



SCOTTS VALLEY FIRE PROTECTION DISTRICT

7 Erba Lane, Scotts Valley, California 95066 (831) 438-0211 Fax (831) 438-0383

Board of Directors

Special Meeting

Agenda

Friday, October 30, 2020, 2:00 P.M.

Any person who requires a disability related modification or accommodation in order to participate in a public meeting should make such a request to Steve M. Kovacs, Board Secretary, for immediate consideration.

Notice of Teleconferenced Meeting

Pursuant to Governor Newsom's Executive Order N-25-20 regarding COVID-19, members of the Scotts Valley Fire Protection District Board of Directors and staff may participate in this meeting by teleconference. To reduce the spread of COVID-19, members of the public are encouraged to listen to the meeting from their homes via teleconference by calling +1 408-638-0968, enter the meeting number when prompted (94906103800) and entering Access Code 170772 or connecting to the meeting online via their computer, smart phone or tablet at the following link:

<https://zoom.us/j/94906103800?pwd=TEVwaHYydGhraEJpWm9CVUJFU09mdz09>

1. Call to Order

1.1 Roll Call

2. Public Comment (GC §54954.3)

This portion of the meeting is reserved for persons wishing to address the Board on any matter not on the agenda. Any matter that requires Board action will be referred to staff for a report and action at a subsequent Board meeting.

3. Agenda Amendments (GC §54954.2) – Discussion/Action

4. Closed Session: Government Code §54957

4.1 Conference with Legal Counsel – Existing Litigation:
Pursuant to Government Code §54956.9
Name of Case: Green v. Scotts Valley Fire District

5. Open Session: Government Code §54957.1

5.1 Report on Closed Session

6. Action Items

6.1 Fire Chief CZU Op-Area Coordinator Pay, Discussion/Action

7. Adjournment



SCOTTS VALLEY FIRE PROTECTION DISTRICT

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Steve M. Kovacs
Fire Chief

Date: October 21, 2020

To: Finance Committee

From: Steve M. Kovacs, Fire Chief 

Subject: FEMA Reimbursement

As you are aware, I was assigned to the CZU Complex for approximately 11 days as the Liaison for the local government resources assigned from Santa Cruz County. This assignment was due to being the OES Operational Area Coordinator for the County during the Incident. This extra time was not paid for by the Incident, but is eligible for FEMA reimbursement due to State and Federal Disaster Declarations. President Pisciotta and I had a brief phone conversation during the CZU Complex, regarding this process and being paid the extra hours on a State Incident, FEMA reimbursement, etc.

In reviewing my Employment Contract, Section 3(b) states: *"The DISTRICT agrees to compensate EMPLOYEE at straight time at his current hourly rate for all time assigned to Federal and/or State emergency incidents."*

However, it further states: *"This shall only be paid if the DISTRICT receives reimbursement from Federal or State agencies and will not exceed the amount actually received as reimbursement. This compensation is for hours worked above and beyond the normal work week and in addition to the EMPLOYEE's regular rate of pay."*

The District will not receive reimbursement for several months and will likely be less than 100%, due to FEMA Policies. Federal share is 75% and the State share is 18%, with the local agency contributing the remaining 6%.

I was paid for the extra hours submitted through the payroll process. Due to the recent review of Chief Whittles new Employment Contract and the language in mine being the same, I realized the payment for the extra hours should wait until reimbursement is received by the District. Therefore, I will voluntarily be returning the payroll amount to the District until, if and when the FEMA Reimbursement is received. This will be completed by reducing my vacation payoff amount by the exact amount of the compensation previously paid to me for the extra hours.

Please, let me know if you may have any questions.

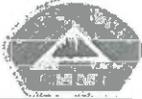
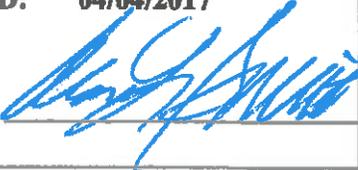
Board of Directors

Robert Campbell Edward Harmon Joe Parker Russ Patterson Daron Pisciotta

Chief 2500
CZU Lightning Complex
CA-CZU 005205

Date	Time In	Time Out	Hrs Over
08/18/20	16:00	22:00	5
08/19/20	6:00	22:00	6
08/20/20	6:00	22:00	6
08/21/20	6:00	22:00	16
08/22/20	6:00	20:00	14
08/23/20	6:00	17:00	11
08/24/20	6:00	17:00	1
08/25/20	6:00	18:00	2
08/26/20	6:00	18:00	2
08/27/20	6:00	18:00	2
08/28/20	6:00	17:00	11
08/29/20	6:00	17:00	11
08/30/20	6:00	15:00	9
08/31/20	6:00	14:00	1
	Total		97

1. Total reflects the hours above and beyond the regular M-Th 4-10 schedule
2. Total hours worked are reflected in columns 2 and 3.

Scotts Valley Fire Protection District	
POLICY: 1701	SUBJECT: Fire Chief Job Description
DATE APPROVED: 04/04/2017	
BOARD PRESIDENT: 	FIRE CHIEF: 

FIRE CHIEF

Job Description

REPORTS TO: Board of Directors

SUPERVISES: Chief Officers and Administrative Staff

BASIC FUNCTION:

Under general direction of the Board of Directors; directs, leads, manages and oversees the activities and operations of the Scotts Valley Fire Protection District including fire prevention, suppression, investigation, inspection, emergency medical services and public education. The Fire Chief will coordinate all assignments and activities for all personnel as well as coordination with other City, County and State agencies.

Major Duties:

1. Responsible for the development and implementation of policy, goals, objectives, budgets and activities for the Scotts Valley Fire Protection District.
2. Actively participates with service clubs, civic groups, schools and other organizations and agencies in an effort to advance the overall public safety and health and welfare of the community as is appropriate.
3. Select, train, motivate and evaluate fire district personnel; provide for and coordinate training and work with employees to correct deficiencies; implement discipline and termination procedures as appropriate and necessary.
4. Exercise direct supervision over management, supervisory, professional, technical, paid call, volunteers, and clerical staff.
5. Monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures; assess and monitor work load, administrative and support systems, and internal reporting.
6. Identify opportunities for improvement; direct the implementation of changes, maintain an efficient and cost effective emergency response system.

Scotts Valley Fire Protection District	
POLICY: 1701	SUBJECT: Fire Chief Job Description

7. Represent the Scotts Valley Fire Protection District at meetings with elected officials and outside agencies; explain and interpret fire district programs, policies, activities, budgets and operations.
8. Negotiate on sensitive issues and issues involving but not limited to: budgeting, district direction, employee issues and resolutions, equipment, supplies, tools, operational methods and implementation.
9. Directs fire fighting efforts and other emergency operations as necessary.
10. Actively participates in professional associations and training activities to remain current on trends and best possible practices within the fire service.
11. Recommends program and service enhancements along with proper reporting of incident activity including monthly reporting on internal issues to the Board of Directors.
12. Develops long range planning for the future of the Scotts Valley Fire Protection District.
13. Maintains discipline and ethics.
14. Maintains records.
15. Performs contract negotiations with other agencies both private and public for cooperative and financial agreements.
16. Assumes command of all District operations as needed during emergency and non emergency events as appropriate.
17. Formulates and supervises the development and implementation of minimum standards, technical competency, training standards, safety compliance, inspections, fire prevention, education, emergency medical services and other regulations as required.
18. Participates in local, regional, state and national updates, seminars and conferences on fire, rescue, EMS, haz mat, finance and personnel services.
19. Directs maintenance, repair and general upkeep of all district assets and improvements.
20. Develops and enforces fire codes and ordinances within the scope of the Scotts Valley Fire Protection District. Interprets and applies laws, regulations, ordinances and codes for specific applicable situations.

Minimum Qualifications: (*must be met within 6 months)

The Board of Directors reserves the right to accept any combination of experience, training, and/or equivalences as qualifying.

1. 10 or more years of full time continuous fire service employment.
2. Five or more years of active employment as a Chief Officer. (Fire Chief, Assistant Chief, Division Chief, Battalion Chief,).

Scotts Valley Fire Protection District	
POLICY: 1701	SUBJECT: Fire Chief Job Description

3. Certification by the California State Fire Marshal's Office as Chief Fire Officer or the predecessor, Chief Officer.
4. Must have a proven successful background and experience record within the fire service.
5. *Reside with-in 15 minutes of Scotts Valley Fire Protection District.
6. *Must possess and maintain a valid Class C California State driver's license.
7. Experience with the Incident Command System and as an Incident Commander

Desirable Qualifications:

1. Previous experience as a fire chief
2. National Fire Academy Executive Fire Officer (NFA EFO)
3. Fire Instructor/Master Instructor
4. College Degree in Fire Science, Public Administration or related field
5. Experience in a combination career/volunteer fire agency
6. Public Information Officer (PIO) experience
7. Experience with similar demographics as Scotts Valley
8. Any combination of experience and education that will lead to success

Minimum Knowledge of:

1. Regulations governing California fire districts: codes, suppression, tactics, hazardous materials, incident command, communications, instruction, program development, ethics, laws, education, certification and other regulations as required.
2. Structural and wild land firefighting tactics and strategies, incident command, fire prevention, education and training.
3. Proper implementation and maintenance of fire and EMS record keeping and safety.
4. Proper utilization, licensing, maintenance and other requirements for all fire and EMS related apparatus, equipment, tools, devices and facilities.
5. Principles and practices of program development, management and administration.
6. Skills and abilities required of subordinate personnel.
7. Federal, State and local regulations governing employment, safety, minimum standards, regulations and codes, particularly those specific to the fire service.
8. Principles and practices of both Basic and Advanced emergency medical procedures including transportation, evaluation, documentation and reporting.
9. Principles of supervision, evaluation, discipline, communication and documentation.
10. Principles of policy development, administration, budget development, analysis and projection.
11. Fire district finances, budgeting, property tax and related matters.

Ability to:

1. Work effectively in all areas of operations and administration.
2. Select, supervise, evaluate, train and command staff.

Scotts Valley Fire Protection District	
POLICY: 1701	SUBJECT: Fire Chief Job Description

3. Communicate, plan and deliver all aspects of fire suppression, incident planning and command, prevention methods, and professional organization.
4. Assume the role of Incident Commander at emergencies as necessary.
5. Work under pressure and maintain sound decision making ability in emergency and stressful situations.
6. Prepare, administer and oversee complex budgets.
7. Provide public presentations and speak before a variety of organizations including the media and the public.
8. Deliver clear and precise reporting of all district finances and operations.
9. Make technical and emergency decisions quickly and calmly under all conditions.
10. Explain firefighting practices, procedures, programs, laws and regulations to suppression staff, board members and the public.
11. Research, evaluate and analyze service delivery methods, procedures and techniques and present the best option(s).
12. Implement and evaluate a variety of different programs and projects regarding public service and fire protection.
13. Establish and maintain effective and professional working relationships with all personnel and persons with whom contact is made in the course of work including but not limited to: Public, City and County officials, State and Federal officials, community groups and organizations, regulatory safety and insurance agencies.
14. Communicate professionally both orally and in writing.
15. Respond to concerns raised and issues which arise pertaining to: personnel, public safety, education, finance, and safety.

Skills:

1. Computer literacy.
2. Reading, writing and interpretation skills.
3. Communications.
4. Effective reasoning.
5. Finance and budget concepts including cost control.
6. Management and organizational proficiencies.
7. Effective leadership.

ADA WORKING CONDITIONS

The following physical requirements and work environment is characteristic of those that the incumbent will encounter and must successfully meet to perform the essential duties of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of this position.

Scotts Valley Fire Protection District	
POLICY: 1701	SUBJECT: Fire Chief Job Description

1. **Physical requirements:** Work is performed in a combination of environments, including: office, vehicle, emergency and nonemergency field conditions. Field command will be necessary in suppression assignments. The incumbent may on occasion be called upon to perform strenuous activity associated with an emergency field response. May respond in turnout gear to major fire scenes and other emergencies.
2. **Mobility:** Frequent use of keyboard; frequent sitting for long periods of time; occasional bending or squatting; walking on stable, unstable, sloped and wet surfaces; ascending and descending stairs and ladders.
3. **Lifting:** Frequently up to 10 pounds; occasionally up to 75 pounds. Rarely more than 75 pounds with the assistance and coordination of others. Requires the strength and stamina to perform fire suppression duties, including handling hoses and operating equipment.
4. **Vision:** Constant use of overall vision; ability to discern and distinguish NFPA designated color codes used construction.
5. **Frequent writing;** frequent grasping, holding, and reaching.
6. **Hearing/talking:** Frequent hearing and talking, in person, on the radio, and on the telephone.
7. **Motor Vehicle:** Operating a motor vehicle or firefighting apparatus. Incumbent drives on surface streets and may be exposed to traffic hazards, weather conditions, fire hazards, electrical currents and air contaminants. Incumbent occasionally drives 'off-road' and on rough unimproved roads.
8. **Emotional/Psychological:** Frequent decision-making and concentration; frequent public and/or coworker contact; occasional working alone.
9. **Environmental:** Frequent exposure to noise; regularly travel assigned vehicle to other locations or respond to emergency situations or incidents; exposed to heat, dust, noise, smoke, fumes, gases, oil, grease, wet and slippery surfaces, machinery with moving parts, moving objects and other vehicles while in the field; may work unusual and prolonged schedule during emergencies, seasonally caused circumstances or special projects; may be exposed to varying climates or hot or cold temperature conditions while in the field.

Scotts Valley Fire Protection district	Policy: 500
Subject: Fire Chief Duty Statement	DATED: March 23, 1998

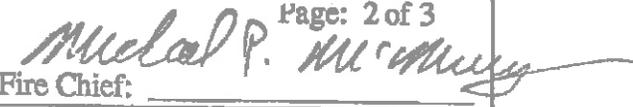
Policy 500: Fire Chief Duty Statement

1. The fire chief shall be the general manager of the fire district. The fire chief shall have absolute authority to administer the district, subject to the applicable statutes of the State of California, and the policies, rules and orders of the Board of Directors. He/She shall have control of all activities of the fire district.
2. The chief shall have the power and authority to establish suitable measures to put into effect the policies, rules and regulations, practices and procedures necessary for the efficient operation of the fire district.
3. The chief shall attend each meeting of the Board of Directors, except when excused, and shall act as chief Administrative Officer to the Board, and as its administrative secretary. He shall, from time to time, recommend to the Board of Directors the selection of fire station sites; changes in location of fire stations, companies and facilities; the building of new stations; the purchases of new or different apparatus, equipment, etc.; and the sale of old apparatus and equipment not necessary for use in the operation of the district, giving his reason for such action, and shall furnish annually to the Board a budget of the amount required for the ensuing year in a manner prescribed by the Board and by law. He/She shall make a monthly report of all receipts and expenditures.
4. The chief shall have the power and authority to organize, manage and control the various divisions, boards and committees within the fire district in a manner which, in his judgment, shall be for the best interest of the district.
5. The chief shall report to the Board of Directors any member who, by reason of disease, accident, or other infirmity or incompetency, does not or cannot fully and promptly perform the duties required of him/her.
6. The chief shall report to the Board of Directors whether the services of probationary employees is satisfactory or unsatisfactory.
7. The chief shall cause to be kept in proper form an accurate record of all business transactions by the district.

Revised: 3/23/98	Page: 1 of 3
Board Chairperson: 	Fire Chief: 

Scotts Valley Fire Protection district	Policy: 500
Subject: Fire Chief Duty Statement	DATED: March 23, 1998

8. The chief may reprimand, suspend or recommend the suspension or removal from service of any member, in such manner as provided by these policies and rules and regulations and the Board of Directors.
9. The chief may recommend granting of leaves of absence to the members of the district in such manner as provided by the Board of Directors.
10. The chief shall cause all injurious or dangerous fires to be extinguished with the least possible danger to life and property and prevent unnecessary damage at fires by the use of water or other extinguishing agents and equipment.
11. The chief shall have full power during a fire or other emergency to temporarily recall all off-duty paid personnel to service.
12. The chief shall have full power, in the event of fire or other emergencies, to demolish buildings and parts of buildings, which, in his judgment, might endanger life or cause damage to property.
13. The chief shall cause subordinates to take proper precautionary measures that the premises on which fires occur are left in such condition that they will not rekindle and further endanger life and property.
14. The chief may, at his discretion, call a meeting of the district officers. These meetings, as far as practicable, will be held on alternate shifts and all officers shall be present unless excused.
15. The chief shall regulate the manner of wearing of the uniform and equipment appurtenant to the attire of the members.
16. The chief shall cause suitable Standard Operating Procedures to be prepared and maintained in an up-to-date manner as necessary for each division, activity, service or other function of the fire district, including preparation of such additions and/or deletions as may be necessary from time to time.
17. The chief shall direct and coordinate the application of established policy, rules and regulations, practices, and procedures, and shall from time to time, confer with the ranking officers, coordinating their duties for the purpose of uniform government of each division, section, and activity.

Revised: 3/23/98	Page: 2 of 3
Board Chairperson: 	Fire Chief: 

Scotts Valley Fire Protection district	Policy: 500
Subject: Fire Chief Duty Statement	DATED: March 23, 1998

- 18. The chief shall cause to be formulated such drills and evaluations as may be necessary to promote and maintain efficiency and effectiveness in operations of the district.
- 19. The chief shall keep a complete record of the apparatus and other property of the district. Upon notification that a piece of apparatus is disabled, the chief shall assign relief apparatus for replacement if available.
- 20. The chief shall keep a complete roster of the entire membership of the district. He shall maintain the balance of personnel between crews by appropriate transfer or detail of subordinates.
- 21. The duties and functions of the fire chief shall, insofar as practicable, be performed in collaboration with the division chiefs.
- 22. The chief shall work at the pleasure of the Board of Directors of the Scotts Valley Fire Protection District, and shall be terminated only for just cause by a 4/5ths majority of the Board of Directors sitting in full session.
- 23. The fire chief is responsible for the recruitment and appointment of qualified applicants to authorized positions, pursuant these policies, rules and regulations.

Revised: 3/23/98 Page: 3 of 3

Board Chairperson: *Tom Ahrens* Fire Chief: *Michael D. ...*