

RESOLUTION NO. 2022- 09 (SUBSEQUENT)

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RODEO – HERCULES FIRE PROTECTION DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM’S ORDER N-15-21 ON SEPTEMBER 20, 2021 AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF RODEO – HERCULES FIRE PROTECTION DISTRICT FOR THE PERIOD OCTOBER 26, 2022 THROUGH NOVEMBER 25, 2022 PURSUANT TO THE BROWN ACT’S PROVISIONS.

WHEREAS, the RODEO – HERCULES FIRE PROTECTION DISTRICT is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of RODEO – HERCULES FIRE PROTECTION DISTRICT’S legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted a Resolution, Number 2021-09 on October 13, 2021, finding that the requisite conditions existed for the legislative bodies of RODEO – HERCULES FIRE PROTECTION DISTRICT to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, the Board of Directors previously adopted a subsequent Resolution, Number 2021-10 on December 21, 2021, finding that the requisite conditions exist for the legislative bodies of RODEO – HERCULES FIRE PROTECTION DISTRICT to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, the Board of Directors previously adopted subsequent resolutions, Number 2022-01 on February 9, 2022, Number 2022-02 on April 13, 2022 Number 2022-04 on June 1, 2022, Number 2022-06 on August 10, 2022, and Number 2022-07 on September 14, 2022 finding that the requisite conditions exist for the legislative bodies of RODEO – HERCULES FIRE PROTECTION DISTRICT to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, on June 11, 2021, an Executive Order N-08-21 was issued to roll back certain provisions of Governor Newsom's COVID-19-related Executive Orders and to clarify that other provisions remained necessary to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic; and;

WHEREAS, since the issuance of Executive Order N-08-21, the highly contagious Delta and Omicron variants have emerged, causing a spike in cases throughout the state; and

WHEREAS, the Board of Directors does hereby find that a State of Emergency exists in California as a result of the threat of COVID-19 **AND** in order to slow the spread of the more contagious Omicron variants of COVID-19, meeting in person would present imminent risksto the health or safety of attendees and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, such that the Board of Directors ratifies the proclamation of state of emergency by the Governor of the State of California to include the Rodeo-Hercules Fire Protection District; and;

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the legislative bodies of RODEO – HERCULES FIRE PROTECTION DISTRICT shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, , the Rodeo-Hercules Fire Protection District will ensure that opportunity is given to the public to participate in meetings, that District meetings remain as accessible as possible, giving every opportunity for members of the public to be allowed to observe the public meeting, offer comment during the meeting remotely, via either a call-in or internet-based option, and that meeting agendas will be posted in accordance with Brown Act regulations and include information for remote access accessibility by phone, URL, platform link and password.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF RODEO – HERCULES FIRE PROTECTION DISTRICT HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby finds that State of Emergency still exists in California as a result of the threat of COVID-19 **AND** In order to slow the spread of the more contagious Omicron variants of COVID-19, meeting in person would present

imminent risksto the health or safety of attendees and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to ratify the proclamation of state of emergency by the Governor of the State of California to include the Rodeo-Hercules Fire Protection District; and

Section 3. Re-ratification of Governor’s Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California’s Proclamation of State of Emergency, effective as of October 26, 2022.

Section 4. Remote Teleconference Meetings. The Fire Chief, Board Clerk and the legislative bodies of the RODEO – HERCULES FIRE PROTECTION DISTRICT are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 25, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of RODEO – HERCULES FIRE PROTECTION DISTRICT may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Rodeo-Hercules Fire Protection District, this 26th day of October by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Damon Covington, Chairperson

ATTEST:

Kimberly Corcoran, Clerk of the Board



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

REGULAR BOARD MEETING MINUTES

September 14, 2022

1. CALL TO ORDER/ROLL CALL

Directors Present: Hill, Davidson, Bowman, Mikel, Covington at 7:09 p.m.)

Directors Absent: None.

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

2. PLEDGE OF ALLEGIANCE (00:01:09)

3. ACTION ITEM: REVIEW AND ACT UPON RESOLUTION NO. 2022-07 TO AUTHORIZE THE BOARD AND ITS APPOINTED BODIES TO CONTINUE TO HOLD TELECONFERENCE MEETINGS IN ACCORDANCE WITH AB 361 (00:02:16)

Motion by Director Bowman to adopt Resolution; seconded by Director Mikel

Public Comment

Tanya Little

ROLL CALL VOTE

Hill: Yes
Davidson: Yes
Bowman: Yes
Mikel: Yes
Covington: Absent

4. ANNOUNCEMENTS (00:06:53)

Director Bowman: Congratulated Captain Coleman as Firefighter of the Year.
Congratulated Chair Covington on his promotion.

5. CONFIRMATION OF THE AGENDA (00:09:42)

Director Bowman requested Item 19A(ii) be removed from Agenda.

Motion by Director to confirm agenda with the removal of Item 19A(ii); seconded by Director Mikel

ROLL CALL VOTE

Hill: Yes
Davidson: Yes

Bowman: Yes
Mikel: Yes
Covington: Yes

6. BOARD CORRESPONDENCE (00:12:38)

None received.
Director Bowman received one from Tanya Little.

Public Comment

Tanya Little
Maureen Brennan

7. PUBLIC COMMUNICATIONS (00:17:44)

Maureen Brennan
Tanya Little
Sarah Creely

8. CONSENT CALENDAR (00:22:26)

Motion by Director Bowman to approve consent calendar, seconded by Director Hill

ROLL CALL VOTE

Hill: Yes
Davidson: Yes
Bowman: Yes
Mikel: Yes
Covington: Yes

9. Public Hearings (00:24:20)

FINAL OPERATING BUDGET ADOPTION FOR FY 2022-2023

Interim Chief Johnson gave staff report on budget.

Board comments.

Public Comment

Mike Coody
Maureen Brennan

Motion by Director Bowman to approve budget, second by Director Hill

ROLL CALL VOTE

Hill: Yes
Davidson: Yes
Bowman: Yes
Mikel: Yes
Covington: Yes

10. APPROPRIATIONS LIMIT (00:48:21)

Item tabled to next regular board meeting.

11. BUDGET-BOARD REVIEW OF DISTRICT REVIEWS TO DESIGNATE FUNDING LEVELS TO THE SIX FUNDING BALANCES AND POSSIBLE ADDITION OF AN EQUIPMENT REPLACEMENT RESERVE (00:57:13)

Budget ad hoc to discuss and bring back at a later board meeting.

12. FACILITY IMPROVEMENT, ADDITION OF A DECON ROOM FOR HEALTH AND SAFETY PURPOSES (01:02:03)

Discussion of decontamination methods.

Item tabled.

13. BUDGET REVENUE OPPORTUNITIES (01:11:24)

A. Discussion regarding Developer Impact Fees and District getting full amount requested.

Public Comment

Tanya Little
Mike Coody
Maureen Brennan
Vince Wells

Director Hill makes motion to direct staff to take necessary steps to bring Developer Impact fees to City of Hercules to get 100% of fees; and direct staff to ensure that each year staff gets increases, seconded by Director Bowman

ROLL CALL VOTE

Hill: Yes
Davidson: Yes
Bowman: Yes
Mikel: Yes
Covington: Yes

B. Discussion regarding Grants and Gifts

Board discussion regarding grants and grant writing. Item tabled to discussion in strategic plan.

14. FIRE CHIEF REPORT (00:01:53)

Chief gave brief overview of written report.

Public Comment

Maureen Brennan
Vince Wells

15. STAFF REPORTS (02:02:57)

Reminder from ASO Corcoran to complete Ethics training.

16. BOARD MEMBER REPORTS (02:04:14)

LAFCO—Director Mikel: nothing that pertained to District

STRATEGIC PLAN—Directors Covington and Bowman-special meeting September 21

BUDGET—Directors Hill and Davidson-budget addressed previously.

WEBSITE—Directors Bowman and Mikel-updates to website reported out.

FIRE CHIEF SEARCH—Directors Covington and Bowman-working on how to proceed.

Public Comment

Maureen Brennan

Annie Ziff

Tanya Little

Director Bowman-mentioned ROPS-City of Hercules. Funding is coming.

Public Comment

Tanya Little

17. MEASURE O (02:26:50)

A. Consider Application for Measure O Oversight Committee

Angie Noble, applicant for Oversight Committee spoke, took questions from the Board

Public Comment

Maureen Brennan

Tanya Little

Motion by Director Bowman to appoint Angie Noble to Measure O Oversight Committee; seconded by Director Hill.

ROLL CALL VOTE

Hill: Yes

Davidson: Yes

Bowman: Yes

Mikel: Yes

Covington: Yes

B. Oversight Committee Report-welcome to Angie Noble. Meetings every other month in even month, next meeting October 18th at 6:00 p.m.

18. LOCAL 1230 CORRESPONDENCE (02:38:45)

Vince Wells-International Firefighters-Fallen Firefighter Memorial in Colorado Springs on Saturday. Covid sick leave-reminder.

Board comments and questions regarding COVID relief funding.

Public Comment

Tanya Little

19. ADJOURN TO CLOSED SESSION (02:50:45)

Meeting adjourned to closed session at 9:53. Board took a 5 minute break and then return to closed session.

20. RECONVENE IN OPEN SESSION/CLOSED SESSION REPORT OUT

Reconvened at 11:15 p.m.

No reportable action.

21. REQUESTS FOR FUTURE AGENDA ITEMS (02:53:34)

Director Bowman: CSDA Membership fees; elections update

22. ADJOURNMENT (02:57:35)

Meeting adjourned at 11:21 p.m.

Board Vice Chair

Date	Num	Name	Memo	Account	Amount
09/01/2022	23869	IEDA INC		2310 · Professional/Specialized Servic	-1,758.47
09/01/2022	94292	Vallejo Fire Extinguisher	Station 75-Annual Maintenance	2270 · Repairs & Services of Equipment	204.29
09/01/2022	SEPT22	The Standard	September 2022	1060 · Group Insurance	-522.00
09/01/2022	W4102379WI	American Messaging	September 2022	2110 · Communications	-36.93
09/01/2022	SEPT2022	American River Benefit Administrators	September 2022	1060 · Group Insurance	-598.23
09/01/2022	Sept 2022	The Standard	September 2022	1060 · Group Insurance	-522.00
09/02/2022	9588259	Amazon	Open House Supplies	2479 · Other Special Dept Expenses	-66.93
09/02/2022	5985043	Amazon	Open House Supplies	2479 · Other Special Dept Expenses	-110.36
09/02/2022	27646105	Positive Promotions	Open House handouts	2479 · Other Special Dept Expenses	-442.59
09/02/2022	09022022	Stamps.com	stamps.com	2250 · Rents & Leases	-100.00
09/06/2022	SEPT2022	Health Care Dental	September 2022	1060 · Group Insurance	-2,239.83
09/06/2022	INV165341801	Zoom	zoom	2100 · Office Expenses	-134.97
09/07/2022	94304	Vallejo Fire Extinguisher	75-Hydro Testing; materials	2270 · Repairs & Services of Equipment	-407.63
09/07/2022	222080622	Alert All	Plastic helmets	2479 · Other Special Dept Expenses	-279.68
09/08/2022	1127414	Amazon	Open House supplies	2477 · Educational Supplies & Courses	-62.86
09/09/2022	235864244	Orkin	76-Quarterly Service	2281 · Maintenance of Buildings	-138.00
09/09/2022	080428	Kel-Aire	fuse repair	2281 · Maintenance of Buildings	-34.76
09/10/2022	9915569197	Verizon Wireless	08/11-09/10	2110 · Communications	-19.06
09/10/2022	77709	Holiday Inn Express	Strike Team Lodging	2303 · Travel Expenses-Other	-221.42
09/10/2022	77709	Holiday Inn Express	Strike Team Lodging	2303 · Travel Expenses-Other	-221.42
09/11/2022	36760	REI	Wildland Headlamps	2474 · Firefighting Supplies	-110.28
09/11/2022	98971	Fairfield by Marriott	Strike Team Lodging	2303 · Travel Expenses-Other	-102.08
09/11/2022	98971	Fairfield by Marriott		2303 · Travel Expenses-Other	
09/11/2022	98966	Fairfield by Marriott	Strike Team Lodging	2303 · Travel Expenses-Other	-102.08
09/11/2022	98966	Fairfield by Marriott		2303 · Travel Expenses-Other	
09/12/2022	76-4017223667-SEPT	P.G.&E.	76-08/10-09/08	2120 · Utilities	-263.71
09/12/2022	2833-459872	O'Reilly	car wash supplies	2272 · Central Garage Gas/Oil	-49.89
09/13/2022	75-5183799518-SEPT	P.G.&E.	75-08/11-09/11/22	2120 · Utilities	-293.44
09/13/2022	9585050	Amazon	office supplies	2100 · Office Expenses	-11.66

09/13/2022	062085	Unique Printing & Graphic Design	PCR sheets	2100 · Office Expenses	-618.68
09/13/2022	921828	Roseville Ace Hardware	Axe	2130 · Small Tools & Instruments	-48.48
09/13/2022	63272	Towneplace Suites	Strike Team Lodging	2303 · Travel Expenses-Other	-109.92
09/13/2022	63251	Towneplace Suites	Strike Team Lodging	2303 · Travel Expenses-Other	-109.92
09/13/2022	1084845	LMNT Zero Sugar Hydration	Electrolytes	2170 · Household Expenses	-559.00
09/14/2022	27710955	Positive Promotions	Fire Safety materials	2477 · Educational Supplies & Courses	-547.44
09/15/2022	229		21-22 Housing Authority in Lieu	9580 · Other In Lieu of Taxes	182.56
09/15/2022	19933601	Bay Alarm	76-10/01/22-01/01/2023	2120 · Utilities	-120.00
09/15/2022	19938056	Bay Alarm	75-10/01/2022-01/01/2023	2120 · Utilities	-180.75
09/15/2022	FA00515295101	Golden Gate Truck Center	Transmission Fluid	2272 · Central Garage Gas/Oil	-247.71
09/15/2022	99109	Fairfield by Marriott	Strike Team Lodging	2303 · Travel Expenses-Other	-102.08
09/15/2022	99109	Fairfield by Marriott		2303 · Travel Expenses-Other	
09/16/2022	5646655	Amazon	office supplies	2100 · Office Expenses	-13.47
09/16/2022	3996240	Amazon	office supplies	2100 · Office Expenses	-13.32
09/16/2022	9788	Barry Evans Studio	photo	2479 · Other Special Dept Expenses	-95.85
09/16/2022	95246	O'Reilly	headlight and cooler	2270 · Repairs & Services of Equipment	-31.24
09/17/2022	99127	Fairfield by Marriott	Strike Team Lodging	2303 · Travel Expenses-Other	-102.08
09/17/2022	99127	Fairfield by Marriott	Strike Team Lodging	2303 · Travel Expenses-Other	-102.08
09/18/2022	816084279	Vision Service Plan	October 2022	1060 · Group Insurance	-334.36
09/18/2022	MT17XMNH86	Avenza Maps	Maps App	2100 · Office Expenses	-29.99
09/19/2022	9130210130	Airgas USA, LLC	Medical Oxygen	2140 · Medical Supplies	-281.86
09/19/2022	75-1888920692-oct	P.G.&E.	75-08/12/22-09/12/22	2120 · Utilities	-25.82
09/21/2022	228		22/23 benefit assessment	9066 · Benefit Assessment	1,361,581.50
09/21/2022	84694023	Bound Tree	medical supplies	2140 · Medical Supplies	-214.30
09/21/2022	9916359216	Verizon Wireless	08/22-09/21	2110 · Communications	-608.63
09/21/2022	94367	Vallejo Fire Extinguisher	75-Hydro Test; materials	2270 · Repairs & Services of Equipment	-452.20
09/22/2022	75-09202022	EBMUD	75-07/22-09/20/2022	2120 · Utilities	-248.95
09/22/2022	244527	JW Enterprises	October 2022	2310 · Professional/Specialized Servic	-359.00
09/23/2022	232		Reverse SUI Charges	1063 · Unemployment Insurance	1,210.77
09/23/2022	84697459	Bound Tree	Medical Supplies	2140 · Medical Supplies	-116.75
09/23/2022	75-9173373209-oct	P.G.&E.	75-8/24-09/22	2120 · Utilities	-121.95
09/23/2022	7770525	Positive Promotions	Open House supplies	2477 · Educational Supplies & Courses	-180.91
09/24/2022	8693316372239	Voyager	fuel	2272 · Central Garage Gas/Oil	-176.62
09/25/2022	5048268	Amazon	Truck headlight	2271 · Central Garage Maintenance	-196.65

09/25/2022	5048268	Amazon	Truck Headlight	2271 · Central Garage Maintenance	-196.65
09/26/2022	75-9202022	EBMUD	75-07/22-09/20/2022	2120 · Utilities	-312.96
09/26/2022	197721	Meyers Nave	August 2022	2310 · Professional/Specialized Servic	-1,039.13
09/26/2022	965664324-229	Sprint	08/23-09/22	2110 · Communications	-170.38
09/26/2022	0128237	Amazon	Flagpole Rope	2281 · Maintenance of Buildings	-43.59
09/26/2022	8661866	Amazon	batteries	2130 · Small Tools & Instruments	-44.02
09/30/2022	231		September 2022	1001 · Holiday Pay	-15,996.97
09/30/2022	231		September 2022	1011 · Permanent Salaries	-201,101.65
09/30/2022	231		September 2022	1013 · Temporary Salaries	-3,200.00
09/30/2022	231		September 2022	1014 · Overtime	-4,840.78
09/30/2022	231		September 2022	1014 · Overtime	-157,241.20
09/30/2022	231		September 2022	2160 · Clothing & Personal Supplies	-1,010.00
09/30/2022	231		September 2022	1042 · FICA	-5,660.81
09/30/2022	231		September 2022	1044 · Retirement	-178,772.24
09/30/2022	231		September 2022	1063 · Unemployment Insurance	-753.43
09/30/2022	177566	FASIS	4850 Reimb.	1011 · Permanent Salaries	2,015.19
09/30/2022	178345	FASIS	4850 Reimb.	1011 · Permanent Salaries	1,960.85
09/30/2022	6990289	U.S. Bank	Cal Card Rebate	9980 · Miscellaneous Revenue	259.71
09/30/2022	21330	9741	Plan Fees	9741 · Fire Prevention Plan Review	248.00
09/30/2022	2918389324	Bryan Craig	COBRA Reimbursement	1060 · Group Insurance	183.74
09/30/2022	6777118794	AT&T	Refund	2120 · Utilities	23.41
09/30/2022	1013	9980	Incident Report	9980 · Miscellaneous Revenue	5.00
09/30/2022	1880322411	9980	Incident Report	9980 · Miscellaneous Revenue	5.00
09/30/2022	225	Mark Pedroia	September 2022	2310 · Professional/Specialized Servic	-75.00
09/30/2022	W1009959664	Apple	cable	2100 · Office Expenses	-20.76
09/30/2022	99515	Home Depot	supplies	2271 · Central Garage Maintenance	-61.05

**RODEO-HERCULES FIRE PROTECTION DISTRICT RESOLUTION NO. 2022-10, A
RESOLUTION ESTABLISHING THE APROPRIATIONS LIMIT FOR FISCAL YEAR 2022-23**

WHEREAS, the Appropriations limit adopted for Fiscal Year 2021-22 was \$17,162,855.

WHEREAS, Article XIII B of the California Constitution and §7902(b) and 7910 of the Government Code require that each local agency subject thereto establish by resolution the applicable appropriations limit for each Fiscal Year by applying the limit for the previous Fiscal Year the factors, as issued by the California Department of Finance, reflecting changes in the California per capita personal income and in the local agency's population; and

WHEREAS, the applicable factors for FY2022-23 are as follows: (1) the change in the California per capita personal income was 7.55% and (2) the change in population for the City of Hercules and unincorporated Contra Costa County from January 1, 2021 to January 1, 2022 was -1.56%.

NOW, THEREFORE BE IT RESOLVED that the Rodeo-Hercules Fire Protection establishes an appropriations limit for Fiscal Year 2022-23 of \$18,746,605.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Rodeo Hercules Fire Protection District this ____ day of October 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Damon Covington
Board Chair

ATTEST:

Kimberly Corcoran
Clerk of the Board

ATTACHMENT A
RODEO HERCULES FIRE PROTECTION DISTRICT
APPRORPATIONS LIMIT FOR FISCAL YEAR 2022-23

Set out below is the methodology proposed to be used to calculate Fiscal Year 2022-23 appropriations limit for the District.

1. Appropriations limit for FY 2021-2022	\$17,162,855
2. Population change (January 1, 2021-January 1, 2022)	-1.56%
3. Change in California per Capital Personal Income	7.55%
4. Fiscal Year 2022-23 adjustment factor (1.0755 x 1.0156)	1.0922778
5. Fiscal Year 2022-23 appropriations limit (\$17,162,855 x 1.0922778)	\$18,746,605

RODEO HERCULES FIRE PROTECTION DISTRICT
MEMORANDUM

Date: October 26, 2022
To: BOARD OF DIRECTORS
From: Darren Johnson, Interim Fire Chief
Subject: Reconfirming levying and collection of Benefit Assessments

BACKGROUND:

- Citizens wishing to appeal the current Benefit Assessments Ordinances, established in 1987 at \$53.00 and 1993 at \$59.00, totaling \$111.00 per risk unit may appear before the Rodeo Hercules Fire Protection District Board of Directors and show cause.
- Two public notices were published during the month of October notifying residents of Rodeo and Hercules of the appeals process.

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 Assessment Ordinances.

RODEO-HERCULES FIRE PROTECTION DISTRICT

MEMORANDUM

Date: October 26, 2022
To: Board of Directors
From: Darren Johnson, Interim Fire Chief
Subject: Adoption of 2022 Fire Code

QUESTION

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 2022 CCR-T24 were published in July of 2022. 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 section 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

In January 2021, 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 2022. 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. The State also adopted in January 2021 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 by cities and fire districts throughout 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 2022 California Fire Code with local amendments; and (2) set a public hearing date on November 9, 2022 for adoption of the Ordinance.

Attachment:
Ordinance #2022-01



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

ORDINANCE #2022-01

FIRE CODE

ORDINANCE OF THE RODEO-HERCULES FIRE PROTECTION DISTRICT ADOPTING THE 2022 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 2022 California Fire Code (California Code of Regulations, Title 24, Part, 9 [based on the 2021 International Fire Code published by the International Code Council]), including Chapters 1-10 and 12-80, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, Appendix J, and Appendix K, as amended by the changes, additions, and deletions set forth in this ordinance. The 2022 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 2022 California Fire Code is amended by the changes, additions, and deletions set forth in this Section. Chapter and Section numbers used below are those of the 2022 California Fire Code.

Chapter 1. Scope and Administration.

Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as 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:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, and boats that are permanently affixed to a specific location within the boundaries of this jurisdiction.

Section 105.5 is amended to read:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.5.1 through 105.5.63.

Section 105.5.33 is amended to read:

105.5.33 Motor Fuel Dispensing Facilities. An operational permit is required for the operation of automotive, marine, and fleet motor fuel dispensing facilities, including for sites that allow mobile fueling from a service provider to the general public, fueling of motor

vehicles at approved locations from a tank vehicle and limited or temporary fueling operations for special events (fueling of watercraft from shore, piers, floats, or barges).

Section 105.5.40 is amended to read:

Section 105.5.40 Cannabis/Plant Extraction Related System(s)/Operations. An operational permit is required for any of the following cannabis/plant extraction related systems operations.

1. Cultivation
2. Plant Extraction Systems
3. Testing/Lab
4. Manufacturing
5. Distribution
6. Carbon Dioxide Systems or volatile solvent

Section 105.5.52 is amended to read:

105.5.52 Wood products. An operational permit is required to store chips, hogged material, wood or other combustible pallets, lumber or plywood in excess of 200 cubic feet (6 m³).

Section 105.5 is amended by adding Subsections 105.5.55 through 105.5.63 to read:

105.5.55 Asbestos removal. A permit is required to conduct asbestos-removal operations regulated by Section 3319

105.5.56 Automobile Wrecking or Dismantling Yard. An operation permit is, required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

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

105.5.58 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code

105.5.59 Model rockets. A permit is required to sell model rocket motors or launch model rockets pursuant to California Code of Regulations, Title 19, Division 1, Article 17. Permits issued in accordance with this section are for the site and are effective as long as site conditions have not changed.

105.5.60 Temporary Occupancy. A permit is required for any temporary occupancy.

105.5.61 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 3313.1.

105.5.62 Tire storage. A permit is required to store more than 1,000 cubic feet (28.3m³) of tires inside buildings pursuant to Chapter 34.

105.5.63 Indoor Growing Operation. A permit is required to operate an indoor growing operation.

Exception: Agricultural Greenhouses in an agricultural zone.

Section 105.6 is amended to read:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.29.

Section 105.6 is amended by adding Sections 105.6.25 through 105.6.29 to read:

105.6.25 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 the Fire Code.

105.6.26 Construction, Substantial Alteration, Additions 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, substantial alteration, additions or renovation of a building within the jurisdiction where a building permit is required.

Exception: Non-sprinklered Group R-3 Occupancies where work does not involve a substantial addition or substantial alteration.

105.6.27 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.

105.6.28 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.

105.6.29 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.

Section 105.7 is added, to read:

105.7 Responsibility of permittee. Construction permits shall be presumed by the Fire District to incorporate all the work that the applicant or the applicant's agent, employees, or contractors shall carry out. Work performed shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No Fire District approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 112.4 is amended to read:

112.4 Violation penalties. Every person who violates any provision of this fire code is guilty of an infraction or misdemeanor in accordance with Health and Safety Code Section 13871 and Government Code Section 53069.4. 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.

Chapter 2. Definitions.

Section 202 is amended by adding the following definitions to that section:

Administrator. Shall mean the Fire Chief.

Aerial Pre-Plans. An overhead layout of a parcel that contains structure(s) that identifies specific first responder related items to assist in effectively managing incidents and events for the protection of occupants, responding personnel, property, and the environment. The preplan shall be developed in accordance with a format approved by the AHJ. Preplan symbols shall

comply with AHJ or the latest edition of NFPA 170 (Standard for Fire Safety and Emergency Symbols), and NFPA 1620 (Standard for Pre-Incident Planning).

All-Weather Driving Surface. A roadway with a minimum surface finish that is designed to carry the imposed weight loads of fire apparatus.

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

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

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

Board of Fire Commissioners. An advisory commission appointed by the Board of Directors to act as set forth in this ordinance and by resolutions of the Board of Directors.

Combustible Material. Rubbish, litter or material of any kind other than hazardous vegetation that is combustible and endangers the public safety by creating a fire hazard as determined by the fire code official.

Defensible Space. The area adjacent to a structure or dwelling as determined by the fire code official where wildfire prevention or protection practices are implemented to provide the key point of defense from an approaching wildfire or to minimize the spread of a structure fire to wildlands or surrounding areas.

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

Fire Apparatus Access Road. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term that includes, but is not limited to a fire lane, public street, private street, driveway, parking lot lane, and access roadway.

Fire Code Official. The Fire Chief or a duly authorized representative, or other person as may be designated by law, appointment or delegation and charged with the administration and enforcement of this code.

Firebreak. A continuous strip of land upon and from which all combustible material hazardous vegetation or other growth has been removed to bare mineral soil to stop or prevent the extension of fire from one area to another.

Fire Trail. 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. Must be able to support the safe travel of a Type 3 Fire Apparatus.

Fuel Break. A strategically located block or strip, on which a cover of dense, heavy, or combustible vegetation has been changed to one of lower fuel volume or reduced combustibility, as an aid to fire control. Fuel breaks require annual and recurring maintenance.

Hazardous Vegetation. Vegetation that is combustible and endangers the public safety by creating a fire hazard including but not limited to seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying or diseased trees and any other vegetation as determined by the fire code official.

Key Box or Knox Box. (Underwriters Laboratory) UL "Listed" box size and style, approved by the Fire Code Official or designee, that meets the requirements and uses the same security key code adopted by the Fire District.

Ladder Fuel. Fuel that provides vertical continuity between surface fuel and canopy fuel strata, increasing the likelihood that fire will carry from surface fuel into the crowns of shrubs and trees.

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.

Ornamental Landscaping. Decorative plants growing within a tended garden or yard which are appropriately irrigated, maintained, and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control. The use of fire-resistant plants and the removal of fire hazardous vegetation will enhance fire safety.

Person. Includes any agency of the county, city, district or other local public agency and any individual, firm, association, partnership, business trust, corporations, limited liability company, or company.

Public Nuisance. A declaration by the fire code official that the presence of combustible materials on any parcel creates a fire hazard or threat to public safety (Health and Safety Code 14875 and 14876) or any violation of this code.

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 and/or amount of vegetation (native and ornamental), and/or other conditions favorable to fast moving fires.

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

Rubbish. Waste matter, litter, trash, refuse, debris, and dirt on streets or private property in the jurisdiction which is, or when dry may become, a fire hazard. See combustible material.

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 (1.2140619 ha) and 10 (4.046873 ha) acres in size.

Sprinkler Alarm and 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.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public rights of way, private road, paper street and easements.

Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater. (CCFPD, SRVFPD, RHFPD,)

Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

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.

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;
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.

Chapter 3. General Requirements.

Section 304.3.5 is added, to read:

304.3.5 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 324 is added to Chapter 3, to read:

SECTION 324 Exterior Fire Hazard Control.

324.1 Subsurface Fires.

324.1.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire 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.

324.1.2 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, the Fire District 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 providing 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 325 is added to Chapter 3, to read:

SECTION 325 Automobile Wrecking Yards.

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

325.2 Definitions. The following terms are defined in Chapter 2:

Automobile Dismantling Automobile Wrecking Yard

325.3 Requirements.

325.3.1 Permits. An operational fire code permit is required as in Section 105.6.53.

325.3.2 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.

325.3.3 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.

325.3.4 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.

325.3.5 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.

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

325.3.6.1 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.

325.3.7 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.

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

325.3.9 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.

325.3.9.1 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.

325.3.10 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.

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

325.3.11 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.

Section 401.5.1 is added to read:

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

Section 401.10 is added to read:

401.10 Aerial Pre-Plans. For all new construction the fire official is authorized to require a fire aerial pre-plan to be prepared by an approved vendor at the cost of the developer.

Section 403.11.1 is amended to read:

403.11.1 Standby Personnel. Where, in the opinion of the fire code official or Fire Chief, it is essential for public safety in a place of assembly, or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent, or lessee shall provide standby personnel as required and approved by the fire code official or Fire Chief. If the activity requires fire watch, fire watch shall be provided in accordance with Sections 403.11.1.1 and 403.11.1.2. Standby personnel needed for EMS standby shall be provided in accordance with Contra Costa County EMS Protocols.

Chapter 5. Fire Service Features.

Section 503.1.4 is added to read:

503.1.4 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access requires the approval of the fire code official.

Section 503.1.5 is added to read:

503.1.5 Existing fire trail systems shall be maintained. When conditions make maintenance of existing trails impractical, alternate means of access shall be provided and requires approval by fire code official.

Section 503.2.1 is amended by adding the following exception:

Exception: A driveway with a minimum width of 16 feet is acceptable for access to one or two single-family dwellings.

Section 505.3 is added, 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.

Chapter 6. Building Services and Systems.

Section 605.3.1 is added to read:

605.3.1 Spark Arrestors. All Chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrestor per CBC 2113.9.2.

Chapter 9. Fire Protection and Life Safety Systems.

Section 901.6.3 is amended to read:

901.6.3 Records. Records of all system inspections, tests, and maintenance required by the reference standards shall be submitted to a third party electronic record keeping service as chosen by the fire district.

Section 902.1 is amended to add:

SUBSTANTIAL ADDITION. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater.

SUBSTANTIAL ALTERATION. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.2.1.1 is amended to read:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group

A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy 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 fire area contains a multi-theater complex.

Section 903.2.1.3 is amended to read:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy 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 fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.1.4 is amended to read:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy 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.

Section 903.2.2 is amended in its entirety, to read:

Section 903.2.2 Group B. An automatic sprinkler system shall be provided for Group B occupancies and intervening floors of the building where the fire area exceeds 5,000 square feet.

Section 903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.
3. In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.

Exception: Floors classified as an open parking garage are not required to be sprinklered.

Section 903.2.3 is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for new Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 2,000 square feet in area.
Exception: An automatic sprinkler system is not required in any Group E Day Care Facility less than 5,000 square feet.
2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.
Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.
3. The Group E fire area has an occupant load of 300 or more.
4. 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.
5. Throughout any Group E structure greater than 4,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.
6. For public school state-funded construction projects, see Section 903.2.19.
7. For public school campuses, Kindergarten through 12th grade, see Section 903.2.20.

Section 903.2.4. is amended in its entirety, to read:

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

1. A Group F-1 fire area exceeds 5,000 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.
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeding 2,500 square feet (232 m²) .

Section 903.2.4.4 is added to read:

903.2.4.4 Group F-2. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-2 occupancy greater than 5,000 square feet.

Section 903.2.7 is amended to read

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

1. A Group M fire area exceeds 5,000 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 10,000 square feet.
4. A Group M occupancy (is) used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.
5. The structure exceeds 10,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating without openings.

Section 903.2.8 is amended to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all Group R occupancies. An automatic sprinkler system shall be installed in new manufactured homes, new mobile homes, and multifamily manufactured homes with two dwelling units, including those located in mobile home parks, in accordance with Title 25 of the California Code of Regulations.

Section 903.2.8.1.1 is added, to read:

903.2.8.1.1 Group R-3 Substantial Addition or Alteration. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where either of the following occurs:

1. Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 3,600 square feet or greater.
2. Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.2.9 is amended to read:

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

1. A Group S-1 fire area exceeds 5,000 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 10,000 square feet.
4. A Group S-1 occupancy used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.9.1 is amended to read:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 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 5,000 square feet.

2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet or any tenant improvement to the structure exceeds 49% of the S-1 area.

Section 903.2.10 is amended to read:

903.2.10 Group S-2 parking garages. An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exists:

1. Where the fire area of the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, exceeds 5,000 square feet.
2. Where the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, is located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.

3. Where the fire area of the open parking garage, in accordance with Section 406.5 of the California Building Code, exceeds 48,000 square feet.

Section 903.2.10.3 is added to read:

903.2.10.3 Group S-2 low hazard storage. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy exceeding 5,000 square feet.

Section 903.2.11.7 is added to read:

903.2.11.7 High-piled storage. An automatic sprinkler system shall be provided throughout buildings containing high-pile combustible storage.

Exception: An automatic sprinkler system is not required for 500 square feet or less, including aisles, of high-piled storage.

Section 903.2.22 is added, to read:

Section 903.2.22 Fire department delivery capability. An automatic fire sprinkler shall be installed in all new buildings and occupancies or in existing buildings or structures that change occupancy classification or use, when the required fire flow exceeds 2,000 gallons per minute

Section 903.3.1.1.4 is added, to read:

903.3.1.1.4 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet, 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, 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 903.3.1.3.1 is added to read:

903.3.1.3.1 Pipe limitations. Where CPVC pipe is installed above the insulation or is otherwise located in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 903.3.5.3 is added, 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 903.3.9 is amended to read:

903.3.9. Floor control valves. Individual floor control valves and water flow 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 and visual 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 and visual 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 903.6.1 is added, to read:

903.6.1 Substantial addition or expansion. An automatic sprinkler system shall be provided throughout all existing R-3 Occupancy buildings where a substantial addition occurs and the total new gross floor area of the structure exceeds 5,000 square feet. Group R-3 substantial additions or alterations shall comply with Section 903.2.8.1.1.

Section 903.6.2 is added, to read:

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. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1011.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 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).

Section 907.4.4 is added, to read:

907.4.4 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. The system shall be monitored in compliance with Section 907.6.6.

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, and 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 work rooms.
17. Computer server rooms exceeding 200 sq. ft.
18. File or Storage rooms exceeding 200 sq. ft.

Section 907.6.6 is amended to read:

907.6.6 Monitoring of fire alarm systems. A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exception: Monitoring by a UL-listed central station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Group 1-3 occupancies shall be monitored in accordance with Section 907.2.6.3.
3. Residential Day Care Facilities (occupancy load of 14 or less).
4. One- and two-family dwellings.
5. Residential Care Facilities licensed by the state with an occupant load of 6 or less.
6. Occupancies with local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.6.7 is added, to read:

907.6.7 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.6.7.1 is added, to read:

907.6.7.1 Posting of Certificate. The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

Chapter 10. Means of Egress.

Section 1028.5.1 is added, to read:

1028.5.1 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 33. Fire Safety During Construction and Demolition.

Section 3303.1.2 is added to read:

3303.1.2 Amendments. Amendments may be required to an approved site safety plan if deemed necessary by both the building official and fire official, based on previous fires or hazards that occurred on site or within the jurisdiction.

Section 3303.1.3 is added to read:

3303.1.3 Site Security requirements. Site security requirements shall include the following if deemed necessary by both the building official and fire official:

1. Controlled access points
2. Site fencing, up to 12 feet in height with tamper sensors and security wires on top
3. Security guards, full-time 24/7 presence on-site, to perform fire watch and patrols
4. Detection check points located throughout the buildings for fire watch and patrol verification
5. Security camera coverage throughout the site with motion detection notifications
6. Identify measures taken to prevent tampering with security cameras and motion sensors
7. Necessary lighting throughout the project site

Section 3319 Asbestos Removal is added to read as follows:

3319.1 General. Operations involving removal of asbestos or asbestos-containing materials from buildings shall be in accordance with Section 3319.

Exception: Section 3319 does not apply to the removal of asbestos from:

1. Pumps, valves, gaskets, and similar equipment.
2. Pipes, ducts, girders, or beams that have a length less than 21 linear feet (6400 mm).
3. Wall or ceiling panels that have an area of less than 10 square feet (0.93 m²) or a dimension of less than 10 linear feet (3048 mm).
4. Floor tiles when their removal can be completed in less than four hours.
5. Group R-3 occupancies.

3319.2 Notification. The fire code official shall be notified 24 hours prior to the commencement and closure of asbestos-removal operations. The permit applicant shall notify the building official when asbestos abatement involves the removal of materials that were used as a feature of the building's fire resistance.

3319.3 Plastic Film. Plastic film that is installed on building elements shall be flame resistant as required for combustible decorative material, in accordance with Section 807.

3319.4 Signs. Approved signs shall be posted at the entrance, exit and exit-access door, decontamination areas and waste disposal areas for asbestos-removal operations. The signs shall state that asbestos is being removed from the area, that asbestos is a suspected carcinogen, and that proper respiratory protection is required. Signs shall have a reflective surface. Lettering shall be a minimum of 2 inches (51 mm) high.

Chapter 50. Hazardous Materials - General Provisions.

Section 5001.5.1 is amended to add items numbered 10 & 11 to read as follows:

10. Fire Department related safety equipment
 - A. Fire alarm control panel (FACP)
 - B. Sprinkler riser
 - C. Fire department connection (FDC)
 - D. Knox Box location
 - E. Gas valve shutoff
 - F. Electrical main shutoff
 - G. Water shutoff
 - H. Elevator equipment room

11. A Site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility. Refer to NFPA 550 & 551 for references.

Section 5001.5.3 is added 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 must be stored at a readily accessible location; as determined by the fire code official. This location may be 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 5003.9.1.2 is added 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.

Section 5601.1.3 is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the jurisdiction of the District.

Exceptions:

1. Storage and handling of fireworks by a Public Safety Agency.
2. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.
3. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.2 is amended to read as follows:

5601.2.2 Sale and retail display. No person shall construct a retail display or offer for sale any explosives, explosive materials, or fireworks within the jurisdiction. Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.4 is amended to read as follows:

5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2,000,000 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.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608.

Chapter 57. Flammable and Combustible Liquids.

Section 5703.3.1 is added to read:

5703.3.1 Facility site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility when required by the fire official. Refer to NFPA 550 & 551 for references.

Section 5704.2.9.6.1 is amended to read as follows:

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground 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, 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 1,000 gallons for any class of liquids.

Section 5706.2.4.4 is amended to read:

Section 5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited in all zoning districts except district 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, 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 1,000 gallons for any class liquids.

Chapter 58. Flammable Gasses and Flammable Cryogenic Fluids

Section 5806.2 is amended to read as follows:

5806.2 Limitations. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which 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.

Section 6103.2.1.7 is amended 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, Group B, or Group M 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 California 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).

Chapter 80. Referenced Standards.

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2021): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems

NFPA 850 (2020): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations.

Chapter 80 is further amended by amending the NFPA 13D (2022) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added, to read:

7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Table B105.2 is amended to read:

**TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES**

AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)	MINIMUM FIRE-FLOW (GALLONS PER MINUTE)	FLOW DURATION (HOURS)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute= 3.785 L/min

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

Appendix C. Fire Hydrant Locations and Distribution.

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read: **TABLE C102.1 REQUIRED NUMBER AND**

SPACING OF FIRE HYDRANTS (footnotes h and j)

The heading of the fourth column of Table C102.1 is amended to read:

MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT (d, f, g, i)

Footnotes "i" and "j" are added to Table C102.1, to read:

- i. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.
- j. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

Appendix D. Fire Apparatus Access Roads.

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 (34,473 kg) in accordance with Caltrans Design Standard HS- 20-44.

Exception: Driveways serving one or two single-family dwellings 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.

Section D103.2 is amended 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 amended 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.

Figure D103.1 is amended to read:

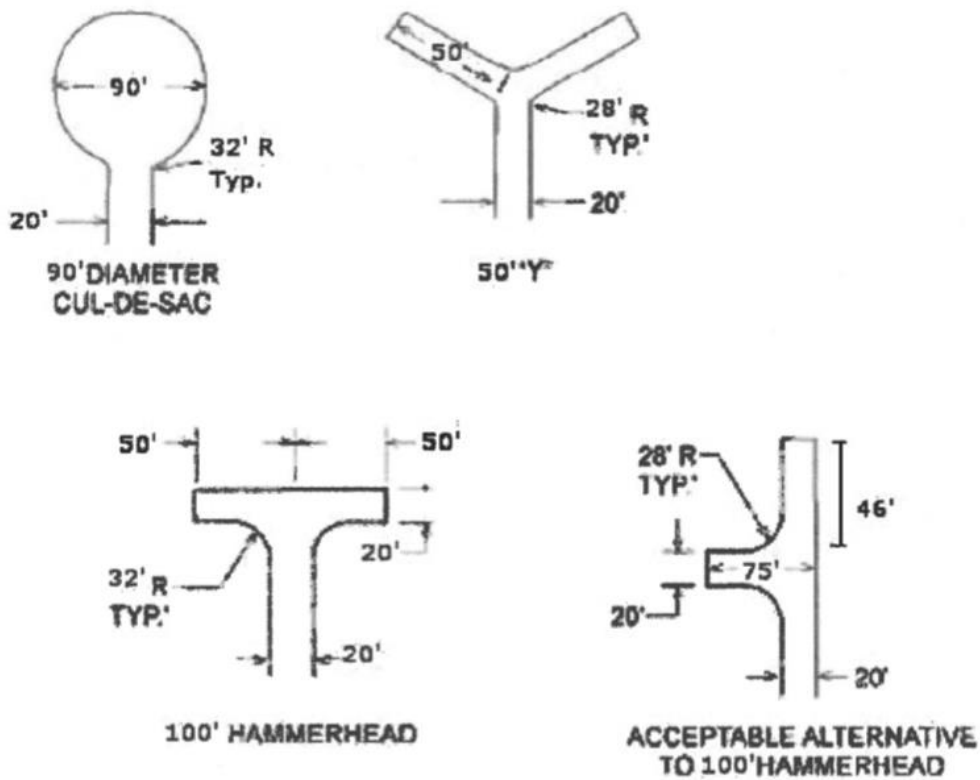


Table D103.4 is amended to read:

TABLE D103.4 REQUIREMENTS FOR DEAD-END FIRE APPARATUS 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 ^b

- a. A driveway with a minimum width of 16 feet is acceptable for access to no more than two single-family dwellings.
- 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.

Section D103.5 is amended as follows:

Criteria 1 of Section D103.5 is amended to read:

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

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

Criteria 9 is added to Section D103.5, to read:

9. 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 D106.1 is amended by deleting the exception and to read:

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.

Section D106.2 is deleted in its entirety.

SECTION 3. REPEAL OF FIRE CODE.

Ordinance No. 2019-01, adopting the 2019 California Fire Code with amendments, is hereby repealed.

SECTION 4. REFERENCES TO **PRIOR** CODE.

Unless superseded and expressly repealed, references in City forms, documents, and regulations to the chapters and sections of the Fire Code of the Rodeo-Hercules Fire Protection District, 2019, shall be construed to apply to the corresponding provisions contained within the Fire Code of the Rodeo-Hercules Fire Protection District, 2022. Ordinance 2019-01 and all other ordinances or parts of ordinances in conflict herewith are hereby superseded and expressly repealed.

SECTION 5. VALIDITY.

The Rodeo-Hercules Fire Protection District declares that if any section, paragraph, sentence, or word of this ordinance or of the 2022 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 6. MORE RESTRICTIVE REQUIREMENTS.

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

SECTION 7. EFFECTIVE DATE.

This ordinance becomes effective on January 1, 2023 or 30 days after passage, whichever is later. Within 15 days of passage, this ordinance shall be published once in the East Bay Times, a newspaper published in this County.

Passed on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Secretary, Board of Directors

Chairperson, Board of Directors

**Rodeo Hercules Fire
Protection District
MEMORANDUM**

To: BOARD of DIRECTORS, Rodeo Hercules Fire District
From: Darren Johnson, Acting Fire Chief *DJ*
Subject: FIRE CHIEF'S REPORT
Date: Oct 26, 2022

CCCERA: Contra Costa County Employees Retirement Association- Additional information regarding *Alameda County Deputy Sheriff's Assoc. et al., v. Alameda County Employees' Retirement Assn., et al.*, and referred to as the *Alameda* decision was on the agenda for discussion at the September 8 CCCERA Board meeting. The determinations made during that meeting are as follows: The Board of Retirement considered the issues of member contributions and retirement benefit adjustments in connection with elements of pay no longer pensionable under AB 197 and the *Alameda* decision. The Board adopted Resolution 2021-5 that authorizes the following actions in compliance with the *Alameda* decision and applicable state and federal law:

- 1) Determine all member contributions attributable to excluded Terminal Pay Items and On-Call Pay Items made on and after July 12, 2014, and credit or refund all such contributions, with appropriate interest, to the affected members, in a manner that complies with applicable federal tax rules and California law.
- 2) Determine all overpayments of benefits made to retired members due to excluded Estoppel Benefits and On-Call Pay Items since July 12, 2014, and recover those overpayments from the affected members, with appropriate interest, net of any contributions made on and after July 12, 2014, attributable to such excluded items, in a manner that complies with applicable federal tax rules and California law.
- 3) Determine appropriate adjustments to the future retirement benefits paid to affected members in Item 2 above and implement those adjustments at the earliest practicable time.

The above actions will commence upon the final resolution of the three AB 197 lawsuits involving CCCERA. **NO Updates.** **Reporting:** Acting Chief Johnson

Labor Relations – Personnel – Application for FF Paramedic has been posted for a hire date of January 1. Received 6 applications. Will review applications November 1st to determine if we have qualified applicants.

Reporting: Acting Chief Johnson

Fire Stations/Training Facility

Multi-company training has been resumed with all Battalion 7 Units and Richmond Fire Dept. Four personnel attended oil fire school at Texas A&M for 6 days.

Probationary employees are continuing their training and Task Book signoffs.

Reporting: Acting Chief Johnson

Facilities- Nothing to report.

Reporting: Acting Chief Johnson

Grants/Reimbursements – Applied for a \$1000 grant from RMAC for the purchase of bicycle helmets for the open house.

Reporting: Acting Chief Johnson

Incident Activity- Crews responded to several vehicle accidents, vehicle fires throughout the district as well as a residential structure fire in Pinole.

Reporting: Acting Chief Johnson

Community Risk Reduction – Company inspections have resumed all companies have been assigned inspections for the month of September and October. The Fire District encourages community members to visit rhfd.org for updates.

Reporting: Acting Chief Johnson

Community /Wildfire Prevention – Weed abatement is ongoing.

Reporting: Acting Chief Johnson

Fleet Management – All units are in service.

Reporting: Acting Chief Johnson

Fiscal Stabilization – Staff continues to monitor the current Fiscal Year budget. Met with Fitch and Associates to finalize information for the department strategic and management and assessment plans.

Reporting: Acting Chief Johnson

Community Activities –Attended, Rodeo Municipal Advisory Panel, Hercules Rotary, Rodeo MAC, County Fire Dept Operations Meeting. Hosted a department open house. Estimated that 300-400 hundred people attended.

Reporting: Acting Chief Johnson

Commendations/Awards/Notables – Nothing to report.

Reporting: Acting Chief Johnson

Upcoming New Development – Fire District staff continue to meet and provide guidance to developers on various projects throughout the Fire District. Written conditions of approval for upcoming projects were issued to; Phillips 66 Solar Project, Sycamore Crossing, and Franklin Canyon RV Park. The Fire District has been having weekly meetings with Phillips 66 regarding Renewable Diesel Project. There are an additional 250 personnel in the plant for this project. Additional businesses coming are, an additional senior housing complex on Willow Ave next to the current complex in Hercules, multi-family housing live-work in Rodeo at 4th and Parker, 3 additional homes will be built on Parker Ave next to the post office in Rodeo and a 40 single family housing project in Hercules near Skelly. The M,O and P projects for the City are projected to start late fall.

Reporting: Acting Chief Johnson

Incident Type Count Report

Date Range: From 9/1/2022 To 9/30/2022

Selected Station(s): All

Incident

<u>Type</u>	<u>Description</u>	<u>Count</u>	
Station:			
Incident Type is blanks		67	20.87%
Total - incident type left blank		67	100.00%
Total for Station		67	20.87%
Station: 75			
100 - Fire, other		2	0.62%
111 - Building fire		1	0.31%
142 - Brush, or brush and grass mixture fire		3	0.93%
150 - Outside rubbish fire, other		1	0.31%
Total - Fires		7	6.60%
321 - EMS call, excluding vehicle accident with injury		68	21.18%
322 - Vehicle accident with injuries		7	2.18%
Total - Rescue & Emergency Medical Service Incidents		75	70.75%
412 - Gas leak (natural gas or LPG)		1	0.31%
4630 - Vehicle accident, Non Injury		1	0.31%
Total - Hazardous Conditions (No fire)		2	1.89%
5410 - Snake problem		1	0.31%
554 - Assist invalid		5	1.56%
Total - Service Call		6	5.66%
611 - Dispatched & cancelled en route		8	2.49%
Total - Good Intent Call		8	7.55%
700 - False alarm or false call, other		3	0.93%
735 - Alarm system sounded due to malfunction		2	0.62%
743 - Smoke detector activation, no fire - unintentional		3	0.93%
Total - Fals Alarm & False Call		8	7.55%
Total for Station		106	33.02%
Station: 76			
100 - Fire, other		1	0.31%
118 - Trash or rubbish fire, contained		1	0.31%
131 - Passenger vehicle fire		2	0.62%
143 - Grass fire		3	0.93%
150 - Outside rubbish fire, other		1	0.31%
162 - Outside equipment fire		1	0.31%
Total - Fires		9	6.08%
321 - EMS call, excluding vehicle accident with injury		66	20.56%
322 - Vehicle accident with injuries		6	1.87%
323 - Motor vehicle/pedestrian accident (MV Ped)		1	0.31%
Total - Rescue & Emergency Medical Service Incidents		73	49.32%
400 - Hazardous condition, other		1	0.31%
410 - Flammable gas or liquid condition, other		1	0.31%

Incident

<u>Type</u>	<u>Description</u>	<u>Count</u>	
Station: 76 - (Continued)			
412 - Gas leak (natural gas or LPG)		3	0.93%
Total - Hazardous Conditions (No fire)		5	3.38%
510 - Person in distress, other		2	0.62%
511 - Lock-out		1	0.31%
5410 - Snake problem		2	0.62%
550 - Public service assistance, other		1	0.31%
551 - Assist police or other governmental agency		2	0.62%
554 - Assist invalid		7	2.18%
Total - Service Call		15	10.14%
611 - Dispatched & cancelled en route		25	7.79%
651 - Smoke scare, odor of smoke		3	0.93%
6610 - EMS call cancelled		1	0.31%
Total - Good Intent Call		29	19.59%
700 - False alarm or false call, other		6	1.87%
730 - System malfunction, other		2	0.62%
736 - CO detector activation due to malfunction		1	0.31%
740 - Unintentional transmission of alarm, other		3	0.93%
743 - Smoke detector activation, no fire - unintentional		2	0.62%
744 - Detector activation, no fire - unintentional		1	0.31%
745 - Alarm system sounded, no fire - unintentional		1	0.31%
Total - Fals Alarm & False Call		16	10.81%
812 - Flood assessment		1	0.31%
Total - Severe Weather & Natural Disaster		1	0.68%
Total for Station		148	46.11%
		321	100.00%