



SCOTTS VALLEY FIRE PROTECTION DISTRICT

7 Erba Lane, Scotts Valley, California 95066 (831) 438-0211 Fax (831) 438-0383

MINUTES OF THE SCOTTS VALLEY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS SPECIAL MEETING OF August 21, 2019

1. Call to Order

A Special Meeting of the Board of Directors of the Scotts Valley Fire Protection District (SVFPD) was held on Wednesday, August 21, 2019, at the SVFPD Main Fire Station, 7 Erba Lane, Scotts Valley. President Patterson called the meeting to order at 6:00 p.m.

Teleconference Notice

Director Harmon joined the meeting via teleconference from the following location:
Magnolia Hotel, 818 17th Street, Denver, Colorado, 80202

1.1 Pledge of Allegiance

President Patterson called for the Pledge of Allegiance and a moment of silence to follow.

1.2 Roll Call

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|-------------------------|---|
| A. Directors Present: | Directors Campbell, Harmon (<i>Via Teleconference</i>), Parker, Patterson and Pisciotta |
| B. Directors Absent: | None |
| C. Fire District Staff: | Chief Kovacs, Battalion Chief Whittle and Administrative Secretary Walton |

2. Oral Communications (GC §54954.3)

None

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

None

4. Action Items

- 4.1 Approve Resolution 2019-8: Delegate Authority and Duty to the Fire Chief to Certify to CalPERS Whether a Local Safety Member of the Scotts Valley Fire Protection District is Incapacitated from the Performance of Usual Duties for Purposes of Industrial Disability Retirement. Discussion/Action

Chief Kovacs stated that the Board is responsible to determine Industrial Disability Retirements (IDR). Legal Counsel has recommended that the Board delegate authority to the Fire Chief to Certify to CalPERS the determination for IDR. An employee can appeal the decision, which is reviewed by a Law Judge and then an Appeals Court if necessary. The delegated authority would be required to testify if appealed. If the Board is the delegated authority, all Board Members would be required to testify if appealed.

President Patterson stated that the Resolution could be kept on file so that the current and future Fire Chief would have authority to certify IDR. Director Campbell stated that the future Fire Chief may not have the same understanding of the process for IDR so would it be an option to delegate authority onetime.

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Chief Kovacs stated that the Board could delegate authority onetime or revoke the delegated authority at any time. Legal Counsel reviews medical records and necessary documents to make the determination for all IDR. Legal Counsel prepares a letter detailing the determination. The delegated authority certifies the determination, submits the paperwork and would go through the appeals process if necessary.

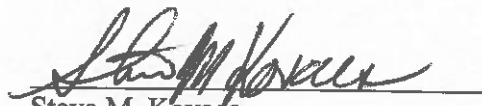
Director Harmon inquired if Chief Kovacs was comfortable with the Board delegating authority to the Fire Chief. Chief Kovacs stated that he was comfortable as the Board would be delegating authority to certify the determination and Legal Counsel would be making the determination for all IDR.

On motion of Director Parker seconded by Director Pisciotta to *Adopt Resolution 2019-8: Delegate Authority and Duty to the Fire Chief to Certify to CalPERS Whether a Local Safety Member of the Scotts Valley Fire Protection District is Incapacitated from the Performance of Usual Duties for Purposes of Industrial Disability Retirement* was approved by the following vote:

AYES: Campbell, Harmon, Parker, Patterson and Pisciotta
NOES: None
ABSENT: None
ABSTAIN: None

- 5. Adjournment**
The meeting was adjourned at 6:20 p.m.

ATTEST 
Russ Patterson
Board President


Steve M. Kovacs
Board Secretary