

Rodeo-Hercules Fire Protection District Board Governance Training

*Richard D. Pio Roda, General
Counsel*

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February 10, 2021

Board Governance

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“The Legislature finds and declares that the local provision of fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and other services relating to the protection of lives and property is critical to the public peace, health, and safety of the state. Among the ways that local communities have provided for those services has been the creation of fire protection districts. Local control over the types, levels, and availability of these services is a long-standing tradition in California which the Legislature intends to retain. Recognizing that the state’s communities have diverse needs and resources, it is the intent of the Legislature in enacting this part to provide a broad statutory authority for local officials. The Legislature encourages local communities and their officials to adapt the powers and procedures in this part to meet their own circumstances and responsibilities.” (Health & Safety Code 13801)

Composition of Governance

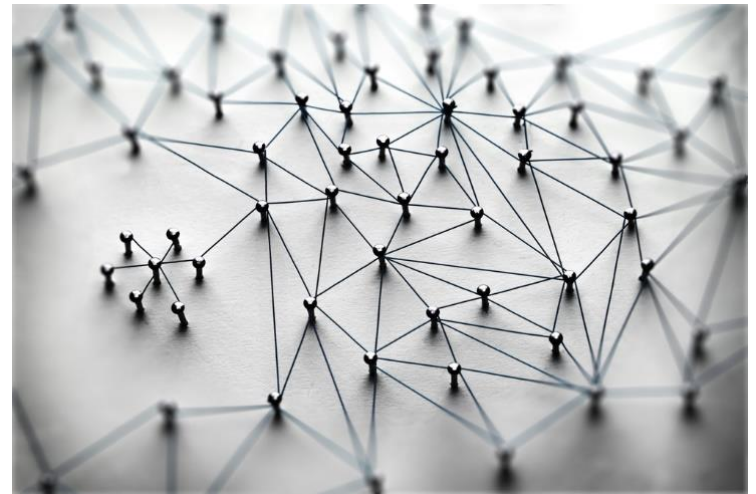
- Cal. Health & Safety Code secs. 13860-13879
 - The District’s “Constitution”
 - Provides the boundaries to achieve the mission
- Cal. Govt. Code sec. 26909
 - Annual audit requirement
- Board approved policies, resolutions and ordinances
 - General Rule: When providing a permanent rule of government or conduct – ordinance; when dealing with temporary or special matters and involving only a factual determination that conditions necessary for the operation of a statute or ordinance have been met – resolution

NOTES on General Powers and Duties

- District may enter into mutual aid agreements
- Fire Code enforcement
 - Establish changes or modifications more stringent than Building Code related to fire and panic safety
- Code enforcement to correct or eliminate hazards
 - Chief or staff can issue orders, citations and seek abatement
 - Abatement of hazardous weeds and rubbish

Governance Model

- Policies guide District and Board governance
 - How are Board meetings managed
 - Board conduct and rules of order
- District finances
- Personnel
- Communications
- Note: This is not the Carver policy board model, i.e. ends policies



Board Rules and Board Member Conduct

Best Practices

- ✔ Meeting procedures (regular, special, time, place)
- ✔ Chair, Vice-Chair (selection, term, powers)
- ✔ Board member conduct and decorum during Board meetings, towards staff, and out in the community
- ✔ Consequences and penalties for violating Board policies and ordinances

Hypotheticals and Considerations

- How are items placed on regular meeting agendas?
- Directors cannot be removed, except by specific laws
 - What should the consequences be for violations of Board policies
 - Violations of ordinances may be prosecuted as misdemeanors



Finances

- On or before June 30 → Adopt a preliminary budget
- On or after July 1, amounts in the preliminary budget, except obligations for fixed assets and new permanent employee positions, are deemed appropriated until final budget adoption.
- On or before October 1 → Adopt a final budget and establish the appropriations limit

Next Steps:

- Conduct an annual audit

Hypotheticals and Considerations

- Board involvement in preliminary budget preparation
 - Ad hoc committee of the Board
- Budget requirements for revenue measures
 - Oversight Committee reports/Performance audits
- Budget preparation transparency
 - Budget work-session



Personnel

- Board hires, evaluates and terminates the Fire Chief
 - Fire Chief hires, supervises, evaluates, and terminates all other District employees
- In coordination with the Fire Chief:
 - Approve MOUs with labor groups



Hypotheticals and Considerations

- Establish a consistent schedule for evaluating the Fire Chief (by contract)
 - It is meant to be a dialogue between the Board and Chief
- Respect Fire Chief's boundaries with regards to staff questions (or direct communications), with Fire Chief's permission
- Fire Chief may need to analyze staff resource commitments to execute Board goals and vision

Communications

- Establish policy for how the District communicates with the community
- Individual Board members *cannot* speak on behalf of the District unless authorized by the Board → this goes for the Chair and Vice-Chair
- Board members may identify themselves as Board members when making statements on behalf of themselves regarding District business



Hypotheticals and Considerations

- Board policies should establish whether the Chair is the District's spokesperson
 - Important when a crisis or disaster occurs
- How does the District communicate with the community?
 - Press releases
 - District website
 - Social media (official profiles or pages, Board member social media, NextDoor)



Discussion



Presenter



Richard D. Pio Roda
Principal

rpioroda@meyersnave.com

800.464.3559