



Valley of the Moon Fire Protection District



Board of Directors Meeting

June 11, 2019



Valley of the Moon Fire Protection District

Board of Directors Meeting

June 11, 2019

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MEETING AGENDA
VALLEY OF THE MOON FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS

Tuesday, June 11, 2019 at 6:00 P.M.
Location: Sonoma Valley Fire & Rescue Authority Station 1
630 2nd Street West, Sonoma, California 95476

(This agenda is posted in accordance with the Ralph M. Brown Act,
California Government Code Section 54950, et seq.)

1. CALL TO ORDER

2. ROLL CALL & DETERMINATION OF A QUORUM

Board of Directors: President Norton, Director Brunton, Director Greben, Director Brady, and Director Leen.

3. PLEDGE OF ALLEGIANCE

4. CONFIRMATION OF AGENDA

Opportunity for the Board to reorder agenda items

5. COMMENTS FROM THE PUBLIC

(At this time, members of the public may comment on any item not appearing on the agenda. It is recommended that you keep your comments to three minutes or less. Under State Law, matters presented under this item cannot be discussed or acted upon by the Board at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for consideration by the Board of Directors.)

6. PRESENTATIONS

7. CONSENT CALENDAR

Approval of minutes for regular meeting of May 14, 2019. **Action Item**

8. FIRE CHIEF'S MONTHLY REPORT

Chief's activity report for May 2019

9. OLD BUSINESS

10. NEW BUSINESS

- a) Approval of settlement agreement between District and Paul Pedroncelli in the amount of \$8,110.45 to resolve a wage dispute. **Action Item**
- b) Resolution 2018/2019-11 acknowledging Fire Chief's report regarding inspection of occupancies pursuant to state Health & Safety Code §13146.2 and §13146.3. **Action Item**
- c) Resolution 2018/2019-12 adopting Valley of the Moon Fire District Preliminary Budget and approving SVFRA Budget for FY 2019/20. **Action Item with roll-call vote**

11. OTHER BUSINESS TO COME BEFORE THE BOARD
12. COMMENTS FROM THE FLOOR
13. COMMENTS/REPORTS FROM THE BOARD
14. CLOSED SESSION
15. ADJOURNMENT

This meeting will be adjourned to a regular meeting on July 9, 2019 at 6:00 p.m. in the Training Room of Sonoma Valley Fire & Rescue Authority Station 1, located at 630 2nd Street West, Sonoma.

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Monday before each regularly scheduled meeting during regular business hours, 8:00 a.m. to 5:00 p.m. Monday through Friday, at Sonoma Valley Fire & Rescue Authority's Station 1, located at 630 2nd Street West, Sonoma, California.

Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Board of Directors regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the location listed above during regular business hours. If you challenge the action of the Board in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on the agenda, or in written correspondence delivered to the Valley of the Moon Fire Protection District Board of Directors, at or prior to the public hearing.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the secretary for the Board at (707) 996-2102. Notification 48 hours before the meeting will enable the Valley of the Moon Fire Protection District to make reasonable arrangements to ensure accessibility to this meeting.



Valley of the Moon Fire Protection District

Board of Directors Meeting

Agenda Item Summary

June 11, 2019



Agenda Item No.		Staff Contact	
7		Georgette Darcy, Admin. Analyst/Secretary to Board	
Agenda Item Title			
Approval of minutes for special meeting of May 14, 2019			
Recommended Actions			
Approve the minutes			
Executive Summary			
The minutes have been prepared for Board review and approval.			
Alternative Actions			
Correct or amend minutes prior to approval			
Strategic Plan Alignment			
Not applicable			
Fiscal Summary – FY 18/19			
Expenditures		Funding Source(s)	
Budgeted Amount	\$	District General Fund	\$
Add. Appropriations Req'd.	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
		Grants	\$
Total Expenditure	\$	Total Sources	\$
Narrative Explanation of Fiscal Impacts (if required)			
Not required			
Attachments			
Minutes for May 14, 2019 special meeting			

VALLEY OF THE MOON FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS SPECIAL MEETING MINUTES

May 14, 2019

1. CALL TO ORDER

President Norton called the meeting to order at 5:50 p.m.

2. ROLL CALL & DETERMINATION OF A QUORUM

Board of Directors: President Norton, Director Brunton, and Director Leen. Directors Brady and Greben were excused.

3. PLEDGE OF ALLEGIANCE

Director Leen led the Pledge of Allegiance.

4. CONFIRMATION OF AGENDA

No changes were made to the agenda.

5. COMMENTS FROM THE PUBLIC

None

6. PRESENTATIONS

None

7. CONSENT CALENDAR

Approval of minutes for regular meeting of April 9, 2019

M/S/P Brunton/Leen to approve minutes for regular meeting of April 9, 2019. Passed 3 ayes

8. FIRE CHIEF'S MONTHLY REPORT

Fire Chief Akre gave his activity report for April 2019.

9. OLD BUSINESS

Accept 2017/18 VOM District financial audit

M/S/P Brunton/Leen to accept 2017/18 VOM District financial audit. Passed 3 ayes

10. NEW BUSINESS

a) Resolution 2018/2019-09 approving amendments to the 2018/19 SVFRA budget

M/S/P Leen/Norton to approve amendments to the 2018/19 SVFRA budget. Passed 3 ayes

b) FY 2018/19 fund balance allocations

M/S/P Leen/Brunton to approve 2018/19 fund balance allocations. Passed 3 ayes

c) Resolution 2018/2019-10 instituting a revised procurement policy for the District's purchasing program

M/S/P Norton/Leen to institute revised procurement policy for the District's purchasing program. Passed 3 ayes

d) Adopt inventory control policy

M/S/P Brunton/Leen to adopt inventory control policy. Passed 3 ayes

e) Vote for seven (7) candidates in the FAIRA Board of Directors election for positions effective on July 1, 2019

M/S/P Norton/Leen to vote for seven candidates in the FAIRA Board of Directors election. Passed 3 ayes

11. OTHER BUSINESS TO COME BEFORE THE BOARD

None

12. COMMENTS FROM THE FLOOR

None

13. COMMENTS/REPORTS FROM THE BOARD

None

14. CLOSED SESSION

None

15. ADJOURNMENT

The meeting was adjourned at 6:38 p.m. to a regular meeting on June 11, 2019, at 6:00 p.m., in the Training Room of Station 1, located at 630 2nd Street West in Sonoma.

Respectfully submitted,

Georgette Darcy

President Norton

Director Brunton

Director Greben

Director Brady

Director Leen



Valley of the Moon Fire Protection District

Board of Directors Meeting

Agenda Item Summary

June 11, 2019



Agenda Item No.	Staff Contact
10A	Steve Akre, Fire Chief

Agenda Item Title
 Approval of settlement agreement between District and Paul Pedroncelli in the amount of \$8,110.45 to resolve a wage dispute

Recommended Actions
 Approve settlement agreement

Executive Summary
 The District shall pay to Engineer Paul Pedroncelli a total of \$8,110.45, which is an agreed-upon settlement amount for all overtime compensation owed within a two-year liability period, based upon Fair Labor Standards Act (FLSA) regulations.

Alternative Actions
 Decline to approve or request more information prior to approval

Strategic Plan Alignment
 Not applicable

Fiscal Summary – FY 18/19

Expenditures		Funding Source(s)	
Budgeted Amount	\$8,110.45	District General Fund	\$3,487.49
Add. Appropriations Req'd.	\$	Fees/Other	\$4,622.96
	\$	Use of Fund Balance	\$
		Contingencies	\$
		Grants	\$
Total Expenditure	\$8,110.45	Total Sources	\$8,110.45

Narrative Explanation of Fiscal Impacts (if required)

Attachments
 Settlement agreement and release of claims

SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS

This Settlement Agreement and General Release (“Agreement”) is made and entered into by and between the Valley of the Moon Fire Protection District (“District”), also known as the Sonoma Valley Fire & Rescue Authority, and Paul Pedroncelli. The District and Pedroncelli may be individually referred to herein as “Party” and collectively referred to herein as the “Parties.”

RECITALS

- A. Whereas Pedroncelli is presently employed by the District; and
- B. Whereas it is undisputed that the District is covered by the Fair Labor Standards Act (“FLSA”) and Pedroncelli is entitled to overtime pursuant to 29 U.S.C. § 207 of the FLSA; and
- C. Whereas between May and August 2016, the District reviewed its FLSA regular rate practices to evaluate whether back overtime wages were owed to its firefighters under the FLSA, including what may be owed to Pedroncelli, and if so, what amount would be owed; and
- D. Whereas it is undisputed that Pedroncelli is not owed minimum wages as set forth in 29 U.S.C. §206(a) of the FLSA; and
- E. Whereas, based on the outcome of the District’s review, the Parties have agreed to address and settle any potential FLSA claims Pedroncelli may have for unpaid overtime in order to avoid the potential uncertainty, expense and delay of litigation; and
- F. Whereas the actual amount of back pay owed to Pedroncelli under the FLSA, as could be determined at trial, if any, remains unknown, and the Parties have agreed to the District’s back pay calculation; and
- G. Whereas the Parties believe that the payment set forth below is not a subversion of the FLSA, but is consistent with and within the range of a reasonable result that Pedroncelli might expect to obtain at trial; and
- H. Whereas, as a result of their negotiations, the Parties desire a settlement that is full and complete, resolving all current and potential grievances, disputes, controversies, claims and possible actions between them arising out of this matter.

NOW THEREFORE, in consideration for the mutual promises and undertakings of the Parties as set forth below, the Parties hereby agree as follows:

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Section I. Settlement Payment

(a) Settlement Amount. The District shall pay Pedroncelli a total of Eight Thousand, One Hundred and Ten Dollars and Forty-Five Cents (\$8,110.45), which shall include all recovery to resolve this matter. ("Settlement Payment") Although the Parties do not agree that there is liability regarding Pedroncelli's potential claims, for purposes of this Agreement, the Settlement Amount represents the agreed upon amount for all overtime compensation owed to Pedroncelli, assuming a two-year liability period, and any and all other damages and/or relief that could be recovered at trial. By executing this Agreement and accepting the payments specified herein, Pedroncelli expressly waives his individual claims for any further back pay or liquidated damages under the FLSA, as set forth in Section II(a) below.

(b) Bona Fide Dispute. The Parties agree that the payments listed above resolve a "bona fide dispute" over the amount of back FLSA overtime owed by the District to Pedroncelli. Specifically, the Parties are settling a dispute regarding the type and amount of "remuneration" to be included in the calculation of the FLSA regular rate of pay. The Settlement Payment is paid in consideration for the resolution of that dispute.

(c) No Tax Advice. Pedroncelli is encouraged to consult with a tax advisor or attorney to independently determine any federal, state or local tax consequences of their settlement payment as no opinion on any tax matter is expressed herein. Pedroncelli agrees to hold the District harmless for any tax liability he may suffer as a result of the Settlement Payment being subject to taxation.

(d) Payment Inclusive. The amount described in paragraph (a) shall be inclusive of all remedies, damages and/or other relief recoverable or potentially recoverable.

(e) Signature and Acknowledgment. Payment of the Settlement Payment listed in section (a) above, shall occur after the date of the last signature on this agreement and within sixty (60) days of the District's Board of Directors' approval of this Agreement

(f) Reasonable and Fair. Pedroncelli expressly agrees that the allocation of the Settlement Amount, as provided herein, is fair, just and reasonable and acceptable to them.

Section II. Release of Claims

(a) Release of Claims. Pedroncelli hereby, on behalf of himself and his spouse, domestic partner, heirs, representatives, executors, agents, attorneys, administrators, successors-in-interest and assigns, irrevocably and unconditionally releases and discharges the District, including its officers, directors, and employees, heirs, representatives, executors, agents, attorneys, administrators, and successors-in-interest, from any and all lawsuits, claims, actions, demands or other legal responsibilities of any kind which he made, or could have made, against the District, its officers, directors and employees, which have been asserted, or which could have been asserted, based upon or

related to any claim that the District has not incorporated all required special pays in the District's regular rate of pay ("Release"). This Release shall include claims for liquidated damages, but shall not include any claims for workers' compensation benefits, disability benefits, or claims or entitlements to compensation other than hours worked. Pedroncelli also acknowledges and agrees that this Release is an essential and material term of this Agreement and without such Release, no settlement would have been reached by the Parties.

(b) Release of Unknown Claims. Pedroncelli understands and expressly agrees that this Release extends to all claims of every nature and kind, known or unknown, suspected or unsuspected, past, present or future, arising from or attributable to possible claims for regular rate of pay violations, and, although this is not a general release, that any and all rights under Section 1542 of the California Civil Code or any analogous state law or federal law or regulation are hereby expressly waived. Pedroncelli hereby waives any and all rights or benefits that he may have under Section 1542 of the Civil Code of the State of California, which provides:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

Pedroncelli acknowledges that he understands the effect of this waiver pursuant to Civil Code Section 1542, and that he has been given the opportunity to consult counsel prior to agreeing to this Release.

(c) Acknowledgment of Release. In entering into this Agreement, Pedroncelli knowingly and voluntarily acknowledges, consents and agrees to the "NOTICE TO EMPLOYEE" as contained in the United States Department of Labor's Receipt for Payment of Back Wages (Form WH-58) which provides as follows: "Your acceptance of this payment of wages and/or other compensation due under the Fair Labor Standards Act (FLSA) [...] means that you have given up the right you have to bring suit on your own behalf for the payment of such unpaid minimum wages or unpaid overtime compensation [...] and an equal amount in liquidated damages, plus attorney's fees and court costs under Section 16(b) of the FLSA [...]. Generally, a suit for unpaid wages or other compensation, including liquidated damages, must be filed within two years of a violation of the FLSA [...]. Do not sign this receipt unless you have actually received this payment in the amount indicated above."

Section IV. Board Approval

This Settlement Agreement shall not be enforceable unless and until it is approved by the District's Board of Directors. Evidence of such approval shall be publicly available at www.svfra.org within two months after the Board of Directors approves the settlement.

Section V. General Provisions

(a) Knowledge of Parties. The Parties respectively, understand and agree to the settlement, this Agreement and the terms and conditions contained herein, and enter into this Agreement knowingly and voluntarily. Pedroncelli has been advised that he has the right to seek legal advice with respect to this Agreement, including the release and has had the opportunity to consult with counsel. By signing this document and the documents referred to herein, the Parties signify their full understanding, agreement, and acceptance of the Agreement.

(b) Entire Agreement. This Agreement contains the entire agreement of the Parties regarding the subject matter of this Agreement and shall constitute the final understanding between the Parties hereto. All prior negotiations made or which have occurred prior to the date of this Agreement are merged into this Agreement.

(c) No Additional Representations. Except for the terms of this Agreement, the Parties, respectively, have not relied upon any statement or representation, written or oral, made by any Party, or any of their respective agents, attorneys or any other person, regarding any matter including, but not limited to, the federal or state income tax consequences of the Agreement to any Party. The Parties expressly acknowledge and agree that the only advice they have relied upon, if any, is the advice of their own attorneys and/or accountants as to the tax and benefit consequences of the Agreement.

(d) Warranty of Non-Assignment. The Parties warrant that they have not assigned any of the claims or portions of the claims that are the subject of this Agreement.

(e) Binding Agreement. The Agreement and all documents referred to herein, shall bind and inure to the benefit of and each of the Parties hereto and their spouses, domestic partners, children, heirs, estates, administrators, representatives, executors, attorneys' successors and assigns. Except as expressly provided herein, this Agreement is not for the benefit of any person not a Party hereto or any person or entity not specifically identified as a beneficiary herein or specifically identified herein as a person or entity released hereby. The Agreement is not intended to constitute a third party beneficiary contract.

(f) Authority to Execute. Each Party hereto warrants to the other Party or Parties that he, she or it has the full power and authority to execute, deliver and perform under this Agreement and all documents referred to herein, and that any needed consent or approval from any other person has been obtained.

(g) Effectuate Agreement. Each Party hereto agrees to do all things and execute and deliver all instruments and documents necessary to fulfill and effect the provisions of this Agreement and to protect the respective rights of the Parties to this Agreement.

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(h) Confidentiality and Disclosure of Terms. The Parties each agree to maintain the confidentiality of the negotiations underlying this agreement to the extent permitted by law, and agree that they shall not voluntarily and publicly discuss the negotiations, except as necessary in the ordinary course of District business. This provision shall not extend to any information relating to the negotiations of this Agreement that the District may be required to pursuant to the requirements of the Ralph M. Brown Act, Government Code section 54950, *et seq.*, or California Public Records Act, Government Code section 6250, *et seq.*, and the provisions of any other law or regulation requiring disclosure of information by the District.

(i) Duty to Act in Good Faith. The Parties shall act in good faith and use their reasonable good faith efforts after the execution of this Agreement to ensure that their respective obligations hereunder are fully and punctually performed. The Parties shall promptly perform any further acts and execute and deliver any other documents or instruments that may be reasonably necessary to carry out the provisions of this Agreement. Time is of the essence in this Agreement.

(j) Interpretation and Construction. Any ambiguities or uncertainties herein shall be equally and fairly interpreted and construed without reference to the identity of the Party or Parties preparing this document or the documents referred to herein, on the understanding that the Parties participated equally in the negotiation and preparation of the Agreement, or have had equal opportunity to do so. The headings used herein are for reference only and shall not affect the construction of this Agreement.

(k) Governing Law and Venue. The settlement, this Agreement, and the documents referred to herein, shall be interpreted in accordance with the laws of the State of California, and if necessary Federal Law. To the extent that any Party brings an action to enforce the terms of this Agreement, such action shall be filed and prosecuted in the Northern District of California, to the extent of that court's jurisdiction.

(l) Breach, Waiver, and Amendment. No breach of this Agreement or of any provision herein can be waived except by an express written waiver executed by the Party waiving such breach. Waiver of any one breach shall not be deemed a waiver of any other breach of the same or other provisions of this Agreement. The Agreement may be amended, altered, modified or otherwise changed in any respect or particular only by a writing duly executed by the Parties hereto or their authorized representatives.

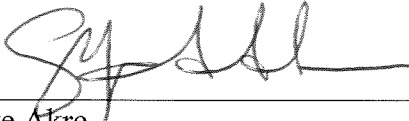
(m) Execution. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy, PDF, or facsimile transmission of the Agreement, including signatures, shall be deemed to constitute evidence of the Agreement having been executed.

(n) Agreement Does Not Establish Precedent: The Parties agree that the terms of this Agreement are binding and will not establish any precedent, nor will this Agreement be used as a basis by the parties or anyone else to seek or justify similar terms in any subsequent case.

(o) Effective Date. This Agreement shall become effective immediately following execution by all of the Parties, on the latest date appearing below.

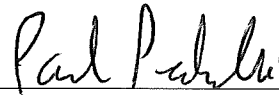
IN WITNESS WHEREOF, the Parties hereto have executed this Settlement Agreement and Release.

Dated: 5-15, 2019

By: 

Steve Akre
Fire Chief
Sonoma Valley Fire & Rescue
Authority

Dated: 5-15, 2019

By: 

Paul Pedroncelli
Engineer
Sonoma Valley Fire & Rescue
Authority



Valley of the Moon Fire Protection District

Board of Directors Meeting

Agenda Item Summary

June 11, 2019



Agenda Item No.	Staff Contact
10B	Steve Akre, Fire Chief

Agenda Item Title
 Resolution 2018/2019-11 acknowledging Fire Chief's report regarding inspection of occupancies pursuant to state Health & Safety Code §13146.2 and §13146.3

Recommended Actions
 Acknowledge Fire Chief's report

Executive Summary
 Every city and county fire department and every fire district providing fire protection services is required to annually inspect every building used as a public or private school and certain group occupancies for compliance with building standards.
 California Senate Bill 1205, approved on September 27, 2018, added Section 13146.4 to the Health and Safety Code, which requires every city and county fire department and every fire district conducting these inspections to submit an annual compliance report to its administering authority.

Alternative Actions
 Request further information prior to acknowledgment

Strategic Plan Alignment
 Not applicable

Fiscal Summary – FY 18/19

Expenditures		Funding Source(s)	
Budgeted Amount	\$	District General Fund	\$
Add. Appropriations Req'd.	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
		Contingencies	\$
		Grants	\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (if required)

- Attachments**
1. California Fire Chiefs Association notice
 2. Resolution 2018/2019-11



California Fire Chiefs Association
Fire Prevention Officers Section
www.firepreventionofficers.org

In January 2019, the Northern California Fire Prevention Officers Board of Directors contracted with a preferred partner for the purpose of establishing a template and resource guide for California fire agencies to comply with California Senate Bill 1205 (SB 1205).

The process began with the Board providing direction to the contracted firm to develop two items, a sample resolution document and a resource guide. Key elements of the resolution template that were identified and subsequently included were based upon the sample legislation featured in the 2016 edition of the California Fire Code on page xxv, and the need for a uniform SB 1205 reporting format for all California fire agencies.

The template was reviewed and vetted by Board members, and their feedback was later incorporated into the template. The final version of the template is now available for download to any California fire agency at www.firepreventionofficers.org.

This resource guide was also developed to accompany the template, to help facilitate the process for personnel who may be less familiar with providing the required background and explanatory material for the (usually) required staff reports that accompany such resolution.

Resource	Description & Location
California Fire Chiefs Association - Fire Prevention Officers Section	www.firepreventionofficers.org ; Provides information on fire prevention issues, etc. throughout the state of California.
California Legislative Information	www.leginfo.ca.gov ; Provides information on Senate Bill 1205 requirements.
California Office of the State Fire Marshal	www.osfm.fire.gov ; Provides California specific information on fire prevention, fires, etc.
Center for Public Safety Excellence	www.cpse.org ; CPSE provides information on community risk assessments through its Community Risk Assessment: Standards of Cover, 6th Edition publication.
International City/County Management Association	www.icma.org ; Provides helpful information in the ICMA publication: Managing Fire and Emergency Services. This book illustrates the challenges that fire and emergency managers face and outlines leading practices.
National Fire Protection Association, 1730, Standard on Organization and Deployment of Fire Prevention[...]	www.nfpa.org ; This standard contains minimum requirements relating to the organization and deployment of code enforcement, plan review, fire investigation, and public education operations to the public, and includes information on staffing levels, risk assessments, etc.
Navy and Marine Corps Public Health Center, Environmental Programs	https://www.med.navy.mil/sites/nmcphc/Documents/environmental-programs/risk-communication/Appendix-E-Guide-to-Writing-Effective-Executive-Summary.pdf ; Provides a well written guide to writing executive summary's for staff reports, etc. which may be read by policymakers, the public, etc.
United States Fire Administration	www.usfa.fema.gov ; Provides a multitude of data on fire prevention, fires and fire departments.
United States Office of Regulatory Affairs	www.whitehouse.gov & www.transportation.gov/sites/dot.gov/files/docs/RIA_Checklist.pdf ; Provides a helpful checklist to assist agencies in producing regulatory impact analyses (RIAs), which some jurisdictions require for economically significant rules, for example local adoptive ordinances, etc.

*Our mission is to promote the protection of life, property and the environment
 from the effects of fire and other hazardous events,
 through effective education, engineering and enforcement.*

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY OF THE MOON
FIRE PROTECTION DISTRICT, SONOMA COUNTY, STATE OF CALIFORNIA,
ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF
OF THE SONOMA VALLEY FIRE & RESCUE AUTHORITY REGARDING
THE REQUIREMENT THAT ANNUAL INSPECTIONS BE PERFORMED
ON CERTAIN OCCUPANCIES PURSUANT TO SECTIONS 13146.2
AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY CODE**

WHEREAS, California Health & Safety Code Sections 13146.2 and 13146.3 requires all fire departments, including the Sonoma Valley Fire & Rescue Authority (SVFRA), that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards, as provided; and

WHEREAS, California Health & Safety Code Section 13146.4 was added in 2018, and became effective on January 1, 2019; and

WHEREAS, California Health & Safety Code Section 13146.4 requires all fire departments, including the SVFRA, that provide fire protection services to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3; and

WHEREAS, the Board of the Valley of the Moon Fire Protection District intends this Resolution to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the SVFRA's compliance with California Health and Sections 13146.2 and 13146.3.

NOW, THEREFORE, BE IT RESOLVED that the Valley of the Moon Fire Protection District Board of Directors expressly acknowledges the measure of compliance of the SVFRA with California Health and Safety Code Sections 13146.2 and 13146.3 in the area encompassed by the SVFRA service area, including the City of Sonoma, Glen Ellen Fire Protection District, and the Valley of the Moon Fire Protection District, as follows:

A. EDUCATIONAL GROUP E OCCUPANCIES:

Educational Group E occupancies are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade. Within the City of Sonoma, Glen Ellen Fire Protection District, and the Valley of the Moon Fire Protection District, there lie sixty-two (62) Group E occupancies, buildings, structures and/or facilities.

During calendar year 2018, the SVFRA completed the annual inspection of eight (8) Group E occupancies, buildings, structures and/or facilities. This is a compliance rate of 13% for this reporting period.

B. RESIDENTIAL GROUP R OCCUPANCIES:

Residential Group R occupancies, for the purposes of this resolution, are generally those occupancies containing sleeping units, and include hotels, motels, apartments

(three units or more), etc. as well as other residential occupancies (including a number of residential care facilities). These residential care facilities have a number of different sub-classifications, and they may contain residents or clients that have a range of needs, including those related to custodial care, mobility impairments, cognitive disabilities, etc. The residents may also be non-ambulatory or bedridden. Within the City of Sonoma, Glen Ellen Fire Protection District, and the Valley of the Moon Fire Protection District, there lie three hundred forty (340) Group R (and their associated sub-categories) occupancies of this nature.

During calendar year 2018, the SVFRA completed the annual inspection of fifty-six (56) Group R occupancies, buildings, structures, and/or facilities. This is a compliance rate of 17% for this reporting period.

IN REGULAR SESSION, the foregoing resolution was introduced by Director _____, who moved its adoption, seconded by Director _____, and passed by the Board of Directors of the Valley of the Moon Fire Protection District this 11th day of June 2019, on regular roll call vote of the members of said Board:

President Norton	Aye_____	No_____	Absent_____
Director Brunton	Aye_____	No_____	Absent_____
Director Greben	Aye_____	No_____	Absent_____
Director Brady	Aye_____	No_____	Absent_____
Director Leen	Aye_____	No_____	Absent_____
Vote:	Aye_____	No_____	Absent_____

WHEREUPON, the President declared the foregoing resolution adopted, and

SO ORDERED:

ATTEST:

William Norton, President

Brian Brady, Clerk



Valley of the Moon Fire Protection District

Board of Directors Meeting

Agenda Item Summary

June 11, 2019



Agenda Item No.	Staff Contact
10C	Steve Akre, Fire Chief

Agenda Item Title
 Resolution 2018/2019-12 adopting Valley of the Moon Fire District Preliminary Budget and approving SVFRA Budget for FY 2019/20

Recommended Actions
 Adopt preliminary budget and approve SVFRA budget

Executive Summary
 Chief Akre will present the Fiscal Year 2019/20 Valley of the Moon Fire Protection District Preliminary Budget and the Fiscal Year 2019/20 Sonoma Valley Fire & Rescue Authority (SVFRA) budget to the Board. The Board is asked to adopt the preliminary District budget and approve the SVFRA budget.

Alternative Actions
 Request information or changes to budgets before adoption

Strategic Plan Alignment
 Not applicable

Fiscal Summary – FY 19/20 Valley of the Moon District Preliminary Budget

Expenditures		Funding Source(s)	
Budgeted Amount	\$4,715,040	District General Fund	\$4,715,040
Add. Appropriations Req'd.	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
		Contingencies	\$
		Grants	\$
Total Expenditure	\$4,715,040	Total Sources	\$4,715,040

Fiscal Summary – FY 19/20 SVFRA Budget

Expenditures		Funding Source(s)	
Budgeted Amount	\$9,660,584	District General Fund	\$4,154,051
Add. Appropriations Req'd.		Fees/Other	\$5,506,533
		Use of Fund Balance	\$
		Contingencies	
		Grants	
Total Expenditure	\$9,660,584	Total Sources	\$9,660,584

Narrative Explanation of Fiscal Impacts (if required)

- Attachments**
1. VOM Fire District Recommended Preliminary Budget FY 19/20
 2. SVFRA Recommended Budget FY 19/20
 3. Resolution 2018/2019-12

Valley of the Moon Fire District
 Recommended Preliminary Budget FY 2019 - 2020



Account Number	Description	Approved Budget 2018 - 2019	Recommended Preliminary Budget 2019 - 2020	Increase (Decrease)
Revenue Budget				
799-00000-000-30010	Property Taxes - Secured	4,354,644.00	4,441,736.00	87,092.00
799-00000-000-30011	Property Taxes - Unsecured	123,207.00	125,671.00	2,464.00
799-00000-000-30012	RDA Pass Through (AB 1290 / RPTTF)	57,054.00	57,054.00	0.00
799-00000-000-30014	Property Taxes-Supplemental	91,403.00	93,231.00	1,828.00
799-00000-000-30015	Property Tax - HOPTR	29,984.00	30,583.00	599.00
799-00000-000-30016	County Collection Fee	-51,217.00	-52,241.00	-1,024.00
799-00000-000-30017	Redevelopment Increment	-384,891.00	-384,891.00	0.00
799-00000-000-30018	Direct Charges	327,524.00	327,524.00	0.00
799-00000-000-30019	Cost Reimbursement Coll	-1,907.00	-1,907.00	0.00
799-00000-000-31514	Grant Revenue			
799-00000-000-35004	Reimbursement	108,294.00	75,280.00	-33,014.00
Taxes		4,654,095.00	4,712,040.00	57,945.00
799-00000-000-37200	Operating Transfers In	0.00	0.00	0.00
Transfers		0.00	0.00	0.00
799-00000-000-30600	Interest Income on Pooled Investments	3,000.00	3,000.00	0.00
Interest and Rents		3,000.00	3,000.00	0.00
Revenue Totals		4,657,095.00	4,715,040.00	57,945.00
Expense Budget				
799-68900-110-40110	Regular Employees	0.00	0.00	0.00
799-68900-119-40119	District Board	5,000.00	5,000.00	0.00
Salary and Wages		5,000.00	5,000.00	0.00
799-68900-201-40201	Emply Insurance - District Share	153,222.00	153,222.00	0.00
799-68900-202-40202	Workers Compensation	202.00	202.00	0.00
799-68900-117-40417	Medicare (District Share)	0.00	0.00	0.00
Employee Benefits		153,424.00	153,424.00	0.00

Valley of the Moon Fire District
 Recommended Preliminary Budget FY 2019 - 2020



Account Number	Description	Approved Budget 2018 - 2019	Recommended Preliminary Budget 2019 - 2020	Increase (Decrease)
799-68900-310-50310	Legal	20,000.00	20,000.00	0.00
799-68900-311-50311	Accounting / Audit	6,800.00	6,800.00	0.00
799-68900-321-50321	Elections	52,585.00	250.00	-52,335.00
799-68900-351-50351	Special Accounting Services	29,000.00	29,000.00	0.00
799-68900-354-50354	SVFRA Contract	3,995,302.00	4,127,176.00	131,874.00
799-68900-480-60480	Special Consulting Projects	5,000.00	15,000.00	10,000.00
Professional Services		4,108,687.00	4,198,226.00	89,539.00
799-68900-453-60453	Publications and Notices	500.00	500.00	0.00
799-68900-455-60455	Travel & Mileage	1,000.00	1,000.00	0.00
Operations		1,500.00	1,500.00	0.00
799-68900-702-70702	Engineering Design	10,000.00	10,000.00	0.00
799-68900-703-70703	Construction/Materials	158,247.00	126,652.00	-31,595.00
Capital Assets		168,247.00	136,652.00	-31,595.00
799-68900-750-70750	Transfer to Long Term Building Reserve	45,639.00	45,639.00	0.00
799-68900-760-70760	Transfer to Equipment Reserve	127,500.00	127,500.00	0.00
Transfers to Reserves		173,139.00	173,139.00	0.00
799-68900-801-80801	Principal Lease Purchase	43,073.00	43,720.00	647.00
799-68900-802-80802	Interest Lease Purchase	4,025.00	3,379.00	-646.00
Debt Service		47,098.00	47,099.00	1.00
Expense Totals		4,657,095.00	4,715,040.00	57,945.00

Sonoma Valley Fire and Rescue Authority
 Recommended Budget Fiscal Year 2019 - 2020



Account Number	Description	Approved Budget 2018 - 2019	Recommended Budget 2019 - 2020	Increase (Decrease)
Revenue Budget				
798-00000-000-31407	SVFRA Mechanic Services	7,500.00	7,500.00	0.00
798-00000-000-31409	SVFRA Contract For Fire Services (City & VOM)	9,219,372.00	9,598,084.00	378,712.00
798-00000-000-37201	SVFRA Transfer from Fund Balance	0.00	0.00	0.00
798-00000-000-35004	Reimbursement	0.00	0.00	0.00
798-00000-000-31514	Grant Revenue	0.00	0.00	0.00
798-00000-000-30116	Fire Inspection & Processing Fee	40,000.00	55,000.00	15,000.00
798-00000-000-31108	Special Fire Svs-State Reimbursement	0.00	0.00	0.00
Charges for Services		9,266,872.00	9,660,584.00	393,712.00
Revenue Totals		9,266,872.00	9,660,584.00	393,712.00
Expense Budget				
798-68901-110-40110	Regular Employee	4,531,861.00	4,748,646.00	216,785.00
798-68901-120-40120	Part Time Worker Salary	251,326.00	261,235.00	9,909.00
798-68901-130-40130	Overtime	650,000.00	650,000.00	0.00
Salary and Wages		5,433,187.00	5,659,881.00	226,694.00
798-68901-115-40115	Retirement	1,572,142.00	1,589,663.00	17,521.00
798-68901-117-40117	Medicare -	79,351.00	79,351.00	0.00
798-68901-118-40118	Income Protection	4,300.00	4,300.00	0.00
798-68901-201-40201	Employee Insurance	766,908.00	893,360.00	126,452.00
798-68901-202-40202	Workers Compensation	452,313.00	452,313.00	0.00
798-68901-223-40223	Unemployment	1,000.00	1,000.00	0.00
Employee Benefits		2,876,014.00	3,019,987.00	143,973.00

Sonoma Valley Fire and Rescue Authority
 Recommended Budget Fiscal Year 2019 - 2020



Account Number	Description	Approved Budget 2018 - 2019	Recommended Budget 2019 - 2020	Increase (Decrease)
798-68901-310-50310	Legal	5,000.00	5,000.00	0.00
798-68901-311-50311	Acctng/Audit	2,000.00	2,000.00	0.00
798-68901-312-50312	Recruitment	10,000.00	10,000.00	0.00
798-68901-313-50313	Consulting	2,500.00	2,500.00	0.00
798-68901-347-60347	Professional Contract Services	264,056.00	275,101.00	11,045.00
798-68901-350-50350	Other-Prof/Tech	9,500.00	9,500.00	0.00
Professional Services		293,056.00	304,101.00	11,045.00
798-68901-401-60401	Utilities	65,900.00	65,900.00	0.00
798-68901-403-60403	Custodial	15,000.00	15,000.00	0.00
798-68901-404-60404	Repair & Mainte	60,000.00	60,000.00	0.00
798-68901-406-60406	Rental-Equipmen	4,000.00	4,000.00	0.00
798-68901-407-60407	Contract Services / Property Related	33,680.00	33,680.00	0.00
798-68901-420-60420	Building Maintenance	30,000.00	30,000.00	0.00
Property Services		208,580.00	208,580.00	0.00
798-68901-451-60451	Insurance Property / Liability	50,000.00	62,000.00	12,000.00
798-68901-452-60452	Communications	27,500.00	27,500.00	0.00
798-68901-453-60453	Publications and Notices	1,500.00	1,500.00	0.00
798-68901-454-60454	Printing & Bind	1,500.00	1,500.00	0.00
798-68901-456-60456	Memberships	5,000.00	5,000.00	0.00
798-68901-457-60457	Training/Conferences	55,000.00	55,000.00	0.00
798-68901-460-60460	Permit/Fees/Tax	3,035.00	3,035.00	0.00
Operations		143,535.00	155,535.00	12,000.00
798-68901-501-70501	Minor Supplies / Equipment	25,500.00	25,500.00	0.00
798-68901-505-70505	Fuel	60,000.00	60,000.00	0.00

Sonoma Valley Fire and Rescue Authority
 Recommended Budget Fiscal Year 2019 - 2020



Account Number	Description	Approved Budget 2018 - 2019	Recommended Budget 2019 - 2020	Increase (Decrease)
798-68901-507-70507	Books & Periodicals	3,500.00	3,500.00	0.00
798-68901-508-70508	Safety Clothing / Uniforms	55,000.00	55,000.00	0.00
798-68901-540-70540	Rents / Leases	1,500.00	1,500.00	0.00
798-68901-550-70550	Major Equipment / EMS Supplies	90,000.00	90,000.00	0.00
798-68901-551-70551	Major Equipment / Fire Supplies	40,000.00	40,000.00	0.00
Supplies		275,500.00	275,500.00	0.00
798-68901-606-70606	Software	15,000.00	15,000.00	0.00
798-68901-607-70607	Computer Equipment / Maintenance	22,000.00	22,000.00	0.00
Software & Computer Equipment		37,000.00	37,000.00	0.00
Expense Totals		9,266,872.00	9,660,584.00	393,712.00

Resolution Number: 2018/2019-12
Dated: June 11, 2019

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY OF THE MOON
FIRE PROTECTION DISTRICT, SONOMA COUNTY, STATE OF CALIFORNIA,
ADOPTING FISCAL YEAR 2019/20 PRELIMINARY BUDGET FOR THE
DISTRICT AND DIRECTING STAFF TO PUBLISH A NOTICE
AS REQUIRED BY LAW AND APPROVING THE FISCAL
YEAR 2019/20 SVFRA BUDGET**

WHEREAS, the fiscal year 2019/20 Preliminary Budget has been presented to the Board of Directors of the Valley of the Moon Fire Protection District of Sonoma County; and

WHEREAS, said Preliminary Budget has been reviewed and established on this date as being the Preliminary Budget of the District; and

WHEREAS, the fiscal year 2019/20 Sonoma Valley Fire & Rescue Authority (SVFRA) Budget has been presented to the Board of Directors of the Valley of the Moon Fire Protection District.

NOW, THEREFORE, BE IT RESOLVED that the Preliminary Budget in the amount of \$4,715,040, attached hereto, is found and determined to be the 2019/20 Preliminary Budget of the District. Staff is authorized and directed to publish a notice of the adopted preliminary budget by June 29, 2019, that any interested taxpayer may review the budget at 630 Second Street West in Sonoma between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday; and

BE IT FURTHER RESOLVED on September 10, 2019 at the regular meeting room of the District located at 630 Second Street West in Sonoma, a Public Hearing will be held at 6:00 p.m. for the adoption of the final budget. Any person may appear and be heard regarding any item in the budget or regarding the addition of other items; and

BE IT FURTHER RESOLVED that the SVFRA Budget in the amount of \$9,660,584, attached hereto, is found and determined to be the 2019/20 Budget of the Sonoma Valley Fire & Rescue Authority.

IN SPECIAL SESSION, the foregoing resolution was introduced by Director _____, who moved its adoption, seconded by Director _____, and passed by the Board of Directors of the Valley of the Moon Fire Protection District this 11th day of June 2019, on regular roll call vote of the members of said Board:

President Norton	Aye_____	No_____	Absent_____
Director Brunton	Aye_____	No_____	Absent_____
Director Brady	Aye_____	No_____	Absent_____
Director Greben	Aye_____	No_____	Absent_____
Director Leen	Aye_____	No_____	Absent_____
Vote:	Aye_____	No_____	Absent_____

WHEREUPON, the President declared the foregoing resolution adopted, and

SO ORDERED:

ATTEST:

William Norton, President

Brian Brady, Clerk