



El Dorado County Emergency Services Authority

JPA Board of Directors Meeting Minutes

Wednesday, June 26, 2019 - 8:00 a.m.
Diamond Springs Fire, 501 Main Street, Diamond Springs, CA 95619

Pledge of Allegiance: Conducted

1. Call to Order/Introductions - Call to order at 8:05 a.m.

Board Attendees:

- | | |
|---|--|
| <input checked="" type="checkbox"/> CAL FIRE - Cameron Park Fire, Div. Chief Sherry Moranz | <input type="checkbox"/> Alternate Battalion Chief Jed Gaines |
| <input checked="" type="checkbox"/> CAL FIRE ECC AEU, Unit Chief Scott Lindgren, Chair | <input type="checkbox"/> Alternate Battalion Chief Brian Newman |
| <input checked="" type="checkbox"/> Diamond Springs Fire, Chief Bryan Ransdell | <input checked="" type="checkbox"/> Alternate Deputy Chief Ken Earle |
| <input checked="" type="checkbox"/> El Dorado County Fire, Interim Chief Lloyd Ogan | <input type="checkbox"/> Alternate Division Chief Tim Cordero |
| <input checked="" type="checkbox"/> El Dorado Hills Fire, Chief Maurice Johnson | <input checked="" type="checkbox"/> Alternate EDH Board of Dir., John Giraudo |
| <input checked="" type="checkbox"/> Garden Valley Fire, Chief Clive Savacool, Vice Chair | <input type="checkbox"/> Alternate Battalion Chief Jon Michaelson |
| <input checked="" type="checkbox"/> Georgetown Fire, Asst. Chief Mike Blankenheim (CAL FIRE) | <input type="checkbox"/> Alternate Battalion Chief Dave Wood |
| <input checked="" type="checkbox"/> Mosquito Fire, Chief Eddie Dwyer | <input checked="" type="checkbox"/> Alternate Battalion Chief Dion Nugent |
| <input checked="" type="checkbox"/> Pioneer Fire, Chief Mark Matthews | <input type="checkbox"/> Alternate Captain Greg Morford |
| <input checked="" type="checkbox"/> Rescue Fire, Deputy Chief Mike Lilienthal | <input type="checkbox"/> Alternate Deputy Chief Dave Brady |
| <input checked="" type="checkbox"/> Marshall Medical Center, Exec. Dir. Maia Schneider | |
| <input checked="" type="checkbox"/> JPA Representative Sherrie Kelley | |

Guests:

- José C. Henríquez, LAFCO
- Michelle Patterson, EMSA
- Jim Hartley, El Dorado Hills Fire Board of Directors
- Pat Williams, Diamond Springs Fire Board of Directors
- Diana Sampson, Georgetown Fire

Other Attendees:

- Division Chief Paul Dutch, El Dorado County Fire
- Assistant Chief Bob Bement, Garden Valley Fire
- Captain Jacob Poganski, El Dorado County Fire
- Engineer/Paramedic Mike Campbell, El Dorado County Fire
- Battalion Chief Dave Wood, CAL FIRE

2. Approval of Agenda

A request was made to move Item 8.2 Review and Vote on Application for Leave to Present a Late Tort Claim – Martin Hackett to Closed Session.

Director Johnson motioned to approve the agenda with the change noted above. Director Matthews seconded the motion, which carried unanimously.

3. Public Comments

None.

4. Consent Calendar

Director Ogan motioned to approve consent calendar item 4.1as presented. Director Johnson

seconded the motion, which carried unanimously.

Director Savacool motioned to approve consent calendar item 4.2 as presented. Director Ransdell seconded the motion, which carried unanimously.

Director Ransdell motioned to approve consent calendar item 4.3 as presented. Director Savacool seconded the motion, which carried unanimously.

Director Johnson motioned to approve consent calendar item 4.4 as presented. Director Ogan seconded the motion, which carried unanimously.

5. Correspondence

5.1 JPA Legal Counsel – Girard Edwards Withdrawal from Representation

Due to a potential increase of future conflicts of interest between the JPA and other firm clients, Girard Edwards submitted their withdrawal from representation of the JPA.

6. Reports

6.1 Receive/File Statistics for May 2019

Director Lindgren provided an overview of the statistics for the May response time reports.

7. Old Business

None

8. New Business

8.1 Review and Vote on Retaining JPA Legal Counsel – Doug Alliston with Murphy, Campbell, Alliston & Quinn

Due to the withdrawal of Girard Edwards as the JPA's legal counsel, Doug Alliston with Murphy Campbell Alliston and Quinn was referred by Girard Edwards for consideration.

The Board requested that the JPA research more candidates and schedule a special JPA Board meeting for all candidates to attend to present and address questions.

Director Savacool motioned to approve contracting with Murphy, Campbell, Alliston & Quinn on a temporary basis in order to handle the JPA's immediate legal issues while the JPA researches additional candidates for consideration. Director Ransdell seconded the motion, which carried unanimously.

8.2 Review and Vote on Application for Leave to Present a Late Tort Claim – Martin Hackett Item was moved to Closed Session.

8.3 Discuss and Vote on Moving all Class 30 Processing to the JPA

The Finance Committee is requesting that all Class 30 processing be moved from the transporting district level back to the JPA and that the JPA revert back to paying on actuals for all Class 30 expenses.

The Committee discussed the following items:

- If there is an issue with the master contract funding then that needs to be addressed, not the fixed rate provided to the transporting districts.
- The JPA Board made the decision to fund the transporting districts at a fixed rate.
- The change proposed is only a temporary solution for FY 19-20.
- Staffing models were obtained from the transporting districts and the proposal to fund the districts based on their actual annual projected spend was not approved.
- The \$1.15M gave each transporting district a defined budget and the ability to manage costs. If costs exceed the \$1.15M then it will be the district's responsibility to cover the overage.

- There are inherent issues with a fixed rate master contract and sub-contracts that pay on actuals.
- If a transporting district comes in under budget then those funds should revert back to the JPA.
- A methodology needs to be established for calculating items such as employee costs, OPEB, UAL and operating expenses.
- A goal percentage needs to be established for the JPA reserve fund.
- Only Class 30 costs are being considered at this time.
 - The transporting districts are subsidizing the indirect costs to run the medic unit.
- The overall problems need to be addressed instead of trying to apply a quick, temporary fix.
- The JPA side of the budget also needs to be addressed for cost saving opportunities.
- The JPA Board needs to look at the deployment model and the payor mix.
- The El Dorado County Fire Labor Group supports the fixed rate cap and is disappointed that the JPA Board is already trying to alter the agreed upon terms.

Director Johnson motioned to have a financial workshop scheduled to address the issues, which include the items listed below. Director Savacool seconded the motion, which carried unanimously.

Workshop items to address:

- Define actuals.
- Discuss methodology for OPEB, UAL and Class 40 costs.
- Review current payor mix information.
- Review current CSA 7 revenue information.
- Review GEMT collection/disbursement.
- Is the County participating in Quaff?

8.4 Review and Vote on Reinstating the Other Post Employment Retiree Health Benefits Funding Policy

Due to the Board's decision not to revert back to the JPA paying Class 30 actuals for the transporting districts, this topic is no longer valid and requires no action at this time.

8.5 Review and Vote on Revised ALS Ambulance Agreement

Due to the Board's decision not to revert back to the JPA paying Class 30 actuals for the transporting districts, this topic is no longer valid and requires no action at this time.

8.6 Review and Vote on Revised System Status Management Policy

Based on the IFT workshop that took place on May 22, clarification on the Code 3 and Code 2 IFTs has been updated in the policy.

A request was made to make the following change regarding the air ambulance language in Item XI A.1.c.

- c. In the event an air ambulance transfer is unavailable for a Code 3 IFT that terminates outside of Sacramento County ~~due to weather related issues~~, the transfer shall be filled with the closest available medic unit.

Director Ogan motioned to approve the revised System Status Management policy with the change noted above. Director Johnson seconded the motion, which carried unanimously.

The policy will be sent to EMSA for a 15-day comment/review period prior to implementation.

8.7 Review and Vote on Revised Expense and Variance Policy

The JPA Board voted to stop funding the non-transporting districts beginning FY 19-20. Based on this decision, the policy has been updated. Additionally, at the request of the System Status Management Committee, the information in the policy regarding the non-transporting districts restocking medical supplies and billing the JPA for medical supplies when unable to restock has been moved to the Medical Equipment Supply/Resupply policy.

Director Lilienthal motioned to approve the revised Expense and Variance policy as presented. Director Savacool seconded the motion, which carried unanimously.

8.8 Review and Vote on Revised Medical Supply/Resupply Policy

At the request of the System Status Management Committee, the policy was revised to include information on the responsibility of the non-transporting districts to restock medical supplies from the medic unit on scene or from the medic unit's district or another transporting district. Additionally, the policy outlines the steps the non-transporting districts must take in order to bill the JPA for medical supplies, should they be unable to restock from a medic unit or any transporting district.

Director Savacool motioned to approve the revised Medical Supply/Resupply Policy as presented. Director Johnson seconded the motion, which carried unanimously.

8.9 Discuss and Vote on Procedural Concerns Regarding JPA Board Membership

The JPA obtained a legal opinion regarding altering the size of the Board, the voting powers and requirements to do so under the JPA Bylaws. The following is the legal counsel's written opinion.

1. The JPA may reduce the size of its Board by creating non-voting JPA members.
2. The JPA may create a weighted-vote system.
3. A two-thirds vote of all Member Agencies (not merely those present at a meeting) is required for any change to the JPA Agreement, including a change to the JPA's governance structure, provided the change does not obligate a Member Agency to fund or be responsible for providing a service without that Member Agency's consent.
4. The JPA Agreement may be amended by "resolution" and with the agreement of two-thirds of the Member Agencies. This appears to require a resolution of the JPA and approval by the Member Agencies' respective boards. A Member Agency's approval can be reflected in a resolution or the meeting minutes of that agency.

The JPA was also asked to investigate the following two items:

1. Did the JPA adhere to the master contract when adding MMC?
Yes, they were in compliance. The JPA sponsored the Assembly Bill and the County wrote the bill, therefore giving their approval to add MMC to the JPA Board.
2. Did the JPA adhere to their Bylaws when adding MMC?
No, they were not in compliance. The Bylaws require a two-thirds vote of Member Agencies to amend the agreement. Per legal counsel, a two-thirds vote of all Member Agencies (not merely those present at a meeting) is required for any change to the JPA Bylaws, including a change to the JPA's governance structure, provided the change does not obligate a Member Agency to fund or be responsible for providing a service without that Member Agency's consent. With ten Board members at the time the matter was placed on the agenda, that required two-thirds vote (seven) of the JPA Board. Two Member Agencies were absent from the Board meeting in December 2017 and two Member Agencies voted as one, which should not have been allowed. Each Member agency is its own entity and is entitled to one vote. EDH and RES should have voted separately and not together as one entity.

Director Johnson motioned to table the discussion until a legal opinion was obtained on the matter concerning violating the JPA Bylaws when adding Marshall Medical Center to the JPA Board of Directors. Director Savacool seconded the motion, which carried unanimously.

9. **Fiscal Items**

9.1 Review YTD Spend for Non-Transporting Districts (Standing Board Item)

The Board reviewed the YTD spend for non-transporting districts.

9.2 Review YTD Revenue vs. Expenditure Report (Standing Board Item)

The Board reviewed the YTD revenue vs. expenditure report.

9.3 Review and Vote on Preliminary FY 19-20 JPA Budget

Director Lilienthal motioned to approve the preliminary FY 19-20 JPA Operating and Fixed Asset budgets as presented, with the understanding that the Board can modify the budgets should it be required after the financial workshop is held. Director Ogan seconded the motion, which carried unanimously.

10. Director Items

CAL FIRE ECC AEU: A new Fire Captain and Comm Ops will be starting soon. There is an open Battalion Chief position on the East side. Jessica White is the new Admin Tech at Growlersburg. There are extra dozer operators. Working with the new Fi\$Cal finance system. Peak staffing will begin July 5.

CAL FIRE Cameron Park: Working on filling three vacancies. The weed abatement program is a success. A generator will be purchased for Station 88.

Diamond Springs / El Dorado Fire: Interviewing for an open Firefighter position.

El Dorado County Fire: Job offers have been extended to five entry level Firefighters. Three employees will be promoted to Captains on July 1.

El Dorado Hills Fire: A Director of Human Resources and an Operations Deputy Chief have been hired. A Lucas device was placed into service.

Garden Valley Fire: An application will be filed with LAFCO soon. A letter was sent to the JPA to thank them for the annual stipend that was provided for many years.

Georgetown Fire: The interviews for the Fire Chief position did not yield a candidate. The process is being reevaluated to determine how to proceed.

Marshall Medical Center: Following the PGE PSPS and working on obtaining generators for off-site locations. Aegis will be opening a Methadone clinic in Placerville.

Mosquito Fire: A consolidation workshop was held on June 15.

Pioneer Fire: Thanked the JPA for their annual stipend. Currently there is one Training Officer position open. One Firefighter accepted a position in San Jose.

Rescue Fire: A new Firefighter was hired and the station is now fully staffed. Additional retirements will take place in August.

11. Good and Welfare

None.

The Board adjourned into Closed Session at 10:12 a.m.

12. Closed Session

12.1 Pursuant to Government Code Section 54956.9 (3) (c) – Pending Litigation

12.2 Pursuant to Government Code Section 54957 (b) (1) – Public Employee Contract – Interim Executive Director

The Board reconvened into Open Session at 10:47 a.m.

13. Public Report of Decisions Make During Closed Session

13.1 Pursuant to Government Code Section 54956.9 (3) (c) and 54957.1 (a) (2) - Pending Litigation
The Board discussed information provided by legal counsel regarding the pending litigation.

13.2 Pursuant to Government Code Section 54957 (b) (1) – Public Employee Contract – Interim Executive Director

The Board voted to extend the Interim Director's contract through August 31, 2019 so that a performance evaluation can be completed in accordance with JPA policy.

The item below was moved from Open Session to Closed Session during the agenda approval process:

8.2 Review and Vote on Application for Leave to Present a Late Tort Claim – Martin Hackett

Director Johnson motioned, based on legal counsel advice, to deny the application for leave to present a late Tort Claim for Martin Hackett. Director Ransdell seconded the motion, which carried unanimously.

13 Adjournment

Director Johnson motioned to adjourn the meeting at 10:49 a.m. Director Ogan seconded the motion, which carried unanimously.