



Agenda

**San Mateo Consolidated Fire Department
Board of Directors
Regular Meeting
Wednesday, April 13, 2022 – 4:00 P.M.**

Consistent with Government Code Section 54953, this meeting will be conducted both in person and also via Zoom Teleconferencing to promote public participation at public meetings while maintaining compliance with local, state, and federal guidelines and social distancing recommendations for the containment of the coronavirus. Department officials and members of the public are invited to attend and give public comment either in person or via teleconference. Comments may also be submitted prior to the meeting by email to: nmorales@smcfire.org

To Attend in-person – Foster City EOC, 1040 East Hillsdale Blvd., Foster City, CA 94404

To Observe and Participate via Video Teleconference –

Register in advance for this Zoom webinar:

https://us06web.zoom.us/webinar/register/WN_jIsuJW8BQZCNxFm8ckYFRQ

1. OPENING

- 1.1. Call to Order & Determination of a Quorum
- 1.2. Pledge of Allegiance
- 1.3. Roll Call

2. AGENDA CHANGES

The Chair/Board Member may change the order of the Agenda or request discussion of a Consent Item. A member of the public may request discussion of a Consent Item by emailing the Acting Board Clerk Nicole Morales at nmorales@smcfire.org prior to Public Comment.

3. PUBLIC COMMENT

Public Comment is limited to 15 minutes, with a maximum of three (3) minutes per speaker. If you wish to address the hearing body, please notify the Department as soon as practical by emailing the Acting Board Clerk of the Fire Board at nmorales@smcfire.org . If you are addressing the Board of Directors on a non-agenda item, the Board of Directors may, but is not required to, briefly respond to statements made or questions posed as allowed by the Brown Act (GC 54954.2). The Board of Directors may refer items to staff for attention, or have a matter placed on a future Board of Directors Meeting, for more comprehensive action or report.

4. CONSENT

- 4.1 Approval of Fire Board Meeting Minutes from March 14, 2022.
- 4.2 Report from Closed Session of March 14, 2022.

5. NEW BUSINESS

- 5.1** Resolution Authorizing Use of Hybrid Remote Teleconferencing for Meetings of the Department Board of Directors Consistent with AB 361's Amendments to the Ralph M. Brown Act.

- [5.2](#) Receive fiscal year 2021-22 budget update, adopt a resolution approving a supplemental budget appropriation of \$0.4 million of available fund balance in the General Fund, and provide feedback on proposed fiscal year 2022-24 business plan.
- [5.3](#) Adopt a resolution to appropriate \$117,957 of available fund balance in the General Fund, which represents fiscal year 2020-21 Hazmat net income to a Hazmat reserve in the Equipment Replacement Fund.
- [5.4](#) Adopt a resolution approving the following job classification revisions for an internal Training Division.
- [5.5](#) Adopt a resolution approving the purchase of one (1) new fire truck and one (1) new fire engine from Golden State Fire Apparatus and authorizing the Fire Chief to sign the purchase agreement.

6. REPORTS AND ANNOUNCEMENTS

- 6.1. Board Members and Department Management Staff will have an opportunity to make announcements.
 - 6.1.1 Fire Operations Update (*verbal only*)
 - 6.1.2 Community Risk Reduction Division Update (*verbal only*)

7. CLOSED SESSION

- 7.1. Conference with Legal Counsel regarding Existing Litigation, Workers' Compensation pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of Case: Kojo Williams
Agency Designated Representative(s): Jennifer Crims, Senior Human Resource Analyst, William D. Ross, Attorney & Mark R. Peterson, Attorney

8. RETURN FROM CLOSED SESSION

- 8.1. The report out from Closed Session will be made at the next Board meeting.

9. ADJOURNMENT

I, Nicole Morales, Acting Board Clerk of the San Mateo Consolidated Fire Department, hereby declare that the foregoing Agenda was posted in compliance with the Brown Act prior to the meeting date.

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Acting Fire Board Clerk at (650) 522-7900 no less than 72 hours prior to the meeting. Notification in advance of the meeting will enable the Fire Department to make reasonable arrangements to ensure accessibility to this meeting.

Copies of documents distributed at the meeting are available in alternative formats upon request. Any writing or documents provided to a majority of the Board regarding any item on this Agenda will be made available for public inspection at the Department Fire Administration Office located at 1040 E. Hillsdale Blvd., Foster City, CA 94404, during normal business hours. In addition, most documents will be posted on the Department's website at <https://www.smcfire.org/meeting-dates-agendas-minutes/>



Meeting Minutes

San Mateo Consolidated Fire Department Board of Directors Regular Meeting Monday, March 14, 2022 – 1:00 P.M. Zoom Video Teleconference

1. OPENING

The meeting was called to order at 1:00 pm by Board Chair Goethals.

1.3. Roll Call

Board Members Present: Goethals, Lieberman & Awasthi

Board Members Absent: None

2. AGENDA CHANGES

There were no agenda changes.

3. PUBLIC COMMENT

None

4. CONSENT

Board Member Lieberman made a motion to approve the Consent calendar, which was seconded by Board Member Awasthi. The Acting Board Secretary took a roll call vote, and the Consent calendar items were approved 3-0.

5. NEW BUSINESS

Item 5.1 - Adopt a resolution approving the purchase of Self-Contained Breathing Apparatus' (SCBA) units and related equipment and authorizing the Fire Chief to sign the purchase agreement.

Chief Thrasher provided an overview for the recommendation to purchase SCBA units. A portion of the purchase is being made through the Assistance to Firefighters Grant (AFG) which is in partnership with Central County Fire Department (CCFD). In order to replace all our SCBA's and to meet industry standards, an additional \$725,000 is required to complete the purchase. Board Member Lieberman expressed his thanks for obtaining grant funds to assist with the purchase.

Board Chair Goethals asked if there was any public comment on this item, which there were none. Board Member Lieberman made a motion to adopt the resolution, which was seconded by Board Member Awasthi. The Acting Board Secretary took a roll call vote, and the resolution was approved 3-0.

Item 5.2 - Consideration of a resolution authorizing Continued Use of Remotely Teleconferenced Meetings.

Board members discussed preferences of location for future meetings. Board Member Lieberman stated that Belmont plans to return in-person beginning April. Unless anything changes due to COVID, he agreed it would be appropriate, but would be agreeable to other board member preferences. Board Member Awasthi stated that after detailed evaluations, Foster City went to a hybrid meeting format on March 7. She is in support of a hybrid arrangement to which Board Chair Goethals agreed. Legal

Counsel Ross stated we can facilitate a hybrid meeting where the Board can meet in person and take public comment on Zoom. Board agreed to move forward with a hybrid model and continue to allow public participation through Zoom due to the ongoing conditions of COVID. Additional action will be taken at the next Board meeting.

Board Chair Goethals asked if there was any public comment on this item, which there were none. Board Chair Goethals made a motion to adopt the resolution, which was seconded by Board Member Awasthi. The Acting Board Secretary took a roll call vote, and the resolution was approved 3-0.

6. FIRE BOARD RETREAT/STUDY SESSION

Item 6.1 Discuss San Mateo Consolidated Fire Department's current state, goals, and recommended organizational changes.

Chief Kent Thrasher provided a presentation covering the MRG Assessment, Command Staff reorganization, restructuring of the Training model, JPA Agreement review, and overtime assessment. He stated that the items discussed are informative for future action.

Chief Thrasher gave an MRG Assessment overview:

- Produced by SMFD retired Fire Chief Brian Kelly to determine the current state of the organization.
- Results raised concerns amongst staff on all levels. Corrective actions for increased and improved communications will take place.

Chief Thrasher explained a Command Staff reorganization:

- In 2020, a reorganization plan that consisted of Division Chief's created compaction and overlap.
- Recommendation to the Board includes eliminating the Division Chief's and correct the overlap with the return of Deputy Chief and Administrative Battalion Chiefs.

Board Member Lieberman asked about department interest in the positions of Deputy Fire Chief and Battalion Chief within the Administrative Division. Chief Thrasher responded the position of battalion chief is interchangeable across the divisions. The deputy chief of admin and CRR position would typically have a fire prevention background. In the future, we would like to pull the fire marshal duties away from that position once funding is available.

Chief Thrasher gave a background on the current Training Division:

- Current model includes agreement with Central County Fire Department (CCFD) which ends on June 30, 2022.
- Concerns include staffing, additional funding, department specific training, and lack of control.
- Recommendation to bring division in-house to cover internal training needs, include additional positions, and will remain budget neutral. Staff report will be included in April's meeting.

Board Member Lieberman asked if the changes would lead to better training and remain close to budget neutral. Chief Thrasher responded that the level of training will increase. Only downside is ending the great relationship with CCFD and San Bruno. Chief Thrasher stated the relationship will remain strong and we will provide EMS management support for up to a year.

Chief Thrasher explained the JPA Agreement:

- Entered initial agreement September 11, 2018 and should be reviewed on a regular basis.
- Recommendations considered for updating include the CAO duties, the inter-agency fee offsets, and the addition of new members language.

Board Chair Goethals stated that the organization works by bringing the three cities together and are not interested in charging each other nominal fees. We save money by acting as one organization and one fire department. Board Chair Goethals and Board Member Awasthi agreed to codify the topic to keep our success moving forward. Board Member Lieberman stated he is in favor for increased efficiency but would like to discuss further with his City Manager. On the topic of the COA, Board members agreed there is not a need to further define the role at this moment. Board Member Awasthi thanked CAO

Corbett for his role for the department. Regarding new member language, we should require specific due diligence of perspective new members.

Chief Thrasher gave an overtime assessment overview:

- Overtime analysis was part of the MRG Assessment by Brian Kelly
- Discussion included organizational health, generational differences, generators of overtime, and COVID impacts.
- We will continue to monitor, focus on full staffing, and anticipate bringing final recommendation by July 2022.

Board Chair Goethals asked if there was any public comment on this item, which there were none.

Regarding the MRG Assessment, Board Member Lieberman stated it identified a number of important observations and recommended this be repeated a year from now to understand progress moving forward. Participation in the report was appreciated. Board Member Awasthi doesn't disagree with another assessment in a year but would question if whether there is a need and if this is a common practice in other JPA's. Generally speaking, some companies would perform surveys. Board Chair stated this was a good process and we should check in to see

Board Member Awasthi is in support of Chief Thrasher's diligence in finding a delicate balance between overtime and hiring full time employees.

7. ADJOURNMENT

The Board was reminded the next meeting will take place April 13, 2022, and the meeting was adjourned.

8. CLOSED SESSION

The Fire Board went into Closed Session at 2:25 p.m. Report out from Closed Session will be made at the next Board meeting.



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: William Ross, Department Counsel

Meeting Date: April 13, 2022

Subject: **Resolution Authorizing Use of Hybrid Remote Teleconferencing for Meetings of the Department Board of Directors Consistent with AB 361's Amendments to the Ralph M. Brown Act**

RECOMMENDATION

Adopt a Resolution finding that continued emergency conditions persist due to the ongoing COVID-19 pandemic and that meetings of the Department's Board of Directors ("Board") will be held as hybrid meetings with the option for members of the public, Department Staff, and Board Members to attend by either by remote teleconferencing or to attend in-person, consistent with AB 361 and its amendments to Government Code Section 54953, for the period of April 13, 2022 to May 13, 2022.

BACKGROUND

Because of the COVID-19 pandemic, the Department's Board of Directors has been conducting meetings via Zoom teleconference, as allowed by Executive Order N-29-20. However, the Executive Order expired on September 30, 2021. Assembly Bill 361, which was approved at by the Governor on September 16, 2021, allows local agencies to continue to meet by Zoom or other teleconferencing methods, provided that certain conditions are met.

The effect of Executive Order N-29-20 was to suspend certain provisions of the Ralph M. Brown Open Meeting Act (Government Code Section 54950 *et seq.*), which previously only allowed remote teleconference participation by Board Members through an agenda-posting process at each teleconferenced member's location, with agenda provisions requiring that each teleconferenced location be accessible to the public.

AB 361 amended the Brown Act to allow for the same teleconferencing as the now-expired Executive Order, so long as a state of emergency persists.

The enclosed Resolution would comply with the provisions of AB 361 and allow continued use of Zoom meetings of the Department Board, while also allowing it to conduct in-person meetings. This "hybrid" style of meeting continues to promote social distancing by allowing members of the Board and members of the public to participate in the manner in which they feel most safe, thereby promoting public participation while simultaneously protecting vulnerable members of the public, such as those with compromised immune systems.

Because the Governor’s declaration of a state of emergency is still in effect, the ability for the Board to continue to meet by Zoom, even in conjunction with in-person meetings, can be accomplished consistent with AB 361, which requires that Resolutions confirming the existence of a declared emergency are adopted *every 30 days* (or, if a longer period of time passes between each Board meeting, a Resolution be adopted each time the Board meets).

Stated differently, the Board will have to enact a “361 Resolution” at each meeting to allow the current Zoom teleconferencing procedures to continue.

To accomplish these “hybrid” style meetings, agendas should indicate the location of the physical meeting site that will be open to the public, as well as the alternate means of participating via Zoom or teleconference.

FISCAL IMPACT

None

ATTACHMENTS

A. Resolution

RESOLUTION NO. RES-2022-

A RESOLUTION OF THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT RE-AFFIRMING THAT A LOCAL EMERGENCY EXISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY ISSUED BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING IN-PERSON AND REMOTE TELECONFERENCED MEETINGS OF THE LEGISLATIVE BODIES OF THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT FOR THE PERIOD OF APRIL 13, 2022 THROUGH MAY 13, 2022 PURSUANT TO THE RALPH M. BROWN ACT

WHEREAS, the San Mateo Consolidated Fire Department (“Department”) is committed to preserving and nurturing public access and participation in meetings of the San Mateo Consolidated Fire Department Board of Directors (“Board”); and,

WHEREAS, all meetings of the Department’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Department’s legislative bodies conduct their business; and,

WHEREAS, where a state of emergency exists, Government Code section 54953(e) authorizes remote, teleconferenced participation in meetings by members of a legislative body, without compliance with Government Code section 54953(b)(3), which under normal circumstances allows remote teleconference participation by Board Members through a specific agenda-posting process at each teleconferenced member’s location, with agenda provisions indicating that each teleconferenced location be accessible to the public; and,

WHEREAS, however, such requirements are not required for teleconferenced meetings when a state of emergency has been declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and,

WHEREAS, that proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Department’s boundaries, caused by natural, technological, or human-caused disasters; and,

WHEREAS, that proclamation also requires that state or local officials have imposed or recommended measures to promote social distancing, or the legislative body meeting in person would present imminent risks to the health and safety of attendees; and,

WHEREAS, emergency conditions exist nationwide, including across California and within the Department’s operating area, resulting in a State of Emergency being proclaimed by Governor Newsom on March 4, 2020, proclaiming a State of Emergency to exist in California as a result of the threat of COVID-19; and,

WHEREAS, on March 16, 2020, the Director of Emergency Services for each of the three member agencies of the Department proclaimed a local emergency within their jurisdictions, which were

subsequently ratified by their respective governing bodies. On April 1, 2020, the Department's Board of Directors adopted a Resolution confirming and ratifying the actions of the three member agencies taken on March 16, 2020, including the declarations of emergency within the Department's entire service area in response to the COVID-19 pandemic; and,

WHEREAS, during the COVID-19 pandemic, the Department Board has conducted remote, teleconferenced meetings consistent with the Governor's Executive Orders promoting social distancing;

WHEREAS, consistent with AB 361, as a condition of extending the use of the provisions found in section 54953(e), the Department Board must reconsider the circumstances of the state of emergency that exists in the Department, and the Department Board has done so; and,

WHEREAS, due to the emergence of new variants of COVID-19, such as Delta and Omicron variants of COVID-19, not all members of the public may feel safe to participate personally at in-person meetings; and,

WHEREAS, the Department Board has determined that conducting "hybrid" style meetings with the option for members of the public, Department Staff, and members of the Board of Directors to attend either virtually or in person would allow participation in a manner in which individuals feel most safe, thereby promoting public participation while simultaneously promoting social distancing and protecting vulnerable members of the public, such as those with compromised immune systems; and,

WHEREAS, as a consequence of the local emergency, the Department Board does hereby find that the legislative bodies of the Department shall conduct their meetings via in-person and remote teleconferencing, in compliance with Government Code section 54953(e); and,

WHEREAS, the Department will continue to provide teleconference access via a conference phone-line number to the meetings to ensure alternative means of public access.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Exists. The Department Board hereby proclaims that a local emergency continues to exist throughout the Department, and that conducting meetings allowing for both in person and remote attendance would not only promote public safety, but also encourage broader public participation.

Section 3. Re-Ratification of Governor's Proclamation of a State of Emergency. The Department Board hereby re-ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The staff and legislative bodies of the Department are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of either 30 days or such time the Department Board adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Department may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED, APPROVED and ADOPTED at a regularly scheduled meeting of the Department Board of the San Mateo County Fire Department held on the 13th day of April 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Kent Thrasher, Fire Chief

Meeting Date: April 13, 2022

Subject: Fiscal Year 2022-24 Operating Budget

RECOMMENDATION

Receive fiscal year 2021-22 budget update, adopt a resolution approving a supplemental budget appropriation of \$0.4 million of available fund balance in the General Fund and \$0.8 million of available fund balance in the Equipment Replacement Fund, and provide feedback on proposed fiscal year 2022-24 business plan.

BACKGROUND

General Fund

Based on February 2022 year-to-date results, total revenues in the General Fund are expected to end the fiscal year (FY) 2021-22 at \$45.1 million, while total expenditures are projected to be \$45.9 million, which would result in a net loss of \$0.8 million, reducing fund balance from \$1.5 million to approximately \$0.6 million. While General Fund total revenues are within the amended budget, total expenditures are projected to be over budget by \$0.4 million, largely due to the prevalence of overtime incurred to maintain minimum staffing levels as a result of COVID-19. Overtime and sick leave impacts directly related to COVID-19 are estimated to be \$0.5 million for FY 2021-22. Additionally, a reduction in vacation usage in 2020, due to COVID –19, adversely caused a 39% increase in vacation usage as employees attempted to stay under maximum vacation bank limits.

The proposed 2022-23 budget for the General Fund estimates \$44.8 million in requirements (projected expenditures), which by design, are offset by \$44.8 million in revenues, largely from member agency contributions. The proposed budget incorporates the recommended organizational changes as presented during the strategic planning session from February 2022, some of which is being presented to the Board on the same agenda this evening (Training Division) which is cost neutral, and the balance in May 2022. Compared to the adopted 2021-22 budget, the proposed 2022-23 budget is an increase of 4.0%.

The operating contributions, which are split 60%/20%/20% between the member agencies, are projected to be \$26,159,088 for the City of San Mateo, and \$8,719,696 each for the cities of Belmont and Foster City, which is a 3.7% increase compared to the current fiscal year. The primary factors that contribute to the increased operating cost are discussed below:

Employee Compensation

Salaries, wages, and benefits represents over 87% of the total General Fund proposed 2022-23 budget, which is consistent with SMC Fire's operations provision of services to the member agencies' communities. Employee compensation is projected to increase by \$1.0 million or 2.7% over the adopted 2021-22 budget, accounting for labor negotiations that are in progress as well as increases in healthcare costs as projected in SMC Fire's actuarial valuation for other postemployment benefits (OPEB).

Capital Outlay

The Fire Board will also be considering a separate agenda item to purchase a new fire engine and fire truck with a total cost of \$2.7 million, which reflects the current market price for these service vehicles. SMC Fire's practice is to charge its operating funds (the General Fund and the Fire Protection and Life Safety Fund) a replacement charge throughout the useful life of its vehicles and equipment. Replacement charges for 2022-23 are increasing by \$0.5 million compared to the current fiscal year as a result of resetting the replacement cost to market value for SMC Fire's vehicles and equipment.

Fire Protection and Life Safety Fund

Based on year-to-date results through February 2022, total revenues are performing within budgetary expectations, and are projected to end the year with \$2.6 million, while total expenditures are projected to end the year at \$2.5 million, which would increase to fund balance by \$0.1 million, from \$0.2 million to \$0.3 million. The favorable results are largely due to the re-funding of the Fire Inspector positions being approved by the Fire Board later in the fiscal year.

For FY 2022-23, total resources (projected revenues) are projected to be \$2.7 million, while total requirements are projected to be \$2.6 million. In order to present a balanced budget, one Fire Inspector position has been defunded until expected revenues improve to a point sufficient to fund the position.

Equipment Replacement Fund

Assuming the Fire Board approves of the purchase of a new fire engine and fire truck with a combined cost of \$2.7 million, and Self-Contained Breathing Apparatuses (SCBAs) of \$0.7 million, total expenditures in the Equipment Replacement Fund are projected to be \$0.8 million more than the 2021-22 adopted budget. As such, the proposed resolution also approves a supplemental budget appropriation of \$0.8 million of available fund balance in the Equipment Replacement Fund.

FISCAL IMPACT

If the FY 2021-22 year-end estimates come to fruition, the General Fund would end the year with \$45.1 million in total revenues and \$45.9 million in total expenditures, resulting in a net loss of \$0.8 million and reduce fund balance from \$1.2 million to \$0.4 million. The proposed 2022-23 budget projects \$44.8 million in total revenues and \$44.8 million in total expenditures.

The Fire Protection and Life Safety Fund is projected to end FY 2021-22 with \$2.6 million in total revenues and \$2.5 million, which would increase fund balance from \$0.2 million to \$0.3 million. The proposed 2022-23 budget is estimates \$2.7 million in total revenues and \$2.6 million in expenditures.

Adoption of the proposed resolution will appropriate \$0.4 million of available fund balance in the General Fund to increase the overtime budget due to the impact of COVID-19 on SMC Fire operations.

Adoption of the proposed resolution will also appropriate \$0.8 million of available fund balance in the Equipment Replacement fund to increase the expenditure budget for vehicles and major equipment.

ATTACHMENTS

A. Proposed Resolution

RESOLUTION NO. RES-2022-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO
CONSOLIDATED FIRE DEPARTMENT APPROVING A SUPPLEMENTAL BUDGET
APPROPRIATION OF \$0.4 MILLION OF AVAILABLE FUND BALANCE IN THE
GENERAL FUND AND \$0.8 MILLION OF AVAILABLE FUND BALANCE IN THE
EQUIPMENT REPLACEMENT FUND**

WHEREAS, the Board of Directors received an update on the budget performance for the General Fund. Based on February 2022 year-to-date results, expenditures are projected to end the fiscal year at \$45.9 million, which would exceed budgeted appropriations by \$0.4 million, largely due to overtime costs incurred as a result of the impact of COVID-19 on operations and maintaining minimum staffing levels; and

WHEREAS, Equipment Replacement Fund expenditures are projected to end the fiscal year at \$4.7 million, which would exceed budgeted appropriations by \$0.8 million, largely due to the purchase of a new fire engine, a new fire truck, and replacement of Self-Contained Breathing Apparatuses (SCBAs) of approximately \$3.4 million.

NOW, THEREFORE, the Board of Directors of the San Mateo Consolidated Fire Department resolves as follows:

1. Authorize a supplemental budget appropriation of \$0.4 million of available fund balance in the General Fund to increase the General Fund overtime budget.
2. Authorize a supplemental budget appropriation of \$0.8 million of available fund balance in the Equipment Replacement Fund to increase the expense budget for vehicles and major equipment.

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 13th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Kent Thrasher, Fire Chief

Meeting Date: April 13, 2022

Subject: Hazmat Reserves

RECOMMENDATION

Adopt a resolution to appropriate \$117,957 of available fund balance in the General Fund, which represents fiscal year 2020-21 Hazmat net income, to a Hazmat reserve in the Equipment Replacement Fund.

BACKGROUND

The San Mateo Consolidated Fire Department (SMC Fire) is in agreement with the County of San Mateo to provide hazardous materials (Hazmat) emergency response functions for the County. The agreement provides cost recovery to SMC Fire for Hazmat response, equipment, equipment maintenance, and training related costs. In fiscal year 2020-21, per the agreement, the County paid \$675,969 to SMC Fire. Hazmat expenditures for FY 2020-21 were \$558,012, which included personnel time spent on emergency response, training activities, and equipment. The difference of \$117,957 represents revenue that is received beyond programmatic expenditures. Hazmat revenue and expenditures are accounted for in the General Fund.

Staff recommends that \$117,957 of available fund balance in the General Fund be appropriated and transferred to a Hazmat reserve in the Equipment Replacement Fund, which represents the Hazmat net income from fiscal year 2020-21, in order to prepare for replacement of equipment specific to hazmat response and available for appropriation in subsequent fiscal years.

FISCAL IMPACT

The Hazmat reserves in the Equipment Replacement Fund will be restricted by resolution of the Fire Board of Directors.

ATTACHMENTS

A. Resolution

RESOLUTION NO. RES-2022-

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT APPROVING AN APPROPRIATION OF \$117,957 OF AVAILABLE FUND BALANCE IN THE GENERAL FUND AND A TRANSFER TO THE EQUIPMENT REPLACEMENT FUND AND COMMIT AS A RESERVE FOR HAZMAT PURPOSES

WHEREAS, the San Mateo Consolidated Fire Department (SMC Fire) is in agreement with the County of San Mateo to provide hazardous materials (Hazmat) emergency response functions for the County; and,

WHEREAS, in fiscal year 2020-21, per the agreement, the County paid \$675,969. Expenditures for that year were \$558,012, which included personnel time spent on emergency response, training activities, and equipment; and,

WHEREAS, the difference of \$117,957 represents Hazmat revenue that is received beyond programmatic expenditures; and,

WHEREAS, staff recommends that \$117,957 of available fund balance in the General Fund, which represents the net income from the Hazmat program, be appropriated and transferred to the Equipment Replacement Fund and committed as a Hazmat reserve in order to prepare for replacement of equipment specific to hazmat response.

NOW, THEREFORE, the Board of Directors of the San Mateo Consolidated Fire Department resolves as follows:

1. Authorize appropriation transfer and of \$117,957 of available fund balance in the General Fund to the Equipment Replacement Fund and commit as a Hazmat reserve. .

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 13th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Kent Thrasher, Fire Chief

Meeting Date: April 13, 2022

Subject: Internal Training Division Reorganization

RECOMMENDATION

Adopt a resolution approving the following job classification revisions for an internal Training Division:

- Addition of one full-time equivalent (FTE) 40-hour Fire Captain position
- Addition of one FTE Administrative Assistant position
- Creation of an Emergency Medical Services (EMS) Manager classification
- Reclassification of the incumbent Emergency Medical Services (EMS) Clinical Education Specialist (CES) to EMS Manager
- Elimination of the EMS Clinical Education Specialist classification

BACKGROUND

To support the training needs of the San Mateo County EMS JPA created in 1998, the Central San Mateo County Training Division (CSMCTD) was created by the San Mateo, Burlingame, Hillsborough, and Millbrae Fire Departments. CSMCTD evolved over several years to include EMS and Mandated Fire Operations training, as well as promotional testing assessments and County Fire Academy Operations.

Staffing for CSMCTD is shared between the participating agencies and started with four personnel in 2006. Staffing levels increased to six over subsequent years and following budget cuts in 2018, was reduced to its current level of four. By 2010, the San Bruno, Foster City, and Belmont Fire Departments were brought into CSMCTD as additional members. Funding for CSMCTD is provided by dividing the total annual budget by the number of Truck and Engine Companies it serves. That number is currently 22 and the budget includes the total costs for the four employees and an operational budget. Participating agencies contribute to the CSMCTD budget based on the departments' number of Companies. The San Mateo Consolidated (SMC) Fire Department currently provides funding for 12 companies (2 Trucks and 10 Engines).

The current staffing model for CSMCTD is (1) EMS Battalion Chief, (1) Operations Training Battalion Chief, (1) EMS Clinical Education Specialist (EMS CES), and (1) Administrative Assistant. In addition to EMS related training and oversight, the EMS Battalion Chief position is also assigned the responsibilities of "JPA Supervisor" as defined in the San Mateo County EMS JPA Agreement. Given the excessive workload of the EMS Battalion Chief over the past few years, the JPA Supervisor responsibilities have been delegated to, and performed by, the EMS CES. The skills, knowledge, abilities, and capabilities of the current EMS CES

allow for the additional responsibilities of the JPA Supervisor, which is why staff is recommending that the EMS CES be reclassified to the EMS Manager position.

Though CSMCTD has been able to provide EMS and mandated training, budgetary limitations have impacted staffing levels and thereby the scope of training. The current model can provide only the minimum required EMS and mandated training to the member agencies. Probationary, Company Officer, and Special Operations training are not provided by CSMCTD, and are currently being partially provided by our existing internal Training Division.

ANALYSIS

The training requirements of the consolidated Fire Department have outgrown what can be provided by CSMCTD without substantial increases to our current training budget. Through an analysis of the current training needs of SMC Fire, the scope of what is provided by CSMCTD and the budgetary impacts, it is recommended that SMC Fire separate from CSMCTD and provide all training internally. Bringing all training internally will provide a more comprehensive training model that will cover all skillsets and Divisions of SMC Fire, including those not currently covered by CSMCTD. In addition to a substantially increased scope of training, bringing all training internal will give us complete control of all scheduling and resources.

The proposed internal Training Division will provide EMS, mandated, probationary, HAZMAT, Water Rescue, and Special Operations Training as well as training oversight for our Community Risk Reduction (CRR) and Administration Divisions. SMC Fire currently has an internal Training Division comprised of (1) Training Battalion Chief and (1) 40-Hour Training Captain.

Staff recommends separating from CSMCTD and applying the funds currently allocated to CSMCTD to the recommended internal Training Division positions. Additional funding for the internal Training Division will come out of training allocations from the county HAZMAT contract and revenues from the Industrial Emergency Council through a joint training agreement.

The newly created EMS Manager salary range will be \$137,804.40 - \$164,348.52 and this position will be in the AFSCME Management Group.

FISCAL IMPACT

Current contributions to CSMCTD, in addition to training specific revenue from the County HAZMAT Contract and revenue from IEC, will support the recommended internal Training Division with minimal or no impact to our current combined training budget allocations.

ATTACHMENTS

- A. Resolution
- B. Emergency Medical Services (EMS) Manager job description

RESOLUTION NO. RES-2022-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO
CONSOLIDATED FIRE DEPARTMENT APPROVING AN INTERNAL TRAINING
DIVISION REORGANIZATION**

WHEREAS, the Central San Mateo County Training Division (CSMCTD) has supported the joint operational training program for participating agencies since 2006; and,

WHEREAS, the training requirements of the San Mateo Consolidated Fire Department (SMC Fire) have outgrown what can be provided by CSMCTD and through an analysis, it is recommended that SMC Fire separate from CSMCTD and provide all training internally; and,

WHEREAS, Staff recommends separating from CSMCTD and applying the funds currently allocated to CSMCTD to the recommended internal Training Division positions; and,

WHEREAS, notice of non-renewal of agreement was given and acknowledged in writing by all participating agencies; and,

WHEREAS, additional funding for the internal Training Division will come out of training allocations from the County of San Mateo HAZMAT contract and revenues from the Industrial Emergency Council through a joint training agreement.

NOW, THEREFORE, the Board of Directors of the San Mateo Consolidated Fire Department resolves as follows:

1. Approve the following job classification revisions for an internal Training Division:
 - a. Addition of one full-time equivalent (FTE) 40-hour Fire Captain position
 - b. Addition of one FTE Administrative Assistant position
 - c. Creation of an Emergency Medical Services (EMS) Manager classification
 - d. Reclassification of the incumbent Emergency Medical Services Clinical Education Specialist (EMS CES) to EMS Manager
 - e. Elimination of the EMS Clinical Education Specialist classification

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 13th day of April, 2022 , by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel



EMERGENCY MEDICAL SERVICES (EMS) MANAGER (NON-SAFETY)

DEFINITION

Under the direction of the Chief Officer overseeing the Operations and EMS training programs; develops, implements, coordinates, and evaluates activities of the Fire Department, in the areas of Emergency Medical Services, including pre-hospital patient care; monitors EMS and operational field performance; works closely with department(s) personnel to provide in-house medical oversight, training and quality improvement programs through positive professional interactions. Additionally, may function as the San Mateo County ALS/JPA EMS Supervisor of the Central Zone, when directed by the Fire Chief.

SUPERVISION RECEIVED AND EXERCISED

The EMS Manager will receive direction from the Chief Officer overseeing the Training Division.

EXAMPLES OF ESSENTIAL DUTIES - Duties may include, but are not limited to, the following:

Assist in the development, implementation and management of the Department Emergency Medical Services program and determine objectives are consistent with established goals.

Develop and coordinate the activities of the Emergency Medical Services program of the fire department.

Assist with the development of the appropriate budget, ensuring budget objectives are being met and provide reports, as needed.

Develop effective positive relationships and liaisons with the San Mateo County EMS Agency, the contracted ALS transport company and other agencies that are required to achieve the established goals.

Represent the Department to local, state, and federal regulatory, advisory, and governing bodies with respect to EMS issues.

Attend and be an active participant in all necessary meetings, including but not limited to: QLC, MAC, Departmental Staff meetings, EMS system redesign, Training Officers, EMS Operations, and FACT.

Serve as the EMS point of contact for government officials and organizations, non-government and community-based organizations, city, county and private partners and other stakeholders.

Conduct, facilitate, and attend informational seminars, conferences, presentations, and public and professional meetings regarding topics related to EMS.

Assure that all EMS, Advanced Life Support (ALS) and Basic Life Support (BLS) training, activities are carried out in a manner consistent with the mandates, requirements and recommendations of the State and County regulations controlling the provisions of pre-hospital emergency medical services.

Conduct research and analysis of current and future EMS issues and trends to ensure quality emergency medical services are being delivered.

Evaluate EMS data and design quality assurance programs to measure program outcome and effectiveness.

Respond to large scale and high-profile incidents and function in a position as determined by the Incident Commander.

Ensure fire department compliance with San Mateo County EMS Agency protocols, procedures, polices and State EMSA statues and regulations.

Serve as the fire department's primary Designated Infection Control Officer (DICO).

Evaluate employee performance as it relates to EMS calls; and mentor and develop employees.

Implement, oversee, and maintain records for annual influenza.

Conduct investigations and provide recommendations of corrective action for EMS clinical issues or concerns.

Develop, revise, implement and oversee the Personal Improvement Plan (PIP) for employees and assist with remediation, education and counseling as needed.

Initiate and maintain a Quality Assurance/Quality Improvement program while monitoring the outcome to facilitate operational changes and focus future training priorities.

Conduct and participate in EMS trainings, coordinate and schedule continuing education opportunities.

Prepare and maintain a variety of records and reports; and prepare a variety of comprehensive staff reports.

Provide direction, oversight, and control of the controlled substance inventory; ensure the controlled substance program(s) complies with federal, state, and local requirements.

Answer requests for information and maintain effective public relations that may include addressing public gatherings regarding the field of EMS.

Assist in other non-EMS related trainings as directed by the Chief Officer overseeing the Training Division.

Coordinate and oversee durable and disposable medical equipment supply.

Assist with development, implementation, and oversight of electronic patient care report systems.

Ensure a HIPAA compliance program is implemented and followed.

Work irregular and protracted hours, as needed.

Other duties as assigned or defined under the San Mateo County ALS/JPA Agreement, the San Mateo County EMS Agency, or EMS Medical Director, or by the Chief Officer overseeing the Training Division.

QUALIFICATIONS

Knowledge of:

The principles of personnel management, public management, and administration.

Pertinent Federal, State, and Local EMS policies, procedures, protocols, and practices.

Principles and practices related to the development, management, and administration of EMS systems and quality assurance programs.

Federal, State, and local statutes and regulations pertaining to EMS training, service delivery and quality improvement.

Current computer programs, applications and systems being utilized by the fire department; utilize applications to perform and complete tasks and/or requirements of the job and ability to learn and apply new technologies and skills.

Basic report preparation with proficiency in spelling and grammar.

Technology, trends, and techniques in the area of EMS.

Instructional methods, procedures, and strategies.

Principles of budget preparation and administration.

Effective training techniques and learning processes.

Computer based patient care report writing systems.

Ability to:

Organize, implement, and direct emergency medical services operations.

Prepare clear, concise, and complete oral and written reports.

Manage advanced and basic life support quality assurance/quality improvement plans.

Maintain records and submit reports when requested.

Interpret and explain laws, codes and regulations affecting the various functions of the fire department EMS program.

Assist in the development and monitoring of an assigned program budget.
Supervise, train, and evaluate personnel.

Communicate effectively with others in writing and orally to assimilate, understand and convey information, in a manner consistent with job functions.

Evaluate paramedic and EMT effectiveness in assessing and treating patients.

Understand and implement Federal, State and Local statutes, regulations, and guidance.

Analyze and evaluate statistical data and reports related to EMS.

Effectively direct and coordinate assigned functions.

Establish and maintain a cooperative relationship with those contacted in the course of work.

Take a proactive approach to customer service issues.

Make process improvement changes as needed.

Maintain confidentiality regarding sensitive information.

Effectively handling difficult or sensitive issues, using professionalism and an understanding of the respective organizational culture.

Interact with others using tact, patience, and courtesy.

Use interpersonal and problem-solving skills, including anticipating, analyzing, diagnosing, and resolving problems and conflict.

Use initiative and independent judgment within established guidelines.

Deliver effective instructor-led trainings, both formal and informal, to various audiences and demonstrate ability to effectively present information to moderate sized groups.

Evaluate EMS data, identify methods of providing effective emergency medical care, identifying methods to correct complex medical issues and patient care delivery situations, and designing quality assurance programs to measure program effectiveness and outcomes.

EXPERIENCE AND TRAINING GUIDELINES

Any combination of experience and training that would provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

Experience:

Ten (10) years as paramedic with a minimum of five (5) years working as an accredited paramedic in the State of California, with increasing responsibilities and abilities.

OR

Five (5) years as a Registered Nurse, or higher, in the field of emergency medicine with increasing responsibilities and abilities.

AND

Two (2) years of academic training or clinical experience in the practical delivery of emergency medicine and/or prehospital care.

Education

Any combination of training and/or education which is equivalent to a bachelor's degree, or higher, with majority of course work in health sciences, fire science, public health, or related fields.

EMS related instructor experience and/or credentials, is highly desirable.

California State Fire Marshal Instructor 1 certification is highly desirable.

Continuing education and professional development are a requirement for this position.

Licenses and Certificates

Possession of a valid California driver's license.

California Registered Nursing License or California Paramedic License must be maintained and in good standing with the state.

San Mateo County EMS accreditation for paramedic within six (6) months of appointment.

Incumbent will be required to acquire and maintain the following certifications/licenses within one year of appointment:

- American Heart Association (AHA) Basic Life Support (BLS) Instructor certification
- American Heart Association (AHA) Advanced Cardiac Life Support (ACLS) Instructor certification
- American Heart Association (AHA) Pediatric Advanced Life Support (PALS) Instructor certification
- National Association of Emergency Medical Technicians (NAEMT) Pre-Hospital Trauma Life Support (PHTLS) Instructor certification
- American Heart Association (AHA) Faculty status

ADA Special Requirements:

Essential duties require the following physical abilities and work environment:

Ability to work in a standard office environment with some ability to sit, stand, walk, kneel, crouch, squat, stoop, reach, twist, climb, and lift 25 pounds, some exposure to cold, extreme noise, outdoors, confining workspace, electrical hazards, vibration, chemicals, dust, toxic waste, mechanical hazards, and explosive materials. Must have the ability to work a flexible schedule, as outlined by the training division. The employee may be required to travel for EMS related education, recertification and/or conferences; work on-call, stand-by, and shifts; work protracted or irregular hours.

Adopted Fire Board: 4/13/22
Employee Group: Management
FLSA: Exempt
Pre-Appt Medical: Yes
Safety Sensitive: Yes
Form 700: No
Job Code: 2145



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Kent Thrasher, Fire Chief

Meeting Date: April 13, 2022

Subject: Purchase of One Replacement Fire Aerial Ladder Truck and One Fire Engine

RECOMMENDATION

Adopt a resolution approving the purchase of one new fire aerial ladder truck and one new fire engine from Golden State Fire Apparatus and authorizing the Fire Chief to sign the purchase agreement. The Fire Department will utilize the service of the Houston-Galveston Area Council (HGAC) to purchase the replacement fire truck and fire engine in the amount of \$2,704,792.51, including sales tax and destination charges. The purchase order will be through Golden State Fire Apparatus, who will honor the HGAC price.

BACKGROUND

Research through the Texas purchasing consortium (HGAC) reveals that Pierce Manufacturing of Appleton, Wisconsin continues to offer the best pricing for fire apparatus vehicles that meet the needs of our community. Discounts totaling \$210,583.69 are achieved by the HGAC discount contract, the multiple vehicle discount, and by utilizing Pierce Manufacturing Inc.'s pre-payment option.

The Fire Department maintains a fleet of two frontline aerial ladder trucks, two reserve aerial ladder trucks, ten frontline engines, and six reserve engines to protect our geographically diverse community. This purchase will move one 2015 aerial ladder truck and one 2015 engine from frontline to reserve status. The estimated service life of an engine is 15 years and is 24 years for a ladder truck. One 1998 reserve ladder truck and one 2006 reserve engine have reached their expected service lifespan and will transition to surplus equipment, to be sold or donated in accordance with our purchasing policy. By combining the fleets of three separate agencies, the consolidation created some congestion with the replacement schedule and resulted in the need to move a ladder truck and an engine into reserve status prior to when we normally would to ensure that we maintain fully operable reserve apparatus. As we move forward with the full consolidation of apparatus from the three agencies, we will be able to strategically space future apparatus purchases to ensure the optimal useful lives of all active and reserve equipment.

ANALYSIS

In 2021, the Apparatus and Equipment Committee completed its assignment to create specifications for new aerial ladder trucks and fire engines using the following criteria:

- Capable of maneuvering the varied terrain of the community, including engineered traffic calming controls, while responding to emergency incidents;
- Operable for the longest possible service life;

- Operable with high reliability and minimal operating costs;

Additionally, the Committee was tasked with designing a tiller truck and a fire engine that could serve as a model for future group purchases on a county-wide basis or for a larger geographical area.

The Committee recommends the use of the purchasing co-op known as the Houston-Galveston Area Council (HGAC), which operates in the state of Texas and is a verified consortium for public agency contracts. All items processed by the HGAC are put out to bid bi-annually to assure a low price and that competitive bidding has been achieved with the best prices available to its members. This process is available to other states and municipalities. The HGAC purchase plan was determined to be viable and addressed the best interests of the Department in acquiring the desired qualities in an apparatus at the lowest cost.

Justifications for the cost and for the Pierce product include:

- The Fire Department currently has ten Pierce fire engines and two Pierce aerial ladder trucks in our fleet. The addition of one new Pierce fire engine and one aerial ladder truck will create a fleet where thirteen fire engines and two ladder trucks will have a common manufacturer. The goal of a standardized fleet will be closer to attainment.
- Standardization of the fleet will create efficiencies with vehicle operator training, emergency scene standardization, fleet maintenance, and parts acquisitions.
- Our current maintenance provider, Bus and Equipment of California, is an authorized Pierce maintenance facility capable of making repairs under factory warranty.
- This provides a model specification for other agencies to utilize, and it should be noted that at least 9 of the 13 fire agencies in the county currently use Pierce fire apparatus.
- Due to the inflation of materials and labor costs, all manufacturers are increasing pricing between 17% and 27% annually. In January 2022, Pierce Manufacturing increased costs by 5%, and will increase by an additional 7% in May 2022. This purchase will be completed by April 29, 2022, which will avoid additional increases.
- Timelines for delivery for both the engine and the aerial ladder truck is 800 calendar days.

A request for bid with fire engine specifications and delivery requirements was sent by HGAC to Pierce Fire Engine manufacturers. Staff is recommending the purchase of the following:

Description	Unit Price
One (1) Pierce Manufacturing, Inc. Enforcer 1750 GPM Pumper	859,478.25
Discount for HGAC FS12-19, Product Code FS19VC07 - Pumper	(44,865.00)
Dealer Supplied Equipment & Services – Pumper (Lines C to G in Pumper Package)	52,974.02
One (1) Pierce Manufacturing, Inc. 107' Enforcer Ascendant Tiller	1,679,020.87
Discount for HGAC FS12-19, Product Code FS19VA11 - Tiller	(54,530.00)
Dealer Supplied Equipment & Services – Tiller (Lines C to G in Tiller Package)	92,041.30
Pierce Multiple Unit Discount	(2,500.00)
Discount For 100% Pre-Payment at Time of Order	(108,688.69)
<i>SUBTOTAL</i>	2,472,930.75
<i>State Sales Tax @ 9.375%</i>	<i>231,837.26</i>
<i>California Tire Fee</i>	<i>24.50</i>
GRAND TOTAL	2,704,792.51

FISCAL IMPACT

Acquisition of this fire apparatus is a planned expenditure, and funds have been accumulated through the Vehicle and Equipment Replacement Fund and appropriated in the 2021-22 adjusted budget. Sufficient funding is available to meet the requirements of this purchase.

ATTACHMENTS

- A. Resolution
- B. Purchase Proposal
- C. HGAC Agreement

RESOLUTION NO RES-2022-

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT AUTHORIZING PARTICIPATION IN A COOPERATIVE PURCHASING PROGRAM AUTHORIZING EXECUTION OF A PURCHASE CONTRACT WITH GOLDEN STATE FIRE APPARATUS FOR THE PURCHASE OF ONE NEW FIRE AERIAL LADDER TRUCK AND ONE NEW FIRE ENGINE IN AN AMOUNT NOT TO EXCEED TWO MILLION SEVEN HUNDRED FOUR THOUSAND SEVEN HUNDRED NINETY-TWO DOLLARS AND FIFTY-ONE CENTS (\$2,704,792.51)

WHEREAS, the San Mateo Consolidated Fire Department (SMC Fire) maintains a fleet of two frontline aerial ladder trucks and two reserve aerial ladder trucks to protect our geographically diverse community; and,

WHEREAS, this purchase will replace one 2015 aerial ladder truck and one 2015 frontline engine; and

WHEREAS, one reserve aerial ladder truck and one reserve engine have reached their expected service lifespan (1998 LTI and 2006 Pierce brand engines) will transition to surplus equipment and be sold or donated in accordance with our purchasing policy; and,

WHEREAS, research through the Texas purchasing consortium (HGAC), a verified consortium for government and public agency contracting, reveals that Pierce Manufacturing of Appleton, Wisconsin continues to offer the best pricing for fire apparatus vehicles that meet the needs of our community; and

WHEREAS, purchasing multiple vehicles at the same time, utilizing HGAC discount contract and utilizing Pierce pre-payment option results in discounts totaling \$210,583.69; and

WHEREAS, as detailed more fully in the accompanying staff report, purchasing engines manufactured by Pierce is advantageous because SMC Fire already owns Pierce engines, standardization of the fleet will create efficiencies with vehicle operator training, will allow SMC Fire to maintain a standardized supply of parts, and SMC Fire's current maintenance provider is an authorized Pierce maintenance facility; and

WHEREAS, all items processed by the HGAC are put out to bid biannually to assure a low price and that competitive bidding has been achieved with the best prices available to its members.

NOW, THEREFORE, the Board of Directors of the San Mateo Consolidated Fire Department resolves as follows:

1. Authorize the purchase of one new fire aerial ladder truck and one new fire engine from Golden State Fire Apparatus and authorize the Fire Chief to sign a purchase agreement for the fire engines in an amount not to exceed of \$2,704,792.51.

2. Authorize SMC Fire to utilize the service of the Houston-Galveston Area Council (HGAC) to purchase the replacement fire engines.

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 13th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel



**GOLDEN
STATE**
FIRE APPARATUS

PROPOSAL PREPARED FOR

San Mateo Consolidated Fire
Department
Pierce Manufacturing, Inc.
(1) Enforcer 1750 GPM Pumper
(1) 107' Enforcer Ascendant Tiller
April 1, 2022

SALES CONSULTANT

Rich Myers
Golden State Fire Apparatus, Inc.
7400 Reese Road
Sacramento, CA 95828
831.251.8931 Cell
rich@goldenstatefire.com

PARTS, SERVICE & SUPPORT

Golden State Emergency Vehicle Service, Inc.
7400 Reese Road
Sacramento, CA 95828
916.330.1638 Office
parts@goldenstatefire.com

PROPOSAL PREPARED FOR:

San Mateo Consolidated Fire Department
1040 E. Hillsdale Blvd
Foster City, CA 94404

Submitted Date:	April 1, 2022
Proposal Number:	40401-22
<i>Expiration Date:</i>	<i>April 28, 2022</i>
Sales Consultant:	Rich Myers

We hereby propose and agree to furnish, after your acceptance of this proposal and the proper execution by the SAN MATEO CONSOLIDATED FIRE DEPARTMENT, hereinafter called "Customer" and an officer of Golden State Fire Apparatus, Inc., hereinafter called "GSFA", the following fire apparatus and equipment, hereinafter called "Product":

#	Description	Unit Price
A	One (1) Pierce Manufacturing, Inc. Enforcer 1750 GPM Pumper	859,478.25
B	Discount for HGAC FS12-19, Product Code FS19VC07 - <u>Pumper</u>	(44,865.00)
C	Dealer Supplied Equipment & Services - <u>Pumper</u> (Lines C to G in Pumper Package)	52,974.02
D	One (1) Pierce Manufacturing, Inc. 107' Enforcer Ascendant Tiller	1,679,020.87
E	Discount for HGAC FS12-19, Product Code FS19VA11 - <u>Tiller</u>	(54,530.00)
F	Dealer Supplied Equipment & Services - <u>Tiller</u> (Lines C to G in Tiller Package)	92,041.30
G	Pierce Multiple Unit Discount	(2,500.00)
H	Discount For 100% Pre-Payment at Time of Order	(108,688.69)
SUBTOTAL		2,472,930.75
State Sales Tax @ 9.375%		231,837.26
California Tire Fee		24.50
GRAND TOTAL		2,704,792.51



PROPOSAL SUMMARY

This proposal includes the following items in accordance with the specifications hereto attached:

- Fire apparatus and equipment described herein
- Delivery to GSFA service center in Sacramento
- Pre-delivery inspection/services by GSFA
- Final delivery from service center to Customer
- Demonstration and familiarization of the Product

PRODUCT COMPLETION

Product shall be built in accordance with the specifications hereto attached, delays due to acts of God, strikes, war, or intentional conflict, failures to obtain chassis, materials, unusual weather conditions or other causes beyond GSFA's control not preventing, within approximately **770 to 800 CALENDAR DAYS** after receipt of this order and the acceptance thereof at our Sacramento, California office. Within thirty (30) calendar days after receipt of this order and acceptance thereof, GSFA shall submit to Customer a production schedule including tentative pre-construction conference, final inspection and final delivery dates.

DELIVERY LOCATION

Product shall be shipped in accordance with the specifications hereto attached and be delivered to you at **FOSTER CITY, CALIFORNIA**. Proof of insurance must be demonstrated by the Customer to GSFA prior to transferring of the Product(s).

ACCEPTING THIS PROPOSAL

In the event Customer wishes to purchase the Product described in this Proposal and the attached specifications, then, prior to the expiration date listed on page 2 of this Proposal, Customer shall sign and return this Proposal. Thereafter, GSFA and Customer will endeavor to enter into a purchase agreement incorporating this Proposal and including additional terms (a "Purchase Agreement"). If Customer returns a signed copy of this Proposal alone, GSFA will send Customer its form of Purchase Agreement for Customer's review and signature. **If Customer desires to use its standard form of purchase order as the Purchase Agreement, then Customer should return a signed copy of this Proposal along with a copy of such purchase order. All purchase orders shall be made out to GSFA.** GSFA will review such purchase order and contact the Customer regarding any required revisions. Only upon a full execution of a Purchase Agreement shall GSFA and Customer be obligated to purchase and sell the Product set forth in this Proposal.

TERMS AND CONDITIONS

The following Terms and Conditions are hereby made part of this Proposal:

1. Payment Terms, 100% Pre-Payment at Time of Order - Customer shall pay the amount listed on page one of this Proposal, which includes: (i) the total price for the Product (the "Purchase Price"), (ii) the estimated state sales tax on the Product, and (iii) the California tire fee (together with the Purchase Price and estimated state sales tax, the "Grand Total") within fifteen (15) calendar days from the date on which the Purchase Agreement is fully executed. The proposed delivery timeframe for the Product, which is outlined on page one of this Proposal, shall not begin until full payment of the Grand Total is received. In the event Customer does not pay GSFA the Grand Total in the timeframe set forth in this Section 1, GSFA may, in its sole discretion, cancel the Purchase Agreement entered into between the parties.

2. Multiple Unit Purchase - If the Purchase Price includes pricing for multiple units, the price stated on this Proposal shall only be valid if the quantity of Products being proposed are purchased at the same time, pursuant to the same Purchase Agreement.

3. Stock / Demo Units - If applicable, any stock/demo units, including those identified by this Proposal, are available for sale on an as-is, first-come and first served-basis. Regardless of this Proposal, the first Customer to enter into a Purchase Agreement identifying any such stock/demo units shall obtain said units.

4. Order Changes - The Customer may request that GSFA incorporate a change to the Product or the Specifications for the Product by delivering a written change order to GSFA, which shall include a description of the proposed change sufficient to permit GSFA to evaluate the feasibility of such change (a "Change Order"). GSFA will provide Customer a written response (a "Response") stating (i) whether GSFA will accommodate such Change Order (which GSFA may decide in its sole and absolute discretion) and (ii) the terms of the modification to the order, including any increase or decrease in the Purchase Price resulting from such Change Order, and any effect on production scheduling or Delivery resulting from such Change Order. Customer shall have seven (7) days after receipt of the Response to notify GSFA as to whether Customer desires to make the changes GSFA has approved in the Response. In the event Customer counter-signs GSFA's Response, Customer shall pay the increase (or be refunded the decrease) in the Purchase Price prior to final delivery to Customer location.

5. Force Majeure - GSFA shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond GSFA's and manufacturer's control and which make GSFA's performance impracticable, including but not limited to wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, any act of government, delays in transportation, inability to obtain necessary labor supplies or manufacturing facilities, allocation regulations or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, acts of God or the public enemy or terrorism, failure of transportation, epidemics, quarantine restrictions, failure of vendors (due to causes similar to those within the scope of this clause) to perform their contracts or labor troubles causing cessation, slowdown, or interruption of work.

6. Cancellation/Termination - In the event Customer and GSFA enter into a Purchase Agreement and Customer thereafter cancels or terminates the Purchase Agreement, GSFA will charge a cancellation fee as follows: (a) 10% of the Purchase Price after order is accepted and entered by GSFA; (b) 20% of the Purchase Price after completion of the pre-construction phase of the order process; and (c) 50% of the Purchase Price after the requisition of any materials or commencement of any manufacturing or assembly of the Product by either GSFA or the manufacturer of the Product. The tier of cancellation fee applicable to any cancellation shall be in the sole and absolute discretion of GSFA.

7. State Sales Tax - Customer shall be responsible for the cost of state sales tax associated with, or attributable to the Product. The taxes owed by Customer for the Product is subject to adjustment for the applicable state sales tax rate in effect when the Product is delivered to the Customer. Therefore, the sales tax will be increased or decreased at the time of delivery if a change in the sales tax rate has occurred, in which case Customer shall pay GSFA (or be refunded by GSFA) the applicable change in sales tax.

8. Proposal Expiration - After the Expiration Date shown on page one of this Proposal, Customer shall require GSFA's written consent to accept this Proposal.

9. Governing Law - This Proposal is to be governed by and under the laws of the state of California.

Thank you for providing Golden State Fire Apparatus, Inc. with the opportunity to provide this proposal. If you have any questions regarding the options presented or need additional options, please contact me.

Sincerely,



Rich Myers
Golden State Fire Apparatus, Inc.

I, _____ authorized representative of **SAN MATEO CONSOLIDATED FIRE DEPARTMENT** agrees to purchase the proposed Product(s) and agree to the terms and conditions of this proposal and the specifications hereto attached.

SIGNATURE: _____

TITLE: _____ DATE: _____



**INTERLOCAL CONTRACT FOR
COOPERATIVE PURCHASING**

ILC No.:
ILC20-10950
Permanent Number assigned
by H-GAC

THIS INTERLOCAL CONTRACT ("Contract"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act"), by and between the Houston-Galveston Area Council, hereinafter referred to as "H-GAC," having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, and **San Mateo Consolidated Fire Department**, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as "End User," having its principal place of business at **1040 East Hillsdale Blvd Foster City, CA 94404**.

WITNESSETH

WHEREAS, H-GAC is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, End User has represented that it is an eligible entity under the Act, that its governing body has authorized this Contract on **01/13/2019** (Date), and that it desires to contract with H-GAC on the terms set forth below;

NOW, THEREFORE, H-GAC and the End User do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The End User represents and warrants to H-GAC that (1) it is eligible to contract with H-GAC under the Act because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state), or a combination of two or more of those entities, a state agency (an agency of the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Contract.

ARTICLE 2: APPLICABLE LAWS

H-GAC and the End User agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Contract.

ARTICLE 3: WHOLE AGREEMENT

This Contract and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: PERFORMANCE PERIOD

The period of this Contract shall be for the balance of the fiscal year of the End User, which began **07/01/2020** and ends **06/30/2021**. This Contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the End User may make any payment due an H-GAC contractor beyond the fiscal year in which such obligation was incurred under this Contract.

ARTICLE 5: SCOPE OF SERVICES

The End User appoints H-GAC its true and lawful purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program. End User will access the Program through HGACBuy.com and by submission of any duly executed purchase order, in the form prescribed by H-GAC to a contractor having a valid contract with H-GAC. All purchases hereunder shall be in accordance with specifications and contract terms and pricing established by H-GAC. Ownership (title) to products purchased through H-GAC shall transfer directly from the contractor to the End User.

ARTICLE 6: PAYMENTS

H-GAC will confirm each order and issue notice to contractor to proceed. Upon delivery of goods or services purchased, and presentation of a properly documented invoice, the End User shall promptly, and in any case within thirty (30) days, pay H-GAC's contractor the full amount of the invoice. All payments for goods or services will be made from current revenues available to the paying party. In no event shall H-GAC have any financial liability to the End User for any goods or services End User procures from an H- GAC contractor.

ARTICLE 7: CHANGES AND AMENDMENTS

This Contract may be amended only by a written amendment executed by both parties, except that any alterations, additions, or deletions to the terms of this Contract which are required by changes in Federal and State law or regulations are automatically incorporated into this Contract without written amendment hereto and shall become effective on the date designated by such law or regulation.

H-GAC reserves the right to make changes in the scope of products and services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8: TERMINATION PROCEDURES

H-GAC or the End User may cancel this Contract at any time upon thirty (30) days written notice by certified mail to the other party to this Contract. The obligations of the End User, including its obligation to pay H-GAC's contractor for all costs incurred under this Contract prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Contract, until performed or discharged by the End User.

ARTICLE 9: SEVERABILITY

All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

ARTICLE 10: FORCE MAJEURE

To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11: VENUE

Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.

THIS INSTRUMENT HAS BEEN EXECUTED BY THE PARTIES HERETO AS FOLLOWS:

San Mateo Consolidated Fire Department

Name of End User (local government, agency, or non-profit corporation)

1040 East Hillsdale Blvd

Mailing Address

Foster City, CA 94404

City, State ZIP Code

 12-8-2020
Signature of chief elected or appointed official | Date

Ray Iverson, Fire Chief

Typed Name & Title of Signatory

Houston-Galveston Area Council

3555 Timmons Lane, Suite 120, Houston, TX
77027

By: _____

DocuSigned by:

82EC270D5D61423...
Executive Director

Date: 12/29/2020