

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

BOARD MEETING MINUTES

July 11, 2018

1. CALL TO ORDER/ROLL CALL

Directors Present: Prather, Wheeler, Gabriel, Williams, Thorpe

Directors Absent: None.

2. PLEDGE OF ALLEGIANCE (00:38)

3. ANNOUNCEMENTS (01:08)

4. ADJOURN TO CLOSED SESSION (01:35)

5. CLOSED SESSION

6. RECONVENE IN OPEN SESSION/CLOSED SESSION REPORT OUT (00:12)

Action Taken: No reportable action.

7. CONFIRMATION OF AGENDA (00:16)

8. BOARD CORRESPONDENCE (02:35)

Received from:

1. Director Wheeler
2. Director Prather
3. Director Thorpe

9. PUBLIC COMMUNICATIONS (18:46)

1. Patty O'Day

10. CONSENT CALENDAR (22:03)

Action Taken: AUDIO TAPE CUT OFF HERE-meeting minute procedure

Director Wheeler made motion to approve consent calendar in its entirety; seconded by Director Williams. Motion passed unanimously.

11. BENEFIT ASSESSMENT AND SUPPLEMENTAL BENEFIT ASSESSMENT (03:06)

Action Taken: Director Prather made a motion to pass Resolution 2018-03; seconded by Director Wheeler.

Roll Call Vote: Aye: Prather, Wheeler, Williams, Thorpe, Gabriel
 Nay: None
 Abstain: None

12. DISCUSSION ITEM: MEASURE O OVERSIGHT COMMITTEE (POSSIBLE ACTION ITEM) (09:46)

Public Comment:

1. Sue Pricco

Action Taken: Consensus to give direction to counsel to update Resolution regarding Oversight Committee.

13. DISCUSSION ITEM: AVERY AND ASSOCIATES UPDATE (33:12)

Public Comment:

1. Jerry Short

Action Taken: Consensus to move forward with proposed recruitment flyer.

14. DISCUSSION ITEM: BOARD CHAIR SELECTION (POSSIBLE ACTION ITEM) (37:54)

Public Comment:

1. Jerry Short
2. Angelino

Action Taken: Director Prather nominated Director Wheeler for Board Chair; seconded by Director Thorpe.

Director Williams made a substitute motion nominating Director Gabriel for Board Chair; seconded by Director Gabriel.

Roll Call Vote: Aye: Williams, Gabriel
 Nay: Prather, Wheeler, Thorpe
 Abstain: None

Substitute motion to nominate Director Gabriel to serve as Board Chair until the next Chair elections failed.

Director Prather called for the question on the original motion; seconded by Director Thorpe. The main motion was nomination of Director Wheeler to serve as Board Chair until the next Board Chair elections.

Roll Call Vote: Aye: Prather, Wheeler, Thorpe
 Nay: Williams, Gabriel
 Abstain: None

Main motion passed. Director Wheeler to serve as Board Chair until the next Board Chair elections.

15. DISCUSSION ITEM: AUDIO RECORDING POLICIES AND PROCEDURE

Public Comment:

1. Sue Pricco

Action Taken: Consensus to post audio recordings of Board Meetings; as well as draft minutes to the extent that they are available to website.

16. DISCUSSION (POSSIBLE ACTION ITEM): CREATION OF A MEASURE O SENIOR OUTREACH AD HOC COMMITTEE (06:45)

Public Comment:

1. Paul Freese
2. Patty O'Day

Action Taken: Director Prather made a motion to table item; seconded by Director Gabriel. Motion passed unanimously.

17. DISCUSSION ITEM: ESTABLISHMENT OF A CANDIDATE PHYSICAL ABILITIES TEST TRAINING CENTER (26:36)

Action Taken: Tabled.

18. FIRE CHIEF REPORT (26:40)

19. BOARD MEMBER REPORTS (32:48)

Action Taken: Board to bring back recommendations for LAFCO representative.

20. AD HOC BOARD COMMITTEE REPORTS (34:12)

Action Taken: None.

21. LOCAL 1230 CORRESPONDENCE (38:45)

None.

22. REQUESTS FOR FUTURE AGENDA ITEMS (38:53)

1. Live Broadcast
2. Proposition 172 funding ad hoc committee
3. Board Training

4. CERT
5. Community Advisory Panel
6. Measure O CPI
7. Budget
8. Code of Ethics

23. ADJOURNMENT (48:21)

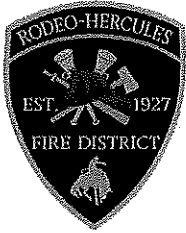
Audio from this board meeting can be heard at <http://rhfd.org/board-meetings/>

*Number in parenthesis is time stamp on audio where agenda item begins.

Raemona Williams, Board Secretary

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BOARD MEETING MINUTES

June 13, 2018

1. CALL TO ORDER/ROLL CALL

Directors Present: Prather, Wheeler, Gabriel, Williams, Thorpe

Directors Absent: None.

2. PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS

4. ADJOURN TO CLOSED SESSION

5. CLOSED SESSION

6. RECONVENE IN OPEN SESSION/CLOSED SESSION REPORT OUT (00:00)

Action Taken: None.

7. CONFIRMATION OF THE AGENDA (01:00)

Action Taken: Item No. 15 tabled to a future meeting.

8. BOARD CORRESPONDENCE (01:08)

None.

9. PUBLIC COMMUNICATIONS (01:10)

1. Sue Pricco
2. Teagan Clive
3. Patty O'Day

10. CONSENT CALENDAR (09:20)

Action Taken: None.

11. SELECTION OF BOARD POSITIONS (27:00)

A. SELECTION OF BOARD CHAIR

Action Taken: Director Williams nominated Director Gabriel to be Board Chair for the remainder of calendar year 2018; seconded by Director Thorpe.

Roll Call Vote: Aye: Gabriel, Williams
 Nay: None
 Abstain: Prather, Wheeler, Thorpe

Motion failed. By default, Director Gabriel to continue as Board Chair until next meeting.

B. SELECTION OF BOARD SECRETARY

Action Taken: Director Gabriel nominated Director Williams to be Board Secretary for the remainder of calendar year 2018, seconded by Director Thorpe.

Roll Call Vote: Aye: Prather, Wheeler, Gabriel, Williams, Thorpe

12. RESOLUTION 2018-02: RESOLUTION ORDERING EVEN-YEAR BOARD OF DIRECTORS ELECTION; CONSOLIDATION OF ELECTIONS; AND SPECIFICATIONS OF THE ELECTION ORDER (31:38)

Action Taken: Director Wheeler made a motion to adopt Resolution 2018-02; seconded by Director Williams. Motion passed unanimously.

13. PUBLIC HEARING TO CONSIDER AN INCREASE ON THE MEASURE O PARCEL TAX BASED ON MARCH 2018 CPI (34:32)

Public Comment:

1. Sue Pricco
2. Paul Freese

Action Taken: Director Prather made a motion to not increase the parcel tax; seconded by Director Thorpe.

Roll Call Vote: Aye: Prather, Wheeler, Williams, Thorpe
 Nay: Gabriel
 Abstain: None.

14. DIRECTION FROM BOARD ON COMPOSITION AND FORMATION OF MEASURE O OVERSIGHT COMMITTEE (47:37)

Public Comment:

1. Paul Freese
2. Patty O'Day
3. Sue Pricco
4. Paul Cardaropoli

Action Taken: Director Prather made a motion to accept the direction of the Board;
seconded by Director Wheeler.

Roll Call Vote: Aye: Prather, Wheeler, Williams, Gabriel, Thorpe
 Nay: None.
 Abstain: None.

15. DISCUSSION ITEM: FLEET MANAGEMENT (01:16:22)

Item tabled.

**16. DISCUSSION ITEM: CANDIDATE PHYSICAL ABILITIES TRAINING CENTER
(DIRECTOR PRATHER) (01:16:02)**

Item tabled.

17. FIRE CHIEF REPORT (01:16:41)

Action Taken: None.

18. BOARD MEMBER REPORTS (01:19:00)

Action Taken: Director Prather stepped down from his duties with LAFCO.

19. AD HOC BOARD COMMITTEE REPORTS (01:21:29)

Action Taken: Director Wheeler made a motion to dissolve the budget ad hoc committee;
seconded by Director Prather. Motion passed unanimously.

20. LOCAL 1230 CORRESPONDENCE

None.

21. REQUESTS FOR FUTURE AGENDA ITEMS (01:25:00)

1. Fleet Management
2. CPAT Center
3. Measure O Oversight Committee

22. ADJOURNMENT (01:26:20)

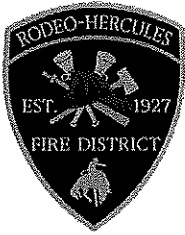
Meeting adjourned at 9:43 p.m.

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Raemona Williams, Board Secretary

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SPECIAL BOARD MEETING MINUTES

June 13, 2018

1. CALL TO ORDER/ROLL CALL

Directors Present: Prather, Wheeler, Gabriel, Williams, Thorpe

Directors Absent: None.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMUNICATIONS

Speakers:

1. Paul Freese
2. Patty O'Day

4. BUDGET WORKSHOP (00:00)

Public Comments:

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Action:

None.

5. ADJOURNMENT

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Raemona Williams, Board Secretary

RODEO HERCULES FIRE PROTECTION DISTRICT
MEMORANDUM

Date: October 24, 2018
To: BOARD OF DIRECTORS
From: BRYAN CRAIG, Interim Fire Chief
Subject: Adoption of the Fire District Benefit Assessment Ordinances

BACKGROUND:

- Citizens wishing to appeal the current Benefit Assessment of \$111.00 may appear before the Rodeo Hercules Board of Directors and show cause.
- Two public notices were published during the month of October notifying citizens of Rodeo and Hercules of the appeals process.
- Appeals of the amount of the special assessment fee for fire protection and prevention services for a parcel, or of any component of the fee, must be made by written application of the parcel owner to the District's Board of Directors and must be received in the District's administrative headquarters
- No written applications were received by the District.

RECOMMENDATION:

It is staff's recommendation that if no majority protests occur that the Board re-confirm levying and collection for the Fire District Benefit Assessments Ordinances.

RODEO-HERCULES FIRE PROTECTION DISTRICT

MEMORANDUM

TO: Board of Directors, RODEO HERCULES FIRE DISTRICT
FROM: Bryan Craig, INTERIM FIRE CHIEF
DATE: October 24, 2018
RE: Code of Ethics and Conduct for Elected and Appointed Officials.

BACKGROUND:

As an independent Special District, the Board of Directors of the Rodeo-Hercules Fire Protection District has a unique relationship with its respective counterparts to the communities they serve—the City of Hercules City Council and the Contra Costa County Board of Supervisors. These respective counterparts have already established a Code of Ethics and Conduct. With this symbiotic relationship shared with the City and County, the Rodeo-Hercules Fire Protection District Board of Directors should align itself philosophically with these counterparts.

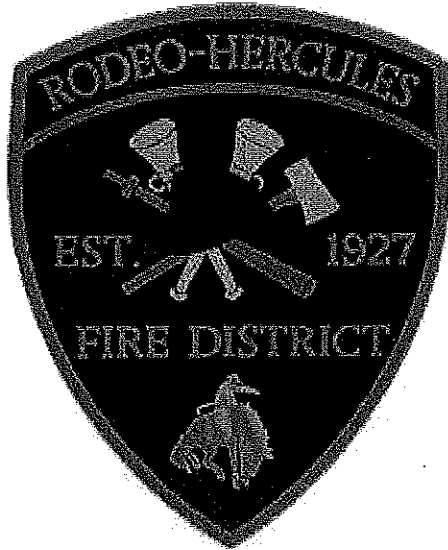
RECITALS:

In order to align itself with its counterparts, and to achieve its goal of transparency and self-governance, the Board of Directors of the Rodeo-Hercules Fire Protection District should consider the adoption of the Code of Ethics and Conduct for Elected and Appointed Officials.

ADOPTION:

It is Staff's recommendation that the Rodeo-Hercules Fire Protection District Board of Directors, in alliance with the City of Hercules City Council and the Contra Costa County Board of Supervisors, adopt Resolution 2018-06, adopting a Code of Ethics and Conduct for Elected and Appointed Officials.

Attachments: *Code of Ethics and Conduct for Elected and Appointed Officials*
Resolution No. 2018-06



Rodeo-Hercules Fire Protection District

**Code of Ethics and Conduct
For
Elected and Appointed Officials**

understood and met, so that the public can continue to have full confidence in the integrity of government. In the event of violation of this Ethics Policy by a member of a commission, board, or committee, where removal by the District's Board of Directors is permitted without cause, the District Board of Directors by affirmative vote of a majority of its members, may authorize removal of that person from office.

Sanctions are alternatives to any other remedy that might otherwise be available to remedy conduct that violates this code or state or federal law. In order to protect and preserve good government, any individual including the Fire Chief and the District Legal Counsel after complying with Rule 3-600(B) of the State Bar Rules of Professional Conduct, who knows or reasonably believes a member acts or intends or refuses to act in a manner that is or may be a violation of law reasonably imputable to the organization, or in a manner which is likely to result in substantial injury to the organization, may report the violation to the appropriate governmental authorities.

CONDUCT GUIDELINES:

The Conduct Guidelines are designed to describe the manner in which Board Members should treat one another, District staff, constituents, and others they come into contact with while representing the Rodeo - Hercules Fire Protection District Board of Directors.

Comply with the Law.

Members shall comply with the laws of the nation, the State of California, and the Rules and Procedures of the Rodeo – Hercules Fire Protection District Board of Directors in the performance of their public duties. These laws include, but are not limited to: the United States and California Constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government. Members shall also comply with all applicable District policies and procedures.

Conduct of Members

The professional and personal conduct of Members must be above reproach. Members should take steps to avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of board, its appointed committees, the staff or public.

Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the board governing the deliberation of public policy issues, in order to allow meaningful involvement of the public, and implementation of policy decisions.

Conduct of Public Meetings

Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus their attentions on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or interfering with the orderly conduct of meetings.

Decisions Based on Merit

Members shall base their decision on the merits and substance of the matter at hand, rather

private interests of third parties on matters related to the areas of service of their bodies.

BEHAVIOR AND CONDUCT:

The Rodeo – Hercules Fire Protection District's Board of Directors Code of Ethics and Conduct expresses standards of ethical conduct expected of members of the District Board, and Committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the Board. Although all members of the District Board of Directors share the responsibility to maintain the Code of Ethics the Board Chair and the Fire Chief have the additional responsibility to intervene when actions of members of the Board or committees appear to be in violation of the Code of Ethics and that conduct is brought to their attention.

Board Members:

Board Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the District Board of Directors. Serious infractions of the Code of Ethics could lead to other sanctions.

Individual Board Members should point out to the offending Board Member perceived infractions of the Code of Ethics and Conduct. If the offenses continue, then the matter should be referred to the District's Legal Counsel.

Disclosure of Corruption:

All members shall take an oath upon assuming office, pledging to uphold the State and United State Constitutions. As part of this oath, members commit to disclosing to the appropriate authorities and/or to the Board of Directors any behavior or activity that may qualify as corruption, abuse, fraud, bribery or other violation of the law.

Conduct with the Public and fellow Board Members in Public Meetings:

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with care and gentleness.

While questions of clarification may be asked, the official's primary role during public testimony is to listen.

Be fair and equitable in allocating public hearing time to individual speakers.

The chair will determine and announce limits on speakers at the start of the public hearing process.

Board Members are individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal

presenting their individual opinions and positions, Members shall explicitly state they do not represent the Rodeo – Hercules Board of Directors, nor shall they allow the inference that they do. When representing the District on federal, state, or regional bodies, Members shall advocate policies which are in the best interest of the District over their own personal interests.

CITIZEN COMMITTEES

The Board of Directors may establish Committees as a means of gathering more community input. Citizens who serve on Committees become more involved in government and serve as advisors to the District Board of Directors. They are a valuable resource to the District's leadership and should be treated with appreciation and respect.

Limit contact with Committee members to questions of clarification:

It is inappropriate for a Board member to contact a Committee member to lobby on behalf of an individual. It is acceptable for Board members to contact Committee members in order to clarify a position taken by the Board.

Respect that Committees serve the community, not individual Board members:

The District Board of Directors appoints individuals to serve on Committees and it is the responsibility of Committees to follow policy established by the District. But Committee members do not report to individual Board members, nor should Board members feel they have the power or right to threaten Committee members with removal if they disagree about an issue. Appointment and re-appointment to a Committee should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Committee appointment should not be used as a political "reward."

Because of the value of the independent advice of commissions, boards, and committees to the public decision-making process, Board members shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.

District Board Members Conduct with District Staff:

Governance of a District relies on the cooperative efforts of its elected officials, who set policy, and who advise District staff, and who implement, and administer the Board's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Treat all staff as professionals:

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Do not disrupt District staff from their jobs:

Board Members should not disrupt District staff while they are in meetings, on the phone, or when performing their job functions in order to have their individual needs met. Do not attend District staff meetings unless requested by staff – even if the elected or appointed official does not say anything, his or her presence implies support, shows partiality, may intimidate staff, and hampers staff's ability to do their job objectively.

Never publicly criticize an individual employee:

County District Attorney to investigate allegations.

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