



RODEO-HERCULES FIRE PROTECTION DISTRICT

1680 REFUGIO VALLEY ROAD, HERCULES, CALIFORNIA 94547

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Dear Rodeo and Hercules Residents,

As your Fire Chief and the Board of Directors we are sharing news of current long-term planning activity that has the potential to result in the provision of enhanced sustainable fire and emergency services to the communities of Rodeo and Hercules.

Our communities have enjoyed significant growth in recent years and can be expected to continue to do so over the next several years. Most of the residential growth has been in and around the Waterfront area of Hercules. Additionally, existing plans call for a new commercial shopping area, a hotel, an intermodal transportation center and more, along with major changes proposed to the Franklin Canyon area. This growth will increase demand for emergency services in our standalone fire district and we are studying how to accommodate this in the long term.

To continue to provide fire and emergency services to our communities as we have done for more than eighty years, our five-year strategic plan must address the challenges presented by new development and the need to weather the impacts of any future economic downturn. One of the several ways to address these is the possibility of consolidation of our District with the neighboring Contra Costa County Fire Protection District (Con Fire), a semi-autonomous fire district serving parts of Contra Costa County including communities to the east and south of us.

The District has hired a consulting firm to provide us all feedback on the feasibility of such a consolidation. The District decided to participate in the study because we believe the prospect of consolidation has the potential to offer many benefits to the communities we serve. At this point, we are simply sponsoring this study addressing a possible consolidation of the Rodeo-Hercules and Contra Costa County fire districts.

It is important to note, no decision has been made about consolidation and none will be made without input from our communities. The study is ongoing at this time and we expect to begin to receive initial results in late spring.

Once the board receives the results, we will examine its findings, and, if warranted, engage in a series of public communications, including surveys and public forums designed to assess opinion regarding them. It is our intent to facilitate open communications and transparency for all stakeholders. The views expressed by all will help to form the Fire District Board of Directors' thinking on any decisions to be taken regarding consolidation.

Fire District funding is one of many areas being looked at, and one that has already raised some public concern. Currently about two thirds of RHF's budget comes from two county assessments; the remainder comes from Ballot Measure O, which was approved by voters in 2016 with a requirement for a citizens' committee to oversee expenditure of these funds.

Because of public concerns raised, we have undertaken a legal review of any impacts on

revenue streams that might be posed by a potential consolidation. Early results of that review have reassured us that any such consolidation would require that revenue generated for our communities, by law, stay in Rodeo-Hercules and that the Measure O Committee would continue to exist and oversee expenditure of these funds. Should results of the feasibility study warrant, we will make certain to determine how our communities' tax revenues will continue to benefit our residents.

As more long-term planning information becomes available, we look forward to reaching out to residents and stakeholders alike. Your participation and input will help our district best plan to continue providing fire and emergency services to the community for years to come.

Thank you for your continued support of our fire district.

Sincerely,

Bryan Craig
Fire Chief

Steve Hill
Board Chair

DRAFT

As of: April 27, 2021

RHFD Consolidation Study Messaging

1. In evaluating a number of long-term challenges as part of the board's five-year strategic plan development, it came to the fire board's attention that consolidation could provide solutions to several of them.
 - a. This comes at a time when considerable development across the District is poised to dramatically increase demand for emergency services -- one of several significant challenges to our small, standalone fire district.
 - b. At the same time, we also learned that such an initiative was also being studied by the East Contra Costa Fire Protection District.
2. As a result, Rodeo-Hercules Fire Protection District (RHFD) is engaged in an analysis of the feasibility of consolidation with neighboring Contra Costa County Fire Protection District (Con Fire)
 - . The board and leadership of RHFD believe the prospect of consolidation has the potential to offer benefits to the communities we serve worthy of examining the possibility
 - a. This has led to approval of a review of the potential feasibility of consolidation
 - b. The board directed the Fire Chief in November 2020 to cooperate with other county fire jurisdictions to engage an expert consultant to evaluate feasibility
 - i. Board direction included agreement to spend up to \$15,000 to co-sponsor the study
 - c. The feasibility study portion of the study is ongoing and is expected to continue into late spring or early summer 2021 when results are to be provided to the board
 3. Some of the factors influencing the board's decision to participate in the feasibility study include:
 - . There have been multiple discussions amongst fire service leaders about the potential benefits of merging these agencies over the years.
 - a. Additionally, multiple LAFCO Municipal Service Reviews (MSR) have identified certain efficiencies and economies of scale that could be achieved through a larger, more regional, fire service organization.
 - b. The three fire chiefs, and their respective governing boards, wanted to provide a more definitive and comprehensive review of this concept and determine feasibility and what would be required to create a larger, sustainable, fire service delivery model for our respective communities.
 - c. While RHFD already works very closely on an operational basis with both Con Fire and Pinole Fire, we all maintain completely separate operations, training and administrative functions.
 4. At this point, we are simply sponsoring the portion of the feasibility study that addresses a possible consolidation of the Rodeo-Hercules and Contra Costa County fire districts.
 - . Once our board receives the results of the feasibility study, we expect to engage in a series of public communications, including surveys and public forums designed to assess public opinion regarding its findings. The views expressed in these will help to inform the fire district leadership and the board of directors' thinking on any decisions to be taken regarding consolidation.
 - a. We look forward to reaching out to each of you with more information regarding this initiative in the weeks and months ahead.
 - b. Phases for a public information plan/campaign include:
 - .Initial informational campaign to advise of feasibility study and expectations, why we are doing
 - i. Follow-on campaign to inform public of findings
 - ii. Public meetings, notices, etc.
 - iii. Information regarding decision

5. It is important to note, no decision has been made about consolidation at this point and none will be made without input from our communities. This will come after we share the results of the feasibility study findings and consider all the impacts -- positive and negative -- on our communities.

. In the meantime, we encourage all residents to follow developments on our webpage (<https://www.rhfd.org/annexation-study/>), as well as by attending our monthly and special public meetings where this is an ongoing topic of discussion.

- a. Our regular meetings occur, with limited exceptions, each second Wednesday of the month at 7 p.m. Special meetings are announced on our website (insert link)

Public Relations Hercules, California

Project details

What type of PR consulting?

Social Media Strategy and Execution, Content Development and Marketing, Event Publicity and PR Support

What field most closely aligns with your business?

Other

If this is for a business, what is the size of your business?

10 - 50 employees

What is the scope of this project?

On-going

When do you need this completed by?

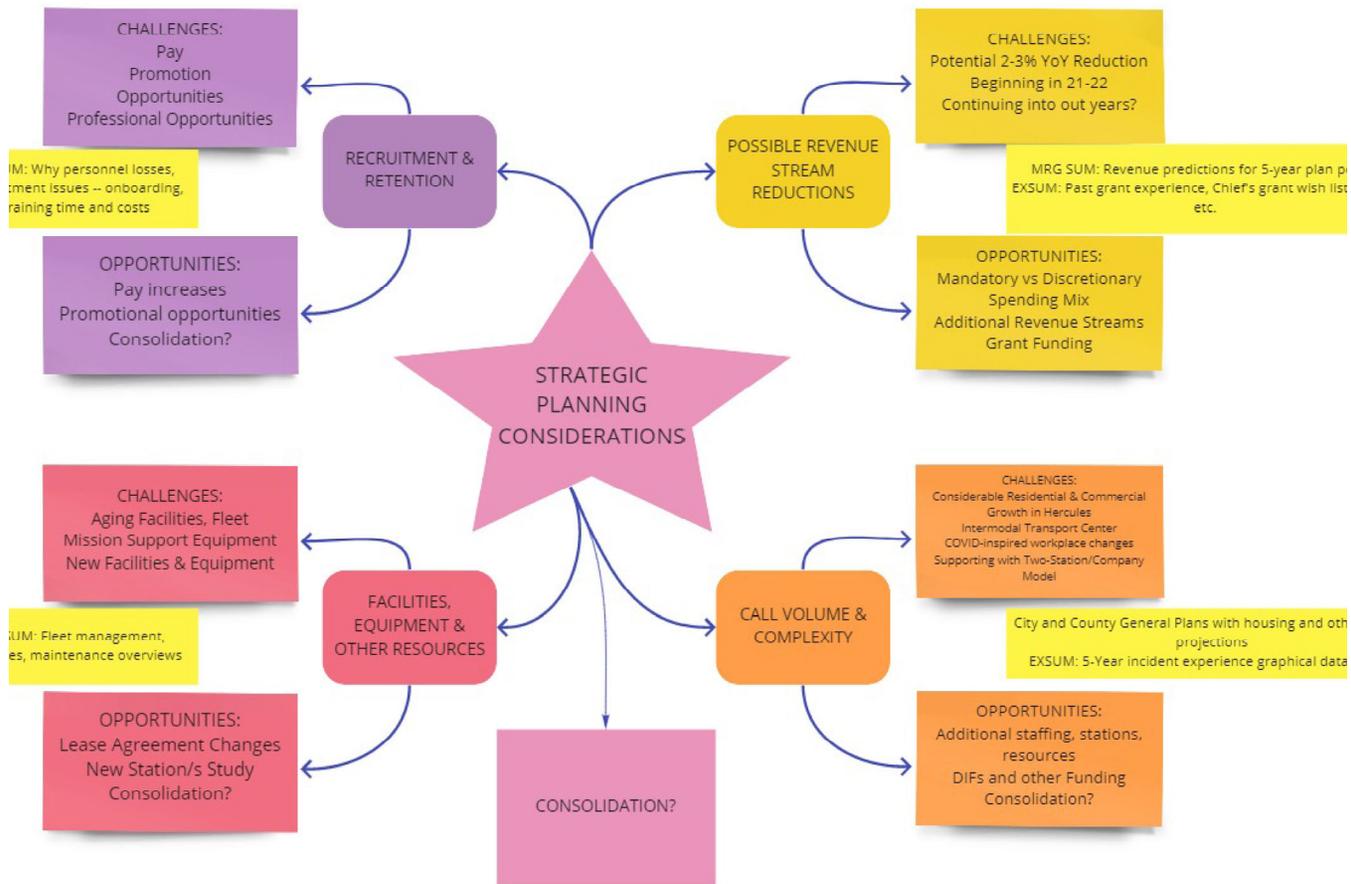
Other

How would you like to work with the PR consultant?

Virtual with regular on-sites

Any other details about your PR consulting project?

A SF East Bay fire district needs a professional communicator for an assignment related to public education and comment on the possibility of consolidation with another jurisdiction. The possibility is currently being studied by an independent contractor with results expected by mid-summer. The district needs to immediately develop a plan for communicating that the study is being conducted and the reasons for it. Thereafter, a phase two public education campaign will be required to share study findings and to solicit public comment through public and special meetings and surveys. If consolidation is ultimately approved, further public education will be required to communicate the details in a project phase three. This request for quotes is focused on the activities of phases one and two outlined above. As a public agency, there are cost sensitivities and efforts will need to be cost effective. The consultant will work directly with the fire chief and his staff and will advise on communications goal, objectives, strategies, methods, and messages; as well as develop and implement a comprehensive plan to accomplish the goal and supporting objectives. The ideal consultant will have demonstrable successes in the form of case studies in each of the above areas as well as experience working with city and county governments and within local communities. Work is expected to start mid-April with phase one being implemented over the next two-to-three months.



From: Measure O Oversight Committee
To: Rodeo Hercules Fire District (RHFD) Board of Directors
Date: March 9, 2021
Subject: RHFD Potential Consolidation with Contra Costa County Fire District (ConFire)

Due to the anticipated large impact to funds provided by voter approved local Measure O (a \$216 district parcel tax passed in 2016), and to be fully transparent to the citizens of both Hercules and Rodeo, the Measure O Oversight Committee has specific questions and concerns that must be addressed in any feasibility study, discussions, and negotiations regarding the potential consolidation of RHFD with ConFire. Our request is for complete open communication and transparency for all the citizens of Hercules and Rodeo, their governing agencies (e.g., Hercules City Council) and other interested bodies (e.g., Rodeo MAC, Voices of Rodeo). We want what is best for the citizens of Hercules and Rodeo, especially as the local area continues to develop and the need for improved and extended fire protection services grow.

Questions and Concerns from the Measure O Oversight Committee

Definition of Terms

The terms “consolidation, annexation and merger” seem to be used interchangeably in discussion and correspondence regarding this subject. What is the legal definition of the process being proposed? Any continued discussions and negotiations need to have the terms clearly defined. For purposes of this letter, we’ll only use the term “consolidation”.

Board of Directors

Will there still be a Board of Directors for RHFD? Or will the County Board of Supervisors, acting under County Ordinance 24-2.402 control the newly consolidated district like they do now with ConFire? If an RHFD “Board” is retained, will it have actual authority over Measure O funds (revenue & expenses) or simply be an “advisory” body? If retained, would an RHFD Board be elected or appointed (and by whom) since the RHFD District would be dissolved?

Vote of the People

Since Measure O was approved under the protections of Prop 218, with a Board resolution and ballot language indicating the funds to be used locally in the RHFD, wouldn’t approval for a consolidation with another district where Measure O funds are used jointly also require a vote by the citizens of Hercules and Rodeo? Any consolidation negotiated solely on the vote of the RHFD Board of Directors could be construed as “taxation without representation” and illegal. **We are requesting that the RHFD Board of Directors bring this item to a vote before the residents of the City of Hercules and Rodeo.**

What Happens to Measure O?

Legally, what happens to voter approved special taxes (e.g., Measure O) when a smaller district is consolidated into a larger district? If there is no RHFD in which to manage and apply Measure O funds, will Measure O be terminated? If Measure O funds are not included in the process will ConFire still pursue a consolidation with RHFD? What realistically happens to Measure O oversight? What **legal bases** apply here? (**Important note to the RHFD General Counsel:** Please cite code sections and/or other legal authority for your position rather than just opine).

Since Measure O has been consistently used for paying UAAL, how will the pension system be affected for both retirees and existing employees? How will the OPEB debt be addressed? The RHFD Fiscal Year 2020/21 Budget on page 7 shows that RHFD is currently not paying the “Unfunded Actuarial Accrued Liability” (UAAL) portion of the OPEB program (CalPERS CERBT), which is currently around \$3.8 million.

As Measure O represents approximately one third (1/3) of the funding for the RHFD, where will the other two-thirds (2/3) of the funding come from? Thus, the entire funding of the RHFD comes into question. Will the consolidation guarantee that there will not be a need for additional funds from the citizens of Rodeo and Hercules? **This is the problem with loss of local control.**

Recusal for Conflict of Interest

All appointees to the RHFD Board of Directors are required to comply with the Ralph M. Brown Act, Government Code 54950, which applies to all California city and county government agencies, boards, and councils. RHF Board Chair Steve Hill, the Public Information Officer for ConFire, should recuse himself from any negotiations or votes in regard to consolidation due to primary and secondary conflicts of interest. Chairman Hill holds three positions that have direct affect in the proposed annexation. In addition to Chairmanship, in which he has full unfettered control of all discussions, he is a member of the Strategic Planning Ad Hoc Committee and the board's LAFCO representative. His continuance in any/all of these positions are a clear "conflict of interest" since he works for ConFire specifically as their Public Information Officer. Director Hill is a valuable member of the RHF Board but in any positions that involve consolidation considerations he should recuse himself. Even the "appearance of impropriety" supports a recusal. The RHF is obligated to look into this matter.

What a Future District Looks Like

What assurances are there that current RHF stations will continue to fully operate? Please be clear as to the use of the Rodeo station as a full-service firehouse or is it to be used only as a training facility or other function, as has been discussed in the past? Or will it be closed a few years after the consolidation? What happens as Hercules continues to develop with waterfront expansion, transit station, multi-story buildings, hotel and more commercial and residential? There will be a definite need for another station and upgraded equipment to meet the growing and changing fire service requirements. What happens to the Pinole Fire Department? Are they part of this consolidation? Who decides in a large, consolidated district how resources are expended and where? Can and will this consolidation guarantee to the residents of Rodeo and Hercules that the existing stations will remain open and services will expand as needed?

Due to recent development by the City of Hercules on the San Pablo Avenue and I-80 corridor, traffic gridlock is now routine and will only continue due to the approved and future development projects in this area. One third of the City's population will live within a mile of this corridor, making it impossible for the RHF to meet the current service levels. The residents of Rodeo will need Station 75 to meet their service needs. We cannot sacrifice our community or lives due to an ill planned consolidation. Given the diversity of the typography together with the various service needs of the RHF, a third fire station is called for at the Hercules Waterfront. Loss of local control takes away from meeting the needs of Rodeo and Hercules citizens due to the over competing needs of an entity such as of ConFire. **This is the problem with loss of local control.**

Feasibility Study/Clifford Moss Proposal – Why the Rush?

What is the current status of the "Triton" feasibility study, which was not in the packet nor made available to the public, at the most recent RHF Special Board meeting? One agenda item at the Special Board Meeting states, "Discuss proposal from Clifford Moss regarding public outreach for Annexation study (**Action Item**)". Who invited Clifford Moss to provide a proposal? And why were they the only firm selected to give a proposal? Clearly, there was an attempt to push the consolidation along. In public comment, Vince Wells, an Officer of the IAFF Local 1230 said, "Let's get on with this annexation, get married". With that being said, the Clifford Moss proposal seems to be premature. Based on information from their website and in their proposal to RHF, Clifford Moss is a consultancy whose mission is to persuade citizens (and voters) to take specific positions on their client's issues. Who are their clients? What is their relationship with ConFire? How are they involved in the East County Fire negotiations?

Why weren't there other public relations firms considered? Why was this consultancy agreement sole sourced? RHFD should review procurement laws to ensure that this agreement was not entered into illegally. During the RHFD meeting of February 26, Chairman Steven Hill used the term "feasibility study" attempting to discount the terms "consolidation, annexation or merger". It appears Chairman Hill is attempting to soften the study's purpose as only a MAYBE as the term feasibility suggests vs. the stronger terms (consolidation, annexation, merger) that are used throughout discussions and in written documents. The use of these terms lead to the conclusion it's a **"DONE DEAL"**.

What's the big rush to consolidate? With assimilation into ConFire, the Rodeo Hercules Fire District will cease to exist. No district=No board. No district=No Measure O committee. This is all very short term and doesn't consider the long-term needs of the Rodeo and Hercules community. A consolidation might be worthwhile; but there are too many unanswered questions, all options have not been explored and concerns need to be addressed. **Citizens of Rodeo and Hercules have a right to vote on an issue as important as this one.**

We know we have provided the RHFD Board of Directors with a lot to think about regarding a potential consolidation of the district with ConFire. We respectfully request that by the next regular RHFD Board meeting in April, that the Board respond to the questions and concerns we pose here. Thank you for your consideration.

Sincerely,
Measure O Oversight Committee