



UKIAH VALLEY FIRE DISTRICT BOARD OF DIRECTORS

JENIFER BAZZANI – PETER BUSHBY – BOBBY BANKS – MICHAEL GRAHAM – DAVID B. HAAS

AGENDA

Please click the link below to join the webinar:

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Zoom Instructions

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December 7, 2021

6:30 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL AND PLEDGE OF ALLEGIANCE**
- 3. ANNOUNCEMENTS**
- 4. PUBLIC COMMENT ON NON-AGENDA ITMES**

If you wish to speak on a matter that is not on this agenda, you may do so at this time. Please limit your comments to 3 minutes per person and a total of 10 minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

5. CONSENT CALENDAR

The following items listed are considered routine and will be enacted by a single motion and roll call vote by the City Council. Items may be removed from the Consent Calendar upon request of a Councilmember or a citizen in which event the item will be considered at the completion of all other items on the agenda. The motion by the City Council on the Consent Calendar will approve and make findings in accordance with Administrative Staff and/or Planning Commission recommendations.

- 5.a. Adoption of the Resolution for the Continued Teleconferencing Requirements for the District Board During the Proclaimed State of Emergency due to COVID-19 Pandemic.
Recommended Action: Adopt the Resolution for the Continued Teleconferencing Requirements for the District Board During the Proclaimed State of Emergency due to COVID-19 Pandemic.
Attachments:

1. 2021- Resolution to Continue Remote Meetings

6. NEW BUSINESS - DISCUSSION/ACTION

- 6.a. Ukiah Valley Fire District Establishing a New Regular Meeting Schedule and Adopting Resolution 2021-, New Regular Meeting Schedule
Recommended Action: Approve the New Regular Meeting Schedule for the Ukiah Valley Fire District Board of Directors; and Adopt Resolution 2021-; A New Regular Meeting Schedule.
Attachments:

1. UVFD-UVFA Meeting Schedule
2. Resolution 2021- New UVFD Meeting Schedule

7. ADJOURNMENT

Please be advised that the Ukiah Valley Fire District complies with ADA requirements and needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. Materials related to an item on this Agenda submitted to the Ukiah Valley Fire District after distribution of the Agenda Packet, are available for public inspection at the front counter at the Ukiah Valley Fire District Office, 1500 South State Street, Ukiah, CA 95482, during normal business hours Monday through Friday, 8:00 am to 4:00 pm.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at the following location: Ukiah Valley Fire District Office - 1500 South State Street; Ukiah, California; and online at <http://www.cityofukiah.com/meetings> not less than 72 hours prior to the meeting set forth on this agenda.

Stephanie Abba, Clerk of the Board
Dated: 12/3/2021



ITEM NO.: 5a.

MEETING DATE: December 07, 2021

AGENDA SUMMARY REPORT

SUBJECT: Adoption of Resolution 2021- for Continued Teleconferenced Meetings for the District Board During a Proclaimed State of Emergency Due to the COVID-19 Pandemic for up to 30 days.

Background: Following the Governor's declaration of a state of emergency in March 2020 due to COVID-19, The Ukiah Valley Fire District (UVFD) switched from in-person board meetings to fully remote UVFD meetings. The transition was authorized by Executive Orders N-25-20, N-29-20, and N-35-20, which collectively modified requirements of the Ralph M. Brown Act, the State's local agency public meeting law. On June 11, 2021, the Governor issued Executive Order N-08-21 which rescinds the prior executive orders modifying the Brown Act effective September 30, 2021.

Pursuant to Assembly Bill 361 (AB361), which was signed into order on September 21, 2021, in order for the Ukiah Valley Fire District to continue to conduct its meetings remotely, it must adopt a resolution every 30 days indicating that a State of Emergency still exists and the Ukiah Valley Fire District Board of Directors has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, and staff. Resolution 2021- ; Attachment 1

At this time, the State Department of Public Health [website](#) "*recommends universal mask use/for indoor public settings, regardless of vaccination status.*"

To provide the Committee with the greatest flexibility to conduct its business in a safe manner, Staff is recommending the Ukiah Valley Fire District Board of Directors adopt " Resolution 2021- , that the COVID 19 pandemic state of emergency remains in effect and continuing to allow Ukiah Valley Fire District meetings to be conducted remotely.

Primary Differences

The primary differences between the Governors prior executive orders modifying Brown Act requirements and AB361 are:

- Local agency must allow the public to participate (listen/comment) in the meeting in real time. This means local agencies must clearly advertise the means by which members of the public can observe a public meeting or offer comment during a meeting remotely, via either a call-in or internet-based option. Ukiah Valley Fire District meetings have consistently met this standard by allowing the public to view and comment on agenda items in real time via online platforms.
- An individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body that requires registration to log in to a teleconference, may be required to register as required by the third-party internet website or online platform to participate.

Ukiah Valley Fire District meetings have consistently met this standard.

At this time, the Governor's Proclamation of a State of Emergency-COVID executed on March 4, 2020, remains in effect. Furthermore, the State Department of Public Health website "recommends universal mask use/or indoor public settings, regardless of vaccination status."

To provide the Committee with the greatest flexibility to conduct its business in a safe manner, Staff is recommending the Ukiah Valley Fire District adopt "Resolution 2021- To continue Remote Teleconferenced Meeting due to the COVID-19 Pandemic.

New AB 361 – Flexibility for Remote Open Meetings During a Proclaimed State Emergency

Assembly Bill 361 provides local agencies with the ability to continue to meet remotely under modified Brown Act requirements during proclaimed state emergencies with the adoption of resolution finding that either:

- 1) Open physical meetings present imminent risks to the health or safety of attendees; or
- 2) State/local officials recommend/require measures to promote social distancing.

These criteria permit a local agency to schedule a remote meeting to determine whether meeting in-person during the state of emergency would pose imminent risk to the health or safety of attendees. At that remote meeting, a local agency may determine by majority vote that sufficient risks exist to the health or safety of attendees as a result of the emergency and pass a resolution to that effect. These criteria also permit a local agency to meet remotely in the event that there is a state of emergency declaration while state or local officials have recommended or required measures to promote social distancing.

Renewal

AB 361 requires that the renewal of the resolution effecting the transition to the modified Brown Act requirements must be based on findings that the state of emergency declaration remains active, the local agency has thoughtfully reconsidered the circumstances of the state of emergency, and the local agency has either identified A) ongoing, direct impacts to the ability to meet safely in-person or B) active social distancing measures as directed by relevant state or local officials.

FISCAL IMPACT:				
Budgeted Amount in 20-21 FY	New Appropriation Source of Funds (Title & No.)	Account Number	Budget Amendment Required	Previous Contract or Purchase Order No.
N/A	N/A	N/A	Yes ☐ No ☒	N/A
RECOMMENDED ACTION(S): <i>The UVFD Board renew and adopt Resolution 2021- Continued Remote Teleconferenced Meetings for up to 30 days.</i>				
ALTERNATIVES:				
Prepared by/Contact: Stephanie Abba, Clerk of the Board Presenter: Attachment 1: Resolution 2021-				
BOARD ACTION DATE: _____: ☐ Approved ☐ Continued to _____ ☐ Other _____ RECORDS APPROVED: ☐ Agreement: _____ ☐ Resolution _____ ☐ Ordinance _____ <i>**Note: Please write Agreement No. in upper right corner of agreement when drafted.</i> Approved: _____ Doug Hutchison, Fire Chief				

RESOLUTION NO. 2021-**RESOLUTION OF THE UKIAH VALLEY FIRE DISTRICT FOR CONTINUED REMOTE TELECONFERENCED MEETINGS DURING A PROCLAIMED STATE OF EMERGENCY DUE TO THE COVID-19 PANDEMIC****WHEREAS:**

1. The Ukiah Valley Fire District Board of Directors are committed to preserving and nurturing public access and participation in meetings of the Ukiah Valley Fire District; and
2. All meetings of Ukiah Valley Fire District are open and public, as required by the Ralph M. Brown Act, so that any member of the public may attend, participate, and watch the Ukiah Valley Fire District conduct its business;
3. The Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so; and
4. On March 17, 2020, in order to address the need for public meetings during the present public health emergency, i.e. the COVID-19 Pandemic, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and
5. On June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and
6. The State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and
7. AB 361, codified in part at Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and
8. Such conditions now exist in the County of Mendocino, specifically, the Governor has proclaimed a state of emergency exists for the state of California due to the conditions caused by the COVID-19 pandemic and the impact on the health and safety of its residents; and
9. The Delta variant is highly transmissible in indoor spaces, the California Department of Public Health is currently investigating how long vaccine protection lasts, and the Center for Disease Control and Prevention recommends avoiding indoor spaces that do not offer fresh air from the outdoors;
10. Current County health orders impose or measures to promote social distancing due to health and safety concerns; and
11. In accordance with Assembly Bill 361, the Ukiah Valley Fire District does hereby find that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, Staff, and the Ukiah Valley Fire District Board of Directors desires to authorize continued remote teleconferenced meetings; and

12. As a consequence of the local emergency, the Ukiah Valley Fire District Board does hereby find that it shall conduct its meetings without compliance with Government Code § 54953(b)(3), as authorized by § 54953(e), and that it shall comply with the requirements to provide the public with access to the meetings as prescribed in § 54953(e)(2); and
13. The Ukiah Valley Fire District has taken measures to conduct public meetings via virtual tools that allow its members and members of the public to join and participate in meetings remotely and provide public testimony in the virtual environment and via teleconference.

NOW, THEREFORE, the Ukiah Valley Fire District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference; and
2. The Governor of the State of California issued a Proclamation of State of Emergency, which remains in effect; and
3. County of Mendocino officials have imposed or recommended measures to promote social distancing; and
4. Meeting in person would present imminent risk to the health or safety of attendees; and
5. The Ukiah Valley Fire District Board of Directors has reconsidered the circumstances of the State of Emergency, and finds that:
 - a. The factors triggering the State of Emergency continue to directly impact the ability of the members of the Ukiah Valley Fire District Board, the staff, and members of the public to meet safely in person; and
 - b. State and County officials continue to impose or recommend measures to promote social distancing.
6. The Ukiah Valley Fire District Board of Directors is authorized to continue to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code § 54953; and
7. This Resolution shall take effect immediately upon its adoption in accordance with Government Code section 54953(e)(3) to extend the time during which the Ukiah Valley Fire District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of § 54953(b)(3).
8. The Ukiah Valley Fire District Board of Directors will reconsider the circumstances of the State of Emergency and revisit the need to conduct meetings remotely within 30 days of the adoption of this Resolution.

PASSED AND ADOPTED this 07th day of December, 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David B. Haas, President

ATTEST:

Stephanie Abba, Clerk of the Board



ITEM NO.: 6a

MEETING DATE: December 7, 2021

AGENDA SUMMARY REPORT

SUBJECT: New Meeting Schedule and the Resolution for the Ukiah Valley Fire District Board of Directors.

Summary: The Ukiah Valley Fire District Board (UVFD) has changed the Time of the Regular and Special Meetings to be held every other month beginning with February 2022 on the First Tuesday of each month from 6:00 p.m. to 6:30 p.m. ATTACHMENT 1- New Meeting Schedule; The Ukiah Valley Fire District Board of Directors will adopt Resolution 2021- New UVFD Meeting Schedule. ATTACHMENT 2

Background: The UVFD has been holding their Meetings on the First Tuesday of every other month; February, April, June, August, October, and December at 6:00 p.m.

Discussion: Change the Times of the Meetings from 6:00 p.m. to 6:30 p.m. in order to assure that the UVFD President, David B. Haas, may attend the meetings due to his work schedule, and Adopt the Resolution 2021- New Meeting Schedule for the Ukiah Valley District Board of Directors.

RECOMMENDED ACTION(S): Approve the New Meeting Schedule for the UVFD and Adopt the Resolution for the Ukiah Valley Fire District Board of Directors New Meeting Schedule.

ALTERNATIVES: None

Citizens advised: N/A

Requested by: Stephanie Abba, Clerk of the Board

Prepared by/Contact: Stephanie Abba, Clerk of the Board

Coordinated with:

Presenters: Stephanie Abba, Clerk of the Board

Attachments: 1. New UVFD Meeting Schedule; 2. Resolution 2021- New UVFD Meeting Schedule.

COMMITTEE ACTION DATE: _____: ☐ Approved ☐ Continued to _____ ☐ Other _____

RECORDS APPROVED: ☐ Agreement: _____ ☐ Resolution: _____ ☐ Ordinance: _____

Note: Please write Agreement No. in upper right corner of agreement when drafted.

Approved: _____

Doug Hutchison, Fire Chief

Ukiah Valley Fire District and Fire Executive Committee Governance Meeting Schedule

Ukiah Valley Fire District 2 nd Tuesday at 6:30 m (To be Determined)	UVFA Fire Executive Committee 2 nd Tuesday @ 5pm (Conference Center)	Joint UVFD/City Council to be announced (City Chambers)
	January (2 nd Tuesday @ 5pm) Appoint Committee Chairperson Mid-Year Budget Review/Adjustments Goals – Review/Set for Next FY Fleet/Facilities Review	
February (2 nd Tues @ 6:30pm) Measure “B” Annual Report Mitigation Fee Resolution	March (2 nd Tuesday @ 5pm)	
April (2 nd Tues @ 6:30pm)		
	May (2 nd Tuesday @ 5pm) Preliminary Budget/Cost Apportionment	
June (2 nd Tues @ 6:30pm) Preliminary Budget		June (tentative) Budget Approval
August (2 nd Tues @ 6:30pm) Final Budget	July (2 nd Tuesday @ 5pm)	
	September (2 nd Tuesday @ 5pm)	
October (2 nd Tues @ 6:30pm) Mitigation Fee Annual Report JPA Review		
	November (2 nd Tuesday @ 5pm) JPA Review	
December (2 nd Tues @ 6:30pm) Election of Officers		December (tentative) JPA Review Mid-Year Fiscal
Fire District Approved: 8/14/2019 Changed to 6:30 p.m. at 12/07/2021 Special Board Meeting.	Fire Executive Committee Approved: 5/8/19 approved change from Wed to Thurs at 5:30pm Due to scheduling conflict for Clerk. 3/10/21 Meetings moved to Wed, No vote. Board approved change from Wed, to Tuesday’s at 5:00 p.m. on 11/10/2021. Beginning 1/1/2022	

RESOLUTION 2021-

**RESOLUTION OF THE UKIAH VALLEY FIRE DISTRICT BOARD OF DIRECTORS
ESTABLISHING A NEW REGULAR MEETING SCHEDULE**

WHEREAS, the Ukiah Valley Fire District (UVFD) currently holds Regular Meetings on the 2nd Tuesday in the months of February, April, June, August, October, and December. The time of the meeting is 6:00 p.m.; and

WHEREAS, the UVFD held a meeting on December 07, 2021, at which time they adopted Resolution 2021-, approving a New Meeting Schedule. The UVFD has agreed to change the Time of their Board Meetings from 6:00 p.m. to 6:30 p.m.

NOW THEREFORE BE IT RESOLVED, that the UVFD will meet on the 2nd Tuesday of every other month at 6:30 p.m. in the months of February, April, June, August, October, and December.

PASSED AND ADOPTED, by the Ukiah Valley Fire District Board of Directors on the 7th day of December, 2021, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

David B. Haas, President

ATTEST:

Stephanie Abba, Clerk of the Board