



Stanislaus Consolidated Fire Protection District

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Gregory M. Bernardi
President
BOS District 1

Jonathan Goulding
Vice President
BOS District 2

Charles E. Neal
Director
Riverbank

Brandon Rivers
Director
Waterford

Steven Stanfield
Director
BOS District 1

MINUTES

Thursday, September 9, 2021, at 6:00 p.m.

REGULAR AND CLOSED SESSION MEETINGS OF THE STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

Station 26 Meeting Room, 3318 Topeka Street, Riverbank, CA

(THE AGENDA PACKET IS POSTED AT EACH SCFPD LOCATION AND AT WWW.SCFPD.US)

1. CALL TO ORDER

The Stanislaus Consolidated Fire Protection District met this date at 6:11 p.m. in the Station 26 meeting room with President Bernardi presiding and calling the meeting to order.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Bernardi.

3. INVOCATION

Pastor Charles E. Neal with Riverbank Assembly of God Church gave the invocation.

4. ROLL CALL

Present:

Board President: Bernardi

Director: Neal

Director: Rivers

Absent:

Directors: Stanfield, Goulding

Staff Present:

Fire Chief Holly

Battalion Chief Bray

Attorney Christopher Diaz

Clerk of the Board Frontella

President Bernardi turned to proceedings over to Director Rivers to preside over this meeting.

5. APPROVAL OF AGENDA – *at this time, a Board Member may pull an item from the agenda*

Director Rivers asked if any Directors would like to pull items from the agenda, no requests were submitted.

Motion by Director Neal, seconded by President Bernardi, to approve the agenda as submitted.

AYES:	3	Directors:	Neal, Bernardi, Rivers
NOES:	0	Director:	
ABSTAIN:	0	Director:	
ABSENT:	2	Directors:	Goulding, Stanfield

District Attorney Diaz made a public disclosure on Item E; that it will be on Closed Session but can still stay on the Consent Agenda for approval.

6. CONFLICT OF INTEREST DECLARATION – *Declaration by Board of Director members who may have a conflict of Interest on any scheduled agenda item is to declare their conflict at this time.*

No Conflict of Interest were declared

7. PRESENTATION/ACKNOWLEDGEMENTS

Item 7.A: Employee Recognition of Years of Service

Chief Holly announced Battalion Chief DeHart has 11 year of service since his return to the agency.

Item 7.B: New Hires/Promotions/Retiree Announcements

8. PUBLIC COMMENTS- *The Board of Directors welcomes participation in Board meetings. Matters under the jurisdiction of the Board that are not posted on the agenda may be addressed by the public. California law prohibits the Board from acting on any matter which is not on the posed agenda, unless the Board determines that it is an emergency or other situation specified in Government Code Section 54954.2. Public comments are limited to three (3) minutes per individual. Please make your comments directly to SCFPD Board President. **Comments will be accepted via Teleconference.***

Director Rivers asked for public comments, seeing none, he moved to Action Calendar.

ACTION CALENDAR

9. CONSENT ITEMS- *All matters listed on the Consent Calendar are considered routine and will be enacted upon by one motion unless otherwise requested by an individual Board Member or public for special consideration.*

Item 9.A: Waive Readings – Waive all Readings of Ordinances and Resolutions, except by Title

Item 9.B: Minutes of the August 12, 2021, Board of Directors Regular and Closed Session Meetings and August 19, 2021, Board of Directors Special Meeting.

Item 9.C: Acceptance of Warrants (Check Register) – August 2021

Item 9.D: Acceptance of Financial Reports – August 2021

Item 9.E: Acceptance of First Amendment to Employment Agreement between Interim Fire Chief and SCFPD Board of Directors.

Motion by President Bernardi, seconded by Director Neal to approve the Consent items as presented. Passed by roll call vote 3/0/0/2.

AYES:	3	Directors:	Bernardi, Neal, Rivers
NOES:	0	Director:	
ABSTAIN:	0	Director:	
ABSENT:	2	Directors:	Goulding, Stanfield

10. DISCUSSION ITEMS

No Discussion items scheduled.

11. PUBLIC HEARING

No Public Hearing items scheduled.

12. ACTION ITEMS

Item 12.A: Consideration to Approve Resolution 2021-011, the 2021/2022 Fiscal Year budget

Andy Heath, District Consultant gave the staff report. He reported the budget encompasses anticipated revenues and expenditures for the period July 1, 2021 through June 30, 2022. Anticipated revenues of \$12.40 million are offset by anticipated expenditures of \$12.40 million, leading to a slight expected surplus (addition to fund balances) of approximately \$2,800.

Director Rivers asked for public comments, seeing none, he requested a motion.

Motion by Director Neal, seconded by President Bernardi to approve Resolution 2021-011, the 2021/2022 Fiscal Year budget. Passed 3/0/0/2

AYES: 3 Directors: Bernardi, Neal, Rivers
NOES: 0 Director:
ABSTAIN: 0 Director:
ABSENT: 2 Directors: Goulding, Stanfield

Item 12.B: Consideration to Approve Resolution 2021-012, the CalPERS Pension Costs, Unfunded Actuarial Accrued Liability Financing

Recommendation: Approve Resolution 2021-012, CalPERS Pension Costs, Unfunded Actuarial Accrued Liability Financing.

Andy Heath, District Consultant gave the staff report. He reported the District continues to explore various cost management strategies for its \$15.8 million Unfunded Accrued Liability (UAL) with the California Public Employees Retirement System (CalPERS). At the August 19, 2021 Board meeting, the Board received a presentation on the recommendation to issue Pension Obligation Bonds (POBs) and the recommended financing structure. Since that time, the financing team has continued to move forward with the necessary steps to put the District in position to execute a refinancing in late October. This includes drafting of the necessary legal documents and investor disclosure materials (POS – Preliminary Official Statement).

The District Board is being asked to adopt a Debt Management Policy, Pension Funding Policy and adopt a resolution confirming the issuance of Pension Obligation Bonds (POBs) to refinance outstanding obligations of the Stanislaus Consolidated Fire Protection District (“District”), approving an Official Statement and Bond Purchase Agreement and related actions.

Director Rivers asked for public comments, seeing none, he requested a motion.

Motion by Director Neal, seconded by President Bernardi to approve the Resolution 2021-012, CalPERS Pension Costs, Unfunded Actuarial Accrued Liability Financing. Passed 3/0/0/2

AYES: 3 Directors: Bernardi, Neal, Rivers
NOES: 0 Director:
ABSTAIN: 0 Director:
ABSENT: 2 Directors: Goulding, Stanfield

Item 12.C: Consideration to Acceptance of Wording change for Engineer Job Description as Recommended by the Personnel Review Committee.

Chief Holly gave the staff report. He reported that while preparing the Engineer promotional process it was found that the current Engineer Job Description requires internal candidate to be off probation to apply. This wording is not found in the Captain’s Job Description and limits the pool of candidates for a promotional

process. The Experience portions requires a specific length of time to work as a Firefighter that is sufficient for the Engineer position. Removing the requirement, to be off probation will allow for a larger pool of qualified candidates and makes it less likely to need to go to the outside for candidates. The SCFPD Personnel Committee reviewed this recommendation at the August 23, 2021, Personnel Committee Meeting and is recommending the change.

Director Rivers asked for public comments, seeing none, he requested a motion.

Motion by Director Neal, seconded by President Bernardi to accept the wording change for the Engineer Job Description as recommended. Passed 3/0/0/2

AYES:	3	Directors:	Bernardi, Neal, Rivers
NOES:	0	Director:	
ABSTAIN:	0	Director:	
ABSENT:	2	Directors:	Goulding, Stanfield

Item 12.D: Consideration the Adjust to the Fire Inspector Salary Schedule by 20% to bring the Job Classification hourly rate to the average hourly salary of surrounding agencies.

Chief Holly gave the staff report and noted at the August 23, 2021, SCFPD Personnel Committee Meeting the Salary of the Fire Inspector was discussed. Staff conducted a Salary survey of surrounding agencies that currently use a Fire Prevention Specialist / Fire Inspector job classification. Staff compared the hourly wage of the SCFPD Fire Inspector to average hourly wage of similar positions at the City of Merced, City of Modesto, City of Patterson, and Stanislaus County. It was found that the SCFPD Fire Inspector is currently 20% below the average. Staff is unable to locate in records when the last salary adjustment was made in the Fire Inspector job classification. Currently the Fire Inspector position is budgeted at a .25 FTE for \$25,363 annually and is an unbenefited position. The current fiscal revenue for prevention for the months of July and August is already at nearly 50% of the projected yearly revenue and staff is confident that it will exceed projections. This is a long overdue adjust for the position.

Director Rivers asked for public comments, seeing none, he requested a motion.

Motion by President Bernardi, seconded by Director Neal to approve the adjustment to the Fire Inspector Salary Schedule and to bring the Job Classification hourly rate to the average hourly salary of surrounding agencies. Passed 3/0/0/2

AYES:	3	Directors:	Bernardi, Neal, Rivers
NOES:	0	Director:	
ABSTAIN:	0	Director:	
ABSENT:	2	Directors:	Goulding, Stanfield

Item 12.E: Consideration to increase and maintain the salary of the Administrative I position to the current State of California minimum wage and increase the Administrative II and Administrative III positions by 20%.

Chief Holly gave the staff report. He reported that the Stanislaus Consolidated Fire Protection District (SCFPD) has been updating and reorganizing the Job Descriptions and duties of the administrative staff. On August 23, 2021, The SCFPD met to discuss several items including the salary schedule of the administrative positions. Over the past year SCFPD has attempted to hire Administrative Assist positions and been unsuccessful in attracting a qualified pool of applicants. Currently SCFPD salary for administrative positions are 20% below average of like positions at neighboring agencies. To attract quality candidates SCFPD will need to come up to market salaries. Staff has conducted a salary survey of like local agencies and attached that survey for the Board to approval. Staff has been unable to locate any documentation of when the last known cost of living increase was made for the administrative staff, but we believe it to be more than 10 years ago.

Director Rivers asked for public comments, seeing none, he requested a motion.

Motion by Director Neal, seconded by President Bernardi to increase and maintain the salary of the Administrative I position to the current State of California minimum wage and increase the Administrative II and Administrative III positions by 20%. Passed 30/0/2

AYES:	3	Directors:	Bernardi, Neal, Rivers
NOES:	0	Director:	
ABSTAIN:	0	Director:	
ABSENT:	2	Directors:	Goulding, Stanfield

Item 12.F: Consideration to change one currently budgeted Administrative Assistant III position to the Finance Specialist position and accept the updated Salary Schedule for the Finance Specialist position.

Chief Holly gave the staff report and noted that the SCFPD has been updating and reorganizing the Job Descriptions and duties of the administrative staff. During the process it was found that a Finance Specialist Position had a job description and application flyer from 2014. On August 23, 2021 the SCFPD met to discuss several items including the salary schedule of the administrative positions. Currently the Administrative Assistant III position that is being filled is doing mostly Finance Specialist duties. To better separate administrative job duties and utilize staff in positions that better fit their expertise staff is recommending changing the allocated funding for one (1) of the two (2) Administrative Assistant III to the Finance Specialist position. Over the past year SCFPD has attempted to hire Administrative Assistant positions and has been unsuccessful in attracting a qualified pool of applicants. Currently SCFPD salary for administrative positions are 20% below average of like positions at neighbouring agencies. To attract quality candidates SCFPD will need to come up to market salaries. Staff has conducted a salary survey of like local agencies and attached that survey for the Board to approval.

Director Rivers asked for public comments, seeing none, he requested a motion.

Motion by President Bernardi, seconded by Director Neal to approve changing one allocated Administrative Assistant III position to the Finance Specialist position and except and updated Salary Schedule for the Finance Specialist position. Passed 3/0/0/2

AYES:	3	Directors:	Bernardi, Neal, Rivers
NOES:	0	Director:	
ABSTAIN:	0	Director:	
ABSENT:	2	Directors:	Goulding, Stanfield

Item 12.G: Consideration to Approve Resolution 2021-013, the Department of Forestry and Fire Protection Agreement #7GF21131 for services from the date of last signatory on page 1 of the Agreement to June 30, 2022, under the Rural Fire Capacity Program of the Cooperative Forestry Assistance Act of 1978.

Chief Holly gave the staff report and mentioned that on . April 27, 2021 the Stanislaus County Fire Protection District applied for the California Department of Forestry’s Rural Fire Capacity (RFC) assistance grant. The Cooperative Forestry Assistance Act of 1978 allows cooperating agencies to apply for assistance with the purchase of Personal Protective Equipment that meets the National Fire Protection Agency (NFPA) 1977, *Standard on Protective Clothing and Equipment for Wildland Fire Fighting*. L3399 personnel completed and submitted the application for the purchase of forty-eight (48) sets (jackets and pants) of wildland PPE and forty-eight (48) sets of wildland gloves. On August 24, 2021 we were advised that we were award the full amount of \$15,882 that we requested. Acceptance of this grant will allow us to outfit all SCFPD Line personnel with two (2) full sets of Wildland PPE. This allows for them to have clean PPE while their spare PPE in being cleaned or repaired after use. Funding for twenty-four (24) full sets of PPE had already been identified in the current Fiscal Year 2021 / 2022 budget and will be used for the match portion of the grant.

Director Rivers asked for public comments, seeing none, he requested a motion.

Motion by Director Neal, seconded by President Bernardi to approve Resolution 2021-013, Department of Forestry and Fire Protection Agreement #7GF1131. Passed 3/0/0/2

AYES:	3	Directors:	Bernardi, Neal, Rivers
NOES:	0	Director:	
ABSTAIN:	0	Director:	
ABSENT:	2	Directors:	Goulding, Stanfield

13. COMMUNICATIONS

1. **Correspondence** – None currently.

2. **Written Staff Reports** – Information and Discussion Items

Item 13.1.A: Fire Chief – Monthly Board Report and Call Log

Item 13.1.B: Training

Item 13.1.C: Local 3399

3. **Verbal Committee Reports**

Item 13.2.A: Capital Facilities – (Rivers/Stanfield)

Item 13.2.B: Finance – (Goulding/Neal)

Item 13.2.C: Personnel – (Bernardi/Stanfield)

Item 13.2.D: Ad Hoc Prop 172/Army Ammo – (Neal/Rivers)

Item 13.2.E: Ad Hoc Censure – (Rivers/Stanfield)

Item 13.2.F: Ad Hoc Grievance – (Goulding/Bernardi)

Item 13.2.G: Ad Hoc Day-to-Day Operations (Goulding/Bernardi)

4. **Directors Comments** – *At this time, Board Members may verbally make individual announcements, report briefly on their activities, or request an item be place on a future agenda.*

14. CLOSED SESSION

At 7:38 p.m. the Board of Directors moved to Closed Session to hear the following items.

Item 14. A: **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to (Government Code Section 54956.9 (d) (1)).
Foster Farms, LLC Foster Dairy Number Two, LP; Frantz Properties Family Limited Partnership, et al. v. County of Stanislaus; Stanislaus Consolidated Fire Protection District, Stanislaus County Superior Court Case No. CV-20-002107.

Item 14.B: **CONFERENCE WITH LABOR NEGOTIATORS** (Government Code Section 54957.6)
Agency Designated Representative: President Greg Bernardi
Unrepresented Employee: Interim Fire Chief
(Agreement Attached)

Item 14.C: **CONFERENCE WITH LABOR NEGOTIATORS** (Government Code Section 54957.6)
Agency Designated Representative: Eric Holly, Fire Chief; Employee Organization: SCFPD Firefighters Local 3399

Item 14.D: **CONFERENCE WITH LABOR NEGOTIATORS** (Government Code Section 54957.6)
Agency Designated Representative: Eric Holly, Fire Chief; Employee Organization: SCFPD Battalion Chiefs

Item 14.E: **CONFERENCE WITH LEGAL COUNSEL** - Anticipated Litigation (Pursuant to Government Code Section 54956.9(d)(2))
One Potential Matter - Shatill Rozinski Photography v. Stanislaus Consolidated
(Letter Attached)

15. RETURN TO OPEN SESSION

Board of Directors returned to Open Session at 8:05 p.m.

16. CLOSED SESSION REPORT

President Bernardi reported there was no reportable action to report.

17. ADJOURNMENT

There being no further business, the Board of Directors adjourned at 8:07 p.m.

ATTEST:

APPROVED:



Lori Frontella, Clerk of the Board



Gregory Bernardi, Board President

