



Agenda

**San Mateo Consolidated Fire Department
Board of Directors
Regular Meeting
Wednesday, August 31, 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_5f253ItTS3uxwzQFMMUV4Q

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 July 13, 2022.
- [4.2](#) Report from Closed Session of July 13, 2022.

5. NEW BUSINESS

- [5.1](#) Introduce an Ordinance adopting the 2021 International Wildland Urban Interface Code with amendments and modifying the 2022 California Fire Code with local amendments.
- [5.2](#) Adopt a resolution approving revisions to the San Mateo Consolidated Fire Department's Master Fee Schedule effective January 1, 2023 with the intent to increase fees again on July 1, 2023.
- [5.3](#) 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.

5.4 Adopt a resolution appointing Richard Lee as Treasurer of the San Mateo Consolidated Fire Department.

6. REPORTS AND ANNOUNCEMENTS

6.1. Board Members and Department Management Staff will have an opportunity to make announcements.

7. CLOSED SESSION

7.1. Conference with Labor Negotiators regarding Memorandum of Understanding pursuant to Government Code Section 54957.6

Agency Designated Representative(s): Charles Flesher, IEDA; Drew Corbett, Chief Administrative Officer and Rich Lee, Finance Director

Employee Organization(s): International Association of Firefighters, Local 2400 (IAFF Local 2400)

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
Wednesday, July 13, 2022 – 4:00 P.M.
Hybrid Remote Teleconference Meeting

1. OPENING

The meeting was called to order at 4:00 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 Awasthi made a motion to approve the Consent calendar, which was seconded by Board Member Lieberman. The Acting Board Secretary took a roll call vote, and the Consent calendar items were approved 3-0.

Board Member Lieberman commented on Items 4.3 and 4.4 regarding purchase orders for L.N. Curtis & Sons and Bus & Equipment as sole vendors. He confirmed with Chief Thrasher that the department continues to pay customary and reasonable fees with the two vendors.

5. NEW BUSINESS

Item 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.

Legal Counsel Bill Ross made recommendation for this action to approve the resolution authorizing the Board of Directors to use hybrid remote teleconferencing for meetings.

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 – Adopt a resolution approving the Memorandum of Understanding (MOU) between the San Mateo Consolidated Fire Department and the American Federation of State, County and Municipal Employees (AFSCME).

Fire Chief Thrasher provided a brief presentation of the staff report for approval.

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.

6. REPORTS AND ANNOUNCEMENTS

Board Member Lieberman thanked Deputy Fire Chief Marshall for his presentation at the Belmont City Council meeting last night.

Board Member Awasthi welcomed new Foster City City Manager Stefan Chatwin.

Deputy Fire Chief Turturici provided the following Operations update:

- 6 graduated from our Fire Academy. Total of 23 probationary employees.
- Capt. Engler, Firefighter Portillo, and Firefighter R. Milano of Engine 14 were recognized by the Lions Club for Valor in the rescue of a fire victim in Redwood Shores.
- We hosted a grand opening of our San Mateo Consolidated Training Division facility. We are now 100% internal for our training.
- The current call volume of 6,667 calls is on track with last year. Hazmat response at 20 for the year so far which is also the average compared to last year. Water rescue incidents at 12 which is an increase of 5 compared to this time last year.
- Continuing to work and improve communications in the County. Addressed the issues related to coverage of vacated stations during large incidents and resources are drawn down.
- Two engines consisting of 8 personnel and 1 firefighter assigned to overhead returned from a deployment to the Rices Fire in Grass Valley area. 1 person currently deployed as overhead to the Washburn Fire in Yosemite.
- Continuing to work with all cities on maintenance of all fire houses and properties.
- Took delivery of 3 new fire engines which are now in service.
- There have been a few significant fire incidents in the county this year - Belmont Canyon, San Bruno Mountain, and most recently in Redwood City/Woodside off of Edgewood. Fire season is here, and we are being diligent with training.
- We are updating our Mutual Threat Zone agreement with Cal Fire.

Public Comment – Drew asked a clarifying question regarding call volumes being pre-COVID or not, were there impacts due to fireworks, and what were the operational impacts when the fire off of Edgewood occurred. Deputy Chief Turturici stated that call volumes fluctuated between COVID year followed by people getting back. That determined a solid year of incidents, and it seems that we have leveled out with expectations. For the Edgewood incident and based on the alarm levels, SMC Fire resources were drawn down and backfilled one engine in the city with overtime to help pick up calls. Engines from the North assisted covering calls in the area as well. Deputy Chief Marshall stated the fireworks always have a bit of an impact. When set off in neighborhoods, law enforcement will respond. Due to low staffing, we did not have enough people to assist PD. With fireworks and reporting it as a crime, it has to be witnessed which can be difficult.

Deputy Fire Chief Marshall provided the following CRR update:

- Fire Prevention budget is recovering from COVID and has seen an increase in revenues.
- Recruitment for Fire Inspector in process to fill vacancies. Job offer will be made to a current part time Inspector.
- Welcome and introduction to new Emergency Services Manager Jim Yoke.

After Board Chair Goethals asked if there were public comments on Closed Session Matters, Local 2400 representatives requested to comment on the Closed Session Matter. Legal Counsel Ross recommended the presentation be made in the beginning of Closed Session.

7. CLOSED SESSION

The Fire Board went into Closed Session at 4:30 p.m. Report out from Closed Session will be made at the next Board meeting.

8. ADJOURNMENT

The Board discussed and agreed to a board meeting on August 31, 2022, and the meeting was adjourned at 4:30 p.m.

DRAFT

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File No: 19/55

July 15, 2022

VIA E-MAIL

The Honorable Joe Goethals, Chair
and Members of the Fire Board
San Mateo Consolidated Fire Department
330 West 20th Avenue
San Mateo, California 94403

Re: Report Upon Return from Closed Session; San Mateo Consolidated Fire
Department Virtual Regular Board Meeting of July 13, 2022

Dear Chair Goethals and Board Members:

This communication sets forth reportable action, if any, of the Board of Directors (“Board”) of the San Mateo Consolidated Fire Department (“Department”), consistent with the provisions of the Ralph M. Brown Open Meeting Act (Government Code Section 54950 *et seq.*) resulting from the Department’s Closed Session of the July 13, 2022 Virtual Regular Board Meeting, consistent with Government Code Section 54957.1

The Open Session convened at 4:00 p.m. to address matters agendized for Board consideration. The Open Session concluded at 4:30 p.m., with the Board adjourning to Closed Session at 4:30 p.m.

There was one matter agendized for Department Closed Session consideration:

- 7.1 Conference with Labor Negotiators regarding Memorandum of Understanding pursuant to Government Code Section 54957.6
Agency Designated Representative(s): Charles Flesher, IEDA; Drew Corbett, Chief Administrative Officer and Rich Lee, Finance Director
Employee Organization(s): International Association of Firefighters, Local 2400 (IAFF Local 2400)

With respect to Closed Session Agenda Item No. 7.1., although direction was given to Staff, there was no reportable action under the provisions of Government Code Section 54957.6.

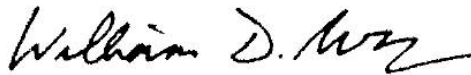
The Closed Session concluded at 5:55 p.m., where it was indicated that a written report upon return consistent with Government Code Section 54957.1, would be prepared.

The Honorable Joe Goethals, Chair
and Members of the Fire Board
San Mateo Consolidated Fire Department
July 15, 2022
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This communication should be added to the Agenda for review under the Consent Calendar of your next Regular or Special Meeting.

If there are any questions concerning its content, it may be taken off the Consent Calendar at that time or our office may be contacted in the interim.

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross". The signature is fluid and cursive, with a long horizontal stroke at the end.

William D. Ross
Department Counsel

WDR:jf

cc: Kent Thrasher, Fire Chief
Nicole Morales, Administrative Clerk
Drew Corbett, City Manager, City of San Mateo



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Kent Thrasher, Fire Chief

Meeting Date: August 31, 2022

Subject: San Mateo Consolidated Fire Ordinance

RECOMMENDATION

Introduce an Ordinance adopting the 2021 International Wildland Urban Interface Code with amendments and modifying the 2022 California Fire Code with local amendments.

BACKGROUND

Every 3 years, the California Building Standards Commission updates and adopts the newest California Building Standards Code. This code automatically becomes effective on January 1, 2023. As part of that State level adoption, State law automatically rescinds local amendments, so local jurisdictions need to adopt new modifications to their codes. The San Mateo Consolidated Fire Department (SMC Fire) Board of Directors last adopted the 2019 California Fire Codes with local amendments on October 8, 2019. On July 1, 2022, the State Building Standards Commission adopted the 2022 California Building Standards Code, which becomes effective on January 1, 2023, making it necessary for SMC Fire to adopt a new ordinance.

The JPA Agreement stipulates that SMC Fire is required to “enforce all fire codes within the jurisdictions which they serve.

Section 1 and 2.14 of the JPA Agreement specify that SMC Fire is responsible for “Fire and Emergency Medical Services”, including:

“The provision of fire suppression, fire prevention, investigation, rescue, training, public education, disaster preparedness, emergency medical services, hazardous materials response and directly related activities”. Under this authority, the Board of Directors has the ability to approve Fire Code Ordinances within their respective jurisdictions.

ANALYSIS

SMC Fire is providing the Fire Board with the proposed changes to the code in order to stay in line with State law, and maintain the amendments currently in place from the last adopted ordinances. This ordinance also includes the Wildland Ordinance adopted in 2019, combining both documents into one for this adoption.

There is one significant change to this ordinance, which is the addition of inspection penalties for those occupancies who continually violate the code. This penalty is in accordance with the California

Government Code, and is per violation per day, and does accelerate the longer a violation goes. These fees only apply after a reasonable number of inspections have occurred.

NOTICE PROVIDED

This Ordinance shall be published in summary in the San Francisco Examiner, posted in the San Mateo Fire Administrative Office, the Fire Prevention Office, and shall be effective 30 days after the date of adoption.

ATTACHMENTS

- A. Ordinance
- B. Findings in Support of Ordinance

**SAN MATEO CONSOLIDATED FIRE DEPARTMENT
FIRE CODE**

**ORDINANCE NO. ORD-2022-001
ESTABLISHING THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT FIRE
CODE BY ADOPTING THE 2021 INTERNATIONAL FIRE CODE WITH THE 2022
CALIFORNIA FIRE CODE AMENDMENTS AND THE 2021 INTERNATIONAL
WILDLAND URBAN INTERFACE CODE WITH LOCAL FINDINGS AND
MODIFICATIONS**

The San Mateo Consolidated Fire Department Board of Directors HEREBY ORDAINS
THE FOLLOWING:

PARTS

- I. Adoption
- II. Applicability
- III. Modifications
 - a. Division 1- Modifications to the California Fire Code
 - b. Division 2- Adoption and Modifications to the International Wildland Urban Interface Code
- IV. Violations
- V. Fire and Life Safety Inspections
- VI. Local Findings and Amendments
- VII. Environmental Determination
- VIII. Notice Provided; Effective Date

PART I- ADOPTION

- A. The San Mateo Consolidated Fire Department hereby adopts the 2022 California Fire Code (California Code of Regulations, Title 24, Part, 9 [based on the 2021 International Fire Code published by the International Code Council]), with California Amendments and the 2021 International Wildland Urban Interface Code as amended and as specified in part III of this ordinance. Those chapters and appendices not mentioned in section III are only enforceable if adopted by the State Fire Marshal. The 2022 California Fire Code, with the changes, additions, and deletions set forth this ordinance, is adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the fire code are controlling and enforceable within the limits of each city within the jurisdiction of the Department.
- B. The 2022 California Fire Code (CFC), California Code of Regulations, Title 24, Part 9, adopting the 2021 International Fire Code of the International Code Council with necessary California amendments, together with the non-building standards reproduced therein except otherwise provided by this ordinance, are adopted by reference as the Fire Code of the San Mateo Consolidated Fire Department. This Code including all amendments thereto, shall hereafter be called the “Fire Code,” and/or this “Code” and are adopted as and for the rules, regulations, and standards within the Jurisdiction as to all matters therein, except otherwise provided.
- C. No section of the Fire Prevention Code shall impose a mandatory duty of enforcement on the Jurisdiction, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the Jurisdiction, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.
- D. A copy of the Fire Code, as defined herein, shall be kept on file on with the office of the San Mateo Consolidated Fire Department Fire Marshal.
- E. The San Mateo Consolidated Fire Department has determined that modifications to the 2021 International Fire Code with the 2022 California Amendments are needed and reasonably necessary due to local climatic, geological, and topographical conditions, as set forth in Attachment 1 (Findings in Support of Amendments to the 2022 California Fire Code), which are incorporated fully herein.

PART II- APPLICABILITY

- A. All sections of this Code shall apply to all buildings, structures and portions thereof, and to replace premise or building.
- B. Whenever any provision of this Chapter code or in any other law, ordinance, or resolution of any kind, impose overlapping or contradictory regulations, or contain any restrictions covering the same subject matter, the provision that is more restrictive or imposes higher standards or requirements shall govern.

PART III- ADOPTION OF SECTIONS AND MODIFICATIONS

Division 1: Modifications to the California Fire Code

The following sections are adopted as described below.

Chapter 1 is adopted in its entirety as amended below.

SECTION 101.1 TITLE. AMENDED

101.1 Title. These regulations shall be known as the 2022 CALIFORNIA FIRE CODE, and with amendments adopted by the SAN MATEO CONSOLIDATED FIRE DEPARTMENT (SMCFD), will be referred to herein as this “CODE,” and/or “FIRE CODE.”

SECTION 101.6 POLICY MANUAL. ADDED

101.6 Policy Manual. Community Risk Reduction Interpretation Manual shall serve as a supplemental instruction and interpretation manual for the Fire Code and is hereby adopted by reference. The Fire Marshal is responsible to amend this manual as necessary to maintain current instructions and interpretations. The information contained within the Policy Manual shall not be construed to make new code requirements not authorized by this ordinance.

SECTION 102.3 CHANGE OF USE OR OCCUPANCY. AMENDED

102.3 A change of occupancy shall not be made unless the use or occupancy is made to comply with the requirements of this code and the California Existing Building Code. Any change in use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Code Official requires that an automatic fire sprinkler system be installed. For purposes of this section, the relative hazard categories table 1011.5 of the International Existing Building Code, herein incorporated by reference.

SECTION 102.6 HISTORIC BUILDINGS. AMENDED

102.6 The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings where such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings shall be provided in accordance with the California Historic Building Code.

SECTION 103.1 CREATION OF AGENCY. AMENDED

[A] 103.1.1 Creation of agency. The San Mateo Consolidated Fire Department is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

SECTION 103.2 APPOINTMENT. DELETED

SECTION 104.6 OFFICIAL RECORDS. AMENDED

104.6 Official records. The fire code official shall keep official records as required by the San Mateo Consolidated Fire Department's Record Retention Schedule, and Title 24, Part 1, The California Administrative Code. Requests for records shall be in accordance with the California Public Records Act.

SECTIONS 104.6.1 THROUGH SECTION 104.6.4. DELETED

SECTION 105.3.1 EXPIRATION. AMENDED.

An operational permit shall remain in effect until reissued, renewed or revoked, or at the next annual inspection. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work shall be as per the SMCDFD Fee Schedule, Permit Reinstatement Fee, provided that changes have not been made and will not be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

SECTION 105.6 REQUIRED CONSTRUCTION PERMITS. AMENDED

Section 105.6 Required Construction Permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.24, as well as all required construction permits in Title 24, Parts 2, 2.5, 3, 4, or 5 where enforced by the California State Fire Marshal.

SECTION 107.2 SCHEDULE OF PERMIT FEES

107.2 Schedule of permit fees. Where a permit Or other inspection fee is required, a fee for each permit shall be paid as required, in accordance with the San Mateo Consolidated Fire Department Master Fee Schedule.

SECTION 109 BOARD OF APPEALS. AMENDED.

109.1 Board of Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be the Board of Directors for SMCFD, and shall render all decisions and findings in writing to the appellant through the fire code official.

109.3 Qualifications. Deleted.

SECTION 112.4 Violation Penalties. AMENDED.

112.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be assessed a reinspection fee in accordance with the San Mateo Consolidated Fire Department Master Fee Schedule. Violations that remain unabated after the 5th reinspection shall guilty of an Administrative Violation punishable by a fine of \$130 for the first violation, \$700 for the second violation, and \$1300 dollars for the third and each successive violation in addition to the reinspection fee (Government Code 36900). Each day that a violation continues after due notice has been served shall be deemed a separate offense. Administrative violations shall be appealable thorough the board of appeals in section 109.

Chapter 2 is adopted in its entirety as amended below.

SECTION 202 GENERAL DEFINITIONS. ADDED

All Weather Driving Surface. A roadway designed to carry the imposed weight loads of fire apparatus (Minimum load of 68,000 pounds) and a minimum surface finish of one layer of asphalt or concrete or road pavers.

Alteration. Any work done to a structure that increases the fire area of a room or area.

Driveway. Access road from the public way to a structure that is used for public vehicular access, including fire and emergency vehicles.

LOCAL AGENCY HIGH FIRE HAZARD SEVERITY ZONE. An area designated by the local agency based on a fire assessment conducted by the San Mateo Consolidated Fire Department.

Chapter 3 is partially adopted with adopted sections listed below. (Sections adopted by the State Fire Marshal remain unchanged except as modified below)

SECTION 303 ASPHALT KETTLES IS ADOPTED IN ITS ENTIRETY

SECTION 305 IGNITION SOURCES IS ADOPTED IN ITS ENTIRETY

SECTION 306 MOTION PICTURE PROJECTION ROOMS AND FILM IS ADOPTED IN ITS ENTIRETY

SECTION 307 OPEN BURNING, RECREATIONAL FIRES, AND PORTABLE OUTDOOR FIREPLACES IS ADOPTED AS AMENDED BELOW

SECTION 307.1.1 PROHIBITED OPEN BURNING. AMENDED

307.1.1 Prohibited open burning. Open burning, other than cooking, shall be prohibited.

Exception: [No change]

SECTION 307.4.1 BONFIRES. AMENDED

307.4.1 Bonfires. Bonfires, other than for cooking purposes, shall be prohibited.

SECTION 307.4.2 RECREATIONAL FIRES. AMENDED

307.4.2 Recreational Fires. When approved by the fire code official, recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of the structure shall be eliminated prior to ignition. If allowed, all such fires shall require a fire code permit.

SECTION 308 OPEN FLAMES IS ADOPTED AS AMENDED BELOW

SECTION 308.1.4 OPEN FLAME COOKING DEVICES. AMENDED

308.1.4 Open Flame Cooking Devices. [No change]

Exceptions:

1. Group R-2, R-3, and R-3.1 occupancies
2. [No change]
3. [No change]

SECTION 308.3.2 THEATRICAL PERFORMANCES. AMENDED

308.3.2 Theatrical performances.

Where approved, open-flame devices used in conjunction with theatrical performances are allowed to be used where adequate safety precautions have been taken in accordance with NFPA 160 and Title 19 CCR.

SECTION 309 POWERED INDUSTRIAL TRUCKS AND EQUIPMENT IS ADOPTED

SECTION 310 SMOKING IS ADOPTED

SECTION 311 VACANT PREMISES IS ADOPTED

SECTION 318 LAUNDRY CARTS IS ADOPTED

SECTION 319 MOBILE FOOD PREPARATION VEHICLES ADOPTED AS AMENDED BELOW

SECTION 319.1.1 HEALTH DEPARTMENT APPROVAL. ADDED

319.1.1 Health department approval. Mobile food preparation vehicles shall display a San Mateo County health department sticker as prescribed by County health.

SECTION 321 ARTIFICIAL COMBUSTIBLE VEGETATION IS ADOPTED

Chapter 4 is partially adopted with adopted sections listed below. (Sections adopted by the State Fire Marshal remain unchanged unless modified below)

SECTION 405 EMERGENCY EVACUATION DRILLS IS ADOPTED

SECTION 406 EMPLOYEE TRAINING AND RESPONSE PROCEDURES IS ADOPTED

Chapter 5 is adopted in its entirety as amended below.

SECTION 501.1 SCOPE. AMENDED

501.1 Scope. Fire service features for buildings, structures and premises shall comply with this chapter, and appendix D.

SECTION 503.1.1 BUILDINGS AND FACILITIES. AMENDED

503.1.1 Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and Appendix D, and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions: *No Changes*

SECTION 503.3.1 FIRE LANE DESIGNATION. ADDED

503.3.1 Fire Lane Designation. Designation of fire lanes shall be by one of the following means:

1. By a white sign measuring at least twelve inches by eighteen inches (12" x 18") posted immediately adjacent thereto and clearly visible. It should clearly state in red letters not less than one inch (1") in height, that the space is a fire lane and parking is prohibited. Fire lane signs shall be spaced at a minimum of 50 feet apart.
2. By outlining and hash marking the area in contrasting colors clearly marking it with the words "Fire Lane - No Parking."
3. By identifying the space with a red curb upon which the words "Fire Lane - No Parking" are stenciled every 15 feet.
 - a. Both sides of fire lanes shall be red curbed when the fire lane is twenty (20) feet to twenty-eight (28) feet in width.
 - b. At least one side of a fire lane shall be red curbed and stenciled when the fire lane is over twenty-eight (28) and up to thirty-six (36) feet in width.

c. Curbs need not be painted red nor stenciled when the fire lane is more than thirty-six (36) feet in width.

SECTION 505.1.1 MULTI-TENANT BUILDINGS. ADDED

505.1.1 Multi -Tenant Buildings. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-half inch (1/2") stroke by four inches (4") high and on a contrasting background. Directional address numbers or letters shall be provided. Said addresses or numbers shall be visible from the street posted at a minimum height of 5 feet, 6 inches (5' 6") above the finished floor, shall be visible from the street and shall be either internally or externally illuminated in all new construction.

SECTION 505.1.2 MULTIPLE BUILDINGS ON ONE SITE. ADDED

505.1.2 Multiple buildings on one site. Where multiple buildings on one property the buildings cannot be viewed from the public way, a monument sign, or other signs or other approved means shall be used to identify the entry to the given structure. Address identification shall be maintained on each of the buildings within the site.

SECTION 505.1.3 REAR ADDRESSING. ADDED

505.1.3 Rear Addressing. When required by the chief, approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys provide an acceptable vehicular access. Number stroke and size shall comply with 505.1.

SECTION 506.1.1.1 KEY BOX CONTENTS REQUIREMENTS. ADDED

506.1.1.1 Key box contents requirements. Master keys shall be provided to all spaces including multi-tenant spaces. Additional keys shall be included as determined by the fire code official or his designee and may include card access, elevator controls, fire alarm control panels and devices, and for fire sprinkler control valve access. If the business/operation is required to have a Hazardous Material Inventory Statement (HMIS), the HMIS shall be included in the key box or other approved location. The number of keys to be provided shall be determined by the inspector.

Exceptions:

1. Multi-tenant spaces which provide a key box for each tenant and installed per Section 506.1. Electronic card keys and codes to individual spaces may not be utilized as a substitute for manual keys.

2. When electronic locks release upon loss of electrical power or fire alarm activation a manual key need not be provided.

SECTION 506.1.1.2 GATES. ADDED

506.1.1.2 Gates. Where a new gate or barrier is installed on a fire access roadway, the fire department shall have emergency access by means of a padlock, key switch or other approved means.

Exception:

1. Driveways serving a single R-3 occupancy

SECTION 508.2 FIRE CONTROL ROOM. ADDED

508.2 Fire control room. An approved fire control room shall be provided for all new buildings or occupancies with a change of use, requiring protection by an automatic fire sprinkler system. The room shall contain the sprinkler riser, fire alarm control panels, ERCES control equipment, and other fire equipment required by the Fire Chief. Fire control rooms shall be located within the building at a location approved by the Fire Chief, and shall be provided at grade with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. Fire Control Rooms shall not be less than 35 square feet.

Exceptions:

1. Group R, Division 3 Occupancies.
2. Occupancies with a fire pump shall have a fire control room that is a minimum of 200 square feet.
3. In high-rise buildings, the fire control room shall not be less than 200 square feet.

SECTION 510.1 EMERGENCY RESPONDER COMMUNICATION. COVERAGE IN NEW BUILDINGS. MODIFIED

510.1 Emergency responder communication coverage in new buildings.

Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

- 1.1. Where approved by the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.
- 2.2. Where it is determined by the fire code official that the radio coverage system is not needed.
- 3.3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

510.4.2 System design.

The in-building, two-way emergency responder communication coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.10 and NFPA 1225.

SECTION 510.4.2.9 UL CERTIFICATION. ADDED

510.4.2.9 UL CERTIFICATION. New ERCES systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

SECTION 510.4.2.10 POWER SWITCH. ADDED

510.4.2.10 Power Switch. A keyed power switch shall be installed in the system allowing for power to the system to be easily turned on or off. The default condition will be for the system to be off unless otherwise specified by the inspector during the final inspection.

SECTION 510.5.2-510.2.2.3 MINIMUM QUALIFICATIONS OF PERSONNEL. ADDED

510.5.2 Minimum qualifications of personnel.

510.2.1 Designers. The minimum qualifications of the system designer for both new and existing buildings shall be all of the following:

1. A valid FCC issued general radio operator's license.
2. Certification of in building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.
3. Certification by a nationally recognized testing or certification agency (For example, NICET)

510.2.2 Installing personnel. Installation of approved ERRC systems shall be conducted by a State Licensed C-7, C-10, or C-16 contractor.

510.2.3 Testing personnel. For system acceptance and annual testing, personnel shall be certified by a professional certification agency approved by the authority having jurisdiction. (IEEE, NICET, etc.)

SECTION 510.5.3.1 TEST SPECIFICATION. ADDED

510.5.3.1 Test bands and frequencies. Acceptance and annual testing of ERRC systems shall incorporate all bands and frequencies accounted for in the design of the system.

Chapter 9 is adopted in its entirety as amended below.

SECTION 901.6.3.2 RECORDS REPORTING. ADDED

901.6.3.2 Records Reporting. Fire detection, alarm and extinguishing systems, shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested, and maintained or removed in accordance with the appropriate standard. All inspection, testing and maintenance reports shall be forwarded to the Fire Department using electronic media to the designated third party as assigned in the Policy Manual. Paper (hard copy) reports are not permitted.

SECTION 903.2 AUTOMATIC SPRINKLER SYSTEMS - WHERE REQUIRED. AMENDED

903.2 Where required. Approved automatic sprinkler systems shall be installed throughout all new buildings unless the structure does not require a building permit.

Exception: Detached Group U occupancies separated from structures in accordance with Table 705.5 of the California Building Code.

SECTIONS 903.2.1 THROUGH 903.2.10 ARE DELETED

SECTION 903.3.1.2 NFPA 13R SPRINKLER SYSTEMS. AMENDED

903.3.1.2 NFPA 13 sprinkler systems. Automatic sprinkler systems in Group R occupancies shall be installed throughout in accordance with 903.3.1.1.

Exception: R-3 occupancies shall have an automatic sprinkler system installed in accordance with NFPA 13D

SECTION 903.2.20 AUTOMATIC SPRINKLER SYSTEMS - EXISTING BUILDINGS AND STRUCTURES. ADDED

903.2.20 Existing Buildings and Structures. Proposed addition, alterations or fire repairs in existing non-sprinklered buildings over a three-year period exceeding 50% of the original gross floor area square footage shall require the entire building to be installed with an automatic fire sprinkler system as follows;

1. Any additions that increase the existing gross floor area by more than 50% require the entire building to be installed with an automatic fire sprinkler system.
2. Any combination of additions, alterations and/or fire repairs to more than 50% of the existing gross building area requires the entire existing building to be installed with an automatic fire sprinkler system. For purposes of this section, alterations shall only apply to the building area if they increase the size of the fire area of the room or space. See the Policy Manual for further guidance.
3. Any addition, alteration and/or repair within a building that contains an automatic fire sprinkler system shall have the automatic fire sprinkler system extended/modified to the area of proposed work.
4. Any change in use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Code Official requires that an automatic fire sprinkler system be installed. For purposes of this section, the relative hazard category shall be in accordance with table 903.2.20 based on table 1011.5 of the International Existing Building Code.

Table 903.2.20

Relative Hazard	Occupancy Class
1 (Highest Hazard)	H, L
2	I-2, I-2.1, I-3, I-4
3	A, C, E, M, R-1, R-2, R-2.1, R-4
4	B, F-1, M, S-1, R-3, R-3.1
5 (Lowest Hazard)	F-2, S-2, U

Exceptions:

1. Seismic or accessibility improvements
2. Any exemption otherwise allowable under the Fire Code, as adopted by the San Mateo Consolidated Fire Department at the discretion of the Fire Marshal.
3. Exterior improvements and work not requiring permits as provided in the Building Code.

4. Detached Group U occupancies or detached carports less than 400 square feet.
5. Work requiring only a mechanical, electrical, plumbing and/or demolition permit.
6. Group R-3.1 occupancies unless already containing a fire sprinkler system.

SECTION 903.3.1.3 NFPA 13D SPRINKLER SYSTEMS. AMENDED

903.3.1.3 NFPA 13D sprinkler systems. Automatic Sprinkler systems installed in one-and two-family dwellings; Group R-3; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D as amended in Chapter 80. NFPA 13D sprinkler systems shall also comply with section 903.4.2 Alarms.

SECTION 903.4.2 ALARMS. AMENDED

903.4.2 Alarms. One approved audible and visual devices shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by waterflow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

SECTION 905.3.1 HEIGHT. AMENDED

905.3 [No Change]

1. [No Change]
2. Buildings that are more than 2 stories in height.
3. [No Change]
4. [No Change]

SECTION 907.1.6 FIRE ALARM CERTIFICATION. ADDED

907.1.6 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate. The protected premise shall be issued a UUFX type certification from Underwriters Laboratories (UL).

SECTION 907.1.6.1 POSTING OF CERTIFICATE. ADDED

907.1.6.1 Posting of Certificate. The UL certificate required in section 907.1.6 shall be posted in a durable transparent cover within 3 feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

Chapter 10 is adopted in its entirety as amended below.

SECTION 1009.3.1 CONVENIENCE STAIR. ADDED

1009.3.1 Convenience Stair. Convenience stairs (in buildings 4 or more stories in height) that are not required as exits shall be limited to connect only two (2) floors.

Chapter 26 is adopted in its entirety without amendment

Chapter 49 is adopted in its entirety as amended below

Section 4901.1 is amended as follows

4901.1 Scope. The mitigation of conditions where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses shall comply with this chapter and the 2021 International Wildland Urban Interface Code as adopted by the San Mateo Consolidated Fire Department.

SECTION 4902 DEFINITIONS. ADDED

LOCAL AGENCY HIGH FIRE HAZARD SEVERITY ZONE. An area designated by the local agency based on a fire assessment conducted by the San Mateo Consolidated Fire Department.

SECTION 4904.3 LOCAL FIRE HAZARD SEVERITY ZONES. ADDED.

4904.3 Local Fire Hazard Severity Zones. Local Fire Hazard Severity Zones shall be as determined by the San Mateo Consolidated Fire Department Wildland Fire Assessment conducted in July 2019.

SECTION 4905.2 CONSTRUCTION METHODS AND REQUIREMENTS WITHIN ESTABLISHED LIMITS. AMENDED.

4905.2.1 Construction Methods and Requirements Within Established Limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure

shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

California Building Code, Chapter 7A,
California Residential Code, Section R337,
California Referenced Standards Code, Chapter 12-7A.

4905.2.2 Additions to structures. If an addition to a structure exceeds 50% of the original square footage and the structure is in a designated fire hazard zone of high or very high, the structure shall meet the requirements of California Department of Forestry and Fire Protection's Low Cost Retrofit List. (Attached)

SECTION 4905.3.1 LOCAL FIRE HAZARD SEVERITY ZONE REQUIREMENTS. ADDED

4905.3.1 Local fire hazard severity zone requirements. Buildings constructed in local Agency Fire Hazard Severity Zones considered to be "High" or "Very High" shall comply with section 4905.2.

SECTION 4906.2 APPLICATION. AMENDED

4906.2 Application. [No change]

1. [No change]

1.1. [No change]

1.2. [No Change]

1.3. [No Change]

2. All land designated by the San Mateo Consolidated Fire Department Wildland Fire Assessment in one of the following zones:

2.1. Moderate

2.2. High

2.3. Very High

SECTION 4907.1 GENERAL. AMENDED

4907.1 General. Defensible space will be maintained around all buildings and structures in State Responsibility Areas (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Local Responsibility Area (LRA) shall maintain defensible space as outlined in Government code sections 51175 through 51189 in moderate, high, and very high fire hazard severity zones as designated by the San Mateo Consolidated Fire Department Wildland Fire Assessment.

Chapter 56 is adopted in its entirety as amended below

SECTION 5601.1.3 FIREWORKS. AMENDED

Section 5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the jurisdiction of the department.

Exceptions:

1. Storage and handling of fireworks has allowed in section 5604.
2. The use of fireworks for fireworks displays, pyrotechnics before proximate audience, pyrotechnic special effects in motion pictures, television, theatrical, or group entertainment productions as allowed by title 19, Division I, chapter 6 fireworks reprinted in section 5608 and the Health & Safety Code division 11.
3. Snap caps and party poppers classified by the state fire marshal as pyrotechnic devices.

SECTION 5601.1.3.1 FIREWORKS – SEIZURE. ADDED

5601.1.3.1 Fireworks-seizure. The Chief shall seize, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this code.

SECTION 5601.2.4 FINANCIAL RESPONSIBILITY. AMENDED

5601.2 .4 Financial responsibility. Before a permit is issued pursuant to section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2 million or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Exception: fireworks in accordance with California code of regulations, title 19, Division I, chapter 6, see section 5608.

SECTION 5601.9 PROHIBITED AND LIMITED ACTS. ADDED

5601.9 Prohibited and limited acts. The storage of explosive materials is prohibited in all zoning districts except district zone for industrial or agricultural uses. In districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with California fire code section 5601.8

Chapter 57 is adopted in its entirety as amended below.

SECTION 5704.2.9.6.1 LOCATIONS WHERE ABOVE GROUND TANKS ARE PROHIBITED. AMENDED

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of class I and 2 liquids in above-ground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural use.

SECTION 5706.2.4.4 LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED. AMENDED

5706.2.4.4 Locations where above-ground tanks are prohibited. Locations where above-ground tanks are prohibited. Storage of class I and 2 liquids in above-ground tanks is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural use

Chapter 58 is adopted in its entirety as amended below.

SECTION 5806.2 LIMITATIONS. AMENDED

5806.2 Limitations. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.

Exception: Hydrogen fuel systems in compliance with section 5806.3 or 5806.4.

Chapter 61 is adopted in its entirety as amended below.

SECTION 6104.2 MAXIMUM CAPACITY WITHIN ESTABLISHED LIMITS. AMENDED

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gases prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2000 gallons (7570 L).

Appendix B fire flow requirements for buildings is adopted in its entirety as amended below.

TABLE B105.2 REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE AND 2 FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOMES. AMENDED.

**TABLE B105.2
REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE AND 2
FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND
TOWNHOUSES**

Automatic Sprinkler System (Design Standard)	Minimum Fire Flow (Gallons Per Minute)	Flow Duration (Hours)
No automatic sprinkler system	Value in Table B 105.1 (2)	Duration in Table B 105.1 (2)
Section 903.3.1.1 of the California Fire Code	50% of the value in table B105.1 (2) ^a	Duration in table B105.1 (2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code ^c	50% of the value in table B105.1 (2) ^b	Duration in table B105.1 (2) at the reduced flow rate

For SI: 1 gallon per minute equals 3.785 L per minute

- a. The reduced fire flow shall not be less than 1000 gallons per minute.
- b. The reduced fire flow shall not be less than 1500 gallons per minute.
- c. Section 903.3.1.2 of the California Fire Code has been amended by the San Mateo Consolidated Fire Department

Appendix C number and distribution of fire hydrants is adopted in its entirety as amended below.

TABLE C 102.1 OF APPENDIX C. AMENDED

TABLE NO. C102.1

NUMBER AND DISTRIBUTION OF FIRE HYDRANTS^f

FIRE FLOW REQUIREMENT (GPM)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS^{a, b, c, d, e} (Ft.)	MAXIMUM DISTANCE FROM HYDRANT TO ANY POINT ON STREET OR ROADWAY FRONTAGE (Ft.)
1750 or less	1	250	150
2000-2250	2	250	150
2500-3250	3	250	150
3500-4250	4	250	150
4500-5250	5	250	150
5500-5750	6	250	150
6000-6250	6	250	150
6500-7250	7	250	150
7500 or more	8 or more ^c	200	120

For SI: 1 foot equals 304.8 mm, 1 gallon per minute equals 3.785 L per minute.

- a. Reduce by 100 feet for dead-end streets or roadways.
- b. Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:
 - i. Street has a median center divider that makes access to hydrants difficult, causes a time delay or creates an undue hazard;
 - ii. There are four or more lanes of traffic;
 - iii. Width of the street is in excess of 88 feet; or
 - iv. The existing street will be widened or will have a raised median center divider installed in the future pursuant to the General Plan Roadway Improvement Plans.
- c. One hydrant for each 1,000 GPM or fraction thereof.
- d. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants should be provided every 1,000 feet of street to provide for transportation hazards. In addition, there shall be at least one hydrant at each intersection.
- e. Average spacing between hydrants may be extended to 500 feet on streets serving one- and two-family dwellings.
- f. The fire code official is authorized to modify the location, number and distribution of fire hydrants based on site-specific constraints and hazards.

Appendix D Fire Apparatus Access Roads is adopted in its entirety.

Appendix O temporary haunted houses, ghost walks and similar amusement uses is adopted in its entirety

Division 2- Adoption and Modifications to the International Wildland Urban Interface Code

The following sections of the 2021 International Wildland Urban Interface Code are adopted and modified as described below.

Chapter 1 is partially adopted with adopted sections and modifications listed below.

SECTION 101 IS ADOPTED EXCEPT AS MODIFIED AND DELETED AS BELOW:

SECTION 101.1 TITLE. AMENDED

101.1 Title. These regulations shall be known as the Wildland Urban Interface Code of SAN MATEO CONSOLIDATED FIRE DEPARTMENT, will be referred to herein as this "CODE," and/or "WUI CODE."

SECTION 101.4 RETROACTIVITY. AMENDED

SECTION 101.5 IS NOT ADOPTED

SECTION 102 IS ADOPTED IN ITS ENTIRETY

SECTION 103 IS REPLACED BY SECTION 103 OF THE CALIFORNIA FIRE CODE AS ADOPTED BY SAN MATEO CONSOLIDATED FIRE DEPARTMENT

SECTION 104 IS REPLACED BY SECTION 104 OF THE CALIFORNIA FIRE CODE AS ADOPTED BY SAN MATEO CONSOLIDATED FIRE DEPARTMENT

SECTION 105 IS ADOPTED AS AMENDED BELOW:

105.3 Alternate Materials, design, and methods. Where alternate materials, design, and methods are to be used, the process listed in section 104.9 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department shall be used.

SECTION 106 IS ADOPTED AS AMENDED BELOW

106.1 Permits shall be as set forth in section 105 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department shall be used.

SECTIONS 106.2 THROUGH 106.10 ARE DELETED

SECTION 107 IS ADOPTED IN ITS ENTIRETY AS AMENDED BELOW

SECTION 107.3 IS AMENDED BELOW

107.3 Site Plan. In addition to the requirements for plans in the California Building Code and California Fire Code, site plans shall include topography, width, and percent of grade of access roads, landscape, and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures, and their appendages, roof classification of buildings and site water supply systems. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

SECTION 107.4 IS AMENDED BELOW

107.4 Hazardous Vegetation and Fuel Management. Vegetation and fuel management plans required by this code, Chapter 7A of the California Building Code or the California Fire Code shall comply with Section 4906 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department

SECTION 107.5 IS AMENDED BELOW

107.5 Fire protection plan. Where required by the code official pursuant to Section 405, a fire protection plan shall be prepared and shall be submitted to the code official for review and approved as a part of the plans required for a permit.

SECTION 108 IS ADOPTED WITHOUT MODIFICATION

SECTION 109 IS ADOPTED AS AMENDED BELOW

109.1 Fees. Fees shall be in accordance with the San Mateo Consolidated Fire Department Master Fee Schedule.

SECTIONS 109.2 THROUGH 109.6 IS DELETED

SECTION 110 IS ADOPTED WITH AMENDMENTS BELOW

SECTION 110.4.5.2.1 IS AMENDED AS FOLLOWS

110.4.5.2.1 Method of service. Such notice shall be deemed properly served where a copy thereof is served by one of the following methods:

1. Delivered to the owner or the owner's authorized agent personally.
2. Sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with a return receipt requested.
3. Delivered by email at an email address provided by the property owner or their designated representative.
4. Delivered in any other manner as prescribed by local law.

SECTION 110.4.7 IS AMENDED AS FOLLOWS

110.4.7 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the *approved* construction documents or directive of the *code official*, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.4.7.1 Summary Abatement. If conditions set forth in the notice of violation are not abated within a reasonable amount of time, the Department may hire a contractor to abate the violations. All expenses will be billed to the property owner, and if not paid, a lien on the property shall be placed on the property.

110.4.7.2 Any violations of this code shall be considered a public nuisance in accordance with Government Code section 38773.

SECTION 111 IS ADOPTED WITHOUT MODIFICATION

SECTION 112 IS NOT ADOPTED

SECTION 113 IS NOT ADOPTED

SECTION 114 IS ADOPTED WITHOUT MODIFICATION.

Chapter 2 is adopted in its entirety as amended below.

Local agency fire hazard severity zone. An area in the jurisdiction designated as having a low, medium, high, or very high fire risk as determined by the San Mateo Consolidated Fire Department Wildland Hazard Assessment.

Chapter 3 is adopted in its entirety as amended below

SECTION 302.1 IS AMENDED AS BELOW

302.1 Declaration. The San Mateo Consolidated Fire Department conducted a study with the Anchorpoint Group which identified hazard zones. This study will be referred to as the San Mateo Consolidated Fire Department Wildland Assessment. The zones identified in the assessment shall be used for enforcement of this code.

302.2 Mapping. The San Mateo Consolidated Fire Department Wildland Assessment shall be posted online and maintained by the Fire Marshal.

Chapter 4 is adopted in its entirety

Chapter 5 is replaced by the following

SECTION 501 GENERAL

501.1 Buildings constructed in a high or very high fire hazard severity zone shall comply with section 502.

SECTION 502 CONSTRUCTION STANDARDS

502.1 Construction Methods and Requirements Within Established Limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure

shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

- California Building Code, Chapter 7A
- California Residential Code, Section R337
- California Referenced Standards Code, Chapter 12-7A

Chapter 6 is adopted in its entirety and amended as below.

SECTION 602.1 IS AMENDED AS BELOW

602.1 Automatic Sprinkler Systems. Automatic Sprinkler systems shall be installed in accordance with Chapter 9 of the California Fire Code as amended by the San Mateo Consolidated Fire Department.

TABLE 603.2 IS MODIFIED AS FOLLOWS

Table 603.2 Required Defensible Space

Fire Hazard Severity Zone	Fuel Modification Distance (Feet)^a
Moderate	30
High	50
Very High	100

^a Distances may be increased due to site specific analysis based on local conditions.

Chapter 7 is adopted in its entirety

PART IV- VIOLATIONS.

It is unlawful to violate or fail to comply with any provisions of this Code, or violate or fail to comply with any order made under this Code or to build in violation of any detailed statement of specification or plans submitted and approved under this Code, or any certificate or permit issued under this Code.

PART V- FIRE AND LIFE SAFETY INSPECTIONS.

Inspections by the Fire Department shall periodically be made of buildings and structures that are used for residential or non-residential purposes as follows:

- a) The time and frequency of inspections shall be determined by the Fire Chief. No buildings shall be inspected for a fee more than annually except for re-inspections to assure that code corrections have been made or hazards have been corrected.
- b) A fee for inspections shall be established in the adopted Master Fee Schedule to offset costs of the regulatory inspection program and shall be collected upon inspection from

each property subject to this ordinance. Revenues shall be used for the inspection and enforcement program.

c) All properties shall be subject to inspection fees.

d) Nothing in this section is intended to prevent inspections of property under nuisance abatement or other laws.

PART VI – LOCAL FINDINGS AND AMENDMENTS

The Fire Department has determined that modifications to the 2021 International Fire Code with the 2022 California Amendments are needed and reasonably necessary due to local climatic, geological, and topographical conditions, as set forth in Attachment 1 (Findings in Support of Amendments to the 2022 California Fire Code), which are incorporated herein as substantive provisions of this Ordinance.

PART VII- ENVIRONMENTAL DETERMINATION.

The Department Board of Directors finds that the modifications to California building standards, adopted by reference by the proposed ordinance, are enacted to provide a safer, more protected environment in response to local conditions, including local climatic, geological, and topographical conditions. The adoption of this ordinance is exempt from review under the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*, “CEQA”) as the Ordinance is not a “project” as defined under CEQA. Moreover, the Ordinance is exempt from review pursuant to the CEQA Guidelines (California Code of Regulations Title 14, Chapter 3) consistent with, among other things, CEQA Guidelines Section 15061(b)(3), Section 15308, and Section 15321.

PART VIII- NOTICE PROVIDED; EFFECTIVE DATE.

This Ordinance shall be published in summary in the San Francisco Examiner, posted in the Departments administrative offices, and posted on the Department’s Website, and shall be effective on January 1, 2023.

I hereby certify this to be a correct copy of Ordinance 2022-001 of the San Mateo Consolidated Fire Department, which was introduced on August 31, 2022 and adopted on October 12, 2022 at a regular meeting of the Department Board of Directors by the following vote

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel

San Mateo Consolidated Fire Department

**FINDINGS IN SUPPORT OF LOCAL AMENDMENTS TO THE 2022 CALIFORNIA FIRE CODE
AS ADOPTED BY THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT
THAT IMPLEMENT ADDITIONAL REQUIREMENTS
DUE TO LOCAL CLIMATIC, GEOLOGICAL, AND TOPOGRAPHICAL CONDITIONS**

WHEREAS, pursuant to Sections 17958.5, 17958.7, and 18941.5 of the State of California Health and Safety Code, the Board of Directors for the San Mateo Consolidated Fire Department (“Department”) has determined and finds that the attached changes or modifications to the 2018 International Fire Code with the 2022 California Amendments are needed and are reasonably necessary because of local climatic, geological, and topographical conditions.

WHEREAS, based upon information provided by staff in support of these proposed amendments to the Fire Code and similar information provided in support of prior amendments and facts on which a local court could take judicial notice documenting the unique conditions found in the Board of Directors for the Department, it is expressly found by the Department Board of Directors that the following unique conditions are undisputed and do exist in the jurisdiction and that as a result, modifications to the 2022 California Fire Code are reasonably necessary for the Department.

NOW, THEREFORE, THE BOARD OF DIRECTORS FOR THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT HEREBY ORDAINS THAT:

1. Climatic

The weather patterns within the Department are considered to be moderately affected by westerly winds that can average from 10-15 mph and gusts that can exceed 40 mph which are experienced almost year-round. Fog is a common occurrence in the jurisdiction, becoming quite dense at times. An average year’s rainfall is approximately 22.95 inches, while summer conditions are hot and dry. These summer conditions create hazardous fuel situations that have caused grassland and brush land fires in recent years. Year-round average temperatures range from 58 in the winter to 81 degrees during the summer, however high temperatures have ranged from 75 in the winter to 110 degrees in the summer. Low humidity, high temperatures and gusting winds can move a fire quickly in the hillsides and canyon areas of the Department and can tax the capabilities of the urban design of the fire department. Lower water pressure in these areas also affects the abilities to quickly suppress any fires. Climate Change is expected to adversely affect these conditions, moving the weather towards more extremes in the coming years.

Because of the unpredictable weather patterns, intermittent drought and water rationing can be expected, causing dry vegetation and hazardous fire conditions. Weather patterns can go to the other extreme with heavy rains creating higher fuel load in the hillsides. A heavy rain pattern would also impact a flood plain area located in the northeast portion of the Department. This condition has the potential of causing additional barriers in this area when flooding blocks streets and underpasses.

The conditions described in this section make it reasonably necessary for the Department to adopt the following ordinance sections as modifications to the 2022 California Fire Code and these findings are specifically intended to satisfy the requirements of California Health and Safety Code Section 17958.7 in that regard:

San Mateo Consolidated Fire Department Ordinance Part I (Adoption), Part II (Applicability), Part III amending CFC Sections 108, 202, 303, 304, 305, 306, 307, 308, 309, 310, 501.1, 503.1.1, 503.3.1, 505.1, 505.1.1, 505.1.2, 505.1.3, 506.1.1.1, 506.1.1.2, 508.2, 901.6.3.2, 903.2, 903.3.1.2, , 903.2.20, 903.3.1.2, 903.4.2, 905.3.1, Chapter 49, 5601.1.3, 5601.1.3.1, 5601.2.4, 5601.9, 5704.2.9.6.1, 5706.2.4.4, 5806.2, 6104.2, Table B105.2, Table C102.1, Appendix D, section D106.1, D107.1, and Part III adopting the International Wildland Urban Interface Code (All modifications and adoptions), Part IV (Violations), and Part V (Fire and Life Safety Inspections).

2. Geographical

The jurisdiction's geography is diverse, with scenic hillsides to the west and north and the San Francisco Bay shoreline and in-land lagoons to the northeast. Certain eastern portions of the Department are built on landfill. These geographic features establish roadways, waterways, and building sites and create barriers for accessibility for fire suppression forces. Such geological barriers increase fire emergency response time.

The cities in the Department's jurisdiction lie near several potentially active seismic hazards, including the San Andreas and San Mateo Faults. Seismic activity within the Department occurs yearly with little or no damage, although in 1989, the Loma Prieta Earthquake caused substantial damage (building collapses, fires, closure of main travel arteries, medical emergencies, etc.) from San Francisco to Santa Cruz. Within minutes of the quake, all emergency services were exhausted. Additionally, a large quake, greater than 6.7 magnitude is predicted along one of the major Bay Area Earthquake Faults before 2030. Landslide areas become a critical concern with seismic activity due to the possibility of liquefaction. The northern hillsides create slopes in excess of 60% with an average of between 5-10%. The Department continues to see building on these hillside areas. Such sites are prone to landslide activity during the rainy season and during seismic activity.

The Department is located in a nationally recognized earthquake prone area which caused unique challenges for fire and disaster relief agencies. Because the problem is regional and potentially suffocating in scope, tailored response programs with other agencies are essential. Seismic considerations, elsewhere not applicable, must be recognized in all construction projects.

The conditions described in this section make it reasonably necessary for the Department to adopt the following ordinance sections as modifications to the 2019 California Fire Code and these findings are specifically intended to satisfy the requirements of California Health and Safety Code Section 17958.7 in that regard:

San Mateo Consolidated Fire Department Ordinance Part I (Adoption), Part II (Applicability), Part III amending CFC Sections 108, 202, 303, 304, 305, 306, 307, 307.1.1, 307.4.1, 307.4.2, 308, 309, 310, 311, 501.1, 503.1.1, 503.3.1, 505.1, 505.1.1, 505.1.2, 505.1.3, 506.1.1.1, 506.1.1.2, 508.2, 510.4.2, 510.4.2.9, 510.5.2, 510.5.2.1, 510.5.2.2, 510.5.2.3, 510.5.3.1, 405, 406, 901.6.3.2, 903.2, 903.3.1.2, , 903.2.20, 903.3.1.2, 903.4.2, 905.3.1, 907.1.6, 907.1.6.1, 1009.3.1, Table B105.2, Table C102.1, Appendix D, section D106.1, D107.1, and Part III adopting the 2021 Wildland Urban

Interface Code (All adoptions and Modifications), Part IV (Violations), and Part V (Fire and Life Safety Inspections).

3. Topographical

The topographical element is associated closely with the geographical element noted above. The Department's water supply (domestic and fire flow) system is directly affected by the topographical layout of the member cities comprising the Department. The distribution system consists of "lift-zones," which carry the water to the public via conduits of water pipes from various reservoirs, storage tanks, and dammed areas. In these "lift-zones" the pressure and flows are adequate at the lower elevations of the zone, but as the elevation increase water flow can vary greatly. Such variations create predictable problems for fire suppression units.

The roadway system through the Department is, by and large, designed around the topographical lay of the land with narrow, steep grades, large highway over-passes and roadways inefficient to handle current traffic demands. This creates "barriers" that increase the fire department response time.

Additionally, developers are creating denser residential developments in many areas throughout the Department. There is a trend to develop more concentrated structures such as "podium" buildings which are residential, or business occupancies built over parking structures. These structures are generally built with reduced access around the building because they are being constructed in a "Built-out" environment, replacing existing structures. These larger, denser developments generally add 3+ minutes to response times by creating unique challenges to accessing and suppressing fires. The additional time could allow "flashover" to occur ("Flashover" occurs when a fire can burn freely without any suppression intervention, causing the structure or room to become completely engulfed with fire in a short time). These "podium" buildings are generally designed to support a higher occupancy load. Mid-rise buildings also pose unique suppression challenges because of the size and complexity of the building footprint that adds to the time needed to locate a fire. The height of these structures, and the combustible nature of the buildings built above the podium present additional challenges when it comes to fire extinguishment and rescue. The higher density of buildings in the jurisdiction, along with the hills of the jurisdiction pose challenges for the radio systems used by the department for emergency communications. Inadequate communications pose a direct threat to the health and wellbeing of responders.

The remaining structures (those not redeveloped into larger, denser structures) pose another concern in that they lack adequate fire protection like firewalls, fire extinguishing systems, fire alarm system, etc. Historical buildings also create cause for concern in that they were built under less stringent building codes and with narrower setback requirements, creating further "barriers" that firefighters must work around. Some of these buildings date as far back as 100 years and are irreplaceable, holding significant historical.

The western hills of the jurisdiction are steep, and are covered in many different kinds of vegetation. There are structures built in and bordering densely vegetated areas, making the spread of vegetation fires to structures more likely.

The conditions described in this section make it reasonably necessary for the Department to adopt the following ordinance sections as modifications to the 2022 California Fire Code and these

findings are specifically intended to satisfy the requirements of California Health and Safety Code Section 17958.7 in that regard:

San Mateo Consolidated Fire Department Ordinance Part I (Adoption), Part II (Applicability), Part III amending CFC Sections 108, 202, 303, 304, 305, 306, 307, 308, 309, 310, 311, 318, 319.1.1, 501.1, 503.1.1, 503.3.1, 505.1, 505.1.1, 505.1.2, 505.1.3, 506.1.1.1, 506.1.1.2, 508.2, 510.4.2, 510.4.2.9, 510.5.2, 510.5.2.1, 510.5.2.2, 510.5.2.3, 510.5.3.1, 405, 406, 901.6.3.2, 903.2, 903.3.1.2, , 903.2.20, 903.3.1.2, 903.4.2, 905.3.1, 907.1.6, 907.1.6.1, 1009.3.1, Table B105.2, Table C102.1, Appendix D, section D106.1, D107.1, and Part III, the 2021 International Wildland Urban Interface Code (All adoptions and modifications), Part IV (Violations), and Part V (Fire and Life Safety Inspections).



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Kent Thrasher, Fire Chief

Meeting Date: August 31, 2022

Subject: Master Fee Schedule

RECOMMENDATION

Adopt a resolution approving revisions to the San Mateo Consolidated Fire Department's Master Fee Schedule effective January 1, 2023 with the intent to increase fees again on July 1, 2023.

BACKGROUND

In July 2021, the Board adopted the SMC Fire Master Fee Schedule. The schedule was the first step in balancing Fund 37, the Fire Protection and Life Safety Fund. While the overall fees increased in 2021, a substantial change in the approach resulted in the hourly rate dropping for the activities done by the department. Given inflationary costs, the fees will need to be evaluated periodically to ensure that Fund 37 continues its recovery.

ANALYSIS

The current Master Fee Schedule (MFS) is comprehensive, but staff recommends the following primary revisions to the MFS to make it clearer for the public and staff to understand.

- An across the board 2% increase in most fees.
- A change in some language to address errors from the original adoption.
- A reduction in minimum fees for single family residential projects to better reflect the amount of time taken for the review.
- A reduction in the minimum amount of time for consultations to reflect the true amount of time consultations take.
- Add a set of penalty fees in accordance with the Government Code that are enumerated in the Fire Code Adoption Ordinance.

The Department has typically increased fees up to the change in CPI less energy services. That change is 5.5% according to the Bureau of Labor Statistics. At this time, we are only recommending a 2% increase effective January 1, 2023. We would then come back to the board in January 2023 to implement an additional increase for July 2023 to keep up with inflation. This would also have the effect of resetting fee increases to coincide with the fiscal year.

Alternatives

The Board could undertake 3 alternatives.

The first alternative is to adopt a 2% increase to become effective January 1, 2023, and we will bring another adjustment, balancing out the CPI increase, in January 2023 becoming effective July 1, 2023.

The second alternative would be to do nothing, and increase fees later in the fiscal year. While Fund 37 has started its recovery, doing nothing would lead to larger increases later, and could potentially negate gains realized in the last year, slowing or reversing Fund 37's recovery. Additionally, we know that operational costs have increased, and current labor negotiations will influence expenditures.

The third alternative would be to go with the full CPI increase of 5.5%. Because the fee increase from last year was significant in a lot of categories, raising fees again too quickly could be problematic. Additionally, we are still evaluating the effectiveness of all fees, and we simply do not have enough data to fairly evaluate costs versus revenues. This option means we would likely not adjust in July 2023.

FISCAL IMPACT

Fund 37 ended the fiscal year with approximately \$0.5 million in fund balance, so the proposed increase in fees will help to position the fund for long-term fiscal sustainability.

ATTACHMENTS

- A. Resolution
- B. Proposed Master Fee Schedule

RESOLUTION NO. RES-2022-032

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT TO ADOPT THE FIRE DEPARTMENT MASTER FEE SCHEDULE

The Board of Directors (“Board”) of the San Mateo Consolidated Fire Department (“Department”) resolves as follows:

WHEREAS, under applicable law and pursuant to the authority of the Department’s JPA member agencies, the Department is authorized to adopt a schedule of fees to recover its direct and indirect costs for services;

WHEREAS, on May 8, 2019, the Board adopted a Master Fee Schedule for the Department by adopting Ordinance No. 2019-001;

WHEREAS, on July 14, 2021, the Board adopted a Master Fee Schedule adjustment for the Department by adopting Resolution No. 2021-022 with the understanding that a Fee Study occurred to set applicable limits for fees;

WHEREAS, the Department has determined, based on the services provided, that it may, upon approval of the Board, increase fees and charges on July 1 of each year based on the annual change in the Consumer Price Index (“CPI”), as well as any other necessary adjustments to Department fees and charges as needed from time to time, and that such future adjustment may be performed either by Resolution or by Ordinance;

WHEREAS, The FY 2022-2023 service fees are as set forth in the Schedule of Department Service Fees, attached as Attachment B and incorporated by this reference;

WHEREAS, the fees and charges set forth in this Resolution are based on the Department’s review of the NBS study on what constitutes its reasonable and actual costs for performing such services; and,

WHEREAS, this Board held a properly noticed public hearing in accordance with and as required by Government Code section 6066, and has published notice twice in the San Francisco Examiner.

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

1. The foregoing recitals are hereby incorporated by reference;
2. This Resolution shall become effective January 1, 2023;
3. Upon the effective date of this Resolution, the fees and charges set forth in Attachment B, attached and incorporated by this reference, shall become effective, and the Department is authorized to take necessary and incidental actions to charge and collect such fees and charges;
4. Upon the effective date of this Resolution, Resolution No. 2021-022 shall be repealed;

5. The fees/charges set forth in this Resolution may be revised from time to time, including but not limited to an annual inflationary adjustment based on the Consumer Price Index (CPI) and additional fees/charges may be added or altered based the Department's associated costs, and such changes may be performed either by Resolution or Ordinance of the Board of Directors; and,
6. Within fifteen (15) days of the adoption of this Resolution, Department Staff shall cause to be published once in a newspaper of general circulation in the Department's service area a summary of the Resolution with the names of the members of the Board voting for or against the Resolution.

I hereby certify this to be a correct copy of Resolution 2022-032 of the San Mateo Consolidated Fire Department, California, introduced and adopted on August 31, 2022 at a regular meeting of the Department Board of Directors by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel

San Mateo Consolidated Fire Department

Bureau of Fire Protection and Life Safety

Estimation of Average Cost of Providing Activities and Services based on User Fee Study FY 21

Fire Code Fee Schedule

Fee No.	Fee Description	Notes	Fee Unit Type	Current Fee	New Fee (2% increase)	Comments
A. ANNUAL OPERATIONAL PERMITS W/ CFC PERMITS		[1]				
1	New Business Inspection		each	\$ 257	\$ 263	
2	Annual Operational Permit w/ CFC Permits					
	First Permit		each	\$ 257	\$ 263	
	Additional Permits		each	\$ 106	\$ 108	
	List of Required Operational Permits <i>(See CFC Section 105 for conditions)</i>					
	Aerosol Products (in excess of 500 lbs.)					
	Amusement Buildings					
	Aviation Facilities					
	Carnivals and Fairs					
	Cellulose Nitrate Film					
	Combustible Dust Producing Operations					
	Combustible Fibers					
	Compressed Gases					
	Covered and Open Mall Buildings					
	Cryogenic Fluids					
	Cutting and Welding					
	Dry Cleaning					
	Explosives					
	Fire Hydrants and Valves					
	Flammable and Combustible Liquids					
	Mobile Fueling of Hydrogen-Fueled Vehicles					
	Floor Finishing					
	Fruit and Crop Ripening					
	Fumigation and Insecticidal Fogging					
	HPM Facilities					
	Hot Work Operations					
	Industrial Ovens					
	Lumber Yards & Woodworking Plants					
	Liquid or Gas-Fueled Vehicles or Equipment in Assembly Buildings					
	LP Gas					
	Magnesium					
	Miscellaneous Combustible Storage					
	Mobile Food Preparation Vehicles					
	Motor Fuel-Dispensing Facilities					
	Open Burning					
	Open Flames and Torches					
	Open Flames and Candles					
	Organic Coatings					
	Outdoor Assembly Event					
	Places of Assembly					
	Plant Extraction Systems					
	Private Hydrants					
	Pyroxylin Plastics					
	Refrigeration Equipment					
	Repair Garages and Motor Fuel-Dispensing Facilities					
	Rooftop Heliports					
	Spraying or Dipping					
	Storage of Scrap Tires and Tire Byproducts					
	Tire-Rebuilding Plants					
	Waste Handling					
	Wood Products					
3	Exhibits and Trade Shows					

	During Business Hours				
	First 2 hours		flat	\$ 515	\$ 525
	Each additional hour		hourly	\$ 257	\$ 263
	After Business Hours				
	First 2 hours		flat	\$ 592	\$ 604
	Each additional hour		hourly	\$ 296	\$ 302
4	Hazardous Materials- Paperwork Review (SDS, other regulatory paperwork)				
	Dispense, Use, Storage and Handling				
	Up to 5 chemicals		flat	\$ 322	\$ 328
	Each additional chemical		each	\$ 41	\$ 42
5	High Pile Storage (Not including fire sprinklers)		Hourly	\$ 257	\$ 263
6	Pyrotechnic Special Effects Material				
	During Business Hours				
	First 4 hours		flat	\$ 1,030	\$ 1,050
	Each additional hour		hourly	\$ 257	\$ 263
	After Business Hours				
	First 4 hours		flat	\$ 1,184	\$ 1,208
	Each additional hour		hourly	\$ 296	\$ 302
7	Temporary Membrane Structures and Tents	[2]			
	400 - 1,000 s.f.		each	\$ 257	\$ 263
	1,001 - 5,000 s.f.		each	\$ 322	\$ 328
	5,000 s.f. and above		each	\$ 451	\$ 460
8	Emergency Responder Communication Enhancement System (ERCES- Maintenance) <i>For construction of ERRC systems, see Construction Fee Schedule</i>		each	\$ 257	\$ 263
B. ANNUAL OPERATIONAL PERMITS W/O CFC PERMITS		[1]			
1	Group A - Assembly related occupancies (50+ persons)		base fee	\$ 257	\$ 263
2	Group B - Businesses/Commercial (multiple story commercial building over four stories - public areas only; high rise building - over 75 feet in height; shopping center, business center, or storage center over six units - public areas only)		base fee	\$ 257	\$ 263
3	Group E - Education occupancies (public/private)		base fee	\$ 579	\$ 591
4	Group F - Factories/Fabrication		base fee	\$ 322	\$ 328
5	Group H - Hazardous (labs, semi-conductors)		base fee	\$ 579	\$ 591
6	Group I - Institutions (Hospitals)		base fee	\$ 837	\$ 854
6	Group L - Lab		base fee	\$ 579	\$ 591
7	Group M - Mercantile		base fee	\$ 322	\$ 328
7	Group R - Residential (Other than MRIP)		base fee	\$ 386	\$ 394
8	Group S - Storage/Warehouse		base fee	\$ 322	\$ 328
9	Group U - Misc. Occupancy		base fee	\$ 193	\$ 197
10	Hotels, Motels, Apartments and Condominiums				
	3-4 units per building		base fee	\$ 266	\$ 271
	5-10 Units per Building		base fee	\$ 579	\$ 591
	11-100 Units per Building		base fee	\$ 966	\$ 985
	101-200 Units per Building		base fee	\$ 1,738	\$ 1,773
	201-300 Units per building		base fee	\$ 2,510	\$ 2,561
	300+ Units per Building		base fee	\$ 3,283	\$ 3,348
11	High-Rise				
	Base Fee		base fee	\$ 471	\$ 481

	Per Floor		each	\$ 129	\$ 131
12	State 850 Inspections				
	State Licensing Inspection 1-6 Capacity				
	Pre-Inspection	[4]	per occurrence / trip	\$ 322	\$ 328
	RCF State Licensed Facility Inspection	[3]	per occurrence / trip	\$ 193	\$ 197
	State Licensing Inspection 7-25 Capacity		per occurrence / trip	\$ 386	\$ 394
	State Licensing Inspection 26-50 Capacity		per occurrence / trip	\$ 451	\$ 460
	State Licensing Inspection 50+ Capacity		per occurrence / trip	\$ 579	\$ 591
TOTAL					

[Notes]

- [1] All fees in this section are minimum base fees and include an initial inspection and one reinspection. Failure to comply with inspection program or second re-inspection will result in additional inspection fees per Section D, Item 1 of this fee schedule.
- [2] Fee is assessed based on cumulative permittable tent square footage at a single site.
- [3] Inspections not allowed to be charged to RCFE's per Health and Safety Code Section 1569.84
- [4] Inspections allowed to be charged per Health and Safety Code Section 13235

San Mateo Consolidated Fire Department

Bureau of Fire Protection and Life Safety

Estimation of Average Cost of Providing Activities and Services based on User Fee Study FY 21

Construction Fee Schedule

Fee No.	Fee Description	Fee Unit	Notes	Fee of Service Per Activity	Fee of Service Per Activity (2% Increase)	Notes
C. DEVELOPMENT PLAN REVIEW AND INSPECTION						
1	Building Construction - New and Tenant Improvement					
	Single Family Residential / Duplex	each		\$ 407	\$ 263	Fee reduced- work not taking that long
	Commercial / Industrial / Multi-Family					
	0-2,500 s.f.	each		\$ 600	\$ 612	
	2,501-5,000 s.f.	each		\$ 600	\$ 612	
	5,001-10,000 s.f.	base		\$ 793	\$ 809	
	10,001-50,000 s.f.	base		\$ 986	\$ 1,006	
	each additional 10,000 s.f. or fraction thereof	each add'l		\$ 197	\$ 201	
2	Sprinkler Systems					
2.1	New Construction					
	NFPA 13 System*					
	Under 100 heads	each		\$ 922	\$ 940	
	Per additional inspection (phasing)	each		\$ 342	\$ 349	
	Per additional plan type	each		\$ 922	\$ 940	
	Over 100 heads- includes one riser	each		\$ 1,050	\$ 1,071	
	Each additional riser	each		\$ 1,050	\$ 1,071	
	Per additional inspection (phasing)	each		\$ 342	\$ 349	
	Per additional plan type	each		\$ 922	\$ 940	
	NFPA 13D Single Family System	each		\$ 579	\$ 591	
	Per additional inspection (phasing)	each		\$ 193	\$ 197	
	Per additional plan type	each		\$ 579	\$ 591	
	Underground Piping					
	Up to 4 hydrants/risers	each		\$ 708	\$ 722	
	Per additional hydrant	each		\$ 129	\$ 131	
	<i>*NFPA 13R not allowed per ordinance</i>					
2.2	Tenant Improvement					
	NFPA 13 System - Without Calculations					
	Up to 10 heads	each		\$ 451	\$ 460	
	11-100 heads	each		\$ 644	\$ 657	
	Per additional inspection (phasing)	each		\$ 342	\$ 349	
	Per additional plan type	each		\$ 515	\$ 525	
	Over 100 heads	each	[4]	\$ 772	\$ 788	
	Per additional inspection (phasing)	each		\$ 342	\$ 349	
	Per additional plan type	each		\$ 644	\$ 657	
	NFPA 13 System - With Calculations					
	Up to 10 heads	each		\$ 515	\$ 525	
	11-100 heads	each		\$ 708	\$ 722	
	Per additional inspection (phasing)	each		\$ 342	\$ 349	
	Per additional plan type	each		\$ 322	\$ 328	
	Over 100 heads	each	[4]	\$ 772	\$ 788	
	Per additional inspection (phasing)	each		\$ 342	\$ 349	
	Per additional plan type	each		\$ 772	\$ 788	
2.3	Other Extinguishing Systems					
	Fire Pump					
	First pump	each		\$ 1,030	\$ 1,050	
	Each additional pump	each		\$ 644	\$ 657	
	Gas Systems (Med Gas, Industrial Gas, LPG)	each		\$ 644	\$ 657	
	Hood & Duct Extinguishing System	each		\$ 644	\$ 657	
	Each additional system	each		\$ 386	\$ 394	
	Pre-Action System with Alarm	each		\$ 901	\$ 919	
	Refrigeration Systems					
	Under 500 lbs.	each		\$ 644	\$ 657	
	500 lbs. and over	each		\$ 772	\$ 788	
	Special Equipment (Ovens, Dust, Battery)	each		\$ 644	\$ 657	
	Special Extinguishing System	each		\$ 685	\$ 699	
	Spray Booths	each		\$ 837	\$ 854	
	Standpipe Systems	per system		\$ 644	\$ 657	
	Water Tanks	per tank		\$ 901	\$ 919	
	Hydrant Flow (Test and Inspection)	per hydrant		\$ 322	\$ 328	

3	Alarm Systems				
3.4	Plan Review				
	Up to 10 devices	flat		\$ 322	\$ 328
	11-100 devices	flat		\$ 451	\$ 460
	Over 100 devices	flat		\$ 579	\$ 591
3.2	Inspection				
	Up to 10 devices	flat		\$ 322	\$ 328
	Each additional device	each		\$ 21	\$ 21
3.3	Other Alarm Systems				
	Smoke Control (smoke & heat vents, barriers, enclosures, etc.)	per system		\$ 1,159	\$ 1,182
	Emergency Radio Coverage Enhancement System Coverage (ERCES)	each		\$ 644	\$ 657
D. MISCELLANEOUS (Including non-construction related fees)					
	Additional Inspection / Re-Inspection Fee for Development , 1 Annual Mandated inspections, Fire Code Permit Inspections, and validated complaint inspections)				
	During Business Hours	hourly		\$ 257	\$ 263
	After Business Hours	Hourly (2 hr min)		\$ 296	\$ 302
2	Incident Reports	per page	[5]	\$ 0.12	
3	Fire Search (Providing Research, Reports, etc.)	per half hour		\$ 129	\$ 131
4	Fire Code Variance Application / AMMR	hourly		\$ 257	\$ 263
5	USB	each		\$ 60	\$ 61
6	Key Box Administration	each unit		\$ 407	\$ 415
7	Staff Time Consultation (Regular Business Hours)	hourly per person		\$ 257	\$ 263
8	Emergency Response		[1]		
	Command Vehicle	hourly		\$ 115	\$ 117
	Engine	hourly		\$ 156	\$ 159
	Truck	hourly		\$ 196	\$ 200
	Three (3) Personnel	hourly		\$ 377	\$ 385
	Each additional 1/2 hour or fraction thereof	per half hour		\$ 268	\$ 273
9	Patient Assist (Doctor on Scene)	hourly		\$ 533	\$ 544
11	Driving Under the Influence (DUI)	actual cost	[2]	actual cost	actual cost
12	Emergency Preparedness Planning and Education	Per Course Hour		\$ 257	\$ 263
13	CPR / First Aid	per course hour		\$ 257	\$ 263
14	Complaint Investigation and Follow-Up	each occurrence / trip / verified complaint		\$ 386	\$ 394
15	Penalty Fees				
	False Alarm	per occurrence		\$ 598	\$ 610
	Failure to Obtain Permit	each		Double Fees	Double Fees
	Reactivation of Expired Permit	each initial		50% of Inspection Fees	\$ 263
16	Hourly Fee (Everything not covered elsewhere)	Per hour		-	\$ 263
17	Administrative Violations				
	1st violation	Per Violation, Per Day			\$ 130
	2nd violation	Per Violation, Per Day			\$ 700

Reduced from 2 hour minimum- Not needed

Clarified to indicate per course, per hour. Covers up to 2 instructors

Clarified to indicate per course, per hour. Covers up to 2 instructors

50% OF INSPECTION FEES IS TOO HIGH IN MANY CASES BASED ON THE WORK DONE

3rd and subsequent violations	Per Violation, Per Day			\$ 1,300
TOTAL				

[Notes]

- [1] Rates calculated and provided by Department. NBS did not evaluate.
- [2] Per Government Code Sections 53150-58. Billing upon conviction.
- [3] Fee based on 30 minutes of an engine company
- [4] Base fee. Additional time charged per the hourly rate.
- [5] Subject to Public Records Request Act



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: William Ross, Department Counsel

Meeting Date: August 31, 2022

Subject: **Resolution Authorizing “Hybrid” Meetings to be Conducted Via In-Person Attendance and Remote Teleconferencing for 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 remote teleconferencing or to attend in-person, consistent with AB 361 and its amendments to Government Code Section 54953, for the period of August 31, 2022 to September 30, 2022.

BACKGROUND

Because of the COVID-19 pandemic, the Department’s Board of Directors had 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 signed into law 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 AUGUST 31, 2022 THROUGH SEPTEMBER 30, 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 that allow for both in-person and remote attendance would not only promote public safety, but also encourage broader public participation while providing members of the public to participate in the manner in which they feel safe and to slow or prevent the spread of the coronavirus.

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 31st day of August, 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: William D. Ross, General Counsel

Meeting Date: August 31, 2022

Subject: Appointing Department Treasurer

RECOMMENDATION

Adopt a resolution appointing Richard Lee as Treasurer of the San Mateo Consolidated Fire Department (Department).

BACKGROUND

Section 7.1(f) of the Amended Joint Powers Agreement Establishing the Department authorizes the Board to:

[A]ppoint a Treasurer from one of the Member Agencies or a third party qualified professional as depository which to have custody over all Department funds without regard to their source;"

Consistent with section 2.26 of the Department's JPA Agreement and applicable Board Direction, the Treasurer oversees the funds and revenues of the Department, administers banking accounts, oversees payment of outstanding obligations of the Department, and provide periodic financial statements to the Board of Directors, among other administrative actions involving Department finances and regulatory compliance.

Since shortly after the Department formed, Richard Lee, Finance Director for the City of San Mateo, has provided financial and administrative services to the Department, serving as the *de facto* Treasurer. To facilitate ease of administration of the Department's finances and to better enhance the Department's day-to-day operations, it is recommended that the Board formally appoint Mr. Lee as Department Treasurer.

FISCAL IMPACT

There is no fiscal impact, as Mr. Lee is already providing financial services to the Department

ATTACHMENTS

A. Resolution

RESOLUTION NO. 2022-

A RESOLUTION OF THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT BOARD OF DIRECTORS DESIGNATING RICHARD LEE AS TREASURER

The Board of Directors (“Board”) of the San Mateo Consolidated Fire Department (“Department”) resolves as follows:

WHEREAS, consistent with Section 7.1(f) of the Amended Joint Powers Agreement Establishing the Department, the Board has the authority to “appoint a Treasurer from one of the Member Agencies or a third party qualified professional as depository which to have custody over all Department funds without regard to their source;” and,

WHEREAS, consistent with Section 2.26 of the Amended Joint Powers Agreement Establishing the Department, the duties of the Department Treasurer are to maintain and oversee all financial records on behalf of the Department, serve as Controller for the Department, and perform functions such as disbursement of revenues, payment of outstanding obligations of the Department, and other similar functions; and,

WHEREAS, the Treasurer shall keep, or cause to be kept, a true and accurate account of all receipts, disbursements and transactions and shall provide, or cause to be provided, periodic financial reports to the Board accurately portraying the Department’s financial status; and,

WHEREAS, Richard Lee serves as the Finance Director for the City of San Mateo, a Member Agency of the Joint Powers Authority comprising the Department. Mr. Lee has previously provided financial and administrative services to the Department, and possesses the necessary qualifications for appointment as District Treasurer;

WHEREAS, Mr. Lee’s role as the City of San Mateo Finance Director, his past experience with the Department, and the Department’s existing management liability insurance policies constitute adequate assurance for the faithful performance of the Treasurer’s duties.

NOW THEREFORE BE IT RESOLVED:

1. Richard Lee is appointed as Department Treasurer.
2. The Department Treasurer is authorized to perform those duties as set forth in applicable law and as may be formulated by the Board of Directors; and,

I hereby certify this to be a correct copy of Resolution 2022-___ of the San Mateo Consolidated Fire Department, California, adopted on August 31, 2022 at a regular meeting of the Department Board of Directors by the following vote:

AYES:
NOES:
ABSENT:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel