



SCOTTS VALLEY FIRE PROTECTION DISTRICT

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MINUTES OF THE SCOTTS VALLEY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS REGULAR MEETING OF October 12, 2016

1. Call to Order - 7:00 P.M.

The regular meeting of the Board of Directors of the Scotts Valley Fire Protection District (SVFPD) was held on Wednesday, October 12, 2016 at the City of Scotts Valley Council Chambers. President Warren called the meeting to order at 7:00 p.m.

1.1 Pledge of Allegiance and Moment of Silence

President Warren called for the Pledge of Allegiance and a Moment of Silence to follow.

1.2 Roll Call

A. Directors Present:	Directors Armstrong, Campbell, Alan Smith, Art Smith and Warren
B. Directors Absent:	None
C. Fire District Staff:	Chief Grebil, Battalion Chiefs Delucchi and Whittle and Administrative Secretary Walton

2. Public Comment (GC §54954.3)

None

3. Agenda Amendments (GC §54954.2) – Discussion/Action

Chief Grebil reported that the Fire Districts Association of California Employment Benefits Authority (FDAC EBA) provides ancillary insurance benefits for the SVFPD. Chief Grebil stated that the First Amended Joint Powers Agreement of FDAC EBA was received after the Board Packet was distributed but it is a time sensitive matter necessary for consideration.

On motion of Director Warren seconded by Director Art Smith to Add Action Item 6.3: First Amended Joint Powers Agreement of Fire Districts Association of California Employment Benefits Authority was approved by the following vote:

AYES:	Armstrong, Campbell, Alan Smith, Art Smith and Warren
NOES:	None
ABSENT:	None
ABSTAIN:	None

4. Consent Calendar

4.1 Minutes: Approve Regular Board Meeting Minutes of September 14, 2016

4.2 Payroll: Approve September Payroll 18, 19 and 20 in the amount of: \$437,431.61

4.3 Expenditures: Approve Expenditures for September in the Amount of:

<u>General Fund:</u>	\$72,481.99
<u>SCHMIT:</u>	\$ 38.23
<u>TOTAL:</u>	\$72,520.22

4.4 Approve Permit/Inspection Fee Waiver Request for the Scotts Valley High School's Haunted House

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The Consent Calendar was enacted upon by one motion.

On motion of Director Armstrong seconded by Director Art Smith to *Approve the Consent Calendar Items 4.1 Thru 4.4* was approved by the following vote:

AYES: Armstrong, Campbell, Alan Smith, Art Smith and Warren
NOES: None
ABSENT: None
ABSTAIN: None

5. Public Hearing/Action Item

5.1 Scheduled Public Hearing to Adopt Ordinance No. 2016-1: the Fire Code of the Scotts Valley Fire Protection District - Discussion/Action

Chief Grebil stated that on August 10, 2016, the Board reviewed the proposed Fire Code Ordinance and took the following action:

- Adopted Resolution 2016-6, "Notice of Intent to Adopt the 2015 International and the 2016 California Fire Codes with Amendments", and set a Public Hearing for October 12, 2016 at 7:10 p.m.
- Adopted Resolution 2016-7, "Resolution Finding a need for Modification of State Housing Law".
- Conducted the first reading of Ordinance 2016-1, the Fire Code for the Scotts Valley Fire Protection District, and waived the reading of the actual text. A copy was made available for review at the District's Office. Directed staff to forward a copy of the proposed ordinance to the Clerk of the Board for the Santa Cruz County Board of Supervisors and the City Clerk of the City of Scotts Valley allowing 30 days for comments, which would be submitted to the Scotts Valley Fire Protection District Board of Directors to be incorporated into the public hearing record on October 12, 2016.

Chief Grebil stated that there was no comment from the City of Scotts Valley or County of Santa Cruz. The Board discussed the following amendments to Ordinance 2016-1:

- Page 1 – This should repeal Ordinance 2013-1 and not Ordinance 2016-1 as listed.
- Page 12 – Use the revised term for the Mentally Ill or Mentally Retarded to match the wording in the Safety Code, which is Mental Health Disorders or Intellectual Disabilities. In the same section, "a automatic fire alarms system", should be changed to "an".
- Page 13 – Multiple fire areas "occupancies share exit or exit access" should add the word "that" after occupancies and should read "occupancies that share exit or exit access".
- Page 17 – The Establishment of Limits for storage of Liquefied Petroleum Gas does not affect existing nonconforming facilities. Part 4, should repeal Ordinance 2013-1 and not Ordinance 2016-1 as listed.

Director Armstrong made the following motion:

To put the word "That" in Item D Following the word Occupancies "That" share exit or exit access components and the combined occupant load of these fire areas is 300 or more.

Due to a lack of a second the motion did not carry. The Board discussed making a motion to include all amendments discussed.

On motion of Director Art Smith seconded by Director Alan Smith to *Incorporate all the Amendments as Discussed* was approved by the following vote:

AYES: Armstrong, Campbell, Alan Smith, Art Smith and Warren
NOES: None
ABSENT: None
ABSTAIN: None

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President Warren opened the Public Hearing. With no Public comment, the Public Hearing was closed.

On motion of Director Armstrong seconded by Director Art Smith to *Waive the Second Reading of the Actual Text of Ordinance 2016-1 due to time and a copy is Available at the District's Office if Anyone wants to Read it Themselves* was approved by the following vote:

**AYES: Armstrong, Campbell, Alan Smith, Art Smith and Warren
NOES: None
ABSENT: None
ABSTAIN: None**

5.2 Adopt Ordinance No. 2016-1: the Fire Code of the Scotts Valley Fire Protection District - Discussion/Action

On motion of Director Campbell seconded by Director Warren to *Adopt Ordinance 2016-1: The Fire Code of the Scotts Valley Fire Protection District and Incorporate the Amendments as Discussed and Agreed upon* was approved by the following vote:

**AYES: Armstrong, Campbell, Alan Smith, Art Smith and Warren
NOES: None
ABSENT: None
ABSTAIN: None**

6. Action Items

6.1 Approve an Easement on the Marywood Property for the Land Trust of Santa Cruz County – Discussion/Action

Chief Grebil stated that the Board Packet included the correspondence from the Dominican Sisters of Mission San Jose, which explains why they are asking for an easement. The Dominican Sisters are selling part of the land and dedicating part for a conservation easement that will include the future passage under Highway 17 for wildlife. Legal Counsel has reviewed the easement and said that it is a standard easement passing on the current easement with the Dominican Sisters to the Land Trust for access to the two parcels.

President Warren clarified that this was a piece of land purchased by the SVFPD and inquired if the easement would interfere with any future plans to build a fire station on the Marywood property. Chief Grebil stated that this is the current easement that exists now and that the Dominican Sisters are not asking for anything additional.

Director Armstrong stated that she is concerned that if the SVFPD wanted to build a fire station in the future, it may not be compatible with the Land Trust. It could be many years from now but something could come up with the Land Trust that would not be beneficial for the SVFPD. The current easement does not impact us as the property is vacant land but if there was a fire station in the future, who knows what the impact might be. Chief Grebil stated that he has heard Director Armstrong's concern before.

Director Armstrong stated that that SVFPD property is one acre but the correspondence from the Dominican Sisters states that the easement is for 133.34 acres and only 37.02 acres are being sold so who owns the rest. Chief Grebil stated that the Dominican Sisters will maintain ownership of the 96.32 acres but are granting the Land Trust a conservation easement so the land will not be developed and selling the Land Trust 37.02 acres. The SVFPD property is the only access to the two parcels existing and moving forward. Director Armstrong stated that since the SVFPD property is only 1 acre, it is even more important to consider potential egress and traffic concerns. Director Armstrong stated that she was not in favor of approving the easement due to future issues.

Director Campbell stated that based on his understanding, this is identified as a Non-Exclusive Perpetual Agreement so that if the Dominican Sisters were to sell the property APN 093-151-08 to the Land Trust, they would have the easement with the purchase of the property. Is the reason they need the easement due to the fact that the Dominican Sisters are not selling the entire property. Chief Grebil stated that he would have thought that Legal Counsel would have pointed that out, but that sounds correct.

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On motion of Director Warren seconded by Director Art Smith to Approve Action Item 6.1: An Easement on the Marywood Property for the Land Trust of Santa Cruz County was approved by the following vote:

AYES: Campbell, Art Smith and Warren
NOES: Armstrong and Alan Smith
ABSENT: None
ABSTAIN: None

6.2 Approve a Variance to Policy 1502 (Promotions) for the Current Battalion Chief Promotional Process – Discussion/Action

Chief Grebil reported that Battalion Chief (BC) Delucchi has given notice of his pending retirement on November 5, 2016 and his last day on shift will be November 4, 2016. Once Chief Grebil confirmed his retirement, he put together an internal promotion flyer to establish an eligibility list for BC. The information was taken from the previous internal promotion in 2004 and referenced the Job Description and outlined the requirements for the application, which was done last Monday. Sometime after the flyer went out, one of the potential candidate noted that they did not have one of the required classes and felt like there was a conflict with the Career Development Guide and the Job Description requirements. The training files of all the Captains were reviewed and revealed that none of the files contained the Command 2B Certificate. Chief Grebil started looking at options as the promotional flyer he just released had no eligible candidates. Chief Grebil selected the option to request a variance to Policy 1502, specifically that “all requirements of a position shall have been met prior to applying for the position”; therefore, allowing for more candidates to qualify and taking into account that the Career Development Guide is coming to an end since the State Fire Marshal has adopted the national standards. Currently BC Theilen, Captain McNeil and one representative from each shift are working to align the new classes with the Career Development Guide. The Command 2B class will be timing out so is it worth it to require a class that will not be part of the new Career Development Guide. Friday an email went out to notify the potential candidates that the Board would be considering approving a variance to Policy 1502. Following that email, at least two candidates added Command 2B to their training file and inquired why the variance was necessary since there were two qualified candidates. Chief Grebil stated that the decision to request the variance was based on the information he had at the time, which was that there were no eligible candidates. Since the Board establishes Policy, this is before the Board for guidance on how to proceed. The Board discussed the following options:

- Continue with the variance to Policy 1502 with the understanding that our Career Development Guide is timing out.
- Postpone the promotional recruitment until after the Career Development Guide and Job Description have been updated, which should be presented to the Board in January.

Director Armstrong inquired how the BC position would be covered if the recruitment was postponed. Chief Grebil stated that if the recruitment is postponed, Acting Battalion Chiefs will fill the shifts once BC Delucchi retires.

Director Campbell inquired if the Command 2B class is still available or if there is an equivalent new class so that the candidates can get the class and move the process forward sooner than the Board could approve the Policy changes. Chief Grebil stated that the Command 2B class is still available but there is a big rush to get the Class before the State requirements change and new classes are being offered as well. Chief Grebil stated that based on his conversation with BC Theilen, the Career Development Guide states that the job requirements are obtained within the first year as a BC, which is not consistent with the Job Description stating that the same requirements are necessary to apply for the position so there is a conflict with the Career Development Guide and Job Description.

President Warren stated that the options were to make an amendment or delay the promotional process. President Warren inquired if the Union wanted to comment on this matter and no comment was presented.

Chief Grebil stated that another option to consider would be let the promotional process moved forward as there are two qualified candidates.

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Director Armstrong inquired how many candidates would qualify if the variance was approved and Chief Grebil confirmed four candidates. Director Armstrong wanted the process to be fair to all eligible candidates without creating distention.

President Warren made the following motion:

To rescind the current Battalion Chief Promotional Process until the Board has had the Opportunity to Review the Revised Curriculum and Career Development Standards and Compare them to the new State Fire Marshal Curriculum.

Due to a lack of a second the motion did not carry.

Chief Grebil offered different language as the Career Development Team will review and compare the standards and present a draft Policy to the Board for approval. The motion makes it sound like the old and new will match up, which may not be the case nor what the team is working to accomplish. The motion above would be to defer the promotional process until after the Board approves the new Career Development Guide Policy and associated Job Descriptions. Director Warren inquired about the timeline if the promotional process was deferred and covering the Battalion Chief shifts until then. Chief Grebil stated that the Career Development Guide and Job Descriptions would be presented to the Board in January and the promotional process would start shortly after that. The 10 Battalion Chief Shifts per month would be covered with Acting Battalion Chiefs and remaining two Battalion Chiefs.

Director Campbell inquired if we moved forward with the new State Fire Marshal curriculum, is there a possibility that we write out all candidates. This would be a concern as we would not have any qualified candidates and need to look outside. Chief Grebil stated that if you hold a current Captain 3 Position, you would qualify for Battalion Chief within the new Career Development Guide.

Chief Grebil stated that we will likely have the same candidates if the variance is granted or the promotional process is delayed regardless of Command 2B as all current Acting Battalion Chiefs will qualify. Director Armstrong stated that we should move forward with all the candidates originally thought to qualify and work on cleaning up the Policy and Job Description. Director Armstrong was concerned that the two candidates who took the class would not be recognized for their efforts but did not want to hold up the process.

Director Armstrong made the following motion:

To Approve a Variance to Policy 1502 and the Chief Continue on Making Plans with the Original Group for the Testing.

Director Campbell offered another alternative to the motion, which would be to move forward but to recognize the discrepancy between Policies and have the class or equivalent class completed within the first 12 months as a probationary requirement so that all candidates would be at the same educational level.

President Warren and Director Art Smith stated that they are in favor in deferring the promotional process at this time. Director Campbell inquired if there was a potential for the qualified candidates to file a grievance. Chief Grebil stated that we was not aware of a place in the MOU to file that type of grievance.

Director Alan Smith inquired about the fiscal cost to fill in with Acting Battalion Chiefs for two months. Chief Grebil stated that the salary savings for the position should cover an entry level position and the Acting Battalion Chiefs Differential so there should be no significant additional cost.

Chief Grebil requested that the motion include specific wording with regards to the third bullet item in Policy 1502 and more specifically that the Board is waiving the ICS-400 and Command 2B requirements.

Director Armstrong amended her motion to include a one-time variance and the specific wording as requested.

On motion of Director Armstrong seconded by Director Alan Smith to Approve a One-Time Variance to Policy 1502 to Eliminate Bullet Item 3 that All Requirements of a Position Shall Have Been Met Prior to Applying for the Position and Waving the ICS-400 and Command 2B Requirements was NOT approved by the following vote:

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AYES: Armstrong and Alan Smith
NOES: Campbell, Art Smith and Warren
ABSENT: None
ABSTAIN: None

The motion did not pass.

On motion of Director Art Smith seconded by Director Warren to *Defer the Promotional Process until Staff Brings Back an Updated Revised Career Development Guide, which is Policy 1505 and Associated Updated Job Descriptions for those Positions with a Target Date of the January Meeting* was approved by the following vote:

AYES: Campbell, Art Smith and Warren
NOES: Armstrong
ABSENT: None
ABSTAIN: Alan Smith

6.3 Approve First Amended Joint Powers Agreement of Fire Districts Association of California Employment Benefits Authority – Discussion/Action

Item 6.3 was added to Approve the First Amended Joint Powers Agreement of the FDAC EBA. The marked up version was presented to the Board and there is a clean copy for signature.

Director Campbell inquired who the intended recipients of this amendment would be based on the revised language on page 4 with regards to membership.

Chief Grebil stated that the intent is to expand the membership to like agencies since Fire Districts are a small pool and many are with CalPERS. The SVFPD is with CalPERS for medical insurance and the FDAC EBA for ancillary insurance. The FDAC EBA also offers medical insurance that we had prior to going back to CalPERS. What pushed this change was a Mosquito Vector District in San Mateo County looking for insurance options other than CalPERS and Legal Counsel found this language to allow them to be members of the Joint Powers Authority (JPA). A JPA is made up of Government Agencies providing like services.

Director Alan Smith inquired if a Water District would be included and would enough Special Districts be eligible to join to be helpful.

Chief Grebil stated that he didn't know of any Water Districts specifically but that any agency who fit in the disaster services definition would qualify. The expanded definition would be helpful as the FDAC EBA is looking to market to small cities and community service groups in an effort to grow the pool.

On motion of Director Alan Smith seconded by Director Art Smith to *Approve the Amended Joint Powers Agreement of Fire Districts Association of California Employment Benefits Authority* was approved by the following vote:

AYES: Armstrong, Campbell, Alan Smith, Art Smith and Warren
NOES: None
ABSENT: None
ABSTAIN: None

7. Board of Directors and Chief Officers Reports – Information/Discussion
(No action will be taken on any questions raised by the Board at this time.)

7.1 Board of Directors Report – Directors

Director Art Smith reported that LAFCO did not meet but that the issue with the minutes to reflect that the SVFPD is *not* in favor of consolidating with the Branciforte Fire Protection District was addressed. The LACFO Secretary checked the recording and corrected the minutes. The CAL LAFCO Conference is next week in Santa Barbara and Director Art Smith will be attending.

7.2 Chief Officers Report – Chief Officers

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Chief Grebil stated that the Chief Officers Report did not make it out of draft stage for publication so in lieu of the Report, Battalion Chiefs Delucchi and Whittle will be giving the report.

BC Whittle reported that there was a fire on September 26th and we were dispatched to the Loma Fire around 3:15 p.m. BC Theilen took a task force of 4 Engines and a Water Tender. We sent our Type 1 Engine and Water Tender and were committed to the fire for about a week. The afternoon of the fire, we had a fresh crew come in to cover the District including BC Whittle. About 9:30 p.m. that evening, a call came in for a wildland fire on Lockhart Gulch. Crews from Scotts Valley, Felton, Santa Cruz, Watsonville, Central and CAL Fire responded, which turned out to be a 9 acre fire.

Chief Grebil reported that you could see the Loma Fire column from the Station and that it was in our neighboring County with some threat of it burning into Santa Cruz County. Local crews mobilized quickly and additional staff came in to cover. Chief Grebil and BC Delucchi also responded to the Lockhart Gulch Fire. It was reported to President Warren that the evening of the Loma Fire, all four Chief Officers, in their command vehicles, were committed to emergency incidents. SVFPD Paid Call Firefighters and Branciforte Fire Volunteers from the Bridge Academy also responded to the Lockhart Gulch Fire. In addition, our Type 3 Engine with 4 personnel were previously committed to the Soberanes Fire in Monterey County so it was a team effort and off duty staff really stepped up to fill where needed.

BC Delucchi updated the Board on the status of the new Engine. Captain Stubendorff has been working on the revision and the final draft should be completed in the next few days. Hopefully production will start in the month of November and should be completed by January. Typically it is 45 days from production to completion with a delivery date the first part of January.

President Warren stated that he came by the Station at the beginning of the Loma Fire and was very impressed with the crews as they prepared to leave for the fire and thanked the crews for a job well done.

7.3 Report from IAFF Local 3577

Union President Jesse Trask (Jesse Trask) thanked BC Delucchi for his service to SVFPD. The goal is not to give perspective on issues but to improve communication between the Union and the Board by sharing what the Union is working on. If the Board has questions, Jesse Trask will bring them to the Union for response. Jesse Trask showed a photo of the Erba Station with all vehicles gone and nothing in the engine bays. Jesse Trask stated that 75 % of staff was committed to incidents and thanked everyone for stepping up. Jesse Trask reported on the following:

- Engineers Grigg and LoFranco have been working on the Bridge Academy with Branciforte Fire Volunteers and doing good work with the program.
- Captain McNeil and Engineers Cortes and Trask interviewed potential Paid Call Firefighters and have 8 strong candidates.
- On October 11th, the Union did a ride to school for Harts and Hand Preschool, which is one of the things the Union partners with the SVFPD for school raffles. The SVFPD provides the Engine and the Union provides the driver. By the end, the whole school came out and it turned into an Engine tour. The kids have a lot of fun and it raises money for the school.
- Engineers Nick Owens and Trask attended the Fire Show West Conference October 4 – 6 and got to see some high-end speakers and learned new things to bring back to the SVFPD and share the knowledge.
- Engineer Grigg, Firefighter Green and Paid Call Firefighters Nehf and Smiley attended Fire Control 3B, which is the burn container training in Sunnyvale.
- Engineer Cortes has been doing public CPR Classes.
- Engineer Petteys and Trask will be attending the CCIA Conference of Arson Investigators next week in San Luis Obispo.

Director Campbell inquired about case for the two fires last month. Chief Grebil stated that the cause for the Loma Fire has not been determined yet. Chief Whittle reported that the Lockhart Gulch Fire was caused by a malfunctioning gas powered golf cart, which caught the field on fire as it was driven across. Director Armstrong thanked the crews for their quick response and containment of the Lockhart Gulch Fire.

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Chief Grebil reported that for the Scotts Valley Boys and Girls Club to pass final inspection, they needed fire extinguishers installed. Chief Grebil called IAFF Local 3577 and they donated the 3 fire extinguishers and mounted them for the Boys and Girls Club. Chief Grebil thanked the Union for their community support.

8. Correspondence – Information

8.1 Thank You Letter from Don and Joan Pedersen

The Board received and filed the correspondence.

9. Request for Future Agenda Items

None

10. Adjournment

The meeting was adjourned at 8:22 p.m.

ATTEST


Joshua Warren
Board President


Daniel J. Grebil
Board Secretary