3-0-2 absent.

12. APPROPRIATIONS LIMIT (42:33)

- A. Discussion and Possible Action: The Board of Directors will consider the adoption of an Appropriations Limit for Fiscal Year 2019-20 in accordance with the State of California Article XIII B/California Government Code §7900-10. Staff recommendation is approval [Action Item]

Motion by Director Hill, to adopt appropriations limit for fiscal year 2019-20; seconded by Director Hill, seconded by Director Thorpe.

Roll Call Vote

Gabriel: Yes

Hill: Yes

Thorpe: Yes

Motion passes 3-0-2 absent.

13. MEASURE O (7:48)

- A. OVERSIGHT COMMITTEE APPLICATION [Possible Action Item]

Marie Bowman Oversight Committee Application.

Director Hill moved to accept Marie Bowman's application and appoint Ms. Bowman to Measure O Oversight Committee; second by Director Thorpe.

Roll Call Vote

Gabriel: Yes

Hill: Yes

Thorpe: Yes

Motion passes 3-0-2 absent.

- B. OVERSIGHT COMMITTEE REPORT (14:37)

14. CLOSED SESSION [Possible Action Item] (58:31)

Motion by Director Hill to move closed session items to after Local 1230 Correspondence, seconded by Director Thorpe. Motion passed 3-0-2 absent.

15. FIRE CHIEF REPORT (45:38)

16. STAFF REPORTS (51:47)

None.

17. BOARD MEMBER REPORTS (51:48)

A. LAFCO-Direction to staff given.

18. AD HOC BOARD COMMITTEE REPORTS (54:31)

- a. Live Broadcast ad hoc committee (Prather)-Motion to dissolve live broadcast ad hoc committee by Director Hill, seconded by Director Thorpe. Motion passed 3-0-2 absent.
- b. Reserve Program ad hoc committee (Prather & Thorpe)-none
- c. Proposition 172 ad hoc committee (Gabriel)-none

19. LOCAL 1230 CORRESPONDENCE (55:22)

Jerry Short-negotiations are wrapping up soon.

20. REQUESTS FOR FUTURE AGENDA ITEMS (56:27)

- 1. Strategic planning workshop roundtable

21. ADJOURNMENT

Meeting adjourned at 8:43 p.m.

Audio from this board meeting can be heard at www.rhfd.org
Number in parenthesis is time stamp on audio where agenda item begins.

Board Secretary

RODEO HERCULES FIRE PROTECTION DISTRICT

MEMORANDUM

Date: September 11, 2019
To: Board of Directors
From: Bryan Craig, Fire Chief *BAC*
Subject: Adoption of 2019 Fire Code.

ISSUE(S)

Shall the Board of Directors adopt by reference the most recent edition of the model California Fire Code as adopted and amended by the State of California (and further amended based on local conditions) for use in the Rodeo Hercules Fire District, repeal existing sections not applicable to new codes and modify the Rodeo Hercules Fire District Fire Code to reflect the new model code?

BACKGROUND

1. Every 3 years the State of California updates the California Code of Regulations, Title 24 (CCR-T24), through the State code adoption cycle. The State of California adopts and publishes amendments to national model codes and updates codes specific to California during this cycle. Such model codes with State amendments and California specific codes go into effect in every City and County in the State of California 180 days after publication. The new 2018 CCR-T24 were published in July of 2019. The Health and Safety Code allows local jurisdictions to change or modify the State-adopted model codes based on local geologic, climatic, or topographic conditions.
2. Government Code §50022.3 identifies the procedure for the adoption process of codes that established the requirement for first reading of the ordinance title and establishment of the public hearing date.

ANALYSIS

3. In January 2018, the State of California Building Standards Commission adopted many of these codes with amendments and published them as California codes. The new California Code of Regulations, Title 24, was published in July 2019. The codes adopted by the Building Standards Commission go into effect 180 days after publication by the State and must be enforced by each City and County. In January 2018, the State also adopted the following California codes specific to California: California Fire Code.

Local jurisdictions may amend the codes only if determined reasonably necessary because of local topographic, geologic, or climatic conditions.

1. Staff participated in a Fire Prevention Panel composed of county wide prevention officers, to create a consensus document to be utilized county-wide by cities and fire districts in Contra Costa County in an effort to ensure uniformity in requirements.
2. The more significant adaptations include, but are not limited to, the following: amendments and administrative changes previously established in the Rodeo Hercules Fire District Fire Code, but that now have revised code section numbers; inserts a clarification of the appeals process so that a Board of Appeals is established to hear and decide appeals of orders and the Board of Appeals shall be comprised of the Board of Directors; amends definitions; general precautions against fires and clarifies the fire sprinkler requirements applicable to substantial additions, remodels, alterations or repairs by incorporating language from the consensus document .
3. Staff has reviewed the new codes adopted by the State of California and prepared the ordinance for adoption of these codes with amendments into the Rodeo Hercules Fire District Fire Code.

RECOMMENDATION

It is recommended that the Board of Directors (1) introduce an Ordinance adopting by reference the 2019 California Fire Code with local amendments; and (2) set a public hearing for October 23, 2019 for adoption of the Ordinance.

Attachment:

Ordinance #2019-01

**RODEO-HERCULES FIRE PROTECTION DISTRICT FINDING OF FACT AND NEED FOR
CHANGES OR MODIFICATIONS IN THE 2019 CALIFORNIA BUILDING STANDARDS
CODE, TITLE 24, PART 9, CALIFORNIA FIRE CODE, DUE TO LOCAL CONDITIONS**

Changes or Modifications: Pursuant to §§17958 and 18941.5 of the California Health and Safety Code, the Board of the Rodeo-Hercules Fire Protection District in its ordinance adopting and amending the 2016 California Building Standards Code, Title 24, Part 9, California Fire Code, changes, modifies, and amends Section 903.1 through Section 914.11. Under the adoption of the 2016 California Fire Code, specific amendments have been established which are more restrictive in nature than those adopted by the State of California and the State Fire Marshal.

Findings: Pursuant to §§17958.5, 17958.7 and 18941.5 of the State of California Health and Safety Code, the Board of the Rodeo-Hercules Fire Protection District has determined and finds that the attached changes or modifications are needed and are reasonably necessary because of local climatic, geologic and topographic conditions.

Local Conditions: Local conditions have an adverse effect on the prevention of (1) major loss fires (2) major earthquake damage, and (3) the potential for life and property loss, making necessary changes or modifications to the California Fire Code and the State Buildings Standards Code in order to provide a reasonable degree of property security and fire and life safety in this Fire District.

The local amendments to the California Fire Code, 2019 Edition, have been evaluated by the Fire District as a procedure for addressing the fire hazards and concerns within the Fire District which will establish and maintain an environment for a high level of risk of fire and life safety to all persons who work and live within the Fire District boundaries.

Below are listed adverse, local climatic (See No.1), geologic (See No. 2) and topographic (See No. 3) conditions:

1. Climatic

a. Precipitation

Precipitation ranges from 15 to 24 inches per year with an average of approximately 20 inches per year. Ninety-six (96) % falls during the month of October through April and four (4) % from May through September. This is a dry period of at least five (5) months each year. Additionally, the area is subject to occasional drought.

b. Relative Humidity

Humidity remains in the middle range most of the time. It ranges from forty-five (45) to sixty-five (65) percent during spring, summer, fall, and from sixty (60) to ninety (90) percent in the winter. During late winter and summer months it drops to twenty (20) percent and occasionally drops lower.

c. Temperatures

Temperatures have been recorded as high as 105 degrees F. Average summer highs are in the 75 to 95-degree range.

d. Winds

Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the five (5) to twenty-three (23) mph range, gusting seven (7) to thirty-five (35) mph during the summer months. Forty (40) mph winds are experienced occasionally and winds up to fifty-five (55) mph have been experienced. During the winter months strong, dry, gusty winds move through the area for several days creating extremely dry conditions.

e. Impact

The local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in this area can and do have a tremendous impact upon structure fires or buildings in close proximity to one another, commonly found in the Town of Rodeo and City of Hercules. During wood shake and shingle roof fires, winds can carry sparks and burning brands to other structures, thus spreading fires and causing conflagrations. In building fires, winds can literally force fire back into the building and can create a blowtorch-like effect as well as preventing "natural" ventilation and cross-ventilation efforts. Fires involving non-irrigated weeds, grass and brush can grow in magnitude and be quickly fanned to intensity beyond the control capabilities of the Fire District, even in moderate winds. National statistics frequently cite wind conditions, such as those experienced locally as a major factor where conflagrations have occurred.

2. Geologic and Geographic

a. Geographic Location

The fire environment of a community is primarily a combination of two factors: the area's physical geographic characteristics and the historic pattern of urban-suburban development. These two factors, alone and combined, create a mixture of environments that ultimately determines the area's fire protection needs.

The basic geographical boundaries of the District include San Pablo Bay to the northwest, Pinole Ridge to the south, Franklin Canyon and Franklin Ridge to the east and Pinole Creek to the west.

Because of the size of the Rodeo-Hercules Fire District (26 square miles) the characteristics of the fire environment changes from one location to the next. Therefore, the District has not one, but a number of fire environments, each of which has its individual fire protection needs, from a major oil refinery to urban wildland interface to freeways, rail lines, waterways and urban town settings.

The service area of the Rodeo-Hercules Fire District has a varied topography and vegetative cover. A conglomeration of bay plains, hills and ridges makes up the terrain. Development has occurred on the flat lands in the central portion of the District. However, over the last fifteen (15) years, development has spread into the surrounding hills and the smaller valleys and canyons with planned growth extending well into the wildland interface.

b. Geological Location.

Rodeo-Hercules Fire District is located in Contra Costa County and Seismic Risk Zone 4, which is the worst earthquake area in the United States. Buildings and other structures in Zone 4 can experience major seismic damage. Rodeo and Hercules are in close proximity to numerous earthquake faults including the San Andreas Fault, Hayward Fault, Calaveras Fault, Rogers Creek Fault, Concord Fault and other lesser faults. The Concord Fault has a potential for a Richter 6 earthquake and the Hayward and Calaveras Faults have the potential for a Richter 7 or greater earthquake. Major tremblers from seismic activity are not unknown in the area.

Interstate 80 runs through the District and State Route 4 runs through one half. Two major rail lines, Burlington Northern Santa Fe (BNSF) and Southern Pacific (SP) runs through the District. Interstate 80 and the BNSF Railroads divide the District by north and south, east and west. An overpass or under crossing collapse would significantly alter the response route and time for responding emergency equipment. This is due to the limited crossings of the interstate and rail lines either at grade or elevated. Earthquakes of the magnitude experienced locally can cause major damage to electrical transmission lines and facilities and any one of the numerous natural gas, gasoline, jet fuel, fuel oil, crude oil and hydrogen transmission pipelines within the District. Damage to these facilities could start fires throughout the District. The occurrence of multiple fires will quickly deplete Fire District resources, thereby reducing and/or delaying response to any given fire or emergency.

c. Size and Population

The Rodeo-Hercules Fire Protection District covers twenty-six (26) square miles including a population of 33,000 which is expected to increase to 40,000 within the next five (5) to ten (10) years. Within the Fire Protection District are two (2) fire stations and a total of twenty-one (21) full time personnel. The Fire Protection District handles diverse responsibilities including refineries, urban, urban wildland, freeway, rail and medical.

d. Roads and Streets

Single access points generally service developments with emergency vehicle -only access strategically located. Roads in excess of 15% grade serve older portions of Rodeo. Several roads within Hercules exceed a 15% grade. The roadway system within the Fire District is for the most part a grid or loop system. Roadways with less than twenty (20) feet unobstructed paved surface, with a dead end longer than one hundred fifty (150) feet, a cul-de-sac diameter less than sixty-eight (68) feet or grade of more than fifteen (15) % are considered hazardous in terms of fire access and protection. A large number of roadways within the District fall into one of the above categories.

3. Topographic

a. Conditions

The District's service area is a conglomeration of bay plains, hills, valleys and ridges. The flatter lands are found in the central portion of Rodeo and newly developed Waterfront District of Hercules. Only a small portion of the urban and suburbanized areas is on relatively flat lands (0 - 5% slope). The majority of residential development is on hillsides with slopes ranging from 15 - 30% and 30% +. A large portion of the eastern District is designated agricultural or preserve.

Elevations are varied in the District, from downtown Rodeo and the Waterfront District of Hercules at five (5) to ten (10) feet above sea level to Indian Peak at 891 feet. Correspondingly, there is much diversity in slope percentages. Pinole Ridge has slopes from 20 - 75%; Franklin Ridge 30 - 70%; Franklin Canyon 20 - 80% and Ohlone Canyon 20 - 85%. Slope is an important factor in fire spread. As a basic rule of thumb, the rate of spread will double as the slope percentage doubles, all other factors remaining the same.

Many of the newer large buildings and building complexes have building access and landscaping features and designs which preclude or greatly limit any approach or operational access to them by Fire District vehicles. In addition, the presence of security gates and roads of inadequate width and grades that are too steep for Fire District vehicles adversely affect fire suppression efforts.

b. Vegetation

Rodeo and Hercules' semi-arid Mediterranean-type climate produces vegetation similar to most of Contra Costa County, with locally specific growth as a result of topography and prevailing winds. The south-facing exposure is primarily rye grass with occasional clumps of bay and oak trees in the more sheltered pockets. The north-facing slopes are heavily wooded from the lower elevations to the ridges with oak and bay trees and minor shrubs of the general chaparral class. Several large stands of non-native mature eucalyptus trees are found at lower elevations and in all cases are surrounded by development. Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage. Often such dwellings are completely surrounded by highly combustible vegetation compounding the fire problem from a conflagration point of view.

Approximately half of all the residential structures in the District have shingle or shake roofs. This very flammable material is susceptible to ignition by embers from a wildland fire, furthering the spread of fire to adjacent buildings.

c. Impact

The above-mentioned local geographic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Rodeo-Hercules Fire Protection District.

Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. Approximately 50% of all dwellings in the District have wood shingle roofs.

Oil refinery and utilities located within the District and within the Seismic Risk Zone 4 pose the largest single risk. The largest concentrations of hazardous material are found here. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number of people should a significant seismic event occur.

The District's resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single-dwelling or structure fires and emergencies.

Other variables may tend to intensify the situation:

- 1) The extent of damage to the water system;
- 2) The extent of isolation due to bridge, freeways overpass and rail trestle collapse;
- 3) The extent of roadway damage and/or amount of debris blocking roadways;
- 4) Climatic conditions (hot, dry weather with high winds);
- 5) Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
- 6) The availability of timely mutual aid or military assistance;
- 7) The large portion of dwellings with wood shingle roof coverings could result in conflagrations;
- 8) The large number of dwellings that slip off their foundations and rupture gas lines resulting in further conflagrations

Conclusion

Local climatic, geographic and topographic conditions impact fire prevention efforts and the frequency, spread, acceleration, intensity and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquakes and subsequent fires. Therefore, it is found to be reasonably necessary that the 2013 California Fire Code and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

Furthermore, California Health and Safety Code §17958.7 requires that the modification or change be expressly marked and identified as to which each finding refers. Therefore, the Rodeo-Hercules Fire Protection District finds that the following table provides code sections that have been modified pursuant to Ordinance 2019-01 which are building standards as defined in Health and Safety Code §18909, and the associated referenced conditions for modification due to local climatic, geologic and topographical reasons.

<u>Section Number</u>	<u>Local climatic, geological, and topographical</u>
-----------------------	--

903	1a, 1b, 1d, 2a, 2b, 3
-----	-----------------------



RODEO-HERCULES FIRE PROTECTION DISTRICT
1680 REFUGIO VALLEY ROAD, HERCULES, CALIFORNIA 94547
(510) 799-4561 FAX: (510) 799-0395

ORDINANCE # 2019-01

FIRE CODE

ORDINANCE OF THE RODEO-HERCULES FIRE PROTECTION DISTRICT ADOPTING THE 2019 CALIFORNIA FIRE CODE WITH AMENDMENTS.

The Board of Directors of the Rodeo-Hercules Fire Protection District, ordains as follows:

SECTION 1. ADOPTION OF THE CALIFORNIA FIRE CODE.

The Rodeo-Hercules Fire Protection District hereby adopts the 2019 California Fire Code based on the 2018 International Fire Code published by the International Code Council, including Appendix Chapter 4, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, and Appendix K, as amended by the changes, additions and deletions set forth in this ordinance. The California Fire Code, with the changes, additions, and deletions set forth this ordinance, is adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the fire code are controlling and enforceable within the limits of each jurisdiction.

SECTION 2. AMENDMENTS TO THE CALIFORNIA FIRE CODE.

The 2019 California Fire Code is amended by the changes, additions and deletions set forth in this Section 2. Chapter and Section numbers used below are those of the 2019 California Fire Code.

Chapter 1. Administration.

Chapter 1 is adopted in its entirety except as amended below.

Section 101.1 is amended as follows:

101.1 Title. The fire code of the Rodeo-Hercules Fire Protection District hereinafter referred to as “this code”.

Section 102.1 is amended to add item 5 to read:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this Code shall apply to vehicles, ships, boats, and mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

Section 103 is amended to add:

Section 103.5.1 Fire Suppression and Emergency Mitigation Fees. The Rodeo-Hercules Fire Protection District may charge fees that reasonably constitute the cost of suppression of any fire or emergency mitigation against a property owner or other responsible person when the fire or emergency is a

ORDINANCE NO. 2019-01

result of that person's violation of any federal, state statute or local ordinance. (RHFPD Ordinance 20-1 Cost Recovery)

Section 103.5.1 Fire Prevention Personnel as Peace Officers. The Fire Chief and said Fire Chief designees shall have the powers of peace officers while engaging in the performance of their duties with respect to the prevention investigation and suppression of fires and the protection and prevention of life and property against the hazards of fire conflagration. In accordance with California Penal Code Chapter 4.5 (830.37(b))

The Fire Chief and duly authorized agents, may issue citations for violations of this ordinance in the same manner as a county or city is authorized to do so by Chapter 5C (commencing with Section 835.5) Title 3, Part 2, of the California Penal Code.

Section 105.6 is amended to read:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.49.

Section 105.6 is amended by adding subsections 105.6.44 through 105.6.49, to read:

105.6.44 Tire storage. A permit is required to store more than 1,000 cubic feet (28.3m³) of tires inside buildings pursuant to Chapter 25.

105.6.49 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees.

105.6.50 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 33 of this code.

105.6.51 Model rockets. A permit is required to sell or launch model rockets pursuant to California Code of Regulations, Title 19, Division 1, Article 17.

105.6.52 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Sections 1412.2 and 1412.3.

Section 105.7 is amended to read:

105.7 Required construction permits. The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.7.1 through 105.7.21.

Section 105.7 is amended by adding sections 105.7.2 through 105.7.22 as follows:

105.7.2 Battery systems. A permit is required to operate stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L) pursuant to Section 608.

105.7.17 Access for fire apparatus. Plans shall be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire District access is required by CFC. A permit is required to install a gate across a fire apparatus access road pursuant to Section 503.

ORDINANCE NO. 2019-01

105.7.18 Construction, alteration, or renovation of a building for which a building permit is required. Plans shall be submitted to the fire code official for all land developments or for the construction, alteration, or renovation of a building within the jurisdiction where a building permit is required.

105.7.19 Medical gas systems. A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 3006.

105.7.20 Refrigeration equipment. A permit is required to install a mechanical refrigeration unit or system regulated by Chapter 6.

105.7.21 land Development, Subdivisions. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.

105.7.22 Water supply for fire protection. Plans shall be submitted to the fire code official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings or portions of buildings either constructed or moved into the District pursuant to Section 507.

Section 108.1 is amended to read:

108.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there is hereby created a board of appeals. The board of appeals is comprised of the Board of Directors. The fire code official shall be an ex officio member of said board but shall have no vote on any manner before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 109.4 is amended in its entirety to read:

109.4 Violation penalties. Every person who violates any provision of this fire code is guilty of a misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions. This section is a declaration of Health and Safety Code section 13871 and is not intended to create a different or separate penalty.

Section 111.4 is amended to read:

111.4 Failure to comply. Any person who continues any work after having been served with a stop work order is subject to citation, except any work that a person is directed by the fire code official to perform to remove a violation or unsafe condition.

Chapter 2. Definitions

Chapter 2 is adopted in its entirety except as amended below.

Section 202 is amended by adding the following definitions to read:

Administrator. Fire Chief.

ORDINANCE NO. 2019-01

All-weather driving surface. A roadway with a minimum surface finish of one layer of asphalt or concrete that is designed to carry the imposed weight loads of fire apparatus.

Board of Directors. The Rodeo-Hercules Fire Protection District Board of Directors.

Driveway. A private roadway that provides access to no more than two (2) single-family dwellings.

Fire Code Official. The Fire Code Official is the Fire Chief or his/her designee.

Firebreak. A continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Firetrail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Nuisance Fire Alarm. The activation of any fire protection or alarm system which results in the response of the Fire District and is caused by malfunction, improper maintenance, negligence, or misuse, of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

Response time. The elapsed time from receipt of call to the arrival of the first unit on scene.

Rural area. An area generally designated for agricultural or open space uses with parcels more than 10 acres (4.046873ha) in size.

Rural residential area. An area generally designated for single-family residential use with parcels between three (1.2140619ha) and 10 (4.046873ha) acres in size.

Running time. The calculated time difference between leaving the first-due station and arriving on the emergency scene.

Sprinkler Alarm & Supervisory System (SASS): A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.

Temporary fire department access road for construction. An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.

Temporary fire department access road for construction of one (1) residential (R3) unit. A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

Temporary water supply. Water stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree litter. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

Chapter 3. General Precautions Against Fire.

Chapter 3 is adopted in its entirety except as amended below.

Section 304.1.2 is amended to read:

304.1.2 Vegetation. Hazards created by the growth of weeds, grass, vines, trees or other growth capable of being ignited and endangering property shall be mitigated in accordance with California Code of Regulations Title 19, Division 1, 3.07(b) Clearances. Vegetation clearance requirements in urban-wild interface areas shall be in accordance with Chapter 49.

Section 304.1.4 is added to read:

304.1.4 Clothes Dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct and associated equipment free from accumulations of lint and combustible materials.

Section 308.1.4 Exception 1 is amended to read:

Exception 1. Residential Occupancies.

Section 321 is added to read:

321 Exterior Fire Hazard Control.

321.1 General.

321.1.1 Jurisdictional Authority. The Board of Directors, as the supervising, legislative and executive authority of the jurisdiction, hereby delegates to the Board of Fire Commissioners of the jurisdiction all its powers, duties and rights to act pursuant to Part 5 (commencing with Section 14875), Division 12, of the Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Fire hazard abatement will be conducted in accordance with the provisions of said Part 5 and this ordinance. In the application of the provisions of said Part 5 to fire hazard abatement proceedings under this ordinance and the Fire Protection District Law of 1987, the terms "Board of Directors" or "Board," when used in Part 5, means the Board of Fire Commissioners of this jurisdiction under this section; and the officers designated in Health and Safety Code Section 14890 are the employees of the jurisdiction.

321.1.2 Contract for Services. The Board of Directors reserves and retains the power to award a contract for fire hazard abatement work when the employees of the jurisdiction are not used to perform the abatement work.

321.2 Definitions.

Weeds. All weeds growing upon streets or private property in the jurisdiction, including any of the following:

1. Weeds that bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral (including Chamise, Coyote Brush/Greasewood, Brooms, and Buckwheat), and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds that are otherwise noxious or dangerous.

ORDINANCE NO. 2019-01

4. Poison oak and poison sumac when the conditions of growth constitute a menace to public health.
5. Dry grass, brush, tree litter, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Rubbish. Waste matter, litter, trash, refuse, debris and dirt on streets, or private property within the jurisdiction, which may become, a fire hazard.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, trails, easements, and fire trails.

Person. Includes individuals, firms, partnerships, and corporations.

Defensible Space. The area within the perimeter of a parcel providing the key point of defense from an approaching wildland or escaping structure fire.

Priority Hazard Zone. An area where the threat from wildfire is severe due to proximity to open space, topography, degree of space, density of homes amount of vegetation (native and ornamental) and other conditions favorable to fast moving fires.

Reduced Fuel Zone. The area that extends from thirty feet (30') to one hundred feet (100') or more away from the structure or to the property line, whichever is closer to the structure.

Cost of Abatement. Includes all expenses incurred by the jurisdiction in its work of abatement undertaken and administrative costs pursuant to Section 319.5 of this Ordinance.

321.3 Weeds and Rubbish a Public Nuisance. The Board hereby declares that all weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

321.4 Abatement of Hazard.

321.4.1 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish, weeds, trees, or other vegetation that constitutes a fire hazard. Destruction by burning within this jurisdiction is unlawful unless the written permission of the fire chief is first obtained, and all other applicable permits are obtained from appropriate governing agencies or jurisdictions.

321.4.2 Specific Requirements. The District shall develop minimum abatement standards for land in residential, rural and/or rural residential, business, industrial areas, or land which is unused or vacant. Such standards may be modified periodically as circumstances dictate.

321.4.2.1 Clearance of Weeds from Streets. The Fire Code Official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of streets that are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Code Official is authorized to enter upon private property to do so.

321.5 Abatement Procedures.

321.5.1 Abatement Order. The fire code official may order the abatement of the weeds and rubbish described in Sections 304.1.2 and 319.2. On making the order, the fire code official will mail a copy of a

ORDINANCE NO. 2019-01

notice to the owners of the affected property as their names and addresses appear upon the last county equalized assessment roll, or as their names and addresses are known to the fire code official. As an alternative to mailing, the notice may be posted upon the affected property and published in the jurisdiction, not less than 15 days prior to the date of the abatement hearing. Copies of the notice will be headed with the words "Notice to Abate Weeds and Rubbish" in letters at least one inch high. The notice will be in substantially the following form:

NOTICE TO ABATE WEEDS AND RUBBISH

You are hereby notified that weeds and rubbish constitute a fire hazard on the following described property owned by you:

(Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map).

You must remove the weeds and rubbish within fifteen (15) days from the date of this notice. If you fail to do so, the (jurisdiction) Fire Protection District will remove it, and the cost of the abatement, including administrative costs, will be collected as property taxes and will be a lien on your property until paid.

You are further notified that the Board of Directors has declared that such weeds and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear before the Board of Directors of this jurisdiction on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced.

(Signed): (Name of fire code official of name of jurisdiction)

321.5.2 Hearing Date. A date for hearing on the notice will be sent at least 15 days after the date of the notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the hearing, the property owner or his agent may appear to show cause why the order should not be enforced. For good cause shown, the Board of Directors may extend the time for compliance with the order or may rescind the order.

321.5.3 Contract Award. If the owner fails to comply with the order, the fire code official may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it will be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. Concerning any contract previously awarded as provided in this subsection and that has been fully extended as provided in that contract, it may thereafter be extended on its same terms and conditions for a further period (not to exceed one year) by agreement of the Board of Directors and the involved contractor.

321.5.4 Abatement Report of Costs. The fire code official or his or her designee abating the nuisance will keep an account of the cost of abatement in front of or on each separate parcel of land and will render an itemized report in writing to the Board of Directors showing the cost of removing the weeds and rubbish on or in front of each separate lot or parcel of land, or both. Before the report is submitted to the Board of Directors, a copy of it will be posted for at least three days on or near the chamber door of the Board with a notice of the time and when the report will be submitted to the Board for confirmation. At the time fixed for receiving and considering the report, the Board of Directors will hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, the Board of Directors may make such modifications in the report as it deems necessary, after which the report will be confirmed. The

ORDINANCE NO. 2019-01

amount of the cost, including administrative costs, of abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed will constitute special assessment against the respective parcels of land, and are a lien on the property for the amount of the respective assessments. Such lien attaches upon recordation, in the office of the County Recorder, of a certified copy of the Resolution of Confirmation.

321.5.5 Cost Assessments. Upon confirmation of the report of cost by the Board of Directors and the recordation of the Resolution of Confirmation, a copy of the report of cost will be sent to the County Auditor, who will enter the amount of the assessments against the parcels. Thereafter the amount of the assessments will be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

321.6 Alternate Mitigation. In lieu of ordering abatement as provided in Section 319.5.1, the fire code official of this jurisdiction may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the fire code official will consider the height of the growth, weather condition, topography, and the accessibility to the property for fire protection equipment. The procedure set forth in Section 319.5.1 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

321.7 Subsurface Fires.

321.7.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire in or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner's own cost and expense.

321.7.2 Fire Suppression Costs. If there exists upon the lands or property of any person as herein defined a subsurface fire involving the burning or combustion of peat, vegetable matter or vegetation, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, this jurisdiction may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire District in fighting the fire and for the cost of proving rescue or emergency medical services shall be a charge against the property owner. The charge shall constitute a debt of the property owner and is collectable by the jurisdiction incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See Health and Safety Code, §13009.)

Section 321 is added to Chapter 3 to read:

321 Automobile Wrecking Yards.

321.1 General. The operation of automobile wrecking yards shall be in accordance with this section.

321.2 Definitions.

Automobile Wrecking Yard. An area that stores or dismantles salvaged vehicles.

ORDINANCE NO. 2019-01

Automobile Dismantling. The operation of dismantling or removing parts from salvaged vehicles including engines or engine parts.

321.3 Requirements.

321.3.1 Permits. An operation permit is required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

321.3.2 Fire Apparatus Access Roads. Fire apparatus access roads shall be constructed throughout the site in accordance with this code and shall be maintained clear of all vehicles and stored items.

321.3.3 Welding and cutting. Welding and cutting operations shall be conducted in an approved location, clear of all flammable liquids and combustible materials, including weeds, tires and all other debris.

321.3.4 Housekeeping. Combustible rubbish accumulated on site shall be collected and stored in approved containers, rooms or vaults of noncombustible materials. Combustible vegetation, cut or uncut, shall be removed when determined by the fire code official to be a fire hazard.

321.3.5 Fire Protection. Offices, storage buildings and vehicles used for site operations shall each be provided with at least one portable fire extinguisher with not less than a 4-A: 40-B-C rating. When required by the fire code official, additional fire extinguishers shall be provided.

321.3.6 Tire storage. Tires shall be stored in racks or in a manner as approved by the fire code official.

321.3.6.1 Distance from Water Supply. Tire storage shall be located on-site and no further than 500 feet from a fire hydrant or an approved water supply as determined by the fire code official.

321.3.7 Storage Piles. Storage piles shall be located a minimum of 20 feet from property lines and shall have an unobstructed access road on all sides of not less than 20 feet.

321.3.8 Burning operations. The burning of salvaged vehicles and salvaged or waste materials is prohibited.

321.3.9 Motor vehicle fluids. Motor vehicle fluid shall be drained from salvaged vehicles when such liquids are leaking onto the ground and prior to dismantling or removing engine/motor parts.

321.3.9.1 Mitigation of leaking fluids. Precautions shall be taken to prevent fluids from salvaged vehicles from leaking onto the ground. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems and transmissions shall be kept available on site. Single-use plugs, diking and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner in accordance with federal, state and local requirements.

321.3.10 Fuel tanks. Fuel tanks of salvaged vehicles shall be emptied of all flammable (gasoline, diesel) fuels in an approved manner and stored in approved tanks.

321.3.10.1 Repair of vehicle fuel tanks. The repair of fuel tanks, including cutting, welding or drilling of any kind, is prohibited.

321.3.11 Lead acid batteries. Lead acid batteries shall be removed from all salvaged vehicles and stored in an approved manner in a location approved by the fire code official.

Chapter 4. Emergency Planning and Preparedness.

Chapter 4 is adopted in its entirety except as amended below.

Section 401.3.1 is amended by adding a new subsection 401.3.1.1 to read:

401.3.1.5 Nuisance Fire Alarm fee. A fee may be charged for false and/or nuisance fire alarms in accordance with a fee schedule adopted by the Board of Directors.

Chapter 5. Fire Service Features.

Chapter 5 is adopted in its entirety, except as amended below:

Section 503.1 is amended to add subsection 503.1.4 to read:

503.1.4 Access to Open Spaces. When existing access to open land or space, or to fire trail systems maintained for public or private use, is obstructed by new development of any kind, the developer shall provide an alternate means of access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the fire code official.

Section 503.2.1 is amended by adding the following exception:

Exception: A minimum sixteen-foot (16") wide driveway is acceptable for access to one or two single-family dwellings.

Section 505 is amended by adding Section 505.3, to read:

505.3 Street names and addressing. Street names and addressing shall be submitted for review and approval to the fire code official, whose approval will not be unreasonably withheld. The purpose of the review is to verify that new street names and addressing will not duplicate existing street names and addressing.

Section 507.2 is amended by adding subsection 507.2.3, to read:

507.2.3 Suburban and rural water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 507.1.

Chapter 6. Building Services and Systems.

Chapter 6 is adopted in its entirety, except as amended below.

Section 603.6 is amended by adding subsection 603.6.6, to read:

603.6.6 Sparks from chimneys. A chimney that is used with either a fireplace or heating appliances in which solid or liquid fuel is used shall be maintained with spark arresters that are required for incinerators pursuant to the California Mechanical Code.

Chapter 8. Interior Finish, Decorative Materials and Furnishings.

Chapter 8 is adopted in its entirety, except as amended below:

Section 806 is amended by adding subsections 806.1.4, 806.1.5 and 806.1.6, to read:

806.1.4 Flame retardance. Cut trees shall be treated by a California State Fire Marshal licensed fire retardant applicator. Trees shall be properly treated with an approved flame retardant.

ORDINANCE NO. 2019-01

806.1.5 Tags. Trees shall bear a tag stating date of placement in the public building, type of flame-retardant treatment used, name of the person who applied the flame retardant, the name of the person affixing the tag, a permit expiration date and the name of the designated individual making daily tests.

806.1.6 Daily tests. A designated individual shall test trees daily. The test shall include a check for dryness and adequate watering.

Chapter 9. Fire Protection Systems.

Chapter 9 is adopted in its entirety, except as amended below:

Section 901.6.2.2 is added to read:

901.6.2.2 Inspection Records. Records of all Inspections, testing and maintenance for all water based fire suppression systems shall be completed on the forms found in annex B of NFPA 25, California Edition.

Section 902 is amended to add:

SUBSTANTIAL REMODEL Remodel or renovation of any structure where the addition of new fire area to the structure exceeds fifty percent of the existing fire area shall be deemed a “substantial remodel.”

Section 903.2 is adopted in its entirety except as amended below:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 5000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than four hour fire resistance rating without openings.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 5000 square feet
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.2.1 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 5,000 square feet.

ORDINANCE NO. 2019-01

903.2.3 Group E. Except as provided for in Section 903.2.3.1 for a new public school campus an automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 5000 square feet in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
4. Throughout any Group E structure greater than 10,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by firewalls of less than four hour fire resistance rating without openings.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5000 square feet.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 10000 square feet
4. A Group M occupancy is used for the display and sale of upholstered furniture.
5. The structure exceeds 10,000 square feet, contains more than one fire area containing Group M occupancy, and is separated into two or more buildings by firewalls of less than 4-hour fire-resistance rating.

903.2.8.2 Group R-3 Substantial Remodel. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial remodel occurs and the total fire area of the structure exceeds 3,600 square feet.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5000 square feet
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10000 square feet.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5000 square feet.
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 5000 square feet

ORDINANCE NO. 2019-01

3. Buildings with repair garages servicing vehicles parked in basements.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds 5000 square feet; or
2. Where the enclosed parking garage is located beneath other occupancy groups.

Section 903.3.5 is amended to add subsection 903.3.5.3 to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5.

Section 903.3.1.1.2 is added to read:

903.3.1.1.2 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet (356 mm), the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet (356 mm), the fire sprinkler system shall be designed to conform to Ordinary Group II design density.

Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.3.8 is amended to read:

903.3.8. Floor control valves. Individual floor control valves and waterflow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location.

Exception: Group R-3 and R-3.1 Occupancies

Section 903.4.2 is amended to read:

903.4.2 Alarms. One approved audible device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6 is amended by adding subsections 903.6.1 and 903.6.2 to read:

903.6.1 Substantial Remodels. In an existing building, if any substantial remodel occurs where the total fire area of the building exceeds 5000 square feet, the entire building shall be protected by an automatic sprinkler system.

903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2 and Table 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 912.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 and Table 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest hazard). R-3.x occupancies shall be considered a relative hazard of 4 (lowest hazard).

ORDINANCE NO. 2019-01

Section 907.5.4 is added to read:

907.5.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including but not limited to commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station.

Section 907.5.2.3.1 is amended to read:

907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, shower rooms and locker rooms.
2. Corridors, hallways, aisles with shelving and/or fixtures obstructing the required light intensity for that area.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.
6. Multipurpose rooms.
7. Occupational shops.
8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies
10. Meeting/Conference rooms.
11. Classrooms.
12. Medical exam rooms.
13. Open office areas.
14. Sales floor areas.
15. Break or lunch rooms
16. Copy or workrooms.
17. Computer server rooms exceeding 200 sq. ft.
18. File or Storage rooms exceeding 200 sq. ft.

Chapter 10. Means of Egress.

Chapter 10 is adopted in its entirety except as amended below.

Section 1027.6 is amended by adding a new subsection 1027.6.1 to read:

1027.6.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather, and shall terminate at a public way as defined in the California Building Code.

Chapter 25. Fruit and Crop Ripening.

Chapter 25 is adopted in its entirety.

Chapter 26. Fumigation and Thermal Insecticidal Fogging.

Chapter 26 is adopted in its entirety.

Chapter 33. Fire Safety During Construction and Demolition.

Chapter 33 is adopted in its entirety.

ORDINANCE NO. 2019-01

Chapter 50. Hazardous Materials – General Provisions.

Chapter 50 is adopted in its entirety except as amended below:

Section 5001.5 is amended by adding subsection 5001.5.3 to read:

5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information may be required to be stored in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.

Section 5003.9.1 is amended by adding subsection 5003.9.1.2 to read:

5003.9.1.2 Documentation. Evidence of compliance with provisions of this chapter as well as with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

Chapter 56 Explosives and Fireworks.

Chapter 56 is adopted in its entirety except as amended below:

Section 5601 is amended to add Sections 5601.2, 5601.3, 5601.4 and 5601.5, to read:

5601.2 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the District are prohibited.

Exceptions:

1. Fireworks may be temporarily stored only if they are aerial or theatrical piece fireworks stored in conjunction with an approved and permitted aerial or set display.
2. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

5601.2.1 Prohibited and Limited Acts. The storage of explosive materials is prohibited in any central business district and in all zoning districts except districts zoned for industrial or agricultural uses. In districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.1.1.

5601.3 Rocketry. The storage, handling and use of model and high-power rockets shall comply with the requirements of the California Code of Regulations, Title 19, Chapter 6, Article 17 and, when applicable, NFPA 1122, NFPA 1125, and NFPA 1127.

5601.3.1 Ammonium nitrate. The storage and handling of ammonium nitrate shall comply with the requirements of NFPA 490.

Exception: The storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.

5601.4 Residential uses. No person shall keep or store, nor shall any permit be issued to keep or store, any explosives, fireworks or pyrotechnic material at any place of habitation, or within 100 feet (30 480mm) thereof.

Exception: Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale.

ORDINANCE NO. 2019-01

5601.5 Sale and retail display. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials are prohibited.

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5608 is amended by adding Sections 5608.2 and 5608.3 to read:

5608.2 Permit required. A permit is required to conduct an aerial display in accordance with California Code of Regulations, Title 19, Chapter 6. (See Chapter 1, Section 105.6.52.)

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

5608.3 Financial responsibility. Before a permit is issued pursuant to Section 5608.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Chapter 57.

Chapter 57 is adopted in its entirety except as amended below:

Section 5704.2.9.6.1 is amended to read:

5704.2.9.6.1 Locations where aboveground tanks are prohibited. The storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, central business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 500 gallons (1892.706L) for Class I or II liquids, or 1,000 gallons (3785.412L) for Class III liquids.

Section 5706.2.4.4 is amended to read:

5706.2.4.4 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks is prohibited in all zoning districts except district zoned for commercial, industrial, or agricultural use.

Chapter 55.

Chapter 55 is adopted in its entirety except as amended below:

Section 5501.3 is added to read:

5501.3 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area that is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with section 5806.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Chapter 61 is adopted in its entirety except as amended below:

ORDINANCE NO. 2019-01

Section 6103.2.1.7 is amended in its entirety to read:

6103.2.1.7 Use for food preparation. Individual portable L-P containers used, stored, or handled inside a building classified as a Group A or Group B occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the fire code official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the International Fuel Gas Code, the International Mechanical Code, and NFPA 58.

Section 6104.2 is amended to read:

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas is prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons (7570 L).

Appendix B. Fire-Flow Requirements for Buildings.

Appendix B is adopted in its entirety except as amended below

Section B105.2 Exception 1 is amended to read:

Exception 1: A reduction in required fire-flow of 50 percent, as approved by the fire code official, when the building is provided with an approved automatic sprinkler system and installed in accordance with Section 903.3.1.1. The resulting fire-flow shall be not less than 1,500 gallons per minute (5678L/min) for the prescribed duration as specified in Table B105.1.

Appendix C. Fire Hydrant Locations and Distribution.

Appendix C is adopted in its entirety except as amended below

Table C105.1 footnote f and g are added to read:

f. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.

g. For infill projects within existing single-family residential developments refer to Sec. 507.5.1

Appendix D. Fire Apparatus Access Roads

Appendix D is adopted in its entirety except as amended below

Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other approved *all-weather driving surface* capable of supporting the imposed load of fire apparatus weighing at least 74,000 pounds (33 566 kg) in accordance with Cal Trans Design Standard HS-20-44.

Exception: *Driveways* serving one or two single-family *dwelling*s may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed 10 percent.

ORDINANCE NO. 2019-01

Section D103.1 is deleted in its entirety.

Section D103.2 is deleted in its entirety and replaced by the following, to read:

D103.2 Grade. Fire department access roadways having a grade of between 16 percent and 20 percent shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000-pound (19 958 kg) traction load. The grooves in the concrete surface shall be ½ inch (13 mm) wide by ½ inch (13 mm) deep and 1 ½ inch (38 mm) on center and set at a 30 to 45 degree angle across the width of the roadway surface. No grade shall exceed 20 percent, nor shall the cross slope exceed 8%, unless authorized in writing by the fire code official.

Section D103.2.1 is added to read:

D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.

Section D103.3 is deleted in its entirety and replaced by the following, to read:

D103.3 Turning radius. Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet (7620 mm) inside and 45 feet (13 716 mm) outside.

Table D103.4 is amended to read:

Table D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0 – 150	20 ^a	None required
151 – 750	20 ^a	100-foot Hammerhead, 50-foot “Y”, 75-foot Shunt or 90-foot-diameter cul-de-sac in accordance with figure D103.1
Over 750	Special approval required	

- a. A *driveway* with a minimum width of 16 feet is acceptable for access to no more than two single-family *dwelling*s.
- b. Any fire apparatus access roadway or *driveway* that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the fire code official. Each outset or turnout shall be of the following dimensions: an 8-foot wide turnout that extends at least 40 feet in length.

Figure D 103.1 is amended to read:

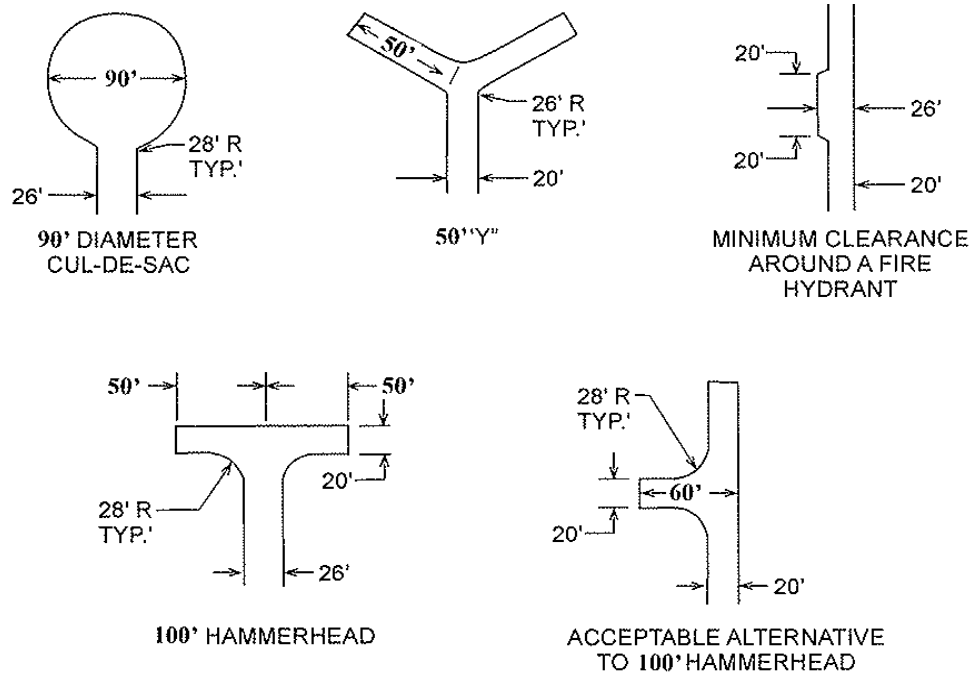


Figure D103.1
Dead-end Fire Apparatus Access Road Turnaround

Section D103.5 is amended by amending criteria 1 and adding criteria 8, to read:

1. The minimum clear width shall be 20 feet (6096mm.)

Exception: For access to one or two single-family *dwelling*s, 16 feet clear width is acceptable.

8. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6.1 is amended to read:

D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a *fire lane*.

Section D103.6.2 is amended to read:

D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a *fire lane*.

Section D105.3 is amended to read:

D105.3 Proximity to Building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (45772mm) and a maximum of 30 feet (9144mm) from the building, and shall be positioned parallel to one entire side of the building with the largest vertical dimension while allowing access to each floor of the building.

Section D106.1 is amended to read:

ORDINANCE NO. 2019-01

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads and shall meet the requirements of Section D104.3.

Exception: Deleted

Section D106.2 is deleted in its entirety.

SECTION 3. REPEAL OF FIRE CODE.

Ordinance No. 2016-2, adopting the 2016 California Fire Code with amendments, is hereby repealed.

SECTION 4. VALIDITY.

The Rodeo-Hercules Fire Protection District Board of Directors declares that if any section, paragraph, sentence or word of this ordinance or of the 2019 California Fire Code as adopted and amended herein is declared for any reason to be invalid, it is the intent of the Rodeo-Hercules Fire Protection District Board of Directors that it would have passed all other portions or provisions of this ordinance independent of the elimination here from any portion or provision as may be declared invalid.

SECTION 5. MORE RESTRICTIVE REQUIREMENTS.

If the city of Hercules or the County of Contra Costa adopts requirements more restrictive than those in this fire code, those requirements will apply only within the jurisdiction adopting those requirements.

SECTION 6. EFFECTIVE DATE.

This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of directors voting for and against it in the Contra Costa Times, a newspaper published in this County.

Passed on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Secretary
Board of Directors

Chairman
Board of Directors

ORDINANCE NO. 2019-01

RODEO HERCULES FIRE PROTECTION DISTRICT
MEMORANDUM

Date: September 11, 2019

To: Board of Directors

From: Bryan Craig, Fire Chief *BAC*

Subject: **ORDINANCE TO ADOPT A REVISED FIRE PREVENTION FEE
SCHEDULE FOR PERMIT, PLAN-CHECKING AND OTHER SERVICES**

BACKGROUND:

Coinciding with the adoption of the California Fire Code the Fire District staff conducts a cost analysis to assure that our current fee structure is sufficient to fund fire prevention costs. After completing this analysis of revenues collected for plan checking and permitting, revenues are currently sufficient to cover the cost of operating the fire prevention division and providing fire prevention services to the citizens and businesses within the fire district.

RECOMMENDATION:

Set a public hearing on October 23, 2019, to adopt Ordinance 2019-02, repealing and replacing Ordinance 2017-01 of the Fire District Fee Schedule relating to the collection of fees for Permits, Engineering/Plan-checking and Code Enforcement for the Rodeo Hercules Fire Protection District.

Ordinance No. 2019-02

AN ORDINANCE OF THE RODEO HERCULES FIRE PROTECTION DISTRICT ADOPTING ENGINEERING /PLAN REVIEW AND PERMITTING FEES

WHEREAS, the Rodeo Hercules Fire District ("District") reviews building plans and permit applications for compliance with applicable law, including the Fire Code; and

WHEREAS, California Health and Safety Code section 13916 authorizes the District to adopt a fee or charge to cover the District's cost of providing a service; and

WHEREAS, the District desires to adopt permit and plan review fees, and the amount of such fees or charges does not exceed the cost to the District to perform those services; and

WHEREAS, the District held a duly noticed public hearing to consider the proposed fees on October 23, 2019, at which time all interested parties had the opportunity to be heard.

NOW, THEREFORE, the Board of Directors of the Rodeo Hercules Fire District does hereby ordain as follows:

SECTION I. RECITALS. The above recital's is hereby declared to be true and correct and findings of the Board of Directors of the Rodeo Hercules Fire District.

SECTION II. AUTHORITY. This ordinance is enacted, in part, pursuant to Health and Safety Code §§13910, 13146.2(b), 13217(b), 13869, 13871, 13916(a), 13916(b) and 17951 and Government Code § 6103.7 and article 7 (25120 et seq.) and Ordinance Number 2019-01 (adoption of the 2019 California Fire Code.

SECTION III. FEE ADOPTION The Board of Directors of the Rodeo Hercules Fire District does hereby adopt the fees set forth. Each person that applies for, requests or receives a permit, plan review, code enforcement or other service provided by the Rodeo – Hercules Fire Protection District shall at the time of such application or request, pay the applicable fee or fees listed in Exhibit "A" Engineering/Plan Review and Exhibit "B" Code Enforcement attached to this ordinance. An application or request is not deemed complete until such times as the applicable fee or fees are paid to the Fire District. As used in this Section, the term "person" means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, trust or other type of entity.

SECTION IV. NOTICE AND HEARING. This ordinance was adopted after a duly noticed public hearing pursuant to the procedures set forth in California Government Code §§ 66016, 66017 and 66018 and California Health and Safety Code Section 13916.

SECTION V. 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 VI. EFFECTIVE DATE. This ordinance becomes effective 60 days after its passage. Within 15 days after its passage, this ordinance shall be published once with the names of the directors voting for and against it in the Contra Costa Times, or other newspaper published in the County and/or the District.

PASSED ON October 23, 2019 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Kimberly Corcoran, Clerk of the Board



RODEO-HERCULES FIRE PROTECTION DISTRICT FIRE PREVENTION BUREAU

RHFPD
ORDINANCE
2019-02
Date of Adoption

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE Exhibit 'B'

Page 1 of 11

Permit Code	Permit/Activity	Fee
	MISCELLANEOUS PERMITS	
MS - 1	Aerosol Products Permit to store, manufacture or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds net weight.	\$ 243.00
MS - 2	Asbestos Removal Permit to conduct asbestos removal operations.	\$ 243.00
MS - 3	Automobile Wrecking or Dismantling Yard Permit to operate an automobile wrecking or dismantling yard.	\$ 486.00
MS - 4	Battery Storage Permit to operate stationary lead-acid battery systems having a liquid capacity of more than 50 gallons.	\$ 243.00
MS - 5	Cellulous Nitrate Permit for the storage, use or handling in a public assembly.	\$ 364.00
MS - 6	Change of Occupancy/Site Inspection/Miscellaneous Inspection. Site, miscellaneous or requested inspection for the change of occupancy including but not limited to: Inspections conducted when required by Building Official, Planning, or other Governmental agency and where not elsewhere listed. <i>Provides 1 1/4 hour of site/inspection time</i>	\$ 303.00
MS - 7	Christmas Tree Sales Permit to operate a Christmas Tree lot.	\$ 425.00
MS - 8.1	Combustible Dust Production Permit to operate facility with combustible dust operations (i.e., cabinet shops, milling & fiberglass cutting/forming operations, etc...) Less than 2500 sq. ft.	\$ 243.00
MS - 8.2	More than 2500 sq. ft.	\$ 486.00
MS - 9	Combustible Fibers Permit for storage/handling of combustible fibers in excess of 100 cu. ft.	\$ 425.00
MS - 10	Compressed Gas Permit for storage/use/handling of compressed gas in excess of amounts in Table 105.6.8. CFC	\$ 303.00

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 2 of 11

MS - 11	Covered Mall Permit for the placement/installation of displays, concession equipment, displays of highly combustible goods, liquid or gas-fired equipment and the use of open flame equipment in the mall. (i.e., auto displays, etc...)	\$ 303.00
MS - 12	Cryogenics Permit to produce, store, transport on site, handle or dispense amounts in excess of Table 105.6.10. CFC	\$ 303.00
MS - 13	Cutting, Welding & Hot Works Permit to conduct welding, cutting & similar operations using electric or gas equipment.	\$ 303.00
MS - 14	Dry Cleaning Operations Permit to engage in dry cleaning operations or to change to a more hazardous cleaning solvent in existing equipment.	\$ 303.00
MS - 15	Fire Hydrant - Private Permit to remove from service or the operation of a private fire hydrant. A change to existing hydrant systems requires plan review and approval. (Refer to Engineering fee schedule for appropriate fees)	\$ 243.00
MS - 16	Floor Finishing Permit to use Class I or Class II liquids for the refinishing of floorings in excess of 350 square feet.	\$ 303.00
MS - 17	Fumigation & Thermal Fogging Permit to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.	N/C
MS - 18 MS - 18.1	High-piled Storage Permit for the use of a building or portion thereof for High-pile storage: in excess of 500 square feet, < 5,000 square feet; in excess of 5000 square feet.	\$ 486.00 \$ 729.00
MS - 19	Industrial Oven Permit to operate an industrial oven.	\$ 425.00
MS - 20	Lumber Yard Permit for the storage or the processing of lumber exceeding 100,000 bf.	\$ 486.00
MS - 21	Magnesium Permit to melt, heat, casting or grinding in excess of 10 lbs.	\$ 364.00

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 3 of 11

MS - 22	Miscellaneous Combustible Storage Permit to store in any building or upon any premises in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, wood or plastic pallets or similar combustible materials.	\$ 486.00
MS - 23 MS - 23a	Model Rockets Permit to operate/launch motorized rockets - (½ hour minimum site inspection)	\$ 243.00 \$ 122.00
MS - 24	Pyroxylin Plastics Permit for the storage and handling in of more than of 25 lbs. of cellulose nitrate.	\$ 243.00
MS - 25	Refrigeration Equipment Permit to operate a mechanical refrigeration unit or system.	\$ 364.00
MS - 26	Rooftop Heliport Permit to operate a rooftop heliport.	\$ 243.00
MS - 27	Spraying or Dipping Permit to conduct spraying or dipping operations utilizing flammable or combustible liquids or the application of combustible powder.	\$ 303.00
MS - 28 MS - 28a	Smoke-Control Systems Test To conduct smoke-control testing for Atriums, Malls or other enclosed occupancies. \$243.00 for the first hour. - Each additional ½ hour \$95.00.	\$ 243.00 \$ 122.00
MS - 29	Tire Storage (new) Permit to store tires in excess of 1,000 cubic feet inside buildings (per Chapter 25).	\$ 303.00
MS - 30	Tire Storage and Scrap Tires Permit to establish, conduct or maintain storage of: <u>scrap tires</u> and tire by-products in excess of 2,500 cubic feet of total volume of scrap tires and indoor storage of tires or tire byproducts.	\$ 425.00
MS - 31	Tire Rebuilding Plant Permit to operate and maintain a tire rebuilding plant.	\$ 425.00
MS - 32	Waste Handling Facility Permit to operate a waste handling facility including: processing and storage of recycled, paper, hazardous chemicals, etc...	\$ 425.00

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 4 of 11

MS - 33	Wood Products/Recycling Operations Permit to store chips, hogged material, cuttings, lumber and plywood in excess of 200 cubic feet.	\$ 425.00
MS - 34	Third or Non-Compliant Inspections Inspection fees for third and/or non-compliant inspections will be assessed at \$ 243.00 per inspection.	\$ 243.00
	LIQUID PETROLEUM GAS (LPG)	
LG - 1	LPG Permit for the exchange of cylinders only – no refilling -	\$ 243.00
LG - 2	Permit to dispense, store and use LPG.	\$ 303.00
LG - 3	To operate a plant/facility 5000 sq ft or less	\$ 486.00
LG - 3.1a	- Each additional 10,000 sq ft or fraction thereof.	\$ 486.00
	OUTSIDE EVENTS	
OE - 1	Carnival Permit to operate a carnival. - Inspections conducted during normal work hours – (1.25 hrs)	\$ 303.00
OE - 1a	<u>Additional inspection time during normal business hours @</u> <u>\$ 122.00 per ½ hour</u>	\$ 122.00
OE - 1b	<u>Additional inspection time after normal business hours @</u> <u>\$ 243.00 per hour</u>	\$ 243.00
OE - 1c	<u>Overtime and weekend inspections:</u> <u>Two hour minimum fee - \$ 486.00.</u>	\$ 486.00
OE - 2	Fair, Festival, Exhibition Permit to operate a Fair, Street Fair, Festival or Exhibition. - Inspections conducted during normal work hours – (1.25 hrs)	\$ 303.00
OE - 2a	<u>Additional inspection time during normal business hours @</u> <u>\$ 122.00 per ½ hour</u>	\$ 122.00
OE - 2b	<u>Additional inspection time after normal business hours @</u> <u>\$ 243.00 per hour</u>	\$ 243.00
OE - 2c	<u>Overtime and weekend inspections:</u> <u>Two hour minimum fee - \$ 486.00.</u>	\$ 486.00

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 5 of 11

TENTS, BOOTHS and CANOPIES		
	Tents & Canopies	
	Permit to operate an air-supported or temporary membrane structure including tents and canopies:	
TN - 1	Tents 201 sq/ft to 499 sq/ft	\$ 122.00
TN - 2	Canopies or Tents 500 sq/ft. to 5000 sq/ft	\$ 243.00
TN - 3	Tents greater than 5000 sq/ft	\$ 364.00
	- Inspections during normal work hours only –	
	<u>Additional inspection time during normal business hours @</u>	
TN - 1a	\$ 122.00 per ½ hour	\$ 122.00
	<u>Additional inspection time after normal business hours @</u>	
TN - 1b	\$ 243.00 per hour	\$ 243.00
	<u>Overtime and weekend inspections:</u>	
TN - 1c	Two hour minimum fee - \$ 486.00.	\$ 486.00
	Extended Period of Use,	
TN - 4	Permit to extend the use of a tent, canopy or air supported structure for an additional 180 days. (1 Extension of use per structure)	\$ 243.00
EXPLOSIVES		
	Explosives	
	Permit to manufacture, store, handle, sell or the use of any quantity of explosives or explosive materials.	
	<i>(For permits regarding fireworks or pyrotechnic special effects refer to FW – 1 & FW – 2).</i>	
EX - 1	Up to 100 lbs	\$ 425.00
EX - 1.1	In excess of 100 lbs	\$ 729.00
	Gunpowder Sales	
	Permit for the resale of gunpowder (inspection fees not included. Requires EX – 2.1)	
EX - 2	Up to 100 lbs.	\$ 2.00
EX - 2.1	Over 100 lbs.	\$ 10.00
EX - 2.1a	- Inspection time assessed at \$122.00 per ½ hour.	\$ 122.00
	Model Rockets Motors (sales)	
EX - 3	Permit for the retail sales of model rockets.	\$ 122.00

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 6 of 11

	FIREWORKS	
FW - 1	Fireworks Theatrical or Set Piece Permit to use fireworks, pyrotechnics <u>inside</u> . - Inspections during normal work hours – (2 hrs) <u>Additional inspection time during normal business hours @</u>	\$ 486.00
FW - 1a	<u>\$ 122.00 per ½ hour</u> <u>Additional inspection time after normal business hours @</u>	\$ 122.00
FW - 1b	<u>\$ 243.00 per hour</u> <u>Overtime and weekend inspections:</u>	\$ 243.00
FW - 1c	<u>Two hour minimum fee - \$ 486.00.</u>	\$ 486.00
FW - 2	Fireworks Aerial Display Permit to use fireworks, pyrotechnics outside. - Inspections during normal work hours – (2.5 hrs) <u>Additional inspection time during normal business hours @</u>	\$ 607.00
FW - 2a	<u>\$ 122.00 per ½ hour</u> <u>Additional inspection time after normal business hours @</u>	\$ 122.00
FW - 2b	<u>\$ 243.00 per hour</u> <u>Overtime and weekend inspections:</u>	\$ 243.00
FW - 2c	<u>Three hour minimum fee - \$ 729.00.</u>	\$ 729.00
	FLAMMABLE & COMBUSTIBLE LIQUIDS	
FL - 1	Flammable/Combustible Liquids – Storage or Use Permit to store, handle or the use of: Class I liquids in excess of 5 gallons – <u>Inside</u>	\$ 303.00
FL - 2	Class I liquids in excess of 10 gallons – <u>Outside</u>	\$ 425.00
FL - 1.1	Class II or Class III A liquids in excess of 25 gallons - <u>Inside</u>	\$ 303.00
FL - 2.1	Class II or Class III A liquids in excess of 60 gallons – <u>Outside</u>	\$ 425.00
FL - 3	Flammable/Combustible Liquids – (removal) Permit to remove flammable or Class II combustible liquids from underground tanks by means other than an approved fixed pump.	\$ 303.00
FL - 4	Flammable/Combustible Liquids/Plants Permit to operate tank vehicles, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are: produced, processed, transported, stored, or used.	\$ 425.00

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 7 of 11

FL - 5	Flammable/Combustible Liquids – Out of Service Tank Permit to place temporarily out of service (for more than 90 days) an underground, protected above-ground (vaulted) or aboveground flammable or combustible liquid tank.	\$ 607.00
FL - 6	Flammable/Combustible Liquids – Change of Contents Permit to change contents stored in a flammable or combustible liquid tank which poses a greater hazard.	\$ 303.00
FL - 7	Flammable/Combustible Liquids - Manufacture Permit to manufacture, process, blend, or refine flammable or combustible liquids.	\$ 425.00
HAZARDOUS MATERIALS		
HZ - 1	Hazardous Materials Permit to store, transport on site, dispense, use or handle hazardous materials in amounts in excess of Table 105.6.20 CFC	\$ 243.00
HZ - 1.1	1-5 Products	\$ 607.00
HZ - 1.2	5-10 Products	\$ 1215.00
HZ - 2	Semi-conductor Fabrication-Group H-5 Facility Permit to store, handle or use hazardous production materials.	\$ 1215.00
ENGINE or MOTOR VEHICLE REPAIR FACILITIES		
EN - 1	Aviation Facilities Permit to use Group-H or Group-S occupancies for aircraft servicing or the repair of aircraft, including aircraft fuel-servicing vehicles. <u>Does not include permits for hot works,</u> <u>Flammable/Combustible spraying operations or hazardous materials.</u>	\$ 425.00
EN - 2	Repair Garage Permit to operate an engine or motor vehicle repair garage including: automotive, marine and similar fueled apparatus.	\$ 303.00
EN - 2.1	1 - 4 repair bays	\$ 364.00
EN - 2.2	5 – 8 repair bays	\$ 425.00
	Greater than 8 repair bays	

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 8 of 11

EN - 3	Dispensing/fueling of Motor Vehicles. Permit for the refueling of vehicles including: automobiles, marine apparatus/watercraft and fleet motor fuel - dispensing vehicles.	\$ 425.00
EN - 4	Tank Vehicle Dispensing Permit for the fueling of motor vehicles at approved locations from a tank vehicle. Also includes the limited or temporary fueling operations for special events (i.e. the fueling of watercraft from shore, piers, floats, or barges)	\$ 243.00
PUBLIC ASSEMBLY		
PA - 1	Public Assemblies Permit to operate and maintain a place of assembly including places of worship, restaurants, dancehalls, etc... Occupancy load 50-100	\$ 303.00
PA - 1.1	Occupancy load 101-200	\$ 425.00
PA - 1.2	Occupancy load 201-299	\$ 504.00
PA - 1.3	Occupancy load 300 +	\$ 607.00
PA - 2	Open Flames and Candles Permit for the use of open flames inside restaurants, public assemblies and/or drinking establishments	N/C with PA Permit
LICENSED CARE FACILITY		
LC - 1	24 HOURS Permit to operate a facility such as: Social Rehabilitation Facility, RCF's, Assisted Living, RCFE's, Halfway Houses, Community Correction Centers, Re-entry Centers, Treatment Programs, Work Furlough, Alcoholism or Drug Abuse Recovery/Treatment Facility, Congregate Living Health Facility, Group Homes, Immediate Care Facility and Infant Care Facilities. Occupant load greater than six (6). (up to 6 non-ambulatory) Occupant load less than seven (7). Base Fee	\$ 243.00
LC - 1.1a	Plus \$ 4.00 per unit/occupant	\$ 4.00
LC - 2	Infant-care facility for children 2 ½ years of age and younger. Base Fee	\$ 243.00
LC - 2.1	Plus \$ 4.00 per unit/occupant	\$ 4.00

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 9 of 11

LC - 3 LC - 3.1a LC - 4 LC - 4.1a LC - 5 LC - 5.1a LC - 6	LESS THAN 24 HOURS (occupant load greater than <u>six</u>) Permit to operate a facility such as: Adult Day Care, Adult Day Support Center, Child Day Care, Infant Day Care, Large Family Day Care Home	
	Adult or Day Care Facility (non-amb)	\$ 243.00
	Plus \$ 4.00 per unit/occupant	\$ 4.00
	Adult or Child Large Family Day Care	\$ 243.00
	Plus \$ 4.00 per unit/occupant	\$ 4.00
	Adult or Child Day Care Center	\$ 243.00
	Plus \$ 4.00 per unit/occupant	\$ 4.00
	Licensed Clinic	\$ 243.00
	SCHOOLS	
SC - 1 SC - 1.1 SC - 1.2 SC - 1.3.	School (E occupancy) To operate and maintain a school	
	Occupant load less than 50	\$ 303.00
	Occupant load 50-149	\$ 425.00
	Occupant load 150-499	\$ 504.00
	Occupant load 500 or greater.	\$ 607.00
	HIGH-RISE, MID-RISE - FIRE & LIFE SYSTEM SAFETY INSPECTION	
HR - 1	High Rise To inspect a Hi-Rise building (State certification inspection) - Pre 1974	\$1,944.00
HR - 2 HR - 2.1a	High Rise To inspect a Hi-Rise building (State certification inspection) - Post 1974	\$486.00
	(\$.005 per sq ft)	\$.005 sq. ft.
HR - 3 HR - 3.1a	Mid-Rise To inspect and test life safety systems (i.e. smoke management) and where such systems are installed in lieu of fire department access or when required for the mitigation of other life safety issues or requirements.	
	Life safety system test	\$486.00
	(\$.005 per sq ft)	\$.005 sq. ft.

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 10 of 11

	HOSPITALS – INSTITUTION/JAILS	
IN - 1	Hospitals (medical, surgical & psychiatric) and Nursing Homes	\$ 486.00
IN - 1.1a	Plus \$ 4.00 per patient/bed	\$ 4.00
IN - 2	Out Patient Clinics greater than 5 patients.	\$ 243.00
IN - 2.1a	Plus \$ 4.00 per unit/occupant	\$ 4.00
IN - 3	Inspection of Police Services Facilities (holding cells) & DOJ Review. <i>(includes the approval of Evacuation & Life Safety Procedures).</i>	
	Base Fee	\$ 243.00
IN - 4	Inspection of adult and/or juvenile detention facilities.	
	Base fee	\$ 729.00
	MULTI RESIDENTIAL (hotel, motel, apartments, condominiums)	
	Motel – Hotel	
MR - 1	To inspect and maintain a Hotel or Motel	\$ 364.00
MR - 1.1a	Base fee	\$ 4.00
	Plus \$ 4.00 per unit	
	Apartment – Condominiums	
MR - 2	To inspect and maintain Apartments/Condominiums	\$ 364.00
MR - 2.1a	-Three (3) Stories and Greater	\$ 4.00
	Base Fee of \$ 364.00	
	Plus \$ 4.00 Per Unit	
	To inspect and maintain an Apartments/Condominiums	
	- Less Than 3 Stories	
MR - 3	3 – 12 Units, base fee	\$ 100.00
MR - 4	13 - 30 Units, base fee	\$ 122.00
MR - 4.1a	Plus \$ 3.00 per unit	\$ 3.00
MR - 5	31 + Units, base fee	\$ 122.00
MR - 5.1a	Plus \$ 4.00 per unit	\$ 4.00
	BURNING PERMIT	
BP-1.11	Agricultural Burn Permit - BAAQMD 5-401.11	
	Range Management	\$ 60.75
BP -1.12	Open Burning: Recreational-Bonfire Permit	\$ 243.00
BP -1.13	Religious Service Burn Permit	N/C
	Group B/M Occupancy Inspections	
SI-1	Inspection of Group B/M Occupancy (1/2 hr. inspection time)	\$ 122.00
SI-1a	Additional inspection time (1/2 hour increments)	\$ 122.00

SUBJECT:

CODE ENFORCEMENT - FEE SCHEDULE

Page 11 of 11

	FALSE ALARMS	
FA - 1	Nuisance (Repeated) False Alarms. Engine company responses in excess of three (3) reported false alarms within a 180-day period. (Includes; alarm sounding, water-flow alarms, and smoke or heat detectors).	\$ 471.00
	HOURLY INSPECTION - OVERTIME - INSTRUCTIONAL RATES	
IT - 1	<u>Additional inspection or instructional time during normal business hours</u> <u>@ \$ 122.00 per ½ hour</u>	\$ 122.00
OT - 2	<u>Additional inspection time after normal business hours @</u> <u>\$ 243.00 per hour</u>	\$ 243.00
OT - 3	<u>Overtime and weekend inspections;</u> <u>Two hour minimum fee - \$ 486.00.</u>	\$ 486.00
	COPIES INSTRUCTION	
CO - 1	Photocopies \$.20 per Page Letter or legal Size	\$.20
CO - 2	Microfilm Retrieval/Minimum \$ 9.00 Per ¼ Hour	\$ 9.00
CO - 2.1a	Plus \$.20 Per Page.	\$.20
CO - 3	Copies of Photos: \$9.00 Per ¼ Hour	\$ 9.00
CO - 3.1a	Plus Actual Cost of Photos.	
CO - 4	Instructional Services (2 Hour Min. @ \$ 486.00)	\$ 486.00
CO - 4.1a	Plus \$ 243.00 Per Hour Over 2 Hours.	\$ 243.00

- Inspection fees are based on \$243.00 per hour.
- Inspection and/or permit fees will be assessed at the time of the primary inspection.
- All inspection/permit fees include one (1) primary and one (1) re-inspection, unless otherwise noted.
- Occupancies requiring three (3) or more inspections for compliance will be assessed an additional \$243.00 fee for each inspection.

Authority

Health & Safety Code: §§ 12101, 12640, 13109, 13113, 13116, 13131.5, 13143.2 (b), (c), (d), (e), 13143.9, 13145, 13146(a)(1) (b), (c), (e), 13146.1, 13146.2 (a), (b), 13146.3, 13916, 13235, 13862, 13869, 13869.7, 13875, 13874, 17921, 17951, 17962

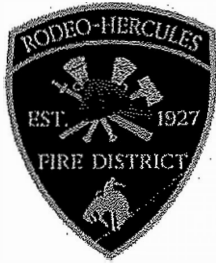
Government Code: §§ 6103.7, 6253(b)

California Fire Code: §§ 101.1, 101.2, 101.10, 103.3.3.2.3, 105.1, 105.4, 901.2.2

Title 19, CCR: §§ 1.12, 3.28, 982, 1565.1, 1033, 1034, and 1035.

Fire District Ordinance No. 2019-01

NOTE: Fees waived for Non-Profit Agencies and Governmental Agencies.



RODEO-HERCULES FIRE PROTECTION DISTRICT FIRE PREVENTION BUREAU

RHFPD
ORDINANCE
2019-02
Date of
Adoption

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Exhibit 'A'

Page 1 of 11

Review Number	PLAN REVIEW	Fee
	Preliminary Plan Review - Consultations - Meetings	
1.1	In office design review/preliminary plan consultation meetings. Per half hour.	\$ 122.00
1.2	Out of office design and/or consultation meetings. (\$ 243.00 Per hour two hour minimum)	\$ 486.00
	Subdivisions	
2.1	Major Subdivision Plan Review (5 or More Lots/Parcels) Review of subdivision for access, hydrant placement. Fees include two (2) hours plan review and one (1) visual inspection.	\$ 729.00
2.1b	Each additional site inspection per hour.	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00
2.2	Minor Subdivision Plan Review (1 to 4 Lots/Parcels) Review of subdivision for access, hydrant placement. Fees include ½ hour plan review and one (1) visual inspection.	\$ 366.00
2.2b	Each additional inspection.	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00
2.3	Single Family Home Review – access & water supply Review of plans for access and water supply. Fees include ½ hour plan review and one (1) visual inspection. (Does not include review of fire sprinkler systems – see Sec 5.4)	\$ 366.00
2.3b	Each additional inspection.	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00
	Water Supply - Fire Service Mains - Fire Hydrants	
3.1	Fire Service – Emergency Repair Review of underground piping, placement, and size. Fees include one (1) hour plan review and one (1) visual inspection.	\$ 486.00
3.1b	Each additional inspection.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 2 of 11

3.2	Private Fire Service Mains	Minimum plan review base fee of system.	\$ 486.00
3.2b		Fees include one (1) hour plan review and one (1) visual inspection.	
16.1		Each additional inspection per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour	\$ 122.00
	Fire service main installation also requires hydro and flush. See 3.3 & 3.4		
3.3	Flush - Private Fire Service System	Minimum inspection base fee.	\$ 243.00
3.3b		Fee includes one (1) hour onsite inspection time.	
		Each additional inspection per hour.	\$ 243.00
3.4	Hydrostatic Test - Private Fire Service System	Minimum inspection/test base fee.	\$ 243.00
3.4b		Fee includes one (1) hour onsite test time.	
		Each additional inspection per hour.	\$ 243.00
3.5	Water Flow Information (office only, no field test required)	Fee for water flow information.	\$ 122.00
		(Fire District information must be current within 6 months)	
3.6	Water Flow Information Field Test	Minimum field test base fee.	\$ 486.00
3.6b		(Fee includes field testing for available fire flow for Hydrant and Fire Sprinkler Systems)	
		Additional or multiple flow tests per ½ hour.	\$ 122.00
3.7	Rural Water Supply	Minimum plan review base fee of tank & underground piping.	\$ 486.00
3.7b		Fees include one (1) hour plan review and one (1) visual inspection.	
16.1		Each additional inspection per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
3.7e		Additional plan review time, per half hour	\$ 122.00
		Rural water supply flush.	\$ 243.00
	Building Construction - New Buildings and Tenant Improvements		
4.1	New Construction or Building Additions Plan Review	Minimum plan review base fee.	\$ 729.00
4.1a		Plus \$.07 per square foot in excess of 2000 sq. ft.	\$.07 sq. ft.
4.1b		Fee includes two (2) hours of plan review and one (1) field inspection.	
16.1		Additional inspections per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour	\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 3 of 11

4.2	Tenant Improvement Plan Review (for building additions see 4.1)	Minimum plan review base fee.	\$ 486.00
4.2a		Plus \$.07 per square foot in excess of 2000 sq. ft.	\$.07 sq. ft.
4.2b		Fee includes one (1) hour plan review and one (1) field inspection.	
16.1		Additional inspections per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour	\$ 122.00
	Fire Protection Systems		
5.1	Tenant Improvement Fire Sprinklers (without calculations)	Minimum plan review base fee.	\$ 486.00
5.1a		Plus \$.50 per head in excess of 10 heads.	\$.50
5.1b		Fee includes one (1) hour of plan review and one (1) field inspection.	
16.1		Additional inspections per hour (i.e. weld-o-let, hydro, visual, etc...).	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour	\$ 122.00
5.2	Tenant Improvement Fire Sprinklers (with calculations)	Minimum plan review base fee.	\$ 610.00
5.2a		Plus \$.50 per head in excess of 10 heads.	\$.50
5.2b		Fee includes 1.5 hrs of plan review and one (1) field inspection.	
16.1		Each additional inspection per hour (i.e. weld-o-let, hydro, visual, etc...)	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour	\$ 122.00
5.3	New Commercial Fire Sprinkler System (13 & 13R systems)	Minimum plan review base fee per riser.	\$ 972.00
5.3a		Plus \$.50 per sprinkler head.	\$.50
5.3b		Fee includes two (2) hours plan review and two (2) field inspections.	
16.1		Each additional inspection per hour (i.e. weld-o-let, hydro, visual, etc...)	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour	\$ 122.00
5.4	Residential Fire Sprinkler System (single family home)	Minimum plan review base fee.	\$ 547.00
5.4b		Fee includes one (1) hour of plan review and 1 water service flush, 1 overhead hydro & 1 final.	
16.1		Each additional inspection per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour	\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 4 of 11

5.5	Residential Fire Sprinkler System (multiple homes) Minimum plan review base fee per model. For model only - fee includes one (1) hour of plan review and 1 water service flush, 1 overhead hydro & 1 final.	\$ 610.00
5.5a	Each additional lot (flush, hydrostatic test and final)	\$ 366.00
5.5b	Each Additional inspection per hour (i.e. models, individual homes)	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00
5.6	Standpipe System Minimum plan review base fee.	\$ 729.00
5.6b	Fee includes plan review and one (1) field inspection. Each additional inspection per hour (i.e. hydro, flush, flow test, etc...)	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00
5.7	Spray Booth (includes booth and fire extinguishing system) Minimum plan review base fee.	\$ 729.00
5.7b	Fee includes two (2) hours plan review and one (1) field inspection. Each additional inspection per hour.	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00
5.8	Pre-Action Fire Suppression System Minimum plan review base fee. Fee includes one (1) hours plan review and two (2) field inspection. *(Fire alarm review (6.1) not included)	\$ 729.00
5.8b	Each additional inspection per hour.	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00
5.9	Fixed Fire Suppression System – (wet/dry chem., water mist, etc...) Minimum plan review base fee.	\$ 486.00
5.9a	Each additional separate system at same location. Fee Includes plan review and one (1) field inspection.	\$ 243.00
5.9b	Each additional inspection per hour.	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00
5.10	Clean Agent Fire Suppression System Minimum plan review base fee. Fee includes one (1) hour plan review and up to 3 hours of inspection time. *(does not include fire alarm plan review – see Sec. 6.1)	\$ 972.00
5.10b	Each Additional inspection per hour.	\$ 243.00
16.1	Re-submittals or revisions.	\$ 243.00
17.1	Additional plan review time, per half hour	\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 5 of 11

5.11 5.11b 16.1 17.1	Fire Pump Installation	Minimum plan review base fee.	\$1,701.00
	Fee includes two (2) hours plan review and up to five (5) hrs field inspection time. *(does not include review of generator or separate fuel storage tank)		
	Each Additional inspection per hour.	\$ 243.00	
	Re-submittals or revisions.	\$ 243.00	
	Additional plan review time, per half hour	\$ 122.00	
5.12 5.12a 5.12b 16.1 17.1	Commercial Cooking (Hood and Duct) Fire Suppression System	Minimum plan review base fee.	\$ 486.00
	Each additional system review \$243.00 each.	\$ 243.00	
	Fee includes one (1) hour plan review and one (1) hour of inspection time.		
	Each additional inspection per hour.	\$ 243.00	
	Re-submittals or revisions.	\$ 243.00	
5.13 5.13b 16.1 17.1	Smoke & Heat Vents	Minimum plan review base fee.	\$ 486.00
	Fee includes one (1) hour plan review and one (1) hour of inspection time.		
	Each additional inspection per hour.	\$ 243.00	
	Re-submittals or revisions.	\$ 243.00	
	Additional plan review time, per half hour	\$ 122.00	
5.14 5.14b 16.1 17.1	Smoke Management/Control System	Minimum plan review base fee.	\$ 1,701.00
	Fee includes two (3) hours plan review and up to four (4) hrs field inspection time.		
	Each Additional inspection per hour.	\$ 243.00	
	Re-submittals or revisions.	\$ 243.00	
	Additional plan review time, per half hour	\$ 122.00	
5.15 5.15b 16.1 17.1	Explosion Control (includes: vents, dust collection, etc...)	Minimum plan review base fee.	\$ 972.00
	Fee includes two (2) hours plan review and up to two (2) hours field inspection time.		
	Each Additional inspection per hour.	\$ 243.00	
	Re-submittals or revisions.	\$ 243.00	
	Additional plan review time, per half hour	\$ 122.00	
Fire Alarm Systems			
6.1 6.1a 6.1b 16.1 17.1 6.1e	Fire Alarm System	Minimum plan review base fee.	\$ 610.00
	Plus \$ 10.00 per initiating & notification device.	\$ 10.00	
	Fee includes two (2) hours plan review and up to one (1) hour field inspection time.		
	Each additional inspection per hour.	\$ 243.00	
	Re-submittals or revisions.	\$ 243.00	
	Additional plan review time, per half hour	\$ 122.00	
6.1e	Pre-wire inspections assessed at \$ 243.00 per hour.	\$ 243.00	

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 6 of 11

6.2 6.2b 16.1 17.1	Dedicated Function Fire Alarm System (i.e. sprinkler monitoring, elevator recall, etc...)	Minimum plan review base fee.	\$ 486.00
	Fee includes one (1) hour plan review and one (1) hour of field inspection time.		
	Each additional inspection per hour.		\$ 243.00
	Re-submittals or revisions.		\$ 243.00
	Additional plan review time, per half hour		\$ 122.00
6.3 6.3b 16.1 17.1	Fire Alarm Panel Replacement Only	Minimum plan review base fee.	\$ 486.00
	Fee includes one (1) hour plan review and up to one (1) hour field inspection time.		
	Each additional inspection per hour.		\$ 180.00
	Re-submittals or revisions.		\$ 243.00
	Additional plan review time, per half hour		\$ 122.00
6.4 6.4a 6.4b 16.1 17.1 6.4e	High-Rise Fire Alarm (new and/or system upgrade)	Minimum plan review base fee.	\$1,944.00
	Plus \$ 10.00 per initiating device & notification device.		\$ 10.00
	Fee includes four (4) hours plan review and up to four (4) hours field inspection time.		
	Each additional inspection per hour.		\$ 243.00
	Re-submittals or revisions.		\$ 243.00
	Additional plan review time, per half hour		\$ 122.00
	Each per-wire inspection where required.		\$ 243.00
	Flammable and Combustible Liquids Under/Aboveground Tanks - Piping - Dispensing		
7.1 16.1 17.1	Install Underground Tanks	Minimum plan review base fee.	\$ 486.00
	Fee includes one (1) hour of plan review of tank location and one (1) hour of site inspection time.		
	Re-submittals or revisions.		\$ 243.00
	Additional plan review time, per half hour		\$ 122.00
7.2 7.2b	Remove Underground Tank	Minimum plan review base fee.	\$ 729.00
	Fee includes one (1) hour plan review and two (2) hours of inspection/site time.		
	Each additional inspection/stand-by time per hour.		\$ 243.00
7.3 7.3a 7.3b 16.1 17.1	Install Aboveground Tank	Minimum plan review base fee.	\$ 486.00
	Each additional tank.		\$ 243.00
	Fee includes one (1) hour plan review and one (1) hour of inspection/site time.		
	Each additional inspection.		\$ 243.00
	Re-submittals or revisions.		\$ 243.00
	Additional plan review time, per half hour		\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 7 of 11

7.4	Abandon Underground Tank in Place	Minimum plan review base fee.	\$ 729.00
7.4b	Fee includes one (1) hour plan review and two (2) hours of inspection/site time. Each additional inspection/stand-by time per hour.		\$ 243.00
7.5	Environmental Upgrade (vapor recovery and processing systems, spill control, secondary containment and environmental agency requirements)	Minimum plan review base fee.	\$ 486.00
7.5b	Fee includes one (1) hour plan review and one (1) hour of inspection time. Each additional inspection per hour.		\$ 243.00
7.5c	Re-submittals or revisions.		\$ 243.00
7.5d	Additional plan review time, per half hour		\$ 122.00
7.6	Apply Interior Coating to Flammable Liquid Tanks	Minimum plan review base fee.	\$ 729.00
7.6b	Fee includes one (1) hour plan review and two (2) hours of inspection/site time. Each additional inspection/stand-by time per hour.		\$ 243.00
Compressed Gas Systems: LPG - CNG - Medical - Cryogenics			
8.1	Container Exchange Programs; LPG Tank Installation Without Dispensing	Minimum plan review base fee.	\$ 486.00
8.1b	Fee includes one (1) hour of plan review and one (1) site inspection time. Each additional inspection per hour.		\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00
8.2	LPG - CNG - Hydrogen (Tank Install and/or Dispensing)	Minimum plan review base fee.	\$ 850.00
8.2b	Fee includes 1½ hours of plan review and two (2) hours site inspection time. Each additional inspection per hour.		\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00
8.3	Medical or Compressed Gas Systems	Minimum plan review base fee.	\$ 850.00
8.3b	Fee includes 1 ½ hours of plan review and two (2) site inspections. Each additional inspection per hour.		\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00
8.4	Cryogenics Fixed Installation	Minimum plan review base fee.	\$ 850.00
8.4b	Fee includes 1½ hours of plan review and two (2) site inspections. Each additional inspection per hour.		\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 8 of 11

8.5	Compressed Gas Storage	Minimum plan review base fee.	\$ 486.00
8.5b		Fee includes one (1) hour of plan review and one (1) field inspection.	
16.1		Each additional inspection per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour.	\$ 122.00
	Special Hazards - Hazardous Materials		
9.1	Battery Systems	Minimum plan review base fee.	\$ 486.00
9.1b		Fee includes one (1) hour of plan review and one (1) field inspection.	
16.1		Each additional inspection per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour.	\$ 122.00
9.2	Dust Collection Systems	Minimum plan review base fee.	\$ 610.00
9.2b		Fee includes one (1) hour of plan review and two (2) site inspections.	
16.1		Each additional inspection per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour.	\$ 122.00
9.3	Explosives Storage	Minimum plan review base fee.	\$ 972.00
9.3b		Fee includes two (2) hours of plan review and two (2) site inspections.	
16.1		Each additional inspection per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour.	\$ 122.00
9.4	Hazardous Materials Compliance Review	Minimum review of MSDS, HMMP and/or HMIS submittals.	\$ 243.00
17.1		Fees include one (1) hour of review time.	
		Additional plan review time, per half hour.	\$ 122.00
9.5	Hazardous Materials – Storage – Dispensing – Open/Closed Systems	Minimum plan review base fee.	\$ 972.00
9.5a		Fee includes two (2) hours of plan review and two (2) site inspections.	
9.5b		Each additional system minimum two (2) hours of plan review.	\$ 486.00
16.1		Each additional inspection per hour.	\$ 243.00
17.1		Re-submittals or revisions.	\$ 243.00
		Additional plan review time, per half hour.	\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 9 of 11

9.6	Mechanical Refrigeration Systems	Minimum plan review base fee.	\$ 729.00
9.6b	Fee includes one (1) hour of plan review and two (2) site inspections.	Each additional inspection per hour.	\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00
	High-Pile Rack Storage Systems		
10.1	High-Pile or Rack Storage	Minimum plan review base fee.	\$ 729.00
10.1b	Fee includes 1½ hours of plan review and 1½ hours site inspections.	Field inspection time will be charged per hour.	\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00
	Temporary Access Roads & Water Supply		
11.1	Install a Temporary Access Road – Residential and Commercial	Minimum plan review base fee for one and two homes.	\$ 243.00
11.1a	Minimum plan review for large developments and commercial projects.	Fee includes one (1) hour of plan review and one (1) field inspection.	\$ 486.00
11.1b	Each additional inspection per hour.		\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00
12.1	Install a Temporary Water Supply System	Minimum plan review base fee.	\$ 486.00
12.1b	Fee includes one (1) hour plan review and one (1) hour field inspection.	Each additional inspection per hour.	\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00
	Miscellaneous Submittals - Alternative Means and Methods		
13.1	Miscellaneous Submittals or Plans Review	Plans or submittals not described elsewhere.	
13.1a	Minimum plan review base fees up to two hours.	Additional plan review time will be charged on hourly basis.	\$ 486.00
13.1b	Fee includes one (1) hour of plan review and one (1) field inspection.	Each additional inspection per hour.	\$ 243.00
16.1	Re-submittals or revisions.		\$ 243.00
17.1	Additional plan review time, per half hour.		\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 10 of 11

13.2	Alternative Means and Methods Requests or Code Interpretation Review	Minimum review base fee.	\$ 486.00
17.1		Fee includes 2 hours of plan review/consultation time. Additional plan review time, per half hour.	\$ 122.00
13.3	Expedite Plan Review Requests and Reviews Expedited as a Result of Working <i>without</i> Approved Plans	Working without approved plans - Minimum plan review fees (overtime) two (2) hours - <u>plus applicable plan review fees.</u>	\$ 486.00
13.3a		(Additional plan review time, \$ 243.00 per hour)	\$ 243.00
13.4	Expedited Plans - reviewed after normal business hours, two-hour minimum.		\$ 486.00
13.4a		(Additional plan review time, \$ 243.00 per hour)	\$ 243.00
13.5		All revisions will be performed on an expedited/overtime basis at \$ 243.00 per hour with a two hour minimum. <u>Total fees assessed will be the sum of all applicable plan review fees including expedite/overtime fees.</u>	
13.6	Demolition Permit pursuant to Chapter 14, CFC		\$ 243.00
	Copies, Microfilm, Instructional		
	Photocopies		
14.1		Minimum fee per page, letter or legal size.	\$.20
14.2	Microfilm, Laser Fiche Retrieval	Minimum fee per ¼ hour per review.	\$ 9.00
14.2a		Plus \$.20 per page.	\$.20
14.3	Copies of Photos	\$9.00 per ¼ hour.	\$ 9.00
14.3a		Plus the actual cost of photos.	
14.4	Instructional Services	Minimum instructional fee.	\$ 486.00
14.4b		Fees include two (2) hours of instruction service during normal working hours. Each additional hour.	\$ 243.00
	Additional Charges and Inspection Time		
15.1		<u>Additional inspection time during normal business</u> Hours - \$ 122.00 per half hour.	\$ 122.00
15.2		<u>Additional inspection time after normal business</u> hours - \$ 243.00 per hour.	\$ 243.00
15.3		<u>Overtime and weekend inspections:</u> Two-hour \$ 486.00 minimum fee.	\$ 486.00
16.1		Re-submittals or revisions.	\$ 243.00
17.1		Additional plan review time, \$ 122.00 per half hour.	\$ 122.00

SUBJECT:

ENGINEERING/PLAN REVIEW - FEE SCHEDULE

Page 11 of 11

- Minimum review and inspection fees are based on \$ 243.00 per hour during normal business hours, unless otherwise noted.
- Normal business hours are between 0800hrs and 1600hrs, Monday - Friday.
- All overtime fees are assessed at \$ 486.00 for a two hour minimum, unless otherwise noted.
- Overtime rates apply to weekends, holidays, and all times outside normal business hours.
- Expedited plan reviews are conducted after normal business hours.
- Total fees assessed will be the sum of all applicable plan review fees including expedite/overtime fees.
- Revisions to previously submitted plans, including plans requiring re-submittal and/or client generated changes, will be assessed \$ 243.00 for each hour of plan review. Reviews conducted and requiring more than one hour of plan review time during normal business hours will be assessed \$122.00 per half hour.

Authority

Health & Safety: §§ 13114, 13131.5, 13143.2 (b, c, d, e), 13145, 13147, 13143.9,
13146 (a) (1) (b), (d), e), 13862, 13869, 13869.7, 13875, 13916, 17921, 17951, 17962

Government Code § 6103.7, 6253(b)

Fire District Ordinance: No. 2019-01

Title 19, CCR: § 1.12(a) & 3.28

California Fire Code: § 101.1, 101.2, 101.10, 103.3.3.2.3, 105.1, 105.4, 901.2.2

NOTE: Fees waived for Non-Profit Agencies and Governmental Agencies.

RODEO-HERCULES FIRE PROTECTION DISTRICT

MEMORANDUM

TO: Board of Directors, RODEO HERCULES FIRE DISTRICT

FROM: Bryan Craig, INTERIM FIRE CHIEF

DATE: September 11, 2019

RE: Fire Facilities Impact Fees

BACKGROUND:

The Fire District has been collecting Fire Facilities Fees since 1986, in accordance with Government Code §66006. The District periodically updates those fees dependent upon the burden placed on the District from current or pending new development. Recognizing this type of need, Willdan Financial Services was contracted by the Fire District to conduct a Fire Facilities Fee study, and subsequent Engineer's Report based on this study. An Engineer's report provides the analysis and basis for the Fire Facilities Impact Fees.

A Representative from Willdan Financial presented their findings to the Board during the November 15, 2017 regular board meeting. After receiving the findings, the Board instructed District staff to prepare a resolution that included the updated fee structure for adoption during the next regularly scheduled Board meeting in January 2018. The Fire District Board of Directors adopted Resolution 2018-01 during that meeting.

As per the Mitigation Fee Act contained in the Government Code §66000, cities hold the legal authority to impose fees on behalf of the District within their city limits. In unincorporated areas, the County Board of Supervisors holds the authority to impose impact fees. Both of these entities collect these fees on behalf of the Fire District.

After adoption of Board Resolution 2018-01, and after proper legal notification by the City of Hercules, a presentation was made during the regularly scheduled Hercules City Council meeting on May 22, 2018. The City Council disagreed with the finding in the Engineer's report presented by Willdan and rejected the District's Resolution.

Subsequently, District staff and representatives from Willdan Financial worked with the City of Hercules Staff to create a document that would be well-received by the City Council and updated Resolution 2018-01 to reflect those changes.

District staff also contacted the Contra Costa County office of Conservation and Development to confirm the Engineers report information and findings were in compliance with County Ordinance Code requirements for submittal to the County Board of Supervisors.

RECITALS:

- Willdan Financial Services attended the November regular board meeting of the Rodeo Hercules-Fire Protection District and presented the Fire Facilities Impact Fee Update Study.
- January 13, 2018 regular board meeting: Rodeo-Hercules Board of Directors adopted Resolution 2018-1.
- May 22, 2018: District Staff, with a representative from Willdan Engineering, presented findings to the City of Hercules City Council. The Hercules City Council approved the Districts Fire Facilities Fees at 80% of the amount recommended in the finding of the Engineers report.

DISCRIPTION:

As with the City of Hercules, the County Costa County holds the legal authority to impose the Fire District's Fire Facilities Fees. The Board's current Resolution 2018-1 does not reflect the imposed 80% of the Fire Facilities Fees approved by the City Council of Hercules. Fire Facilities Fees must be charged equally throughout the jurisdiction in which they are established.

DIRECTION:

Staff is asking the Board to approve Resolution 2019-11, which reflects the 80% of the recommended engineer's findings, for presentation to the Contra Costa Board of Supervisors for adoption. This is an action item.

RESOLUTION 2019-11

RESOLUTION OF THE RODEO-HERCULES FIRE PROTECTION DISTRICT BOARD OF DIRECTORS REQUESTING IMPLEMENTATION BY THE COUNTY OF CONTRA COSTA FOR FIRE FACILITIES IMPACT FEES TO IMPLEMENT THEIR RESPECTIVE GENERAL PLAN GOALS, POLICIES AND OBJECTIVES FOR ASSURING ADEQUATE FIRE PROTECTION ASSOCIATED WITH NEW DEVELOPMENT

A RESOLUTION TO ADOPT THE RODEO - HERCULES FIRE PROTECTION DISTRICT FIRE FACILITIES IMPACT FEE STUDY AND FEE AMOUNTS.

WHEREAS, the Rodeo – Hercules Fire Protection District ("District") provides Fire and Rescue Services to approximately 25 square miles of unincorporated and incorporated Contra Costa County with an approximate service population of nearly 40,000. This service area includes the unincorporated community of Rodeo, and the City of Hercules. The District currently imposes a fire facilities impact fee to support ongoing demands for fire services and the facilities needs to provide such service; and

WHEREAS, per the *Mitigation Fee Act* (Government Code Section 66000 *et. seq.*), cities hold the legal authority to impose fees on behalf of the District within their city limits. In unincorporated areas however, the County, rather than the District, has legal authority to impose impact fees; and

WHEREAS, in response to ongoing demands for service and the facilities needed to provide service, the Rodeo-Hercules Fire Protection District Board of Directors commissioned a "Fire Facilities Impact Fee Study" (FIFS) by Willdan Financial Services, a private financial consulting firm, dated August 16, 2018, consistent with the provisions of Government Code Section 66000 *et. seq.* including section 66001, to analyze methods to update and implement a fire facilities impact fee as authorized by Health and Safety Code section 13861(f), a portion of the Fire Protection Law of 1987, Health and Safety Code section 13800 *et seq.*, (the "Act"); and

WHEREAS, a report has been completed by Willdan Financial Services entitled "Fire Facilities Impact Fee Study," a copy of which is attached as Exhibit "A" to this Resolution, setting forth methods to update and implement a fire facilities impact fee that would include both the County and the City and making findings, which are consistent with provisions of Government Code Section 66000 *et. seq.* concerning the need, implementation, and use of such a fee by the District: and

WHEREAS, at a duly noticed regular meeting of the Board of Directors, the District Board accepted and adopted the Willdan Financial Services report entitled "Fire Facilities Impact Fee Study," dated August 16, 2018; and

WHEREAS, Government Code Section 66001 requires a local government to document the necessary five findings: Purpose of Fee, Use of Revenues, Benefit Relationship, Burden Relationship, and Proportionality; and

WHEREAS, the 2018 FIFS supports the need for mitigation fees in the amount of \$1,680 per Residential unit, \$1,036 per Multi-Family Residential unit, \$0.84/ft. Commercial, \$1.13/ft. Office, \$0.48/ft. Industrial for new enclosed/habitable construction including miscellaneous buildings and garages and \$0.10/ft. for Hotel/Motel Rooms; and

RESOLUTION 2019-11

WHEREAS, The City Council of the City of Hercules disagreed with the findings of the Engineers report and reduced the Fire Facilities Impact Fees to 80%, except for hotel, of the proposed amounts stated here; and

WHEREAS, as the County (consistent with its General Plan) and the City (consistent with its General Plan) have adopted Developer Fee Resolutions to assure adequate fire protection for new development, it is in the best interest of the District to request the County and the City to update those Resolutions or Ordinances, respectively through the adoption of the Fire Facilities Impact Fee described in the attached report.

NOW, THEREFORE, the Board of Directors of the Rodeo - Hercules Fire Protection District does hereby declare, find, resolve, approve, and adopt the 2018 FIFS and the Board of Directors establishes the Impact Fee for new development in the Rodeo - Hercules Fire Protection District, as follows

1. That there is a present and ongoing need to maintain and enhance the District's level of fire protection services and facilities within the District occasioned by existing and new development; and
2. That an Impact Fee is established equal to \$1,344, per Residential unit \$828.80 per Multi-family Residential unit, \$625. per Accessory Dwelling Unit, \$0.672/ft. Commercial, \$0.904/ft. Office, \$0.384/ft. Industrial for new enclosed/habitable construction including miscellaneous buildings and garages, and \$101.00 hotel/motel room, effective 60 days from the signed date of this resolution; and
3. That annually as part of the budget process, the Fire Chief shall review the estimated cost of the described capital improvements, the need for those improvements, and the reasonable relationship between such need and the impacts of the various types of development pending or anticipated and for which the Fire Facilities Impact Fee is charged; and
4. That the Fire Facilities Impact Fee will have an automatic annual adjustment based on the "construction cost index" or the "consumer price index," whichever is higher, to keep up with the cost of inflation on the cost of the capital projects, but not less than the fees stated in the 2018 Engineer's Report; and
5. That the Fire Facilities Impact fee established by this Resolution shall replace the previous Fire Facilities Impact Fee adopted by the District.

Publication and Effective Date

This Resolution shall be published in accordance with applicable law, by one or more of the following methods:

1. Posting the entire Resolution in at least three (3) public places in the Rodeo – Hercules Fire Protection District, within fifteen (15) days after its passage and adoption; or
 2. Publishing the entire Resolution at least once in the West County Times, a newspaper of general circulation published in the County of Contra Costa within fifteen (15) days after its passage and adoption; or
 3. Publishing a summary of the Resolution in the West County Times and posting a certified copy of the entire Resolution in the District office of the Rodeo – Hercules Fire Protection District at least five (5) days prior to the passage and adoption, and a second time within fifteen (15) days after its passage and adoption, along with the names of those Board Members voting for and against the Resolution.
- b. This Resolution shall go into effect thirty (30) days after the date of its passage and adoption.

RESOLUTION 2019-11

APPROVED AND ADOPTED THE FOREGOING RESOLUTION was first read at a regular meeting of the Rodeo – Hercules Fire Protection District on the 11th day of September 2019, and was passed and adopted at a regular meeting of the Rodeo – Hercules Fire Protection District Board of Directors on the 11th day of September, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairman of the Board
Rodeo – Hercules Fire Protection District



Lou Ann Texeira
Executive Officer

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
40 Muir Road, 1st Floor • Martinez, CA 94553
e-mail: LouAnn.Teixeira@lafco.cccounty.us
(925) 313-7133

NOTICE AND AGENDA FOR REGULAR MEETING

DATE/TIME: Wednesday, September 11, 2019, 1:30 PM

PLACE: Board of Supervisors Chambers
651 Pine Street, Martinez, CA 94553

NOTICE IS HEREBY GIVEN that the Commission will hear and consider oral or written testimony presented by any affected agency or any interested person who wishes to appear. Proponents and opponents, or their representatives, are expected to attend the hearings. From time to time, the Chair may announce time limits and direct the focus of public comment for any given proposal.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by LAFCO to a majority of the members of the Commission less than 72 hours prior to that meeting will be available for public inspection in the office at 40 Muir Road, 1st Floor, Martinez, CA, during normal business hours as well as at the LAFCO meeting.

All matters listed under CONSENT ITEMS are considered by the Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Commission or a member of the public prior to the time the Commission votes on the motion to adopt.

For agenda items not requiring a formal public hearing, the Chair will ask for public comments. For formal public hearings the Chair will announce the opening and closing of the public hearing.

If you wish to speak, please complete a speaker's card and approach the podium; speak clearly into the microphone, start by stating your name and address for the record.

Campaign Contribution Disclosure

If you are an applicant or an agent of an applicant on a matter to be heard by the Commission, and if you have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months, Government Code Section 84308 requires that you disclose the fact, either orally or in writing, for the official record of the proceedings.

Notice of Intent to Waive Protest Proceedings

In the case of a change of organization consisting of an annexation or detachment, or a reorganization consisting solely of annexations or detachments, or both, or the formation of a county service area, it is the intent of the Commission to waive subsequent protest and election proceedings provided that appropriate mailed notice has been given to landowners and registered voters within the affected territory pursuant to Gov. Code sections 56157 and 56663, and no written opposition from affected landowner or voters to the proposal is received before the conclusion of the commission proceedings on the proposal.

American Disabilities Act Compliance

LAFCO will provide reasonable accommodations for persons with disabilities planning to attend meetings who contact the LAFCO office at least 24 hours before the meeting, at 925-313-7133. An assistive listening device is available upon advance request.

As a courtesy, please silence your cell phones during the meeting.

SEPTEMBER 11, 2019 CONTRA COSTA LAFCO AGENDA

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. Public Comment Period (please observe a three-minute time limit):
Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.
5. Approval of minutes for the August 14, 2019 regular LAFCO meeting

OUT OF AGENCY SERVICE REQUESTS

6. ***LAFCO 19-04 – City of Martinez – 2913 Merle Avenue*** – consider a request by the City of Martinez to extend municipal water service outside its jurisdictional boundary to one parcel (APN 375-301-024) located at 2913 Merle Avenue in unincorporated Martinez; and consider related actions per the California Environmental Quality Act (CEQA)
7. ***LAFCO 19-05 – City of Martinez – 66 Quail Lane*** – consider a request by the City of Martinez to extend municipal water service outside its jurisdictional boundary to one parcel (APN 365-100-015) located at 66 Quail Lane in unincorporated Martinez; and consider related actions per the CEQA

BUSINESS ITEMS

8. ***2nd Round Municipal Services Review (MSR)/Sphere of Influence (SOI) Updates – Parks & Recreation Services*** – review draft Request for Proposals (RFP), provide input and authorize staff to release RFP for consulting services to assist with the 2nd round “Parks & Recreation Services” MSR/SOI updates
9. ***Temporary Hire of LAFCO Retiree and Waiver of 180 day “Sit Out Period”*** – consider approving the temporary hire of Kate Sibley, LAFCO retiree and waiving the 180 day sit out period
10. ***2020 LAFCO Meeting Schedule*** – consider approving the 2020 LAFCO meeting schedule
11. ***Contra Costa LAFCO Policies & Procedures*** – consider approving proposed amendments to LAFCO’s island policy

INFORMATIONAL ITEMS

12. Commissioner Comments and Announcements
13. Staff Announcements
 - Pending Projects
 - Newspaper Articles
 - CCCERA Correspondence

ADJOURNMENT

The next regular LAFCO meeting is October 9th, 2019 at 1:30 pm.

LAFCO STAFF REPORTS AVAILABLE AT http://www.contracostalafco.org/meeting_archive.htm

AUGUST 14, 2019 CONTRA COSTA LAFCO
ANNOTATED AGENDA AND AMENDED MINUTES

Sept 11, 2019
Agenda Item 5

1. Call to Order and Pledge of Allegiance

2. Roll Call

County Members Candace Andersen (participated by telephone pursuant to Gov. Code 54953) and Federal Glover

Special District Members Mike McGill and Igor Skaredoff and Alternate (A) Stan Caldwell

City Members Tom Butt and Sean Wright (A), who arrived at 1:47 pm

Public Members Charles Lewis (A)

3. Adoption of Agenda

Upon motion of McGill, second by Glover, Commissioners approved the agenda unanimously, 6-0

AYES: Andersen, Butt, Glover, Lewis, McGill, Skaredoff

NOES:

ABSENT: Blubaugh (M), Schroder (M), Wright (A)

ABSTAIN: None

4. Public Comment Period (please observe a three-minute time limit):

There were no public comments.

5. Approval of minutes for the July 10, 2019 regular LAFCO meeting

Upon motion of Glover, second by McGill, Commissioners approved the July 10, 2019 meeting minutes unanimously, 6-0

AYES: Andersen, Butt, Glover, Lewis, McGill, Skaredoff

NOES:

ABSENT: Blubaugh (M), Schroder (M), Wright (A)

ABSTAIN: None

SPHERE OF INFLUENCE (SOI) AMENDMENTS/CHANGES OF ORGANIZATIONS

6. ***LAFCO 18-04 – Wang Reorganization: Annexation to City of El Cerrito and Corresponding Detachment from City of Richmond*** – consider annexing Assessor Parcel Number (APN) 509-110-017 to City of El Cerrito and detaching the same parcel from City of Richmond. The property comprises 0.07± acres and is located on Jefferson Avenue in the City of Richmond. The Commission will also consider related actions under CEQA

Acting Chair McGill opened the Public Hearing. There were no public comments and the Acting Chair closed the public hearing.

Upon motion of Glover, second by Lewis, Commissioners, by a 6-0 vote, unanimously approved the boundary changes as proposed

AYES: Andersen, Glover, Lewis, McGill, Skaredoff

NOES:

ABSENT: Blubaugh (M), Schroder (M), Wright (A)

ABSTAIN: Butt (M)

DRAFT

BUSINESS ITEMS

7. ***Special District Risk Management Authority (SDRMA) Board Election*** – receive report from ad hoc committee and consider voting for candidates in the 2019 SDRMA Board Election

Upon motion of McGill, second by Skaredoff, Commissioners unanimously, by a 6-0 vote, approved the ad hoc committee's selected board election candidates.

AYES: Andersen, Butt, Glover, Lewis, McGill, Skaredoff

NOES:

ABSENT: Blubaugh (M), Schroder (M), Wright (A)

ABSTAIN: None

8. ***CALAFCO 2019 Conference Material and Call for Board of Directors Candidates and Achievement Award Nominations*** – receive the annual CALAFCO conference packet, appoint voting delegate(s), and provide direction regarding nominations and other matters as desired

Upon motion of Glover, second by Lewis, Commissioners unanimously, by a 6-0 vote, appointed the Chair as voting delegate and the Vice Chair and Commissioner McGill as voting alternates.

Commissioners also approved their being nominated by staff for a 2019 CALAFCO Achievement Award.

AYES: Andersen, Butt, Glover, Lewis, McGill, Skaredoff

NOES:

ABSENT: Blubaugh (M), Schroder (M), Wright (A)

ABSTAIN: None

9. ***Lafayette/Pleasant Hill Sphere of Influence Subcommittee*** – receive update from ad hoc subcommittee
Informational item

Upon motion of McGill, second by Glover, Commissioners unanimously, by a 7-0 vote, acknowledged and received the update report from the Subcommittee.

AYES: Andersen, Butt, Glover, Lewis, McGill, Skaredoff, Wright

NOES:

ABSENT: Blubaugh (M), Schroder (M)

ABSTAIN: None

10. ***2019 Contra Costa County Employees' Retirement Association Employer Audit: Contra Costa LAFCO*** – receive audit – *Informational item*

Upon motion of Glover, second by Skaredoff, Commissioners unanimously, by a 7-0 vote, acknowledged and received the report.

AYES: Andersen, Butt, Glover, Lewis, McGill, Skaredoff, Wright

NOES:

ABSENT: Blubaugh (M), Schroder (M)

ABSTAIN: None

11. ***FY 2019-20 Budget Adjustment*** – consider moving funds from Fixed Assets to Services and Supplies in conjunction with a change in computer equipment

Upon motion of Glover, second by McGill, Commissioners unanimously, by a 7-0 vote, approved the FY 2019-20 budget adjustment to allow purchasing a virtual server as opposed to a physical server.

AYES: Andersen, Butt, Glover, Lewis, McGill, Skaredoff, Wright

NOES:

ABSENT: Blubaugh (M), Schroder (M)

ABSTAIN: None

INFORMATIONAL ITEMS

12. Commissioner Comments and Announcements

- Chair Butt reported that former Lafayette City Manager, Steven Falk, was appointed as Richmond's Interim City Manager
- Commissioner McGill reported on the CALAFCO increase of dues which will be determined at the 2019 CALAFCO Annual Conference
- Commissioner Skaredoff commented on attending the Alhambra Creek walk – a planning project to improve the surrounding environment

13. Staff Announcements

- CALAFCO Updates
- Pending Projects
- CCCERA Correspondence

The meeting adjourned at 2:00 pm

Final Minutes Approved by the Commission September 11, 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

ADJOURNMENT

The next regular LAFCO meeting is September 11th, 2019 at 1:30 pm.

LAFCO STAFF REPORTS AVAILABLE AT http://www.contracostalafco.org/meeting_archive.htm

By _____

Executive Officer

MEMORANDUM OF UNDERSTANDING
BETWEEN
RODEO-HERCULES FIRE PROTECTION
DISTRICT
AND
UNITED PROFESSIONAL FIRE FIGHTERS,
I.A.F.F., LOCAL 1230

October 01, 2016 through June 30, 2018

MOU – RHFPD/IAFF L1230

TABLE OF CONTENTS

DEFINITIONS:	1
SECTION 1 - RECOGNITION	3
1.1 Union Recognition	3
1.2 Dues Deduction	3
1.3 Dues Authorization	3
1.4 Maintenance of Membership	4
1.5 Withdrawal of Membership	4
1.6 Agency Shop	4
SECTION 2 - UNION SECURITY	5
2.1 Communicating With Employees	5
2.2 Use of District Buildings	6
2.3 List of Employees with Dues Deduction	6
2.4 Written Statement for New Employees	6
2.5 Union Representative's Access to New Employees	6
SECTION 3 - NO DISCRIMINATION	6
3.1 No Discrimination	6
3.2 Attendance of Meetings	6
3.3 Union Representative	7
SECTION 4 - SALARIES	7
4.1 General Wage	7
4.2 Longevity Pay	7
4.3 Entrance Salary	7
4.4 Anniversary Dates	8
4.5 Increments Within Range	8
4.6 Salary on Promotion	8
4.7 Salary on Involuntary Demotion	9
4.8 Payment	9
4.9 Pay Warrants	9
4.10 Paramedic Differential	10
SECTION 5 - OVERTIME	10
5.1 Overtime	10
5.2 Compensating Time Off	11
5.3 Strike Team Overtime Payment	11
5.4 Strike Team Overtime Hours	11
5.5 FLSA Overtime Pay	11
SECTION 6 - LAYOFF NOTIFICATION	11
SECTION 7 - HOLIDAYS	12
SECTION 8 - VACATION LEAVE	12
8.1 Vacation Leave Accrual For Employees Hired Before September 1, 2011	12
8.2 Vacation Leave Accrual for employees hired after September 1, 2011	13
8.3 Vacation Buy Back	13
SECTION 9 - LEAVES	13
9.1 Sick Leave	13
9.2 Paternity Leave	14
9.3 Military Leave	14
9.4 Bereavement/Funeral Leave	14
SECTION 10 - LEAVE OF ABSENCE	15
10.1 Leave Without Pay	15
10.2 Unauthorized Absence	16
SECTION 11 - HEALTH AND WELFARE, LIFE AND DENTAL CARE	16
11.1 Health Insurance/Optical	16
11.2 Retirement Medical	16

11.3	Additional Spouse Medical	16
11.4	Co-pay Reimbursement Pool.....	17
11.5	Dental Insurance.....	17
11.6	Life Insurance.....	17
11.7	Disability Insurance:	17
11.8	Salary Payments During Compensable Temporary Disability Absence.	17
SECTION 12 - PROBATIONARY PERIOD.....		18
12.1	Duration.....	18
12.2	Regular Appointment.	18
12.3	Extension.	19
12.4	Layoff During Probation.	19
SECTION 13 - PROMOTION.....		19
13.1	Promotion.	19
13.2	Promotion via Reclassification Without Examination.	19
13.3	Requirements for Promotional Standing.	20
13.4	Promotional Testing	20
SECTION 14 - RESIGNATIONS		20
14.1	Resignation in Good Standing.....	20
14.2	Effective Resignation.	20
14.3	Revocation.....	21
14.4	Reinstatement.	21
14.5	Coerced Resignations.....	21
SECTION 15 - DISMISSAL, SUSPENSION, DEMOTION AND REDUCTION IN SALARY		21
15.1	Authority.....	21
15.2	Skelly Requirements.....	22
15.3	Leave Pending Employee Response.	22
15.4	Procedure on Dismissal, Suspension, Salary Reduction or Disciplinary Demotion	23
15.5	Disciplinary Appeal Process.	23
SECTION 16 - GRIEVANCE PROCEDURE.....		24
16.1	INFORMAL DISCUSSION.	24
16.2	SUPERVISOR REVIEW.....	24
16.3	FIRE CHIEF/ADMINISTRATOR REVIEW.....	24
16.4	APPEALS.	25
SECTION 17 - ACTING OFFICER COMPENSATION.....		26
SECTION 18 - RETIREMENT.....		26
18.1	Retirement Contribution.....	26
SECTION 19 - SAFETY		26
SECTION 20 - MILEAGE.....		26
SECTION 21 - UNIFORM ALLOWANCE.....		27
SECTION 22 - EMT Incentive		27
SECTION 23 - EDUCATIONAL REIMBURSEMENT		27
SECTION 24 - NO STRIKE.....		27
SECTION 25 - ADOPTION.....		27
SECTION 26 - SCOPE OF AGREEMENT & SEPARABILITY OF PROVISIONS		27
26.1	Scope of Agreement.	28
26.2	Separability of Provisions.	28
26.3	Duration of Agreement.....	28
SECTION 27 - PAST PRACTICES & EXISTING MEMORANDA OF UNDERSTANDING		29
Side Letter of Agreement.....		30
"Firefighter-Paramedic"		30

MEMORANDUM OF UNDERSTANDING
BETWEEN
RODEO-HERCULES FIRE PROTECTION DISTRICT
AND
UNITED PROFESSIONAL FIRE FIGHTERS, I.A.F.F., LOCAL 1230

This Memorandum of Understanding (MOU) is entered into pursuant to the authority contained in Board of Director's Resolution 6-01 and has been jointly prepared by the parties.

The parties have met and conferred in good faith regarding wages, hours and other terms and conditions of employment for the employees in the Fire Suppression Unit and have freely exchanged information, opinions and proposals and have endeavored to reach agreement on matters relating to the employment conditions and employer-employee relations covering such employees.

This Memorandum of Understanding shall be presented to the Rodeo-Hercules Fire Protection District's Board of Directors as the joint recommendation of the undersigned for salary and employee benefit adjustments for the period beginning October 1, 2016 and ending June 30, 2018.

In the event provisions of this Memorandum of Understanding contradict any resolution, administrative bulletin or personnel rules of the District, the terms of this Memorandum of Understanding shall prevail.

DEFINITIONS:

- A. Appointing Authority: Fire Chief/Administrator unless otherwise provided by statute or ordinance.
- B. Class: a group of positions sufficiently similar with respect to the duties and responsibilities that similar selection procedures and qualifications may apply and that the same descriptive title may be used to designate each position allocated to the group.
- C. Class Title: the designation given to a class, to each position allocated to the class, and to the employees allocated to the class.
- D. Demotion: the change of a permanent employee to another position in a class allocated to a salary range for which the top step is lower than the top step of the class which the employee formerly occupied or as

otherwise provided for in this Memorandum of Understanding or in the Personnel Policy Manual.

- E. District: Rodeo-Hercules Fire Protection District.
- F. Eligible: any person whose name is on an employment or reemployment or layoff list for a given class.
- G. Employee: a person who is an incumbent of a position or who is on leave of absence in accordance within the provisions of this Memorandum of Understanding or applicable statute or authority and whose position is held pending the employee's return.
- H. Employment List: a list of persons, who have been found qualified for employment in a specific class.
- I. Fire Chief/Administrator:
Fire Chief/Administrator, or Fire Chief/Administrator as used in this Memorandum of Understanding shall mean the Fire Chief/Administrator or his/her designee.
- J. Layoff List: a list of persons who have occupied positions allocated to a class and who have been involuntarily separated by layoff or displacement or have voluntarily demoted in lieu of layoff.
- K. Personnel: the same as employee.
- L. Promotion: the change of a permanent employee to another position in a class allocated to a salary range for which the top step is higher than the top step of the class which the employee formerly occupied.
- M. Position: the assigned duties and responsibilities calling for the regular full-time employment of a person.
- N. Reclassification: the act of changing the allocation of a position by raising it to a higher class or reducing it to a lower class on the basis of significant changes in the kind, difficulty or responsibility of duties performed in such position.
- O. Reemployment List: a list of persons, who have occupied positions allocated to any class and who have voluntarily separated and are qualified for consideration for reappointment.
- P. Regular Status Employee: any position which has required, or which will require the services of an incumbent without interruption, for an indefinite period.

- Q. Resignation: the voluntary termination of permanent employment with the District.
- R. Shift Employee: any employee working twenty-four (24) hour duty shifts.
- S. Temporary Employment: any employment which will require the services of an incumbent for a limited period of time, paid on an hourly basis, not in an allocated position or in permanent status.
- T. Union: International Association of Fire Fighters, Local 1230, and A.F.L.-C.I.O.

SECTION 1 - RECOGNITION

1.1 Union Recognition.

The Union is the formally recognized employee organization for the Fire Suppression Unit and such organization has been certified as such by the Board of Directors pursuant to the May 12, 1993 Board of Directors Minutes.

1.2 Dues Deduction.

The Union, as the recognized majority representative, may have dues deduction and as such the Union has the exclusive privilege of dues deduction for all members in its unit.

Dues deduction shall be based on the voluntary written authorization of the employee, which shall remain in effect so long as the employee remains in a unit represented by the Union unless such authorization is canceled in writing by the employee in accordance with the provision set forth in Section 1.5. The dues deduction shall be for a specified amount and uniform between members of the Union. The Union shall indemnify, defend, and hold the District harmless against any claims made and against any suit instituted against the District on account of dues deduction.

1.3 Dues Authorization.

Employees hired in classifications assigned to the unit represented by the Union shall, as a condition of employment at the time of employment, complete a Union dues authorization card provided by the Union and shall have deducted from their paychecks the membership dues of the Union. Said employees shall have thirty (30) days from the date of hire to decide if they do not want to become a member of the Union.

Such decision not to become a member of the Union must be made in writing to the Auditor-Controller within said thirty (30) day period. If the employee decides not to become a member of the Union, any union dues previously deducted from the employee's paycheck shall be returned to the employee and said amount shall be deducted from the next dues deduction check sent to the Union. If the

employee does not notify the County in writing of the decision not to become a member within the thirty (30) day period, the employee shall be deemed to have voluntarily agreed to pay the dues of the Union. Each such dues authorization form referenced above shall include a statement that the Union and the District have entered into a Memorandum of Understanding, that the employee is required to authorize payroll deductions of Union dues as a condition of employment, and that such authorization may be revoked within the first thirty (30) days of employment upon proper written notice by the employee within said thirty (30) day period as set forth above. Each such employee shall, upon written completion of the authorization form, receive a copy of said authorization form which shall be deemed proper notice of the employee's right to revoke said authorization.

1.4 Maintenance of Membership.

All employees in units represented by the Union who are currently paying dues to the Union and all employees in such units who hereafter become members of the Union shall, as a condition of continued employment, pay dues to the Union for the duration of this Memorandum of Understanding and each year thereafter so long as the Union continues to represent the position to which the employee is assigned, unless the employee has exercised the option to cease paying dues in accordance with Section 1.5.

1.5 Withdrawal of Membership.

By notifying the Auditor-Controller's Department in writing, between June 1 to June 30 of any year, any employee may withdraw from Union membership and discontinue paying dues as of the payroll period commencing June 1st, and reflected in the July 10th paycheck. Immediately upon the close of the above-mentioned thirty (30) day period, the Auditor-Controller shall submit to the Union a list of the employees who have rescinded their authorization for dues deduction.

1.6 Agency Shop

- A. An Agency Shop provision shall be implemented in accordance with Government code Section 3502-5, except as noted below.
- B. The Agency Shop shall be implemented for all employees in the representation unit only after certification of a secret ballot election, conducted by the State Mediation and Conciliation Service (SMCS), in which a simple majority of those voting elect to implement an Agency Shop/Fair Share provision. Such election shall be conducted in accordance with procedures established by SMCS. All employees in the Representation Unit are eligible to vote in the Agency Shop/Fair Share Election.
- C. The Agency Shop provision may be rescinded in accordance with Government Code Section 3502-5(d).

- D. The Union shall provide the District with a copy of the Union's Hudson Procedure for the determination and protest of its agency shop fees. The Union shall provide a copy of said Hudson Procedure to every fee payer covered by this MOU within one month from the date of the Agency Shop/Fair Share election and annually thereafter.
- E. The Union shall indemnify, defend, and save the District harmless against any and all claims, demands, suites, orders, or judgments, or other forms of liability that arise out of or by reason of this Union security section, or action taken or not taken by the District under this Section. This includes, but is not limited to, the District's Attorneys' fees and costs. The provisions of this subsection shall not be subject to the grievance procedure.

SECTION 2 - UNION SECURITY

2.1 Communicating With Employees.

The Union shall be allowed to use designated portions of bulletin boards or display areas in public portions of District buildings or in public portions of offices in which there are employees represented by the Union, provided the communications displayed relate to official organization business such as times and places of meetings and further provided that the Union appropriately posts and removes the information. The Fire Chief/Administrator reserves the right to remove objectionable materials. Any material removed will be forwarded to the Union representative.

The Union shall be allowed access to work locations in which it represents employees for the following purposes:

- A. to post literature on bulletin boards;
- B. to arrange for use of a meeting room;
- C. to leave and/or distribute a supply of literature as indicated above;
- D. to represent an employee on a grievance, and/or to contact a union Officer on a matter within the scope or representation
- E. for other purposes consistent with Government Code Section 3503

In the application of this provision, it is agreed and understood that in each such instance advance arrangements, including disclosure of which of the above purposes is the reason for the visit, will be made with the Fire Chief/Administrator or designee(s) and the visit will not interfere with the District services.

2.2 Use of District Buildings.

The Union shall be allowed the use of areas normally used for meeting purposes for meetings of District employees during when:

- A. such space is available and its use by the Union is scheduled twenty-four (24) hours in advance;
- B. there is no additional cost to the District; and
- C. it does not interfere with normal District operations.

The administrative official responsible for the space shall establish and maintain scheduling of such uses. The Union shall maintain proper order at the meeting, and see that the space is left in a clean and orderly condition. The use of District equipment (other than items normally used in the conduct of business meetings, such as desks, chairs, and blackboards) is strictly prohibited, even though it may be present in the meeting area.

2.3 List of Employees with Dues Deduction.

The County shall provide the Union with a monthly list of employees who are paying dues to the Union.

2.4 Written Statement for New Employees.

The District will provide the employee with a packet of information, which has been supplied by the Union and approved by the District.

2.5 Union Representative's Access to New Employees.

A representative(s) from the Union will be afforded access on duty to new hires within seven (7) working days.

SECTION 3 - NO DISCRIMINATION

3.1 No Discrimination.

There shall be no discrimination because of race, creed, color, national origin, sex, sexual orientation, disability, age or union activities against any employee or applicant for employment by the District or by anyone employed by the District. There shall be no discrimination against any handicapped person solely because of such handicap unless that handicap prevents the person from meeting the minimum standards established for that position or from carrying out the duties of the position safely.

3.2 Attendance of Meetings.

Employees designated as official representatives of the Union shall be allowed to attend meet and confer sessions held by Rodeo-Hercules agencies during regular working hours on District time in accordance with Government Code

3.3 Union Representative.

Official representatives of the Union shall be allowed time off on District time for meetings during regular working hours when formally meeting and conferring in good faith or consulting with the Fire Chief/Administrator or other management representatives on matters within the scope of representation.

SECTION 4 - SALARIES

4.1 General Wage:

**Effective October 1, 2016:
RODEO-HERCULES FIRE PROTECTION DISTRICT**

RANK	START	STEP 1	STEP 2	Step 3	STEP 4
Captain	*8021.422	*8422.39	*8842.55	*9284.93	*9749.53
Engineer	*7094.24	*7448.75	*7820.43	*8211.30	*8622.37
	<i>For 6 mon.</i>	<i>@ 6 mos.</i>	<i>@ 12 mos.</i>	<i>@ 24 mos.</i>	<i>@ 36 mos.</i>
Firefighter I	*5320.6	*5587.32	*5867.09	*6159.99	*6436.73
		<i>@ 48 mos.</i>	<i>@ 72 mos.</i>	<i>@ 96 mos.</i>	<i>@ 120 mos.</i>
**Firefighter II		*6758.82	*7097.27	*7452.79	*7825.48

* less OPEB contribution of 3.75%)

**

Once a Firefighter I has reached Step 4 and has had satisfactory service for at least 12 months, the incumbent is eligible to promote to a Firefighter II when he/she has passed the Department's skills and abilities evaluation examination process.

4.2 Longevity Pay.

Effective October 1, 2009, employees are eligible for five percent (5.0%) Longevity Pay. Longevity Pay shall begin on the first of the month, after completing 25 years of continuous years of service with the District.

Upon separation from the District, Longevity Pay shall be included in the calculation of termination pay.

If the District enhances the current retirement benefit, the Longevity Pay benefit may be negotiated as a part of the retirement enhancement.

4.3 Entrance Salary.

New employees shall generally be appointed at the minimum step of the salary range established for the particular class of position to which the appointment is made. However, the Fire Chief/Administrator may fill a particular position at a step above the minimum of the range.

made. However, the Fire Chief/Administrator may fill a particular position at a step above the minimum of the range.

4.4 Anniversary Dates.

Anniversary dates will be set as follows:

- A. New Employees. The anniversary date of a new employee is the first day of the calendar month after appointment to regular status.
- B. Promotions. The anniversary date of a promoted employee is determined as for a new employee in Subsection 4.4.A above.
- C. Transfer and Reclassification. The anniversary date of an employee who is transferred to another position or one whose position has been reclassified to a class allocated to the same salary range or to a salary range which is within five percent (5%) of the top step of the previous classification, remains unchanged.
- D. Reemployment. The anniversary of an employee appointed from a reemployment list to the first step of the applicable salary range and not required to serve a probation period is determined in the same way as the anniversary date is determined for a new employee who is appointed the same date, classification and step and who then successfully completes the required probationary period. The reemployment list shall include all employees by their anniversary date. There shall be no protected class.

4.5 Increments Within Range.

The performance of each employee shall be reviewed on January 1 each year to determine whether the salary of the employee shall be advanced to the next higher step in the salary range.

Advancement shall be granted on the employee's anniversary date as set forth in Section 4.4 and on the affirmative recommendation of the Fire Chief/Administrator, based on satisfactory performance by the employee.

Except as herein provided, increments within range shall not be granted more frequently than once a year, nor shall more than one (1) step within-range increment be granted at one time. In case the Fire Chief/Administrator recommends denial of the within range increment on some particular anniversary date, but recommends a special salary review, the special salary review shall become the date for the employees next salary review, and each salary review from then on.

4.6 Salary on Promotion.

Any employee who is appointed to a position of a class allocated to a higher salary range than the class previously occupied shall receive the salary in the

new salary range which is at least five (5.0%) higher than the rate received before the promotion.

4.7 Salary on Involuntary Demotion.

No employee shall be demoted except for just cause. Any employee who is demoted shall have his/her salary reduced to the monthly salary step in the range for the class of position to which the employee has been demoted next lower than the salary received before demotion.

Whenever the demotion is the result of layoff, cancellation of positions or displacement by another employee with greater seniority rights, the salary of the demoted employee shall be that step on the salary range which the employee would have achieved had the employee been continuously in the position to which the employee had been demoted, all within-range increments having been granted.

4.8 Payment.

On the tenth (10th) day of each month, the Contra Costa County's Auditor will draw a warrant upon the Treasurer in favor of each employee for the amount of salary due to the employee for the preceding month; provided, however, that each employee may choose to receive an advance on the employee's monthly salary, in which case the Contra Costa County's Auditor shall, on the twenty-fifth (25th) day of each month, draw a warrant upon the Treasury in favor of such employee.

The advance shall be in an amount equal to one-third (1/3) or less at the option of the employee, of the employee's basic salary of the previous month except that it shall not exceed the amount of the previous month's basic salary less all requested or required deductions.

The election to receive an advance shall be made on or before April 30 or October 31 of each year or during the first month of employment by filing on forms prepared by the Contra Costa County's Auditor-Controller a notice of election to receive salary advance.

Each election shall become effective on the first day of the month following the deadline for filing the notice and shall remain effective until revoked. In the case of an election made pursuant to this Section 4.8 all required or requested deductions from salary shall be taken from the second installment, which is payable on the tenth (10th) day of the following month.

4.9 Pay Warrants.

Every effort will be made by the District to have employee pay warrants delivered to a work place designated by the District by 8:00 am on the 10th and 25th of each month. Should the 10th or 25th of the month fall on Saturday, Sunday, or a holiday, pay warrants will be delivered on the preceding workday.

4.10 Paramedic Differential

Qualifying employees hired after October 1, 2011 or current employees who become paramedics after October 1, 2011, shall receive paramedic differential equal to 10.0% of Step 4 of the Firefighter II salary.

Effective October 1, 2011 newly promoted Captains or Engineers shall receive compensation for serving as paramedics in the following manner:

- The District will allow Captains to serve as paramedics at the equivalent of 10% of top step Firefighter II.
- The District will allow Engineers to serve as paramedics at the equivalent of 10% of top step Firefighter II.

The District's paramedic staffing shall be as follows:

- Maximum – 9 paramedics

SECTION 5 - OVERTIME

5.1 Overtime.

The workday of the Firefighter, Engineer, and Fire Captain shall consist of a twenty-four (24) hour duty shift commencing and ending at 8:00 A.M.

Effective February 2010, the District will implement the work schedule commonly known as the 48/96 work schedule.

The work schedule shall consist of two (2) twenty-four (24) hour on-duty shifts within six (6) day cycle to be worked in accordance with the following chart:

X = 24 hour on duty period
O = 24 hour off-duty period

XXOOOOXXOOOOXXOOOOXXOOOO

The Fair Labor Standards Act (FLSA) cycle shall be a twenty-four (24) day cycle.

Effective no later than February 1, 2010, no employee shall be allowed to work in excess of 120 consecutive hours. The next period of work or shift shall not begin until the employee has had a minimum of 24 hours off duty. Exception to the maximum consecutive hours worked may be made by the Fire Chief or his/her designee if one of the following occurs:

- Emergency activities require extended schedules
- Hold over for travel time
- Strike team assignment
- Other special or unique circumstances as determined by the Chief

All employees shall receive overtime compensation for all hours worked in excess of the employee's normal schedule hours in a work cycle. All overtime shall be on an hour-for-hour basis. All overtime is to be paid at the rate of time and one-half (1-1/2x) of the base hourly rate.

5.2 Compensating Time Off.

Compensating Time Off (CTO) may be granted for services performed outside regular working hours in lieu of overtime pay and in accordance with applicable State and Federal Laws, and at the discretion of the Fire Chief/Administrator.

Compensating Time Off (CTO) will be accrued in accordance with the following:

- A. All CTO requests must be in writing and approved, if possible, prior to the employee performing any qualifying assignment.
- B. CTO may be accrued to a maximum of seventy-two (72) hours.
- C. Requests for CTO shall be in accordance with the RHFPD's VACATION GUIDELINES.
- D. CTO can be taken only in four (4) hour increments or more.
- E. CTO shall be accrued at a rate of time and one-half (1-1/2) the employee's base regular rate of pay.
- F. Up to twelve (12) hours of an employee's accumulated CTO maybe cashed out during June and/or December of each year. All requests submitted under this section must be received in writing thirty (30) days in advance.

5.3 Strike Team Overtime Payment.

When employees respond on a Strike Team, any hours accumulated will be payable on the next employee's regularly scheduled pay period.

5.2 FLSA Overtime Pay.

Effective January 1, 2010, all FLSA overtime shall be paid monthly.

SECTION 6 - LAYOFF NOTIFICATION

When it appears to the Fire Chief/Administrator that the Board of Directors may take action which will result in the layoff of employees the Fire Chief/Administrator shall meet and confer with it regarding the impact of the action.

- A In addition, the District agrees to give employees a minimum of thirty (30) calendar days' notice of layoff except in case of emergency.

- B. Layoffs, when necessary, shall be effected in accordance with the established seniority list. Seniority shall be based on date of hire as a full-time employee of the district.
- C. Laid-off employees who are recalled within one (1) year from date of layoff, will retain the seniority and benefits to which they were entitled at the time of layoff.
- D. Affected employees shall be afforded any and all benefits and/or protection as prescribed by local, state, and federal laws regulations governing such matters.
- E. Retirement benefits for laid off employees shall be as outlined in the Contra Costa County Employee Retirement Plan.

SECTION 7 - HOLIDAYS

The District(s) will observe the following holidays:

- | | | |
|----|-----------------------------|--------------------------------|
| A. | January 1st | New Year's Day |
| | Third Monday in January | Dr. Martin Luther King Jr. Day |
| | February 12 | Lincoln's Day |
| | Third Monday in February | Presidents Day |
| | Last Monday in May | Memorial Day |
| | July 4 | Independence Day |
| | First Monday in September | Labor Day |
| | September 9 | Admission Day |
| | Second Monday in October | Columbus Day |
| | November 11 | Veteran's Day |
| | Fourth Thursday in November | Thanksgiving Day |
| | The Friday | after Thanksgiving Day |
| | December 25 | Christmas Day |

Such other days as the Board of Directors may by resolution designate as holidays.

- B. Shift employees (56 hours per week) shall continue to receive, in lieu of celebrating a holiday, twelve (12) hours of overtime (time and one-half) credit for each holiday listed in Section (A) above.
- C. Holiday Pay. Effective January 1, 2010, Holiday Pay shall be paid monthly.

SECTION 8 - VACATION LEAVE

- 8.1 Vacation Leave Accrual For Employees Hired Before September 1, 2011.
The monthly rates at which employees accrue vacation credits and the maximum accumulations thereof are as follows:

Beginning of	Completion of	Accrual rate	Vacation Accrual Cap	Accrual Period Months
Date of Hire	3rd year	12 hours	288 hours	0 – 36
4 th year	9 th year	16 hours	384 hours	37 - 108
10 th year	19 th year	21 hours	504 hours	109 - 228
20 th year	24 th year	25 hours	600 hours	229 - 288
25 th year	29 th year	30 hours	720 hours	289 - 348
30 th year		35 hours	840 hours	349+

Increase in vacation time accrual shall not commence until after the employee's anniversary date and those dates as listed on the vacation accrual schedule.

8.2 Vacation Leave Accrual for employees hired after September 1, 2011.

The monthly rates at which employees, who are hired after September 1, 2011, accrue vacation credits and the maximum accumulations thereof are as follows:

Beginning of	Completion of	Accrual rate	Vacation Accrual Cap	Accrual Period Months
Date of Hire	9 th year	12 hours	288 hours	0 - 108
10 th year	14 th year	16 hours	384 hours	109 - 168
15 th year	19 th year	21 hours	504 hours	169 - 228
20 th year	24 th year	25 hours	600 hours	229 - 288
25 th year	29 th year	30 hours	720 hours	289 - 348
30 th year		35 hours	840 hours	349+

Increase in vacation time accrual shall not commence until after the employee's anniversary date and those dates as listed on the vacation accrual schedule.

8.3 Vacation Buy Back.

During June and December of each year, an employee, at his/her option, may sell one shift of his/her accrued vacation to the District at the employee's current rate of pay.

SECTION 9 - LEAVES

9.1 Sick Leave.

Twenty-four (24) hour shift personnel shall accrue sick leave at the rate of twenty-four (24) hours per month. Twenty-four (24) hour shift personnel, hired after October 1, 2013, shall accrue sick leave at the rate of twelve (12) hours per month.

- A. The District shall comply with the 1993 Family and Medical Leave Act and with all state and federal laws relating to pregnancy disability.
- B. Application for such leave must be made by the employee to the Fire Chief/Administrator accompanied by a written statement of disability from the employee's attending physician. The statement must address itself to the employee's general physical condition having considered the nature of the work performed by the employee, and it must indicate the date of the commencement of the disability as well as the date the physician anticipates the disability to terminate. The District retains the right to a medical review of all requests for such leave.
- C. If an employee does not apply for leave and the Fire Chief/Administrator believes that the employee is not able to properly perform work or that the employee's general health is impaired due to disability caused or contributed to by pregnancy miscarriage, abortion, childbirth or recovery therefrom, the employee may be required to undergo a physical examination by a physician selected by the District, the cost of such examination to be borne by the District. Should the medical report so recommend, a mandatory leave shall be imposed upon the employee for the duration of the disability.
- D. If all accrued sick leave has been utilized by the employee, the employee shall be considered on an approved leave without pay. Sick leave may not be utilized after the employee has been released from the hospital unless the employee has provided the District with a written statement from the employee's attending physician stating that the disability continues and the projected date of the employee's recovery from such disability.

9.2 Paternity Leave

A maximum of five (5) twenty-four (24) hour shifts charged to accumulated sick leave may be granted to an employee whose spouse is disabled due to pregnancy.

9.3 Military Leave.

Military leave of absence shall be granted in accordance with State Law and Federal Law.

9.4 Bereavement/Funeral Leave.

Bereavement or funeral leave may be granted in the event of a serious illness, death of a member of the employee's immediate family. Up to three (3) twenty-four (24) hour shifts may be granted to a fifty-six (56) hour workweek employee. Bereavement/Funeral leave may be extended at the discretion of the Fire Chief/Administrator.

One (1) twenty-four (24) hour shift may be granted to a fifty-six (56) hour workweek employee in the event of a serious illness or death of an employee's grandparent, grandchild, father-in-law or mother-in-law.

Definitions. For leaves of absence under this Section, the following definitions apply:

- A. Child: A biological, adopted, stepchild, and legal ward.
- B. Parent: A biological, or adoptive parent, a stepparent, legal guardian, and conservator.
- C. Immediate Family: Shall be restricted to the spouse, child, parent, brother, sister, or stepbrother, stepsister, legal guardian.

SECTION 10 - LEAVE OF ABSENCE

10.1 Leave Without Pay.

Any employee who has regular status may be granted a leave of absence without pay upon written request, approved by the Fire Chief/Administrator provided, however, that leaves for pregnancy and family shall be granted in accordance with applicable state and federal law. Upon request to the Fire Chief/Administrator, any employee who has permanent status shall be entitled to up to four (4) months (less, if so requested by the employee) parental leave of absence, commencing with the birth, adoption, or serious illness of a child or dependent parent.

Requests for leave without pay shall be made in writing to the Fire Chief/Administrator and shall state specifically the reason for the request, the date when it is desired to begin the leave and the probable date of return.

A leave without pay may be for a period not to exceed four (4) months, provided the Fire Chief/Administrator may extend such leave for additional periods. Procedure in granting extensions shall be the same as that in granting the original leave, provided that the request for extension must be made not later than thirty (30) calendar days before the expiration of the original leave except where the circumstances do not allow such notice. Whenever an employee who has been granted a leave without pay desires to return before the expiration of such leave, the employee shall so request of the Fire Chief/Administrator in writing. Approval to return prior to the expiration of such leave is solely at the discretion of the Fire Chief/Administrator.

The decision of the Fire Chief/Administrator shall be in writing within seventy-two (72) hours on granting or denying a leave of absence, denying a leave of absence or its extension shall be not subject to appeal through the grievance procedure set forth in Section 18 of this Memorandum of Understanding.

An employee who requests a leave of absence in accordance with the Family Medical Leave Act (FMLA) shall be reinstated to the same classification from which the leave was taken and the District shall make its best effort to return such employee to the same geographical location and shift. Questions as to whether or not the District used its best effort herein, shall not be subject to the grievance procedure.

Furthermore, an employee who requests a leave of absence in accordance with the FMLA shall continue to receive benefits as if the employee was in regular pay status.

10.2 Unauthorized Absence.

An unauthorized absence from the work site or failure to report for duty after a leave request has been disapproved, revoked, or cancelled by the Fire Chief/Administrator, or at the expiration of a leave shall be without pay. Such absence may also be grounds for disciplinary action.

SECTION 11 - HEALTH AND WELFARE, LIFE AND DENTAL CARE

11.1 Health Insurance/Optical.

Effective January 1, 2010, the District will join CalPERS for medical coverage. The District contribution for medical coverage shall be equal to the appropriate Kaiser rate (basic premium rates – Bay Area) for which the employee is eligible. The District shall comply with all CalPERS rules and regulations for medical insurance coverage.

11.2 Retirement Medical.

Effective January 1, 2010, the District shall provide retiree medical coverage through CalPERS. The District contribution for a retiree shall be equal to the appropriate Kaiser rate (basic premium rates – Bay Area) for which the retiree (including the enrollment of family members) is eligible. The District shall comply with all CalPERS rules and regulations for retiree medical insurance coverage.

Eligibility for retiree medical shall be in accordance with District Personnel Bulletin No. 34 Retiree Medical Policy.

Effective October 1, 2011, each employee shall pay 3.75% of salary towards the District's Other POST Employment Benefits (OPEB). The employees contribution shall remain the equivalent of 3.75% based on the October 1, 2011 salary schedule unless the terms of future salary increases include an additional employee contribution.

11.3 Additional Spouse Medical.

The District shall provide at its expense medical insurance for the employee's current spouse and dependents for eighteen (18) months if an employee should die on or off duty. If a surviving spouse remarries, the District is no longer responsible for coverage.

11.4 Co-pay Reimbursement Pool.

Effective January 2010, the District shall establish a co-pay reimbursement pool. The District shall contribute \$5,000 to the pool during January 2010.

Representatives for Local 1230 shall meet with the District to determine the method and amounts to reimburse employees for dependents(s) and their own medical co-pay expenses.

Effective January 2011, the District shall contribute \$2,500 to the co-pay reimbursement pool.

Effective January 2012, the District shall contribute \$2,500 to the co-pay reimbursement pool.

Effective January 2013, the District shall contribute \$2,500 to the co-pay reimbursement pool.

11.5 Dental Insurance.

Effective November 1, 2009, or as soon thereafter as practicable, the District will modify its dental carrier and eliminate coverage from Humana. The District will continue to pay 100% of the premium for the employee and their dependents. The District shall meet and confer with Local 1230 regarding the impacts of changing the dental insurance provider, if the provider is modified during the term of this MOU.

11.6 Life Insurance.

The District shall continue to provide life insurance in accordance with the benefit levels specified in Appendix A. The District will pay 100% of the premium for the employee only. Retired employees may participate in the life insurance program at their own expense. Additional term life insurance is available at the employee's expense.

11.7 Disability Insurance:

The District will provide employees with a Long-Term Disability (LTD) Insurance benefit, which provides two-thirds (2/3) of an employee's monthly salary. Benefit shall not commence until an employee services a qualifying period of ninety (90) days, in accordance with the District's LTD insurance carrier.

11.8 Salary Payments During Compensable Temporary Disability Absence.

A permanent employee with full paid status shall continue to receive his/her full regular salary during any period of compensable temporary disability absence in accordance with the following:

- A. Compensable temporary disability absence for the purpose of this section is any absence due to a work connected disability which qualified for temporary disability compensation under the Workman's Compensation Law set forth in Division IV of the California Labor Code, provided that when any disability becomes permanent, the salary as provided herein shall terminate.
- B. The employee shall return to the Fire District all temporary disability payments received by him/her from the State Compensation Insurance Fund, or any other company or firm that may pay disability claims for a policy held and premiums paid for by the District.

(EXCEPTION: Employees may retain such payments from companies holding policies with premiums being paid by the District for the sole purpose and understanding that such retention of payments is the result of a bargained for benefit mutually agreed upon by the Union and the District.)

- C. No charge shall be made against sick leave or vacation time for such salary payments.
- D. The maximum period for the described salary continuation is one year from the date of the incurred temporary disability.
- E. Any request for temporary disability absence shall be supported by a doctor's report.
- F. A doctor's release is required prior to the employee returning to work.

SECTION 12 - PROBATIONARY PERIOD

12.1 Duration.

All appointments from official employment lists for original entrance shall be subject to a probationary period of eighteen months unless otherwise noted below. All newly promoted employees shall be subject to District Bulletin 4, (E) Probationary Period, Section 1-6.

12.2 Regular Appointment.

The regular appointment of a probationary employee shall begin on the day following the end of the probationary period. A probationary employee may be rejected at any time during the probation period without regard to the Skelly

provisions of this Memorandum of Understanding, without notice and without right of appeal or hearing.

Notwithstanding any other provisions of this Memorandum of Understanding, an employee rejected during the probation period from a position to which the employee had been promoted or transferred from an eligible list, may be restored to a position in the District from which the employee was promoted or transferred at the discretion of the Fire Chief/Administrator.

12.3 Extension.

The probation period may be extended for up to six (6) months with the approval of the Fire Chief/Administrator. Under no circumstances may an employee's probationary period be extended for more than six (6) months.

12.4 Layoff During Probation.

An employee who is laid off during probation, if reemployed in the same class by the District, shall be required to complete only the balance of the required probation.

SECTION 13 - PROMOTION

13.1 Promotion.

Promotion shall be competitive examination unless otherwise provided in this Memorandum of Understanding.

13.2 Promotion via Reclassification Without Examination.

Notwithstanding other provisions of this Section, an employee may be promoted from one classification to a higher classification and his position reclassified at the request of the appointing authority and under the following conditions:

- A. An evaluation of the position(s) in question must show that the duties and responsibilities have significantly increased and constitute a higher level of work.
- B. The incumbent must meet the minimum education and experience requirements for the higher class.
- C. The incumbent of the position must have performed at the higher level for one (1) year.
- D. The action must have approval of the Board of Directors.
- E. The District agrees to meet and confer with representatives from Local 1230 on the establishment of a new bargaining unit classification to establish the salary minimum qualifications and the appropriate examination process.

13.3 Requirements for Promotional Standing.

In order to qualify for an examination called on a promotional basis, an employee must have probationary or permanent status in the fire district and must possess the minimum qualifications for the class. Applicants will be admitted to promotional examinations only if the requirements are met on or before the final filing date. If an employee who is qualified on a promotional employment list is separated from the fire district, except by layoff, the employee's name shall be removed from the promotional list.

13.4 Promotional Testing

- A. A promotional testing shall commence during the third week in January every other year. The promotion list developed from the examination process shall be valid from March 1 to March 1 of the next promotional testing year. Promotional testing may be rescheduled whenever necessary in the event of an unforeseen circumstance.
- B. In the event that the promotion list should have fewer than one (1) name or otherwise becomes exhausted within the valid period, a new promotional examination will be conducted to create a current eligibility list.
- C. The promotion examination shall be posted at least sixty (60) days prior to the test date. Interested qualified candidates shall have the required resumes, memos, applications, and other supporting materials submitted to the Fire Chief/Administrator no later than thirty (30) days prior to the test day.
- D. The top three (3) candidates on the list shall be considered for the final interview for any one position available.

SECTION 14 - RESIGNATIONS

An employee's voluntary termination of service is a resignation. Written resignations shall be given to the Fire Chief/Administrator, and shall indicate the effective date and reason of termination. Oral resignation shall be immediately confirmed by the Fire Chief/Administrator in writing to the employee and shall indicate the effective date of termination.

14.1 Resignation in Good Standing.

A resignation giving the Fire Chief/Administrator written notice at least thirty (30) days in advance of the last date of service is a resignation in good standing.

14.2 Effective Resignation.

A resignation is effective when delivered or spoken to the Fire Chief/Administrator, operative on the date specified.

14.3 Revocation.

A resignation that is effective is revocable only by written concurrence of the employee and the Fire Chief/Administrator.

14.4 Reinstatement.

With the recommendation of the Fire Chief/Administrator and approval of the Board, an employee may be reinstated within two (2) years of the effective date of their resignation in good standing to a vacant position in the same or comparable class as along they meet the minimum requirements. Any employee reinstated under this provision shall be treated as a new hire, unless rehired within ninety (90) days.

14.5 Coerced Resignations

- A. Time Limit. A resignation which the employee believes has been coerced by the appointing authority may be revoked within seven (7) calendar days after its expression, by serving written notice on the Fire Chief/Administrator and a copy on the appointing authority.
- B. Reinstatement. If the employee believed that the resignation was coerced it shall be revoked and the employee returned to duty effective on the day following the appointing authority's acknowledgment without loss of seniority.
- C. Disputes about this Section are subject to the grievance procedure.

SECTION 15 - DISMISSAL, SUSPENSION, DEMOTION AND REDUCTION IN SALARY

15.1 Authority.

The Fire Chief/Administrator may dismiss, suspend, demote, or reduction in salary any employee for cause subject to challenge through this Section. The following are sufficient causes for disciplinary action; the list is indicative rather than inclusive of restrictions and dismissal, suspension, demotion or reduction in salary may be based on reasons other than those specifically mentioned:

1. Fraud in securing appointment.
2. Incompetency, inefficiency, inexcusable neglect of duties or failure to perform duties.
3. Insubordination.
4. Dishonesty.
5. Consumption of alcoholic beverage while on duty.
6. Addiction to or excessive use of narcotics or habit-forming drugs.
7. Absence without leave.
8. Violation of District or Department rules and procedures.

9. Misuse of District property or funds.
10. Negligence or willful misconduct resulting in damage to public property or waste of public supplies.
11. Failure to follow adopted safety practices, or failure to properly use required personal protective gear or equipment.
12. Discourteous or non-cooperative treatment of the public or other District personnel.
13. Acceptance of gifts or gratuities for the performance of services, functions and duties for which retained by the District.
14. Conviction of a misdemeanor involving moral turpitude, or any felony.
15. Engaging in any employment, activity, or enterprise, which is inconsistent, incompatible, in conflict with performance of services, functions and duties for which retained by the District, as described in Section IX-B of the Policies and Procedures Manual.
16. Any other conduct which casts discredit upon the District.

15.2 Skelly Requirements.

Before taking a disciplinary action to dismiss, suspend, reduction in salary or demote an employee, the Fire Chief/Administrator shall cause to be served personally or by certified mail on the employee, a Notice of Proposed Action, which shall contain the following:

- A. A statement of the action proposed to be taken.
- B. A copy of the charges; including the acts or omissions and grounds and all documents and materials upon which the action is based.
- C. If it is claimed that the employee has violated a rule or regulation of the District, a copy of said rule shall be included with the notice.
- D. A statement that the employee may review and request copies of materials upon which the proposed action is based.
- E. A statement that the employee has ten (10) calendar days to respond to the Fire Chief/Administrator either orally or in writing.

Employee Response. The employee upon whom a Notice of Proposed Action has been served shall have ten (10) calendar days to respond to the Fire Chief/Administrator either orally or in writing before the proposed action may be taken. Upon request of the employee and for good cause, the Fire Chief/Administrator may extend in writing the period to respond.

15.3 Leave Pending Employee Response.

Pending response to a Notice of Proposed Action within the first ten (10) days or extension thereof, the Fire Chief/Administrator for cause specified in writing may place the employee on temporary leave of absence with pay.

15.4 Procedure on Dismissal, Suspension, Salary Reduction or Disciplinary Demotion

- A. In any disciplinary action to dismiss, suspend, reduce salary or demote an employee having permanent status, after having complied with the Skelly requirements where applicable, the Fire Chief/Administrator shall make an order in writing stating specifically the causes for the action.
- B. Service of Order. Said order of dismissal, suspension, reduce salary or demotion will either be delivered personally or by certified mail to the employee's last known mailing address. The order shall be effective either upon personal service or deposit in the U.S. Postal Service.
- C. Employee Appeals from Order. The employee may appeal an order of dismissal, suspension, and reduction in salary or demotion through the procedures of Section 15.5 of this Memorandum of Understanding provided that such appeal is filed in writing with the Secretary of the Board, via the Fire Chief/Administrator, within fifteen (15) calendar days after service of said order.

15.5 Disciplinary Appeal Process.

An appeal with the Secretary of the Board shall be presented to the Board of Directors at its next regular meeting following such filing. The Board of Directors may, at its discretion, appoint an Administrative Hearing Officer to conduct the hearing. Such hearings shall be conducted in accordance with applicable government Code provisions. If the Board determines that the appeal shall be heard by a Hearing Officer, it shall set the matter for hearing within thirty (30) days after the appeal has been presented to it. The Board hearing shall be conducted as prescribed below.

- A. The appellant shall receive written notice at least ten (10) days prior to the hearing. The notice shall include the date, time and place of the hearing.
- B. The hearing shall be conducted in closed session, unless the employee requests, in writing, a public hearing.
- C. No later than fifteen (15) calendar days following the conclusion of the hearing, the Board or Hearing Officer shall make findings and render a decision.
- D. The Board's or Hearing Officer's findings and final decision shall be filed as a permanent record in the employee's personnel file. The Fire Chief/Administrator shall deliver a copy of the findings and decision to the

employee and to the supervisor if other than the Fire Chief/Administrator. The action of the Board or Hearing Officer shall be final and conclusive.

SECTION 16 - GRIEVANCE PROCEDURE

The District recognizes the need for communication and resolution of employee problems or complaints in a fair manner. The District's policy is to review and resolve such grievances at the lowest possible administrative level. A grievance is considered any complaint by an employee involving an alleged violation of the Memorandum of Understanding. The procedures for resolving employee grievances which do not involve disciplinary actions are described below. Disciplinary procedures are outlined in Section 15.

16.1 INFORMAL DISCUSSION.

Employee grievances should initially be brought to the attention of the employee's immediate supervisor. The supervisor and the employee should each attempt to resolve the grievance through an informal discussion of the relevant issues.

16.2 SUPERVISOR REVIEW.

A. If the grievance is not resolved by informal discussion, the employee must prepare a grievance memorandum which provides all relevant facts concerning the grievance, including:

1. Policies involved.
2. Date of Occurrence.
3. Rules perceived to be violated.
4. Date of informal discussion with supervisor.
5. Result of informal discussion with supervisor.

B. The grievance memorandum must be signed by the employee and submitted to the employee's supervisor within fourteen (14) days of the alleged violation or the grievance shall not be considered valid. The supervisor must respond in writing to the employee within ten (10) working days of receipt of the memorandum, unless the employee filing the grievance agrees to extend this response period.

16.3 FIRE CHIEF/ADMINISTRATOR REVIEW.

A. If the grievance is not resolved to the satisfaction of either the employee or the supervisor, the grievance memorandum and the supervisor's response to the grievance may be submitted by the employee or the supervisor to the Fire Chief/Administrator for review. The Fire Chief/Administrator may meet with any or all of the parties involved in the grievance, and request

any additional information or documentation required to render a fair and just decision. The Fire Chief/Administrator shall communicate his/her decision to the grievant and the grievant's supervisor within fifteen (15) working days of receipt of the grievance memorandum and the supervisor's response.

- B. A representative of the employee's bargaining agent shall represent any employee member of the bargaining unit at any time during the grievance process.

16.4 APPEALS.

- A. Should a resolution not be reached in accordance with Sections 16.2 and 16.3, the employee or the supervisor may:
 - 1. Appeal the matter to the Fire Chief/Administrator, who shall consider the grievance and respond within fifteen (15) working days of receipt of the appropriate grievance memorandum in accordance with Section 16.2 above.
 - 2. Should a resolution not be reached after the Fire Chief/Administrator's review and decision, an appeal may be taken to the Board of Directors, in writing within fifteen (15) days from the date of response from the Fire Chief/Administrator, stating the specific grounds therefor;
 - 3. If the parties are unable to reach a mutually satisfactory accord as a result of hearing by the Board of Directors, the grievance shall be submitted in writing within five (5) calendar days to the Fire Chief/Administrator requesting that the grievance be submitted to an Adjustment Board. Such Adjustment Board is to be comprised of three (3) Union representatives, no more than one (1) of whom shall be either an employee of the District or a member of the Union presenting this grievance, and three (3) representatives of the District, no more than one (1) of whom shall be an employee of a District or a County employee or a member of the staff of an organization employed to represent the District in the meeting and conferring process. The Adjustment Board shall meet and render a decision within twenty (20) calendar days of receipt of a written request.
 - 4. Should a resolution not be reached after proceedings before the Adjustment Board, the District or the employee may request a mutually agreed upon independent Hearing Officer to hear the case within thirty (30) days from the date of response from the Adjustment Board. The cost of said Hearing Officer shall be shared

equally by the parties to the grievance, regardless of the outcome. The ruling from the Hearing Officer shall be final and binding upon all parties.

SECTION 17 - ACTING OFFICER COMPENSATION

When the Fire Chief/Administrator assigns an employee to an acting position the employee shall receive 5.0% of base salary for all hours worked. If the employee is in a long term assignment, the employee shall receive 5.0% of base salary for all hours paid.

SECTION 18 - RETIREMENT

18.1 Retirement Contribution.

Retirement benefits are provided through the Contra Costa County Employees' Retirement Association in accordance with all applicable regulations and statutory requirements.

Employees who are hired before December 31, 2012, shall receive the following retirement benefits:

- Retirement Formula commonly referred to as 2.0% @ 50
- Single Highest Year
- 3.0% COLA

New employees (defined as ineligible for reciprocity under existing agreements and California Government Code and Health and Safety Codes) who are hired on or after January 1, 2013, shall receive the retirement formula commonly referred to as 2.7% @ 57 or the retirement formula deemed appropriate by CCCERA. The employee contributions shall be those established by AB 340 or AB197.

18.2 Effective October 1, 2013 the MOU shall be amended to the following:

Employees shall be responsible to make their entire employee retirement contribution.

SECTION 19 - SAFETY

The District shall expend every effort to see to it that the work performed under the terms and conditions of this Memorandum of Understanding is performed with maximum degree of safety consistent with the requirement to conduct efficient operations.

SECTION 20 - MILEAGE

Mileage reimbursement for the use of personal vehicles on District business shall be in accordance with the rate set by the IRS.

SECTION 21 - UNIFORM ALLOWANCE

The monthly uniform allowance for all employees shall be Fifty-five Dollars (\$55.00) per month.

Uniform allowance shall be paid on a monthly basis.

SECTION 22 - EMT Incentive

Effective upon Adoption of this agreement, all employees shall maintain at a minimum certification as an EMT-1. The EMT-1 incentive of two percent (2%) per month shall be rolled into base pay.

SECTION 23 – EDUCATIONAL REIMBURSEMENT

The District will reimburse employees for cost incurred for tuition and books for pre-approved classes, seminars, or workshops regarding fire service or EMS.

SECTION 24 - NO STRIKE

During the term of this Memorandum of Understanding, the Union, its members and representatives, agree that it and they will not engage in, authorize, sanction or support any strike, slowdown, refusal to perform customary duties, stoppage of work or sick-out against the District.

In the case of a legally declared lawful strike against a private or public sector employer which has been sanctioned and approved by the labor body or council having jurisdiction, an employee who is in danger of physical harm shall not be required to cross the picket line, provided the employee advises the employee's supervisor as soon as possible, and provided further that an employee may be required to cross a picket line where the performance of the employee's duties is of an emergency nature and/or failure to perform such duties might cause or aggravate a danger to public health or safety.

SECTION 25 - ADOPTION

The provisions of this Memorandum of Understanding shall be made applicable on the dates indicated and upon approval by the Board of Directors. Resolutions, where necessary, shall be prepared and adopted in order to implement these provisions.

SECTION 26 - SCOPE OF AGREEMENT & SEPARABILITY OF PROVISIONS

26.1 Scope of Agreement.

Except as otherwise specifically provided herein, this Memorandum of Understanding represents the full and complete incorporation of those proposals which were considered and evaluated pursuant to the meet and confer process. This Memorandum of Understanding constitutes the entire and sole agreement between the Parties on any and all matters which were presented during the meet and confer process.

26.2 Separability of Provisions.

Should any section, clause or provision of this Memorandum of Understanding be declared illegal, unlawful or unenforceable, by final judgment of a court of competent jurisdiction, such invalidation of such section, clause or provision shall not invalidate the remaining portions hereof, and such remaining portions shall remain in full force and effect for the duration of this Memorandum of Understanding.

26.3 Duration of Agreement.


This Agreement shall continue in full force and effect from October 1, 2016 to and including June 30, 2018. Said Agreement shall automatically renew from year to year thereafter unless either party gives written notice to the other prior to sixty (60) days from the aforesaid termination date of its intention to amend, modify or terminate the Agreement.

SECTION 27 - PAST PRACTICES & EXISTING MEMORANDA OF UNDERSTANDING

Continuance of working conditions and past practices within the scope of representation not specifically authorized by ordinance or by resolution of the Board is not guaranteed by this Memorandum of Understanding. The parties recognize however, that certain practices exist by virtue of having been acknowledged and accepted by the Fire Chief/Administrator and representatives of the Union on specific policies covering groups of employees. Any disagreement as to whether such alleged practice within the scope of representation meets the criteria set forth above shall be subject to the grievance procedure.

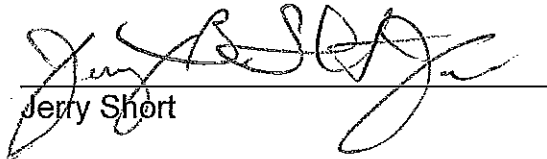
In witness whereof, the parties hereto have set their hands this 9 day of August, 2017.

RODEO-HERCULES FIRE PROTECTION
DISTRICT


Bryan Craig

Date: 5-26-18

UNITED PROFESSIONAL FIRE
FIGHTERS, I.A.F.F., LOCAL 1230


Jerry Short

Date: 5-26-18

**Side Letter of Agreement
"Firefighter-Paramedic"
Between
Rodeo-Hercules Fire Protection District
And
United Professional Fire Fighters IAFF, Local 1230**

Representatives for the Rodeo-Hercules Fire Protection District and representatives for IAFF Local 1230 have met and conferred in accordance with Government Code Section 3500 et. al., and have agreed upon the following Firefighter-Paramedic procedure.

FIREFIGHTER-PARAMEDIC CLASSIFICATION

- I. Incumbent firefighters who become paramedics
 - a. Any incumbent Firefighter, who becomes a Paramedic, shall move into the Firefighter-Paramedic classification. Said employee shall serve a minimum time commitment of three years.
 - b. Any incumbent Firefighter, who becomes a Firefighter-Paramedic, desiring to withdraw from the paramedic program after his/her commitment is fulfilled, shall give the district 90 days notice of their intent to withdraw and voluntarily demote to their previously held classification, without prejudice.
 - c. Any Incumbent employee, who becomes a Firefighter-Paramedic, shall not be required to maintain licensure and accreditation as a condition of employment. Failure to maintain licensure/accreditation will result in demotion to the employee's previously held classification.
- II. Future Hires
 - a. All Paramedics hired after May 1, 2004 shall be hired into the Firefighter-Paramedic classification. Maintenance of state licensure and local accreditation shall be a condition of employment.
 - b. Firefighter-Paramedics hired after this date who promote, shall be required to maintain licensure/accreditation.
- III. Engineer and Captain paramedics
 - a. Any Firefighter-Paramedic who promotes to the rank of Engineer or Captain, and who has fulfilled their program obligation, may maintain or drop their District sponsorship to the paramedic program. The District requires 90 days notice from the employee.

INITIAL PARAMEDIC TRAINING

- I. The District shall have the right to choose which members are admitted to paramedic training.
- II. The District may utilize an aptitude screening examination. Failure to pass the screening exam will result in failure to be admitted to the class. Admission to paramedic training will be based on the following criteria:
 - a. Any suppression employee may be allowed into the screening exam, excepting those employees previously enrolled/accepted into District paramedic training.
 - b. Admission preference will be in the following order:
 - i. FF, then Engineer, then Captain
 - ii. Admission within each rank preference will be by descending scores.
 - iii. Scoring ties shall be broken by seniority within the District.
- III. The District shall provide expense reimbursement for tuition and required texts only. Supplies, supplemental, and reference materials will be the employee's responsibility.
- IV. An employee may be dismissed from paramedic training, for failure to successfully pass three critical course evaluations or components. Said evaluations and/or components are the sole discretion of the training program.
- V. Training program requirements are outside the scope of the District. As such, the District and employees must adhere to the established minimum requirements of the training program.

- VI. The District may deploy crews, in an on-duty status, for training purposes to meet District need. District assures that crews shall be configured to assure properly qualified positions (Capt/Eng/FF and/or qualified relief).
- VII. Incumbent Firefighters who successfully complete District sponsored paramedic training and become licensed and accredited will be required to transfer into the Firefighter-Paramedic classification and serve for a minimum of three (3) years. After such time, incumbent Firefighters who become Firefighter-Paramedics may voluntarily demote.
- VIII. Incumbent Engineers and Captains who successfully complete district sponsored paramedic training and become accredited will be required to participate in the program, receiving differential pay, for a minimum of three (3) years.

PARAMEDIC LICENSURE & ACCREDITATION

- I. Obtaining Accreditation
Employees hired as Firefighter-Paramedics will become county accredited within 60 days of employment. This may be extended, if necessary.
- II. Maintaining Licensure/Accreditation
Paramedics are responsible for providing the District with all necessary documentation to verify licensing, accreditation, and continuing education requirements are being met.
- III. Reimbursement
The District will reimburse only for the following:
 - State Licensing Fee (Initial and re-license)
 - Department of Justice Background Fee
 - Facility charges (when pre-approved)
 - Local accreditation Fee (when applicable)
- IV. Loss of Licensure/Accreditation
Failure to provide documentation of written re-accreditation letter, from the County EMS Agency prior to license expiration, will result in an immediate suspension from paramedic duties, until such time as documentation can be submitted to the District. Said suspension may result in disciplinary action. Loss of paramedic licensure and/or loss of accreditation greater than 30 days will result in removal from the paramedic program.
- V. Paramedic Differential Pay
For Engineer and Captain's who participate in paramedic training, payment of a 10% paramedic differential shall commence upon successful completion of the accreditation requirements of the Contra Costa County EMS Agency. This shall be documented by a written letter from the County EMS Medical Director.

PARAMEDIC CONTINUING EDUCATION

- I. Each paramedic is fully responsible for obtaining and maintaining the necessary education to remain licensed and accredited.
- II. This proposal identifies the amount of District support to be offered to paramedics for continuing education purposes.
 - a. Requests for reimbursement and/or compensation for CE classes shall be preauthorized by the Chief/Administrator or his designee. Requests shall be made in writing, in advance.
 - b. Specific courses mandated by either the State or County Medical director will, to the extent possible, be facilitated through the District.
- III. Off-Duty Continuing Education
 - a. Whenever possible, CE should be obtained off duty.
- IV. On-Duty Continuing Education

- a. Paramedics attending on day CE classes outside of the District, while on duty, shall obtain their own relief.
- V. Tuition Reimbursement
 - a. The District shall provide enrollment in, and/or tuition reimbursement for, classes mandated to maintain local accreditation.
 - b. In cases when the District offers enrollment in mandated classes, paramedics may be required to attend said sessions, in lieu of reimbursement for equivalent external classes (e.g. San Francisco Paramedic Association classes).
 - c. Tuition will be reimbursed upon submission of a valid CE certificate from a state authorized CE provider.
- VI. The District will provide each paramedic up to 24 hours per fiscal year to attend Continuing Education courses in order to maintain their paramedic certification.
- VII. Conferences
 - a. The District may send any paramedic to any educational or conference training if it serves the needs of the district. In such cases, District may assume all costs for tuition, reasonable travel, meals and lodging, in accordance with reimbursement standards.

REMOVAL/REVOCATION FROM THE PARAMEDIC PROGRAM
WITHDRAWAL OF DISTRICT SPONSORSHIP

- I. Any paramedic, regardless of rank, may be removed, temporarily or permanently from the paramedic program for the following reasons. These reasons are not all inclusive:
 - a. The inability to maintain state licensure and/or local accreditation.
 - b. For cause, as defined in section 1798.200 of the Health and Welfare Code.
 - c. For failure to successfully complete the written requirements of a clinical performance improvement plan as approved by the County EMS Medical Director.
 - d. If temporarily suspended by the medical director, pending the outcome of a state licensure investigation.
- II. Removal of District sponsorship from a paramedic who is an Engineer or Captain would eliminate an employee's eligibility for the 10% pay differential.

If the afore going is in accordance with your understanding, please indicate your approval and acceptance in the space provided below.

Approved and Accepted For:

Rodeo-Hercules Fire Protection District:


Chief Biagi

For Local 1230:


Nick Ronchetto

Date: 2-2-10

Date: 2/1/10

RODEO HERCULES FIRE PROTECTION DISTRICT
MEMORANDUM

Date: September 11, 2019
To: Board of Directors
From: Bryan Craig, Fire Chief *BAC*
Subject: Budget Allocation of Funds Request

BACKGROUND:

Due to anticipated finalization of the bargaining unit's contract negotiations, an increase in Risk Management Premiums and finalizing a facilities maintenance project, the following adjustments are required to meet those obligations. The below financial statement shows a chart of accounts and adjustments to those accounts for the 2019-20 fiscal year.

Category	Approved Budget	New Budget	Difference
1001-Holiday Pay	\$ 148,122.00	\$ 154,532.00	\$ 6,410.00
1011-Permanent Salaries	\$ 2,304,940.00	\$ 2,316,464.00	\$ 11,524.00
1014-Overtime	\$ 433,460.00	\$ 433,700.00	\$ 240.00
1042-FICA	\$ 32,789.00	\$ 32,952.00	\$ 163.00
1060-Group Insurance (Vision)	\$ -	\$ 7,500.00	\$ 7,500.00
2281-Facilities Maintenance	\$ 43,350.00	\$ 51,350.00	\$ 8,000.00
2360-Insurance (Risk Management)	\$ 40,423.00	\$ 50,078.00	\$ 9,655.00
Total	\$ 3,003,084.00	\$ 3,046,576.00	\$ 43,492.00

CONCLUSION:

Overall, revenue and expenditures are as planned and budgeted. In addition, the District is continuously looking to secure other financial resource and continues to remain financially prudent and good stewards of public funding.

RECOMINDATION:

For the Board of Directors to approve the allocation of \$43,492 from the unassigned fund balance to the accounts listed in the tables above. This is an action item.