



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

REGULAR BOARD MEETING MINUTES
June 12, 2019

1. CALL TO ORDER/ROLL CALL

Meeting called to order at 7:04 p.m.

Directors Present: Prather, Covington, Gabriel, Hill, Thorpe

Directors Absent: None.

2. PLEDGE OF ALLEGIANCE (0:22)

3. ANNOUNCEMENTS (00:49)

None.

4. PUBLIC COMMUNICATIONS (1:00)

None.

5. CONFIRMATION OF THE AGENDA (1:19)

Consensus to make the following changes to Agenda:

Item 8-Budget Workshop: Change from "Proposed" to "Preliminary Budget"

Item 11-No Fire Chief Report.

6. BOARD CORRESPONDENCE

None.

7. CONSENT CALENDAR (3:25)

Director Hill made a motion to approve the May 2019 meeting minutes; seconded by Director Covington. Motion passed 4-0-1.

ROLL CALL VOTE

Prather-Abstain

Covington-Yes

Gabriel-Yes

Hill-Yes

Thorpe-Yes

8. BUDGET WORKSHOP (09:35)

Public Comment:

Paul Freese.

Consensus from the Board to recognize Budget document as the Preliminary Budget; direction was provided to staff.

9. DISCUSSION ITEM: BOARD CORRESPONDENCE FROM DIRECTOR PRATHER (1:05:22)

Public Comment:

Vince Wells.

10. MEASURE OVERSIGHT COMMITTEE REPORT (1:50:27)

Tabled for further review by counsel.

11. FIRE CHIEF REPORT

None.

12. STAFF REPORTS (2:15:07)

None.

13. BOARD MEMBER REPORTS (2:15:07)

A. LAFCO

Chief Craig to meet with Lou Ann Texeira soon.

14. AD HOC BOARD COMMITTEE REPORTS

- A. Live Broadcast ad hoc committee (Prather)-none.
- B. Reserve Program ad hoc committee (Prather & Thorpe)-none.
- C. Proposition 172 ad hoc committee (Gabriel)-none.
- D. Budget ad hoc committee (Covington and Hill)-Director Prather made a motion to dissolve committee, seconded by Director Gabriel, all in favor.

ROLL CALL VOTE:

Prather-Yes

Covington-Yes

Gabriel-Yes

Hill- Yes

Thorpe-Yes.

15. LOCAL 1230 CORRESPONDENCE (2:16:53)

None.

16. REQUESTS FOR FUTURE AGENDA ITEMS (2:16:58)

Measure O Bylaws

Director Prather made a motion to add an item regarding creating a subcommittee for Pinole consolidation; seconded by Director Covington. Motion passed 5-0.

ROLL CALL VOTE:

Prather-Yes

Covington-Yes

Gabriel-Yes

Hill- Yes

Thorpe-Yes.

17. ADJOURN TO CLOSED SESSION (NO RECORDING DEVICES ARE PERMITTED) (2:18:36)

18. CLOSED SESSION

Closed session pursuant to Government Code Section 54957: Labor Negotiations

19. RECONVENE IN OPEN SESSION/CLOSED SESSION REPORT OUT (0:02)

Reconvened to open session at 10:00 p.m. No reportable actions.

20. ADJOURNMENT (0:13)

Meeting adjourned at 10:01 p.m.

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.

Steve Hill, Board Secretary

RODEO HERCULES FIRE PROTECTION DISTRICT
MEMORANDUM

Date: July 10, 2019

To: BOARD OF DIRECTORS

From: BRYAN CRAIG, Fire Chief

Subject: Adoption of the Fire District Benefit Assessment Resolution No. 2019-09,
reaffirming the District's Intent to continue to levy the Fire Suppression Assessment
of 1987 and Supplemental Fire Suppression Assessment of 1993.

BACKGROUND:

- The Fire District currently has two Fire Suppression Assessments: the first was established in 1987 (Fire Suppression Assessment) for \$52.00 per risk unit, and the second in 1993 (Supplemental Fire Suppression Assessments) for \$59.00 per risk unit.
- In order for assessments to continue, each calendar year during the month of July, the Rodeo – Hercules Fire Protection District Board of Directors is required to adopt a resolution to continue to levy the Fire Suppression Assessment, and the Supplemental Fire Suppression Assessment on all real property in the Fire District.

FISCAL IMPACT:

If the board chooses not to adopt resolution 2019-09, Fire Suppression Assessment, and declining reaffirmation of the 1987 and 1993 benefit assessments. The Fire District would realize a budget shortfall of \$1,355,199. to its general fund revenues.

RECOMMENDATION:

It is staff's recommendation that that the Board reaffirms levying, and collection of the Fire District Benefit Assessments, by the adoption of Resolution 2019-09.

Attachment:
Resolution 2019-09.

RESOLUTION NO. 2019-09

**A RESOLUTION DECLARING INTENTION TO CONTINUE TO LEVY
FIRE SUPPRESSION ASSESSMENTS AND SUPPLEMENTAL FIRE
SUPPRESSION ASSESSMENT ON ALL PARCELS OF REAL PROPERTY
FOR FISCAL YEAR 2019/20,
FOR THE RODEO - HERCULES FIRE PROTECTION DISTRICT**

WHEREAS, The Rodeo Fire Protection District expanded to cover the City of Hercules in 1983 and formed the Rodeo Hercules Fire Protection District (the "Fire District"); and

WHEREAS, the mission of the Fire District is to provide fire protection and emergency response services throughout its boundaries; and

WHEREAS, the Rodeo - Hercules Fire Protection District is authorized, pursuant to the authority provided in California Government Code Section 50078 et seq. Article 3 of the California Constitution, to levy assessments within the meaning of Proposition 218; and

WHEREAS, assessments for fire protection and emergency services has been given the distinctive designations of the "Fire Suppression Assessment" and "Supplemental Fire Suppression Assessment" ("Assessment"), and is primarily described as encompassing the Fire District jurisdictional boundaries on all parcels of real property; and

WHEREAS, the Assessment was authorized by assessment ballot proceedings conducted in 1987 and then again in 1993, and approved by ballots returned by property owners, and such assessments were levied subsequently in each fiscal year by the Board of Directors of the Rodeo Hercules Fire Protection District; and

WHEREAS, the Fire Suppression assessment fees are not determined according to, nor in any manner based upon, the assessed value of property; this fee is based upon the improvements to said type of parcels and, the risk of fire attendant to such improvements and parcels; and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF DIRECTORS OF THE RODEO HERCULES FIRE DISTRICT AS FOLLOWS:

Description of the Services. Within the Assessment District, the proposed services and equipment to be funded by the assessments ("Services") are generally described as including, but not limited to, obtaining, furnishing, operating, and maintaining fire suppression, protection and emergency services equipment and apparatus; paying salaries, benefits and other compensation for firefighting and fire prevention personnel; training and administration of personnel performing said fire suppression, protection and emergency services; community

fire prevention education and fire inspection.

Parcel. The land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of the Contra Costa County.

Description of Assessment District. The Assessment District consists of the lots and parcels shown within the boundary map of the Assessment District on file with the Secretary of the Board, and reference is hereby made to such map for further particulars.

Assessment Rate. It is the intention of this Board to levy and collect assessments within the Assessment District for both the Fire Suppression Assessment and Supplemental Fire Suppression Assessment in the amount of \$111.00 per one risk factor. The maximum assessment is determined by multiplying the fee rates times the risk units for a particular use.

Collection. The assessment on each parcel may be directly billed to the property owner or will be billed on the secured roll tax bills for ad valorem property taxes and

That the foregoing Resolution No.2019-X was approved and adopted by the Board of Directors of the Rodeo Hercules Fire District at a regular meeting of said Board held on July10, 2019, by the following voice vote:

AYES ____

NAYES ____

ABSENT ____

ABSTAIN ____

ATTEST:

Chairperson, Rodeo Hercules Fire District

Secretary to the Board

RESOLUTION 2019-05

RESOLUTION OF THE BOARD OF DIRECTORS OF THE RODEO HERCULES FIRE PROTECTION DISTRICT ESTABLISHING AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE FOR MEASURE O

~~WHEREAS, the Board of Directors of the Rodeo Hercules Fire Protection District (the "Board"), previously adopted Resolution No. 2016-04 requesting the Registrar of Voters of the County of Contra Costa to call an election on November 8, 2016, on a measure to authorize a special tax for the continued maintenance of local fire protection and emergency response services (the Parcel Tax Election); and~~

~~WHEREAS, on November 8, 2016, the Parcel Tax Election was duly held and conducted for the purpose of voting on a measure, designated as Measure O, to impose a special tax (the "Parcel Tax") of the Rodeo Hercules Fire Protection District (the "District") in the amount of \$216 per parcel per year; and~~

~~WHEREAS, more than two-thirds of the votes cast on Measure O were in favor of issuing the Parcel Tax; and~~

~~WHEREAS, Section 4 of Ordinance 2016-001 declares that the Board of Directors shall form and appoint members to an independent 2016 Special Tax Funding Replacement Measure (Parcel Tax) Independent Oversight Committee who shall receive, review, and advise the Board on the Annual Report.~~

~~WHEREAS, the Board desires to authorize the establishment of an independent citizens oversight committee as required by Measure O at this time in order to ensure an orderly process for the selection of committee members.~~

~~**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Rodeo Hercules Fire Protection District, as follows:~~

~~Section 1. An Independent Citizens' Oversight Committee (the "Committee") is hereby established in compliance with Measure O for the general purpose of providing oversight as to the expenditure of Measure O parcel tax revenues.~~

~~Section 2. The Independent Citizens' Oversight Committee Bylaws (the "Bylaws"), a copy of which is attached hereto as Exhibit A, are hereby approved.~~

~~Section 3. The Committee shall have the specific purposes and be operated in the manner required by the Bylaws, and such Bylaws may be amended from time to time in~~

~~accordance with their terms. The initial appointment of Committee member shall be undertaken in accordance with the Bylaws.~~

~~Section 4. This Resolution shall take effect immediately upon its passage.~~

~~PASSED AND ADOPTED THIS 13th day of March 2019, by the following vote:~~

~~AYES: Gabriel, Thorpe, Hill, Covington~~

~~NOES: Prather~~

~~ABSENT: None~~

~~ABSTENTIONS: None~~

~~BOARD OF DIRECTORS OF THE
RODEO-HERCULES FIRE PROTECTION DISTRICT~~

~~By: _____
Chairman of the Rodeo-Hercules Fire Protection District~~

~~Attest:~~

~~_____
Clerk of the Board of the
Rodeo-Hercules Fire Protection District~~

CLERK'S CERTIFICATE

I, _____, Clerk of the Board of Directors of the Rodeo-Hercules Fire Protection District, hereby certify as follows:

The foregoing is a full, true, and correct copy of a resolution duly adopted at a regular meeting of the Board of Directors of said District duly and regularly and legally held at the regular meeting place thereof on _____, 2019, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minute of said meeting on file and of record in my office and the foregoing is a full, true, and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified, or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: _____, 2019

Clerk of the Board of the
Rodeo-Hercules Fire Protection District

EXHIBIT A

MEASURE O ~~CITIZEN'S~~CITIZEN'S OVERSIGHT COMMITTEE BYLAWS

SECTION I COMMITTEE ESTABLISHED

The Rodeo-Hercules Fire Protection District (the ~~"District"~~) was successful at the election conducted on November 6, 2016, on Measure ~~00~~, obtaining authorization from the ~~District's~~District's voters to impose a special tax in the amount of \$216 per parcel annually, pursuant to a two-thirds majority vote.

Pursuant to Resolution No. 2016-04, the District is obligated to establish a ~~Citizens'~~Citizens' Oversight Committee in order to satisfy the accountability requirements of Measure ~~00~~. In a resolution adopted on ~~March 13~~, 2019, the Board of Directors of the Rodeo-Hercules Fire Protection District (~~"Board"~~) established the Measure O ~~Citizens'~~Citizens' Oversight Committee, which shall have the duties and rights, set forth in these Bylaws.

SECTION II ~~COMMITTEE'S~~ COMMITTEE'S MISSION

The mission of the Measure O ~~Citizen's~~Citizens' Oversight Committee is to independently review and inform the public and the Board concerning the expenditure of parcel tax revenues and to ensure that such revenues are expended in accordance with the intention of the voters.

SECTION III ~~NAME AND LOCATION~~ NAME AND LOCATION

3.01 The name of the Committee will be the Measure O ~~Citizens'~~Citizens' Oversight Committee (the ~~"Committee"~~).

~~3.02~~ The office of the Committee shall be located at the Rodeo-Hercules Fire Protection District, located at 1680 Refugio Valley Road, Hercules, CA 94547.

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SECTION IV
PURPOSE / EFFECTIVENESS

- 4.01 The purpose of the Committee is to provide oversight and to inform the public and the Board concerning the expenditure of Measure O revenues.

The Committee shall actively review and report on the proper expenditure of the taxpayers' monies in accordance with the stated purposes of the Measure O Parcel Tax as detailed in the ballot language and summarized by the following statement:

~~taxpayers' monies in accordance with the stated purposes of the Measure O Parcel Tax:~~

The proceeds of the special tax funding replacement measure imposed by this ordinance shall be placed in a special account or fund to be used solely for any lawful purpose permissible to Fire Districts pursuant to California Health and Safety Code §13800 et seq., including but not limited to enhancing the level of fire prevention, emergency fire protection and paramedic response services through increasing staffing levels to operate and maintain the ~~District's~~ District's fire stations, maintaining and when necessary replacing fire protection and lifesaving equipment and apparatus to optimal levels of function and performance, and to fund capital improvements.

- 4.02 The Committee shall convene to provide oversight on the details for the following:
1. Ensuring that Measure O revenues are deposited into a separate account created by the District.
 2. Ensuring that measure O ~~revenue~~ revenues are expended only for the purposes described in section 4.01 above.

4.03 Requirements for effective oversight:

1. **Independence** - committee must be an "independent" body.
 - a. No restrictions from RHFD board and/or staff shall be placed on the Committee.
 - b. No attempted control by RHFD board and/or staff shall be imposed on the Committee.
2. **Transparency** – public funds, public trust.
 - a. The community must see RHFD as fully transparent in the use of Measure O funds.
 - b. The RHFD Board assured citizens that all the necessary steps would be taken to improve efficiency in order to help the financial status of the District.
 - c. The full scope of the Measure O Oversight Committee activities shall be defined and jointly agreed upon by RHFD board and committee. If the scope is too narrow, the committee may be unable to detect inaccuracies or inconsistencies in the RHFD financials thus leading to lack of transparency and decreasing public trust.
3. **Access** – the Committee must have full access to all RHFD financials.
 - a. Measure O revenue transfers to the District's General Fund; therefore, the Committee must be able to oversee and review all accounts related to the General Fund.
 - b. The Committee must be able to review all RHFD financial reports, annual audits and additional information as requested by the Committee.
 - c. All requests from the Committee must be provided in a "timely" fashion.
4. **Support** – the Committee must have the complete support from the RHFD Board and District Staff in performing their responsibilities.

- a. Material support must be provided by the District, including a public meeting location, documents (e.g., agenda & packets) related to Committee activities and record meeting minutes.

**SECTION V
COMMITTEE ACTIVITIES**

- 5.01 The Committee shall engage in any of the following activities in furtherance of its purpose:
1. Actively review and report on the proper expenditure of Measure O revenue.
 2. Advise the Board as to whether the District is in compliance with ~~the~~Measure O requirements ~~of~~
~~Measure O~~.
 3. Conduct all business in accordance with the provisions of the Ralph M. Brown Act ~~“(“the~~
~~Brown Act”)~~”) of the State of California which shall include the posting of notices and agendas
of the Committee meetings on the ~~District’s~~District's website.

4. Provide ~~for~~ communication with and from the community on all issues related to Measure ~~OO~~.
 - a. The Committee shall issue an Annual Report of its activities to the Board. Each Annual Report shall concern the events of the preceding fiscal year and shall include a summary of the ~~Committee's proceedings and a statement~~Committee's proceedings and a statement indicating whether the District's Measure O expenditures were in accordance with the stated purpose. The Measure O Oversight Committee annual report shall be presented to the Board within 60 days of the Committee receiving the independent Auditor's annual report and the Fire Chief's annual report (required by California Government Code 53411), whichever report is received later.
~~indicating whether the District's Measure O expenditures were in accordance with the stated purpose. Each report shall be presented to the Board within 100 days of the end of the reporting period (July 1 to June 30) to which it pertains.~~
 - b. In addition, the Committee may prepare, approve, and distribute other progress reports of its activities, findings, and recommendations to the Fire Chief, the Board, and the public. If in conducting its duties and activities, the Committee finds it necessary to report to the Board on any item it deems to be of immediate concern, the Committee may request that the Board call a special Board meeting in accordance with the provisions of the Brown Act.
 - c. The Committee reports shall be posted on the ~~District's~~District's website.
5. All documents received and reports issued by the Committee shall be made available for public viewing on the ~~District's~~District's website.

5.02 In furtherance of its purpose, the Committee may engage in any of the following activities:

1. Receive and review copies of the ~~District's~~District's required annual, independent financial audits.
2. Receive and review copies of the ~~District's~~District's annual and interim budget reports and presentations.
3. Advise the public on Committee activities and encourage membership participation.

5.03 The Committee may review any documents related to the expenditure of Measure ~~OO~~ proceeds and make recommendations in accordance with its Purpose and Activities, as stated in Sections IV and V of these bylaws, and Measure ~~O. However, the~~O ballot language. The Board, ~~in its sole discretion,~~ may act on any recommendations ~~as it deems appropriate.~~

5.04 In recognition of the fact that the Committee is charged only with overseeing the expenditure of Measure O proceeds, the Board has not charged the Committee with the following, all of which shall be determined in the ~~Board's~~Board's sole discretion:

1. The establishment of District goals and priorities.
2. The selection of personnel to support the Committee.
3. The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in its bylaws.
4. ~~The~~ appointment or reappointment of qualified applicants to serve on the Committee

| based on criteria adopted by the Board.

SECTION VI
DISTRICT DUTIES AND SUPPORT

- 6.01 Either the Board or Fire Chief, as the Board shall determine, shall have the following duties reserved to it, and the Committee shall have no jurisdiction over the following types of activities:
1. Approval of contracts and purchases
 2. Handling of all legal matters
 3. Approval of personnel assignments
 4. Approval of the parcel tax assessments
 5. Approval of agreements related to parcel tax assessments
- 6.02 The District commits to support the oversight process through cooperation with the Committee, by providing the Committee with access to information and with sufficient logistical support so that the Committee may effectively perform its oversight function. Further, the District will insure that with regard to the Committee, all District personnel are committed to open communication, the timely sharing of information, and teamwork.
- 6.03 The District shall provide necessary administrative and technical support to the Committee as shall be consistent with the ~~Committee's~~Committee's purpose, including but not limited to:
1. Preparation of and posting of public notices as required by the Brown Act, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the Board.
 2. Provision of a meeting room, including any necessary audio/visual equipment.
 3. Preparation and copies of any document or meeting materials, such as agendas and reports.
 4. Retention of all Committee records.

SECTION VII MEMBERSHIP

~~7.01~~—The Committee shall be composed of ~~a minimum of three (3) and a maximum of~~ five (5) members appointed by the Board after an open and public recruitment process. At any point in time that there are only 3 members of the Committee, leaving two vacancies, to establish a quorum all members must be present at all meetings until more members are seated on the Committee. The Board, ~~at its sole discretion,~~ may appoint more than five (5) members

7.01 provided that any appointments beyond five (5) result in an odd number of active members serving at any one time. Members of the Oversight Committee shall be residents or property owners within the District and registered to -vote. Employees, officials, vendors, contractors, or consultants of the District are not eligible for voting or active membership on the Committee. The number of Committee members shall be a balance of property owners that reside in the City of Hercules, and the Town of Rodeo located within the County of Contra Costa. Dependent on the number of members on the Committee, a majority shall constitute a quorum of the Committee. ~~Members selected to the Committee shall have a two-year term from time of appointment, unless sooner terminated by the Board. Committee members shall serve until their successor is appointed by the Board. Committee members may be re-appointed by the Board.~~

7.02 The Committee shall include at least:

1. One member who is a resident of Hercules.
2. One member who is a resident of Rodeo.

~~7.03 A single individual may be appointed as a representative of more than one of the above categories if applicable.~~

3. One member from a bona fide taxpayer association as long as s/he is a resident of Hercules or Rodeo.

~~7.04~~7.03 A Committee member who no longer serves the group s/he was appointed to represent shall be allowed to complete his/her current term. However, that Committee member shall not be entitled to serve a subsequent term as a representative of that group.

~~7.05~~7.04 Committee members may not hold any incompatible office or position during their term of membership, as those terms are defined in Article 4.7 of Division 4, of Title I (commencing with section 1125) of the Government Code, and shall abide by the conflict of interest prohibitions contained in Article 4 of Division 4, of Title I (commencing with section 1090) of the Government Code and with the Ethics Policy attached as Appendix I hereto. Any member shall disclose immediately any possible or potential conflict of interest to the Committee. A Committee member's failure to disclose any possible or potential conflict of interest when known will result in the member's removal from the Committee.

~~7.06~~7.05 Committee members are not eligible to apply for contracts with the District until two (2) years after leaving the Committee.
~~(2) years after leaving the Committee.~~

~~7.07 The Fire Chief, one representative from IAFF Local 1230, one representative from RHPFO, and one Board member may serve as ex-officio members of the Committee. These ex-officio members shall have no voting rights as members of the Committee.~~

~~7.08~~7.06 Committee members shall receive no compensation for their services on the Committee.

SECTION VIII TERMS OF OFFICE

- 8.01 ~~Committee members are appointed by the Board for a term of two (2) years, except as provided. At the Committee's first meeting, members will draw lots in Section 8.02 or as otherwise provided herein. No member may serve more than three (3) consecutive order to stagger the starting initial terms as follows:~~
1. ~~*One or Two of the members will server an initial two-year (2) term; and,~~
 2. ~~*Two or a maximum Three of six (6) consecutive years, whichever is less. The terms shall be staggered as set forth in Section 8.02 below. the members will serve and initial three-year (3) term.~~
 3. ~~(*These numbers are dependent on the total number of Committee members).~~
- 8.018.02 ~~Should a member resign his/her position before his/her term matures,;~~ the Board ~~will~~can appoint a new member to complete the term. At the discretion of the Board, members serving partial terms may be reappointed to serve three complete terms at the conclusion of the partial term.
- 8.02 ~~At the Committee's first meeting, members will draw lots in order to stagger the starting initial terms as follows:~~
1. ~~*One or Two of the members will serve an initial two year (2) term, and,~~
 2. ~~*Two or Three of the members will serve an initial three year (3) term.~~
- ~~**These numbers are dependent on the total number of Committee members.*~~
- 8.03 The members serving the initial three (3) year term will be eligible for reappointment to no more than one additional two (2) year term at the discretion of the Board.
- 8.04 Should the Board increase the number of members on the Committee, the Committee will make the necessary adjustments to terms ~~in order to once again have one half of the members' terms maturing each year.~~
- 8.05 Following an absence of one year, any Committee member whose term has expired due to statutory term limits shall be eligible to serve again.

SECTION IX ~~REMOVAL FROM OFFICE~~ REMOVAL FROM OFFICE

- 9.01 The Board may remove any Committee member, for cause, including failure to attend without reason acceptable to the Committee, three (3) consecutive Committee meetings or for failure to comply with the District's or ~~Committee's~~Committee s Ethics Policy. Upon a member's removal, his/her ~~seat~~seat shall be declared vacant. The Board, in accordance with the established appointment process, shall fill any vacancies on the Committee as soon as practicable.

SECTION X

COMMITTEE RULES & PROCEDURES

- 10.01 ~~10.01~~ The Committee ~~shall~~will meet ~~at least twice per year~~the 3rd Wednesday of each month and ~~hold special meetings as often as the Committee deems~~deemed necessary to conduct its business ~~on dates to be determined by the Committee at its organizational meeting.~~ The date upon which, and the hour and place at which, each such regular meeting shall be held shall be fixed by the Committee and posted on the District's website. To the extent permitted by the Brown Act, such meetings may be held by teleconference.
- 10.02 ~~10.02~~ Special meetings and established subcommittee meetings may be called in accordance with the provisions of the Brown Act, as amended or supplemented from time to time. To the extent permitted by the Brown Act, such meetings may be held by teleconference.
- 10.03 All meetings of the Committee shall be called, noticed, held and conducted subject to the provisions of the Brown Act. The Committee shall cause minutes of all meetings to be kept and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to District staff for posting on the District's website.
- 10.04 Any person wishing to speak during the Public Comments section of the Committee's agenda, at the beginning and/or end of each meeting, shall first complete a speaker request card and submit the card to the Committee ~~Secretary~~ prior to the public comments section of the agenda.
1. Individual speakers before the Committee shall have ~~an initial~~ three-minute time limit per item. An individual speaker may request additional time. The Chairman may increase this time limit ~~by not~~ a reasonable amount of time pending number of additional speakers, length of meeting agenda or other Committee business. If the individual speaker still desires more than ten minutes time, the Committee will reserve time at the end of the meeting for speaker.
 2. The Chairman shall ensure that all persons addressing the Committee confine the subject matter of their remarks to the particular matter before the Committee.
 3. If a member of the audience has addressed the Committee on matters, ~~which~~ are not on the posted agenda for that meeting, members shall refrain from discussing such matters. If the non-agenda matter raised by a member of the public concerns an issue that is within the subject matter jurisdiction of the Committee, any member may request that the Committee vote to place that matter on a future agenda.

4. Persons addressing the Committee shall address the Committee as a whole and shall not direct comments to individual members of the Committee or to members of the audience.

10.05 In the event of disorderly conduct by members of the public, the Committee may order the meeting room cleared pursuant to California Government Code §54957.9.

~~10.06~~ 10.06 A majority of active members of the Committee shall constitute a quorum for the transaction of business, except that less than a quorum may convene from time to time.

~~10.07~~ 10.07 Each member of the Committee shall be entitled to one vote ~~to be entered in person.~~
Members may not vote by absentee or proxy. A member who has prearranged to teleconference
into a Committee meeting can vote. No action shall be taken by members present and voting,
unless a quorum is present. Recommendations to the Board to approve or disapprove a project
must be approved by a majority of the active members of the Committee.

~~10.08~~ 10.08 Members are expected to attend all meetings.

~~10.09~~ 10.09 Committee members shall complete and submit to the Fire Chief a California Fair Political Practices Commission Form 700 upon appointment, and annually thereafter. Committee meetings shall be held in accordance with the Brown Act (California Government Code section 54950 *et seq.*) Committee members shall be held to the ~~District's~~District's and ~~Committee's~~Committee's Ethics policy and shall attend AB 1234 Ethics training.

SECTION XI COMMITTEE OFFICERS

~~11.01~~ 11.01 The ~~officers of the~~ Committee shall ~~be determine the officers and their duties, initially to include~~ a Chairman, ~~and~~ a Vice Chairman ~~and a Secretary~~. The Chairman shall chair the Committee meetings. The Vice Chairman shall act as Chairman only when the Chairman is absent.

11.02 The Chairman and Vice Chairman must be members of the Committee, and shall be elected by a majority of the Committee at the organizational meeting each year. ~~The Chairman and Vice Chairman shall serve for no more than four (4) years in their respective offices. The Secretary shall be appointed by the Committee and need not be a member of the Committee.~~

11.03 The duties of the Chairman are to:

1. Preside at meetings of the Committee.
2. Appear before the Board and other bodies to present and discuss the official actions of the Committee.

11.04 The duties of the Vice Chairman are to:

- ~~1.~~ Preside at Committee meetings in the absence of the Chairman.
2. Appear before the Board and other bodies to present and discuss the official actions of the Committee in the absence of the Chairman.

~~11.05 The duties of the Secretary are to:~~

11.05 The District will provide a person to attend all Committee meetings and perform the following duties:

1. Record and maintain minutes of all meetings of the ~~Committees~~Committee.
2. Distribute minutes of all meetings of the Committee to all Committee members, to the Board, and to District staff for posting on the District's website.

3. Review Committee meeting agenda with the Chairman. Distribute Committee meeting agendas to all Committee members, to all other persons requesting copies of the agenda so that provisions of the Brown Act are followed, and to District staff for posting on the District's website.
4. Distribute all Committee reports to all Committee members, to the Board and to District staff for posting on the District's website.
5. Keep all documents officially received by the Committee in the course of its business, and to forward copies of all such documents to the District staff.
6. Prepare all necessary correspondence of the Committee.
7. Arrange and coordinate meeting locations and teleconferences of the Committee.

SECTION XII AMENDMENTS

- 12.01 These Bylaws shall become effective upon approval of the Board of Directors.
- 12.02 These Bylaws may be amended, changed, added to, or repealed by the Board, as deemed necessary. Discussion of any future changes to the Measure O Oversight Committee Bylaws requires both RHFD Board and Measure O Oversight Committee participation. Additional or supplemental operational guidelines or procedures may be adopted by the Committee by a majority vote of all the members of the Committee, providing such additional or supplemental operational guidelines or procedures are not in conflict with these Bylaws, any Resolution or Ordinance of the Board, or any state law, including but not limited to the provisions of the Brown Act and the California Health & Safety Code.

SECTION XIII TERMINATION

- 13.01 The Committee shall initiate procedures to terminate and disband at the earlier of the date:
1. All Measure O proceeds have been expended, ~~or~~and
 2. All Measure O revenues have been collected.

~~13.02~~ Once the District informs the Committee that either of the conditions described in 13.02 13.01 has occurred, the Committee shall prepare a final report of findings and recommendations to be presented and received by the Board at a regularly scheduled Board meeting.

13.03 Once the final report of findings and recommendations is presented to the Board, the Committee shall automatically terminate and disband. In no event shall the final ~~report~~ be presented to the Board more than 90 days after the Committee has been informed of the occurrence of either of the conditions set forth in section 13.01.

APPENDIX I

RODEO-HERCULES FIRE PROTECTION DISTRICT

~~RODEO-HERCULES FIRE PROTECTION DISTRICT~~ MEASURE ~~O~~CITIZENS' O ~~CITIZENS'~~ OVERSIGHT COMMITTEE

ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for committee members to follow in carrying out their roles. Not all ethical issues that committee members face are covered in this statement. However, this statement captures some of the critical areas that help define ethical and professional conduct for committee members. The provisions of this statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy, as well as the ~~District's~~District's ethics policy, and any Board Policies and Procedures.

POLICY

CONFLICT OF INTEREST A committee member shall not attempt to influence a District decision related to: (1) any contract funded by Measure O proceeds or (2) any District project that will benefit the Committee member's outside employment, business, or personal finances or benefit an immediate family member, such as a spouse, child or parent.

OUTSIDE EMPLOYMENT A Committee member shall not influence a District decision related to any District project involving the interests of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind.

COMMITMENT TO UPHOLD LAW A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the Rodeo-Hercules Fire Protection District.

COMMITMENT TO DISTRICT A Committee member shall place the interests of the District above any personal or business interests of the member.

RESOLUTION 2019-05

RESOLUTION OF THE BOARD OF DIRECTORS OF THE RODEO HERCULES FIRE PROTECTION DISTRICT ESTABLISHING AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE FOR MEASURE O

WHEREAS, the Board of Directors of the Rodeo Hercules Fire Protection District (the "Board"), previously adopted Resolution No. 2016-04 requesting the Registrar of Voters of the County of Contra Costa to call an election on November 8, 2016, on a measure to authorize a special tax for the continued maintenance of local fire protection and emergency response services (the Parcel Tax Election); and

WHEREAS, on November 8, 2016, the Parcel Tax Election was duly held and conducted for the purpose of voting on a measure, designated as Measure O, to impose a special tax (the "Parcel Tax") of the Rodeo-Hercules Fire Protection District (the "District") in the amount of \$216 per parcel per year; and

WHEREAS, more than two-thirds of the votes cast on Measure O were in favor of issuing the Parcel Tax; and

WHEREAS, Section 4 of Ordinance 2016-001 declares that the Board of Directors shall form and appoint members to an independent 2016 Special Tax Funding Replacement Measure (Parcel Tax) Independent Oversight Committee who shall receive, review, and advise the Board on the Annual Report.

WHEREAS, the Board desires to authorize the establishment of an independent citizens oversight committee as required by Measure O at this time in order to ensure an orderly process for the selection of committee members.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Rodeo-Hercules Fire Protection District, as follows:

Section 1. An Independent Citizens' Oversight Committee (the "Committee") is hereby established in compliance with Measure O for the general purpose of providing oversight as to the expenditure of Measure O parcel tax revenues.

Section 2. The Independent Citizens' Oversight Committee Bylaws (the "Bylaws"), a copy of which is attached hereto as Exhibit A, are hereby approved.

Section 3. The Committee shall have the specific purposes and be operated in the manner required by the Bylaws, and such Bylaws may be amended from time to time in

accordance with their terms. The initial appointment of Committee member shall be undertaken in accordance with the Bylaws.

Section 4. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 13th day of March 2019, by the following vote:

AYES: Gabriel, Thorpe, Hill, Covington

NOES: Prather

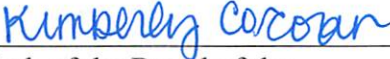
ABSENT: None

ABSTENTIONS: None

BOARD OF DIRECTORS OF THE
RODEO-HERCULES FIRE PROTECTION DISTRICT

By: 
Chairman of the Rodeo-Hercules Fire Protection District

Attest:


Clerk of the Board of the
Rodeo-Hercules Fire Protection District

CLERK'S CERTIFICATE

I, Kimberly Corcoran, Clerk of the Board of Directors of the Rodeo-Hercules Fire Protection District, hereby certify as follows:

The foregoing is a full, true, and correct copy of a resolution duly adopted at a regular meeting of the Board of Directors of said District duly and regularly and legally held at the regular meeting place thereof on March 13, 2019, 2019, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minute of said meeting on file and of record in my office and the foregoing is a full, true, and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified, or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: March 13, 2019

Kimberly Corcoran
Clerk of the Board of the
Rodeo-Hercules Fire Protection District

EXHIBIT A

MEASURE O CITIZEN'S OVERSIGHT COMMITTEE BYLAWS

SECTION I COMMITTEE ESTABLISHED

The Rodeo-Hercules Fire Protection District (the "District") was successful at the election conducted on November 6, 2016, on Measure O, obtaining authorization from the District's voters to impose a special tax in the amount of \$216 per parcel annually, pursuant to a two-thirds majority vote.

Pursuant to Resolution No. 2016-04, the District is obligated to establish a Citizens' Oversight Committee in order to satisfy the accountability requirements of Measure O. In a resolution adopted on MARCH 13, 2019, the Board of Directors of the Rodeo-Hercules Fire Protection District ("Board") established the Measure O Citizens' Oversight Committee which shall have the duties and rights set forth in these Bylaws.

SECTION II COMMITTEE'S MISSION

The mission of the Measure O Citizen's Oversight Committee is to independently review and inform the public and the Board concerning the expenditure of parcel tax revenues and to ensure that such revenues are expended in accordance with the intention of the voters.

SECTION III NAME AND LOCATION

- 3.01 The name of the Committee will be the Measure O Citizens' Oversight Committee (the "Committee").
- 3.02 The office of the Committee shall be located at the Rodeo-Hercules Fire Protection District, located at 1680 Refugio Valley Road, Hercules, CA 94547.

SECTION IV PURPOSE

- 4.01 The purpose of the Committee is to provide oversight and to inform the public and the Board concerning the expenditure of Measure O revenues.

The Committee shall actively review and report on the proper expenditure of the taxpayers' monies in accordance with the stated purposes of the Measure O Parcel Tax:

The proceeds of the special tax funding replacement measure imposed by this ordinance shall be placed in a special account or fund to be used solely for any lawful purpose permissible to Fire Districts pursuant to California Health and Safety Code §13800 et seq., including but not limited to enhancing the level of fire prevention, emergency fire protection and paramedic response services through increasing staffing levels to operate and maintain the District's fire stations, maintaining and when necessary replacing fire protection and lifesaving equipment and apparatus to optimal levels of function and performance, and to fund capital improvements.

- 4.02 The Committee shall convene to provide oversight for the following:
1. Ensuring that Measure O revenues are deposited into a separate account created by the District.
 2. Ensuring that measure O revenue are expended only for the purposes described in section 4.01 above.

SECTION V COMMITTEE ACTIVITIES

- 5.01 The Committee shall engage in any of the following activities in furtherance of its purpose:
1. Actively review and report on the proper expenditure of Measure O revenue.
 2. Advise the Board as to whether the District is in compliance with the requirements of Measure O.
 3. Conduct all business in accordance with the provisions of the Ralph M. Brown Act ("the Brown Act") of the State of California which shall include the posting of notices and agendas of the Committee meetings on the District's website.

4. Provide for communication with and from the community on all issues related to Measure O.
 - a. The Committee shall issue an Annual Report of its activities to the Board. Each Annual Report shall concern the events of the preceding fiscal year and shall include a summary of the Committee's proceedings and a statement indicating whether the District's Measure O expenditures were in accordance with the stated purpose. Each report shall be presented to the Board within 100 days of the end of the reporting period (July 1 to June 30) to which it pertains.
 - b. In addition, the Committee may prepare, approve, and distribute other progress reports of its activities, findings, and recommendations to the Fire Chief, the Board, and the public. If in conducting its duties and activities, the Committee finds it necessary to report to the Board on any item it deems to be of immediate concern, the Committee may request that the Board call a special Board meeting in accordance with the provisions of the Brown Act.
 - c. The Committee reports shall be posted on the District's website.
5. All documents received and reports issued by the Committee shall be made available for public viewing on the District's website.

5.02 In furtherance of its purpose, the Committee may engage in any of the following activities:

1. Receive and review copies of the District's required annual, independent financial audits.
2. Receive and review copies of the District's annual and interim budget reports and presentations.

5.03 The Committee may review any documents related to the expenditure of Measure O proceeds and make recommendations in accordance with its Purpose and Activities, as stated in Sections IV and V of these bylaws, and Measure O. However, the Board, in its sole discretion, may act on any recommendations as it deems appropriate.

5.04 In recognition of the fact that the Committee is charged only with overseeing the expenditure of Measure O proceeds, the Board has not charged the Committee with the following, all of which shall be determined in the Board's sole discretion:

1. The establishment of District goals and priorities.
2. The selection of personnel to support the Committee.
3. The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in its bylaws.
4. The appointment or reappointment of qualified applicants to serve on the Committee based on criteria adopted by the Board.

SECTION VI DISTRICT DUTIES AND SUPPORT

- 6.01 Either the Board or Fire Chief, as the Board shall determine, shall have the following duties reserved to it, and the Committee shall have no jurisdiction over the following types of activities:
1. Approval of contracts and purchases
 2. Handling of all legal matters
 3. Approval of personnel assignments
 4. Approval of the parcel tax assessments
 5. Approval of agreements related to parcel tax assessments
- 6.02 The District commits to support the oversight process through cooperation with the Committee, by providing the Committee with access to information and with sufficient logistical support so that the Committee may effectively perform its oversight function. Further, the District will insure that with regard to the Committee, all District personnel are committed to open communication, the timely sharing of information, and teamwork.
- 6.03 The District shall provide necessary administrative and technical support to the Committee as shall be consistent with the Committee's purpose, including but not limited to:
1. Preparation of and posting of public notices as required by the Brown Act, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the Board.
 2. Provision of a meeting room, including any necessary audio/visual equipment.
 3. Preparation and copies of any document or meeting materials, such as agendas and reports.
 4. Retention of all Committee records.

SECTION VII MEMBERSHIP

- 7.01 The Committee shall be composed of a minimum of three (3) and a maximum of five (5) members appointed by the Board after an open and public recruitment process. The Board, at its sole discretion, may appoint more than five (5) members

provided that any appointments beyond five (5) result in an odd number of active members serving at any one time. Members of the Oversight Committee shall be residents or property owners within the District and registered to vote. Employees, officials, vendors, contractors, or consultants of the District are not eligible for voting or active membership on the Committee. The number of Committee members shall be a balance of property owners that reside in the City of Hercules, and the Town of Rodeo located within the County of Contra Costa. Dependent on the number of members on the Committee, a majority shall constitute a quorum of the Committee. Members selected to the Committee shall have a two-year term from time of appointment, unless sooner terminated by the Board. Committee members shall serve until their successor is appointed by the Board. Committee members may be re-appointed by the Board.

7.02 The Committee shall include at least:

1. One member who is a resident of Hercules.
2. One member who is a resident of Rodeo.

7.03 A single individual may be appointed as a representative of more than one of the above categories if applicable.

7.04 A Committee member who no longer serves the group s/he was appointed to represent shall be allowed to complete his/her current term. However, that Committee member shall not be entitled to serve a subsequent term as a representative of that group.

7.05 Committee members may not hold any incompatible office or position during their term of membership, as those terms are defined in Article 4.7 of Division 4, of Title I (commencing with section 1125) of the Government Code, and shall abide by the conflict of interest prohibitions contained in Article 4 of Division 4, of Title I (commencing with section 1090) of the Government Code and with the Ethics Policy attached as Appendix I hereto. Any member shall disclose immediately any possible or potential conflict of interest to the Committee. A Committee member's failure to disclose any possible or potential conflict of interest when known will result in the member's removal from the Committee.

7.06 Committee members are not eligible to apply for contracts with the District until two (2) years after leaving the Committee.

7.07 The Fire Chief, one representative from IAFF Local 1230, one representative from RHPFO, and one Board member may serve as ex-officio members of the Committee. These ex-officio members shall have no voting rights as members of the Committee.

7.08 Committee members shall receive no compensation for their services on the Committee.

SECTION VIII TERMS OF OFFICE

- 8.01 Committee members are appointed by the Board for a term of two (2) years, except as provided in Section 8.02 or as otherwise provided herein. No member may serve more than three (3) consecutive terms or a maximum of six (6) consecutive years, whichever is less. The terms shall be staggered as set forth in Section 8.02 below. Should a member resign his/her position before his/her term matures, the Board will appoint a new member to complete the term. At the discretion of the Board, members serving partial terms may be reappointed to serve three complete terms at the conclusion of the partial term.
- 8.02 At the Committee's first meeting, members will draw lots in order to stagger the starting initial terms as follows:
1. *One or Two of the members will serve an initial two-year (2) term, and,
 2. *Two or Three of the members will serve an initial three-year (3) term.
- *These numbers are dependent on the total number of Committee members.*
- 8.03 The members serving the initial three (3) year term will be eligible for reappointment to no more than one additional two (2) year term at the discretion of the Board.
- 8.04 Should the Board increase the number of members on the Committee, the Committee will make the necessary adjustments to terms in order to once again have one-half of the members' terms maturing each year.
- 8.05 Following an absence of one year, any Committee member whose term has expired due to statutory term limits shall be eligible to serve again.

SECTION IX REMOVAL FROM OFFICE

- 9.01 The Board may remove any Committee member, for cause, including failure to attend without reason acceptable to the Committee, three (3) consecutive Committee meetings or for failure to comply with the District's or Committee's Ethics Policy. Upon a member's removal, his/her seat shall be declared vacant. The Board, in accordance with the established appointment process, shall fill any vacancies on the Committee as soon as practicable.

SECTION X

COMMITTEE RULES & PROCEDURES

- 10.01 The Committee shall meet at least twice per year and as often as the Committee deems necessary to conduct its business on dates to be determined by the Committee at its organizational meeting. The date upon which, and the hour and place at which, each such regular meeting shall be held shall be fixed by the Committee and posted on the District's website. To the extent permitted by the Brown Act, such meetings may be held by teleconference.
- 10.02 Special meetings and established subcommittee meetings may be called in accordance with the provisions of the Brown Act, as amended or supplemented from time to time. To the extent permitted by the Brown Act, such meetings may be held by teleconference.
- 10.03 All meetings of the Committee shall be called, noticed, held and conducted subject to the provisions of the Brown Act. The Committee shall cause minutes of all meetings to be kept and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to District staff for posting on the District's website.
- 10.04 Any person wishing to speak during the Public Comments section of the Committee's agenda, at the beginning and/or end of each meeting, shall first complete a speaker request card and submit the card to the Committee Secretary prior to the public comments section of the agenda.
1. Individual speakers before the Committee shall have a three-minute time limit per item. The Chairman may increase this time limit by no more than ten minutes.
 2. The Chairman shall ensure that all persons addressing the Committee confine the subject matter of their remarks to the particular matter before the Committee.
 3. If a member of the audience has addressed the Committee on matters which are not on the posted agenda for that meeting, members shall refrain from discussing such matters. If the non-agenda matter raised by a member of the public concerns an issue that is within the subject matter jurisdiction of the Committee, any member may request that the Committee vote to place that matter on a future agenda.

4. Persons addressing the Committee shall address the Committee as a whole and shall not direct comments to individual members of the Committee or to members of the audience.
- 10.05 In the event of disorderly conduct by members of the public, the Committee may order the meeting room cleared pursuant to California Government Code §54957.9.
- 10.06 A majority of active members of the Committee shall constitute a quorum for the transaction of business, except that less than a quorum may convene from time to time.

- 10.07 Each member of the Committee shall be entitled to one vote to be entered in person. Members may not vote by absentee or proxy. No action shall be taken by members present and voting, unless a quorum is present. Recommendations to the Board to approve or disapprove a project must be approved by a majority of the active members of the Committee.
- 10.08 Members are expected to attend all meetings.
- 10.09 Committee members shall complete and submit to the Fire Chief a California Fair Political Practices Commission Form 700 upon appointment, and annually thereafter. Committee meetings shall be held in accordance with the Brown Act (California Government Code section 54950 *et seq.*) Committee members shall be held to the District's and Committee's Ethics policy and shall attend AB 1234 Ethics training.

SECTION XI.

COMMITTEE OFFICERS

- 11.01 The officers of the Committee shall be a Chairman, a Vice Chairman and a Secretary. The Chairman shall chair the Committee meetings. The Vice Chairman shall act as Chairman only when the Chairman is absent.
- 11.02 The Chairman and Vice Chairman must be members of the Committee, and shall be elected by a majority of the Committee at the organizational meeting each year. The Chairman and Vice Chairman shall serve for no more than four (4) years in their respective offices. The Secretary shall be appointed by the Committee and need not be a member of the Committee.
- 11.03 The duties of the Chairman are to:
1. Preside at meetings of the Committee.
 2. Appear before the Board and other bodies to present and discuss the official actions of the Committee.
- 11.04 The duties of the Vice Chairman are to:
- I. Preside at Committee meetings in the absence of the Chairman.
 2. Appear before the Board and other bodies to present and discuss the official actions of the Committee in the absence of the Chairman.
- 11.05 The duties of the Secretary are to:
1. Record and maintain minutes of all meetings of the Committees.
 2. Distribute minutes of all meetings of the Committee to all Committee members, to the Board, and to District staff for posting on the District's website.

3. Distribute Committee meeting agendas to all Committee members, to all other persons requesting copies of the agenda so that provisions of the Brown Act are followed, and to District staff for posting on the District's website.
4. Distribute all Committee reports to all Committee members, to the Board and to District staff for posting on the District's website.
5. Keep all documents officially received by the Committee in the course of its business, and to forward copies of all such documents to the District staff.
6. Prepare all necessary correspondence of the Committee.
7. Arrange and coordinate meeting locations and teleconferences of the Committee

SECTION XII

AMENDMENTS

- 12.01 These Bylaws shall become effective upon approval of the Board of Directors.
- 12.02 These Bylaws may be amended, changed, added to, or repealed by the Board, as deemed necessary. Additional or supplemental operational guidelines or procedures may be adopted by the Committee by a majority vote of all the members of the Committee, providing such additional or supplemental operational guidelines or procedures are not in conflict with these Bylaws, any Resolution or Ordinance of the Board, or any state law, including but not limited to the provisions of the Brown Act and the California Health & Safety Code.

SECTION XIII

TERMINATION

- 13.01 The Committee shall initiate procedures to terminate and disband at the earlier of the date:
1. All Measure O proceeds have been expended, or
 2. All Measure O revenues have been collected.
- 13.02 Once the District informs the Committee that either of the conditions described in 13.01 has occurred, the Committee shall prepare a final report of findings and recommendations to be presented and received by the Board at a regularly scheduled Board meeting.

- 13.03 Once the final report of findings and recommendations is presented to the Board, the Committee shall automatically terminate and disband. In no event shall the final report be presented to the Board more than 90 days after the Committee has been informed of the occurrence of either of the conditions set forth in section 13.01.

APPENDIX I

RODEO-HERCULES FIRE PROTECTION DISTRICT MEASURE O CITIZENS' OVERSIGHT COMMITTEE

ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for committee members to follow in carrying out their roles. Not all ethical issues that committee members face are covered in this statement. However, this statement captures some of the critical areas that help define ethical and professional conduct for committee members. The provisions of this statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy, as well as the District's ethics policy, and any Board Policies and Procedures.

POLICY

CONFLICT OF INTEREST A committee member shall not attempt to influence a District decision related to: (1) any contract funded by Measure O proceeds or (2) any District project that will benefit the Committee member's outside employment, business, or personal finances or benefit an immediate family member, such as a spouse, child or parent.

OUTSIDE EMPLOYMENT A Committee member shall not influence a District decision related to any District project involving the interests of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind.

COMMITMENT TO UPHOLD LAW A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the Rodeo-Hercules Fire Protection District.

COMMITMENT TO DISTRICT A Committee member shall place the interests of the District above any personal or business interests of the member.

Rodeo Hercules Fire Protection District

MEMORANDUM

Date: July 10, 2019

To: BOARD of DIRECTORS, Rodeo Hercules Fire District

From: Bryan Craig, Fire Chief *BC*

Subject: FIRE CHIEF'S REPORT

Contra Costa County Employees Retirement Association – District staff along with the District's Financial advisor, attended the annual rate establishment and actuarial meeting at the retirement board offices. The annual rate establishment is used during the district's budget creation and the establishment of the preliminary budget.

Reporting: Chief Craig

Risk Management – The District has one employee on Worker's Compensation leave due to an injury sustained on a call for service.

Reporting: Chief Craig

Labor Relations – Applications for Firefighter were accepted from applicants that are current on the Firefighter Candidate Testing Center list. The list that was provided to the Fire District, through the California Professional Firefighter's Joint Apprentice Committee, and yielded 123 eligible candidates, from these candidates, 33 were invited to oral assessment center boards. 9 candidates were recommended by the assessment centers to move on to a Fire Chief interview. Fire Chief Interviews will be conducted the week of July 15th; the successful candidate will be given a conditional offer of employment.

Reporting: Chief Craig

Fire Stations/Training Facility – Crews have been conducting regularly assigned company standards training. New recruits are continuing their probationary training and Task Book signoffs. Crews are conducting joint training with Phillips 66 Refinery personnel in High and Low angle rescue.

Reporting: Chief Craig

Facilities – Due to a vermin infestation in the class room a mitigation contractor was brought in to eradicate the vermin, and decontaminate the affected areas.

Reporting: Chief Craig

Grants – Staff is currently submitting a Fire Prevention Grant that will include: upgrades to the classroom, business inspection software, computer tablets, and smoke /CO detectors. Staff has submitted a grant for LUCAS devices that deliver automatic chest compressions, and a grant for wildland interface defensible space support equipment.

Reporting: Chief Craig

Incident Activity – Engine Crews accompanied AMR units to the Hospital three times during the last month. Please see attached documents for regular responses.

Reporting: Chief Craig

Fire Prevention – Crews continue to conduct annual company inspections for all business and schools located within the district.

Reporting: Chief Craig

Community /Wildfire Prevention –Staff continues to meet with homeowner associations and the City of Hercules to assist them in planning brush and seasonal grass removal. Continued meetings are planned with Cal Fire to expand the District’s Mutual Threat Zone, and with EBMUD to discuss brush and dead tree removal in and around the District.

Reporting: Chief Craig

Apparatus –All District apparatus are currently in service.

Reporting: Chief Craig

Fiscal Stabilization – The FY2019/20 preliminary budget is in place and staff continues to track revenues and expenditures. The revised Engineers report from Willdan Engineering was submitted to the County Board of Supervisors to be heard at an upcoming meeting.

Reporting: Chief Craig

Community Activities – Attended: Rodeo Municipal Advisory Committee, Phillips 66 Community Advisory Panel, City of Hercules City Council, Planning Commissioner Meeting. Crews continue to conduct Blood Pressure screening at the Rodeo and Hercules senior centers. Met with the Rodeo Community Advisory Panel and presented the movie “Wilder than Wild: Fire, Forests and the Future.”

Reporting: Chief Craig

Commendations/Awards/Notables – A retirement plaque was prepared for Engineer Bill Clark.

Reporting: Chief Craig

New Development – Staff continues to meet with developers and Hercules City Staff on conditions of approval for new developments within the City of Hercules.

Reporting: Chief Craig

Incident Type Count Report

Date Range: From 6/1/2019 To 6/30/2019

Selected Station(s): All

Incident

Type	Description	Count	
Station:			
Incident Type is blanks		48	17.27%
Total - incident type left blank		48	100.00%
Total for Station		48	17.27%
Station: 75			
100 - Fire, other		1	0.36%
118 - Trash or rubbish fire, contained		1	0.36%
131 - Passenger vehicle fire		1	0.36%
142 - Brush, or brush and grass mixture fire		1	0.36%
Total - Fires		4	3.88%
321 - EMS call, excluding vehicle accident with injury		61	21.94%
322 - Vehicle accident with injuries		2	0.72%
324 - Motor vehicle accident with no injuries		1	0.36%
Total - Rescue & Emergency Medical Service Incidents		64	62.14%
440 - Electrical wiring/equipment problem, other		1	0.36%
Total - Hazardous Conditions (No fire)		1	0.97%
511 - Lock-out		1	0.36%
5410 - Snake problem		1	0.36%
553 - Public service		2	0.72%
554 - Assist invalid		4	1.44%
Total - Service Call		8	7.77%
611 - Dispatched & cancelled en route		10	3.60%
6610 - EMS call cancelled		2	0.72%
671 - Hazmat release investigation w/ no hazmat		1	0.36%
Total - Good Intent Call		13	12.62%
700 - False alarm or false call, other		10	3.60%
733 - Smoke detector activation due to malfunction		1	0.36%
736 - CO detector activation due to malfunction		1	0.36%
Total - Fals Alarm & False Call		12	11.65%
911 - Citizen complaint		1	0.36%
Total - Special Incident Type		1	0.97%
Total for Station		103	37.05%
Station: 76			
118 - Trash or rubbish fire, contained		1	0.36%
142 - Brush, or brush and grass mixture fire		1	0.36%
Total - Fires		2	1.59%
321 - EMS call, excluding vehicle accident with injury		57	20.50%
322 - Vehicle accident with injuries		3	1.08%
324 - Motor vehicle accident with no injuries		6	2.16%
352 - Extrication of victim(s) from vehicle		1	0.36%

Incident

Type	Description	Count	
Station: 76 - (Continued)			
Total - Rescue & Emergency Medical Service Incidents		67	53.17%
510 - Person in distress, other		1	0.36%
511 - Lock-out		1	0.36%
550 - Public service assistance, other		1	0.36%
552 - Police matter		1	0.36%
554 - Assist invalid		5	1.80%
Total - Service Call		9	7.14%
611 - Dispatched & cancelled en route		31	11.15%
651 - Smoke scare, odor of smoke		1	0.36%
Total - Good Intent Call		32	25.40%
700 - False alarm or false call, other		4	1.44%
715 - Local alarm system, malicious false alarm		1	0.36%
735 - Alarm system sounded due to malfunction		2	0.72%
736 - CO detector activation due to malfunction		1	0.36%
740 - Unintentional transmission of alarm, other		5	1.80%
743 - Smoke detector activation, no fire - unintentional		3	1.08%
Total - Fals Alarm & False Call		16	12.70%
Total for Station		126	45.32%
Station: MA			
651 - Smoke scare, odor of smoke		1	0.36%
Total - Good Intent Call		1	100.00%
Total for Station		1	0.36%
		278	100.00%