

December 20, 2022 Tuesday @ 6:00 PM
SIERRA COUNTY FIRE PROTECTION DISTRICT # 1
FIRE COMMISSIONERS MEETING AGENDA
FIRE STATION 82, SIERRAVILLE CA

THIS MEETING WILL BE CONDUCTED IN PERSON AND VIA “CONFERENCE CALL”. THOSE WISHING TO ATTEND THE MEETING VIA TELEPHONE SHOULD CALL **(701) 802-5316** AND USE ACCESS CODE **5188908**. YOU MAY ALSO ACCESS VIDEO AND ONE-WAY AUDIO VIA ZOOM AT THE FOLLOWING LINK:
<https://uso2web.zoom.us/j/8274761160?pwd=NGVuTCtJL3d2akZGanpUVzlsSGF2UTo9>

Meeting ID: 827 476 1160, Passcode: 419056

CALL TO ORDER:

Roll Call of Commissioners

{ } Shawn Burt, Chairperson	{ } Jeff McCollum	{ } Tom Rowson	{ } Richard Maddalena
{ } Candy Hunter	{ } Tom Archer	{ } Victoria Fisher	
Quorum	Yes/No		

PUBLIC INTRODUCTION:

PUBLIC COMMENT: Matters under jurisdiction of the Sierra County Fire Protection District #1, and not on the agenda, may be addressed by the Public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda. Any member of the public wishing to address the Board during the “Public Comment” period will be limited to a maximum of five minutes.

CORRESPONDENCE:

1. Letter of support for City of Loyalton water system emergency need for repairs and improvements

MINUTES APPROVAL: Approval of the Minutes: 11/29/22

FINANCIAL STATEMENT:

1. Review P&L, Balance Sheet, Report of Funds as of November 30, 2022 **H**
2. Approve Bill Payments **H**
3. Fire Mitigation Fee & Banking Updates **H**

REPORTS & REQUESTS FROM DISTRICT CHIEF, BATTALION CHIEFS AND EMS COORDINATOR:

1. Chief’s Report (Response Summary, Fleet, Communications System, Facilities)
2. Training / Recruitment/ Retention
3. Update on grant applications

UNFINISHED BUSINESS:

1. Update on Calpine siren project **H** (Email requesting to meet county-wide regarding sirens)
2. Coop Agreement with TNF **H**
3. Update on Annual Report to BOS and Request for Annual Fee Increase
4. Update on transition to “Board of Directors with terms of office”
5. Adopt 2022 Annual Accomplishment Report
6. MOU with Sierra County Water District # 1

NEW BUSINESS:

1. Resignation of Shawn Burt effective January 1, 2023
2. Selection of 2023 Chairperson and Vice Chair
3. Fire risk potential for woods chips and log deck at Loyalton mill site due to closing of facility, and discussion about Loyalton Water System (Tom R.)
4. Cal Fire Hazard Severity Zone Revision (Tom R)
5. Amendment to Brown Act, AB 2449 RE Teleconference and AB 2647 RE Posting of Agendas **H** (Rick)

6. Presentation from Calpine Community Fire Association.
 - a. Expression of desire to assist the Fire District to enhance fire suppression capabilities in the community of Calpine (not to exceed 5 minutes plus questions)
 - b. Proposal to install a commemorative display of former Calpine Fire Dept. Chiefs in Station 82
 - c. Proposal to have a joint (Fire District/CCFA) “ribbon cutting event” presenting this display to the public
 - d. Permit the CCFA to assist the District by designing/constructing a shelter for the Station 82 PSPS generator
 - e. Permit the CCFA to take over responsibilities to annually place and remove the blue barrels used to mark hydrant locations

ANNOUNCEMENTS AND COMMENTS:

NEXT SCHEDULED MEETING: January 17, 2023 at 6:00pm in Sierraville

ADJOURNMENT:

Key: **T** – Tabled from previous meeting **H** –Handout

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Sierra County Fire Protection District # 1
PO Box 255
Sierraville, CA 96126
www.sierracountyfireprotectiondistrict1.com

Commissioners
Shawn Burt– Chairperson
Rick Maddalena
Thomas Archer
Tom Rowson
Jeff McCollum
Candy Hunter
Victoria Fisher

December 20, 2022

City of Loyalton
Attn: Mayor Jackson
PO Box 128
Loyalton, CA 96118

RE: Support for Repair and Improvement of the City of Loyalton’s Water System

Dear Mayor Sarah Jackson,

It has come to the attention of the Sierra County Fire Protection District #1 that the City of Loyalton has proclaimed a local state of emergency due to the condition of, and failures within, the City water system. Please accept this letter representing strong support for application funding sources to repair and improve the failing water system.

As a public agency and mutual aid provider for fire suppression, it is in our interest and the City of Loyalton to pursue a remedy for this dangerous situation as a matter of public safety. Without adequate water production, storage and reliable delivery infrastructure, the City of Loyalton is in a perilous situation which affects every citizen in the community and directly impacts our Fire District’s ability to properly assist the Loyalton Volunteer Fire Department in the event of a structure or wildland fire.

As you are aware, the short and long-term effect of fire to our communities is devastating. The communities of Loyalton and Sierra Brooks were nearly impacted by the catastrophic effects of the Loyalton Fire in August of 2020. Please know that we stand with you not only as a mutual aid resource for fire suppression but also as a supporter for your quest to secure grants and loans to repair and upgrade your water system.

Sincerely,

Shawn Burt, Chairman
Sierra County Fire Protection District #1

November 29, 2022 Tuesday @ 6:00 PM
SIERRA COUNTY FIRE PROTECTION DISTRICT # 1
FIRE COMMISSIONERS MEETING AGENDA MINUTES
FIRE STATION 82, SIERRAVILLE CA

THIS MEETING WILL BE CONDUCTED IN PERSON AND VIA “CONFERENCE CALL”. THOSE WISHING TO ATTEND THE MEETING VIA TELEPHONE SHOULD CALL (701) 802-5316 AND USE ACCESS CODE 5188908. YOU MAY ALSO ACCESS VIDEO AND ONE-WAY AUDIO VIA ZOOM AT THE FOLLOWING LINK:
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Meeting ID: 827 476 1160, Passcode: 419056

CALL TO ORDER: 18:01

Roll Call of Commissioners

{ X } Shawn Burt, Chairperson { X } Jeff McCollum { X } Tom Rowson { X } Richard Maddalena **remote**
{ X } Candy Hunter **remote 18:13** { X } Tom Archer { X } Victoria Fisher
Quorum **Yes/No**

PUBLIC INTRODUCTION: Stacey Estrada, John Mitchell- CCFA President, Kelly Champion- District Clerk, Mick Connolly- District Fire Chief

PUBLIC COMMENT: John Mitchell read a formal request for Calpine Community Fire Association to be included on the agenda of the December regular meeting.

Matters under jurisdiction of the Sierra County Fire Protection District #1, and not on the agenda, may be addressed by the Public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda. Any member of the public wishing to address the Board during the “Public Comment” period will be limited to a maximum of five minutes.

CORRESPONDENCE: District Clerk presented a notice from Ford regarding a recall, the Adopt a Hydrant flyer circulating in the newspaper, 11/2/22 correspondence to John Mitchell’s inquiry to meet.

MINUTES APPROVAL: Approval of the Minutes: 10/18/22 **Comm. McCollum moved to approve the minutes; Comm. Archer seconded. Roll call vote: 2 Abstain (Burt, Rowson) 3 Ayes (Maddalena, Archer, McCollum) 2 Absent (Fisher, Hunter)**

FINANCIAL STATEMENT:

1. Review P&L, Balance Sheet, Report of Funds as of October 31, 2022 **H**
2. Approve Bill Payments **H Comm. Maddalena moved to accept financials and payment of bills, Comm. Rowson seconded. Roll call vote: 7 Ayes (Burt, Maddalena, Hunter, Archer, Rowson, McCollum, Fisher)**
3. Fire Mitigation Fee & Banking Updates **H**

REPORTS & REQUESTS FROM DISTRICT CHIEF, BATTALION CHIEFS AND EMS COORDINATOR:

1. Chief’s Report (Response Summary, Fleet, Communications System, Facilities)
2. Training / Recruitment/ Retention **Chief Connolly presented his Chief’s report and expressed that the mutual aid connection is valuable to streamline processes when responding to calls.**

UNFINISHED BUSINESS:

1. Update on Calpine siren project (Shawn/Jeff) **It was agreed to reach out to Sheriff Fisher to and other districts to collaborate on the use of community sirens.**
2. Coop Agreement with TNF- no new info **Comm. Maddalena to prepare a letter to address the issue with TNF.**
3. Update on Annual Report to BOS and Request for Annual Fee Increase **Board of Supervisors to conduct a public hearing on December 20th.**

NEW BUSINESS:

1. Acceptance of JPRIMA Insurance Proposal for the period 11/1/2022-4/1/2023 in the amount of \$31,900 including required associated JPRIMA and Cal Mutuals memberships. **Comm. Archer moved to ratify Comm. Maddalena’s signature and the acceptance of the proposal and membership agreements, Comm. Fisher seconded. Roll call vote: 7 Ayes (Burt, Maddalena, Hunter, Archer, Rowson, McCollum, Fisher)**
2. Discussion/Action regarding length of terms per County Council Memorandum of Opinion Dated October 25, 2022 **Discussion ensued and it was the consensus of the Board that Comm. Maddalena and Fisher would submit a response to the BOS regarding staggered terms.**

3. Annual Accomplishment Report (Candy) **The draft report was reviewed and will be brought back for approval in December.**
4. Schedule District Chief Annual Performance Review **It was agreed to schedule a closed session in May prior to 23/24 budget preparation, Clerk to review terms of contract.**
5. Future of Tour de Manure Fundraiser (Tom A) **Mike Blide and the Sierra Recreation Association does not plan to continue the Tour de Manure fundraiser.**
6. MOU with Sierra County Water District #1 (Tom A) **A draft was presented to be forwarded to the Sierra County Water District No. 1.**
7. Valve Key Storage Request from SPUD (Tom A) **Chief Connolly has met with SPUD to assign the location.**

ANNOUNCEMENTS AND COMMENTS: Clerk Kelly recently attended a City of Loyalton meeting regarding the water system emergency, Comm. Rowson reminded the Clerk of a January contract payment due, Comm. McCollum expressed condolences for community members, it was announced that Congress would be changing in-person meeting requirements in February, Comm. Fisher and Comm. Rowson gave an update on the Dept of Fish & Wildlife committee.

NEXT SCHEDULED MEETING: December 20, 2022 at 6:00pm in Sierraville

ADJOURNMENT: 19:57

Key: **T** – Tabled from previous meeting **H** –Handout

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SIERRA COUNTY FIRE PROTECTION DISTRICT #1

2022 ANNUAL ACCOMPLISHMENT REPORT



RESPONSE, SUPPORT AND TRAINING:

District-wide

- 81 responses to District incidents including two structure fires in Sierraville
- 57 training events
- 20+ staff trained at the Regional Public Safety Training Center, 3rd annual regional (Plumas/Sierra) live fire training exercise. By Chief Connolly and Chief Russell of Beckwourth FPD at the Truckee Meadow College fire tower simulator
- Promoted Ben Hitchcock as Deputy Chief
- Support and participation in regional Basic 32 wildland firefighting training
- Continued collaborative training with Tahoe NF resources
- 11 days of pre-positioned resources (Chief Officer, Engine, Dozers, Water Tender)
- Provided Operational Area Coordinator (Chief Connolly) for County wide pre-positioning of resources, and fielding Mutual Aid requests to State Mutual Aid System
- 43 days of supporting Tahoe National Forest with supplemental resources (2 dozers)
- Developed Recruitment Poster
- District Clerk completed 3-day CSDA Board Secretary/Clerk training program
- Received and extended appreciation of \$24,610 in public contributions

Loyalton

- Mutual Aid Response to Loyalton Mill Incident
- Provide support to USFS and Loyalton Fire Department for Smokey the Bear Program at Elementary School

ADMINISTRATIVE:

- Revised Volunteer Reimbursement Policy, Resolution 2022-01
- Adopted Brown Act & Public Records Act Compliance Review Resolution 2022-02
- Replaced Bylaws with District Policies and Procedures, Resolution 2022-04
- Adopted Conflict of Interest Policy, Resolution 2022-05
- Adopted Financial Reserve Policy, Resolution 2022-06
- Adopted Revised Capital Improvement Plan, Resolution 2022-07
- Adopted Ethics & Code of Conduct Policy, Resolution 2022-08
- Established Finance Committee
- Established Fleet Committee

OPERATIONAL

District-wide

- Redesigned Website (complete overhaul)
- Executed new Cooperative Agreement with Tahoe National Forest
- Responded to DigitalPath request for power service at 100 E. Main (request denied)
- Participated in Quentin Youngblood's retirement celebration.
- Established new agreement with EIP Holdings for Beckwourth Peak Repeater Site

- Executed a new agreement with NorCal EMS
- Participated in County Review of Glen Terra Subdivision evaluation
- Executed agreement for new insurance provider
- Paid off USDA loan for Rescue 82
- Obtained a clean financial audit opinion
- Executed new professional service agreement with auditor Zack Pehling
- Initiated process to move banking to Plumas Bank
- Facilitated County BOS approval of annual Mitigation Fee Inflation Adjustment
- Submitted grant proposals: AFG for Structure and PPE, and SAFER for staffing
- Updated signers and key Executive Officers at banking institution

Commission

- Recruited Commissioners Jeff McCollum and Victoria Fisher
- Initiated Video Conferencing for all Commission meetings.
- Responded to Sierra County regarding Terms of Office for Commissioners
- Clarified with Sierra County the geographic requirements for commissioner residency

Sierraville and Sierra Brooks

- Provided access to Title 3 funds for Sierraville and Sierra Brooks Fire Wise efforts
- Hydrant flushing/ annual exercising in Sierraville
- Provided a representative (Tom Rowson) to Smithneck Fire Resiliency Advisory Group
- Recognized Sierraville-Sattley Fire & Rescue Services as the founders of the Tour de Manure and entered into agreement with Sierraville Recreation Association for management of the fundraiser event, Resolution 2022-03
- Commissioners and Chief volunteered and participated at the Tour de Manure

Calpine

- Initiated revised agreement with Calpine Water District #1
- Assisted Calpine Water District #1 with Fish and Wildlife requirements for pond dredging
- Conducted hydrant flushing/ annual exercise in Calpine

Verdi/Long Valley

- Reviewed contract with Truckee Meadows Fire
- Monitored county and TMFPD responses to activities that could spark large wildfires in national forest lands near residences

FACILITIES AND FLEET:

- Replaced overhead lights in main building in Station 82 with LED fixtures
- Completed install of PSPS Generators and closed grant
- Executed new professional service agreement with Rudy Hoyos
- Accomplished major pump repairs on WT 82
- Installed new power source for Sattley well
- Sold service truck
- Initiated major site cleanup and tree pruning at Sattley property
- Initiated move for Calpine Siren to Station 84

By: Nicholas Norvell and Holland Stewart, Best Best & Krieger, LLP

During its most recent session, the California State Legislature adopted and the Governor signed three significant bills amending the Ralph M. Brown Act (Brown Act). These bills — which take effect on January 1, 2023 — relate to future teleconferencing by members of legislative bodies, posting agenda-related materials, and the removal of members of the public who are disrupting meetings.

Assembly Bill 2449 – Enhanced Teleconferencing and Recent Developments Relating to Assembly Bill 361 of 2021

Subject to a number of requirements, AB 2449 provides public agencies with the additional ability for legislative body members to participate remotely in meetings without having to give the public access to private locations. In 2021, in response to the COVID-19 pandemic, the Legislature adopted AB 361 to ease certain requirements for holding teleconference/virtual meetings under the Brown Act during Governor-declared emergencies. Before AB 361, the Brown Act’s teleconferencing rules required public agencies to identify each teleconference location on the agenda, post the agenda at those locations, and make each location open to the public, none of which was feasible during a pandemic.

Although AB 361 remains in effect through January 1, 2024, Governor Gavin Newsom recently announced that the declared statewide State of Emergency related to COVID-19 will end on February 28, 2023. This shift is likely to mean that, absent an additional declared State of Emergency affecting a local agency, any local agencies conducting meetings under the provisions of AB 361 will — if they have not already — soon need to revert to holding fully in-person public meetings or meetings using the newly adopted AB 2449 or traditional Brown Act teleconference rules.

AB 2449 provides for relaxed teleconferencing rules when a member of the legislative body has to attend remotely for an emergency or other reasons supported by “just cause”. Under these new rules, a legislative body may hold a hybrid (partial teleconference, partial in-person) meeting without having to comply with the standard Brown Act teleconference rules under certain circumstances. Those circumstances are:

- One or more members of the legislative body (but less than a quorum) have notified the body at the earliest opportunity of their need to participate remotely for just cause (e.g., childcare or family caregiving need, contagious illness, physical or mental disability need, travel while on official public business); or
- One or more members of the legislative body (but less than a quorum) experience an emergency circumstance (e.g., a physical or family medical emergency that prevents in-person attendance). The member must provide a general description of the circumstances relating to their need to appear remotely; however, they are not required to disclose a medical diagnosis, disability or other confidential medical information. The legislative body must then take action on each member's request. If the request does not allow sufficient time to be placed on the posted agenda for the meeting for which the request is made, the legislative body may take action on it at the beginning of the meeting.

Members of legislative bodies who wish to use one of these provisions should be sure to contact the agency's clerk/secretary, general manager, and/or legal counsel as soon as possible before seeking to attend a meeting remotely under AB 2449. Not only does the individual member have to meet the requirements to attend remotely, but there are restrictions on the number of times a member may attend remotely in a year under the just cause provision and in total under AB 2449. In addition, a quorum of the body must still meet in-person at a single location within the district boundaries, and the meeting format must meet the following remote access rules:

- Use either a two-way audio-visual system or a two-way phone service with live webcasting.
- Members participating remotely must disclose at the meeting, before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.
- Identify a call-in or internet-based access option for the public on the agenda, along with the in-person meeting location.
- Ensure that, if a disruption to the online meeting occurs, the body takes no further action on agenda items until public access is restored.
- Avoid requiring public comments to be submitted in advance and provide a real-time option for the public to address the body at the meeting.

- Take all votes by roll call.

As referenced earlier, the provisions of AB 2449 cannot be used as the means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

In lieu of AB 2449 teleconferencing, local agencies may always rely on the traditional teleconferencing rules that applied pre-COVID and remain an available option: All votes must be by roll call, the meeting must be conducted to protect the rights of the public appearing before the body or wishing to comment, all members of the public must be able to access the meeting and provide public comment, teleconference locations must be identified in the agenda, copies of the agenda must be posted at all teleconference locations, and teleconference locations must be open to the public. Finally, under traditional Brown Act teleconferencing requirements, at least a quorum of the members of the legislative body who are participating remotely must do so from locations within the agency's jurisdiction.

AB 2449 will present a host of administrative questions for special districts as board members seek to avail themselves of this new option for remote meeting participation. It will be important for special districts to get ahead of this issue and establish a board policy that institutes a workable process for administering requests and ensuring the district remains in compliance with the law. Violations of the Brown Act can leave the agency open to costly legal challenges that could void board actions conducted during a failure to comply.

Assembly Bill 2647 – Posting of Agenda-Related Materials

AB 2647 makes clear that agenda-related materials distributed to the majority of a legislative body less than 72 hours before a meeting can be posted online to satisfy the requirement of making the documents available to the public.

Previously, under the Brown Act, when local agencies distributed agenda-related

materials to members of a legislative body less than 72 hours before a meeting, the agencies were required to make the materials *physically available* for public inspection at a public office or location. Although the Brown Act previously allowed agencies to post such materials on their websites, its basic requirement to make the materials physically available to the public at a public office or location remained in effect.

In *Sierra Watch v. Placer County* (2021) 69 Cal.App.5th 86, an appellate court determined that a county violated the Brown Act when it made agenda-related materials available to members of its board of supervisors at a time when the county's office was closed because members of the public would not also have physical access to the materials at that time.

AB 2647 will ensure that agencies can distribute agenda-related materials in a timely fashion, such as updated staff reports or proposed agreements, to their legislative bodies, as long as the materials are made immediately available on the agency's website in a manner that makes it clear that they relate to an agenda item for an upcoming meeting.

Senate Bill 1100 – Removing Disruptive Individuals from Meetings

Under SB 1100, legislative bodies now have additional clarity on their ability to address unwelcome meeting disruptions. The Brown Act already authorizes a legislative body to order the room cleared and continue in session if a group willfully interrupts the orderly conduct of the meeting, provided certain requirements are met. SB 1100 amends the Brown Act to make clear that the presiding member of a legislative body may have an individual removed for disrupting a meeting.

Before removing an individual however, the legislative body must warn them that their behavior is disruptive and that continued disruption may result in their removal (however, no prior warning is required if they are engaging in or threatening the use of force). Behavior is otherwise “disruptive” if it actually disrupts or impedes the orderly **(cut off)**