



## West Plainfield Fire Protection District

24901 County Road 95, Davis, CA 95616

(530) 756-0212

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### BOARD OF COMMISSIONERS – REGULAR MEETING JANUARY 16, 2024, at 7:00 PM

To be Held in Person at Lillard Hall  
24905 County Road 95  
Davis, CA 95616

To be Held by Zoom: <https://us06web.zoom.us/j/98831083439>

One tap mobile – +16699006833,98831083439#

Dial by your location – (669) 900-6833 US (San Jose)

Meeting ID: 988 3108 3439

1. Call the Meeting to Order and Establish Quorum (Vice President Roos)
2. Public Comment
3. Old Business
  - a. Discussion / Action - Board Position on Supporting Legislation, Regulations, Codes, Standards, Etc (Chief Rita)
  - b. Discussion / Action –Waiver of Requirement for Security Guard at West Plainfield Volunteer Firefighter Association Pancake Breakfast Fundraiser **(Page 3)**
4. New Business
  - a. Discussion / Action – Approve Replacement of Current Joint Operating Agreement with Willow Oak with Updated Joint Operating Agreement with Willow Oak and City of Winters Fire Department (Chief Rita) **(Pages 4-9)**
  - b. Discussion / Action – Approve Policies (Chief Rita)
    - i. Policy 205 – Liability Claims (new) **(Page 10)**
    - ii. Policy 211 – Solicitation of Funds (new) **(Pages 11-13)**
    - iii. Policy 318 – Hazardous Materials Response (replaces prior directive) **(Pg 14-17)**
    - iv. Policy 319 – News Media Relations (new) **(Pages 18-21)**
    - v. Policy 321 – Child Abuse Reporting (new) **(Pages 22-42)**
    - vi. Policy 322 – Disposition of Valuables (new) **(Pages 43)**
    - vii. Policy 324 – Adult Abuse (new) **(Pages 44-46)**
    - viii. Policy 327 – National Fire Incident Reporting System (new) **(Page 47)**
    - ix. Policy 331 – Unmanned Aerial Systems (new) **(Pages 48-51)**
    - x. Policy 701 – Personal Communication Devices (revision) **(Pages 52-56)**
    - xi. Policy 801 – Release of Records (new) **(Pages 57-60)**
    - xii. Policy 803 – Patient Medical Record Security and Privacy (new) **(Pages 61-67)**

Agenda – Board Meeting – Regular  
January 16, 2024  
Page 2

- xiii. Policy 1200 – Composition of the Board (new) **(Page 68)**
  - xiv. Policy 1201 – Meetings (new) **(Page 69)**
  - xv. Policy 1202 – Committees (new) **(Pages 70-71)**
  - c. Discussion / Action – Standing Committee – Reports
    - i. Lillard Hall Committee – **Amy**, Roos
      - 1. Manager Report (Hall Manager Sykes) **(Pages 72-74)**
      - 2. Discussion / Action – Approve January 10, 2024, Minutes **(Pages 75-76)**
    - ii. Budget and Benefits Committee – **Stiles**, Roos
      - 1. Discussion / Action – Approval January 11, 2024, Minutes **(Pages 77-82)**
    - iii. Personnel Committee – **Amy**, Roos
      - 1. Discussion / Action – Approve January 11, 2024, Minutes **(Pages 83-84)**
  - ci. Discussion / Action – Ad Hoc Committee Report – Solar – **Stiles**, Roos
  - cii. Discussion / Action – Liaison Reports
    - i. Fire Prevention / Investigation – McMullen
    - ii. Large Equipment / Facilities – McMullen
5. Fire Chief's Report (Chief Rita)
- a. Staffing
  - b. Airport
  - c. Other Items Not Otherwise Addressed Elsewhere During Meeting **(Pages 85-86)**
6. Fire Fighter's Association Report (President Jon Lee)
7. Clerk's Report (Interim Board Clerk)
- a. Discussion / Action – West Plainfield Fire Protection District Bill Review / Ratification **(Page 87)**
  - b. Discussion / Action - Approval of December 19, 2023, Regular Board Meeting Minutes **(Pages 88-95)**
8. Open Forum
9. Next regular Board meeting on February 20, 2024, unless another date is agreed upon
10. Meeting Adjourned (Vice President Roos)

To: West Plainfield Fire District Commission

Subject: Security Guard Waiver

From: West Plainfield Volunteer Fire Department Association

We request a Security Guard Waiver, for serving alcohol at our Annual Pancake Breakfast, March 3, 2024 from 7am to 11am. This year we would like to expand our menu options to include alcohol drinks (Mimosa, Bloody Mary, and Irish Coffee). The members feel that this would increase our fundraising revenue. We would follow all the ABC licensing and serving requirements. Our reasons for the Security Guard Waiver, is that all of the members would be available to protect and control the serving of alcohol, and to reduce the overall cost from hiring a security company.

Jon Lee - President , West Plainfield Fire Department Association



**MASTER JOINT OPERATIONS AGREEMENT BETWEEN  
WILLOW OAK FIRE PROTECTION DISTRICT, WEST PLAINFIELD FIRE PROTECTION  
DISTRICT, AND THE CITY OF WINTERS  
FOR THE PURPOSE OF PROVIDING RECIPROCAL FIRE PROTECTION  
AND RELATED SERVICES**

**THIS AGREEMENT** is made and entered into this 16<sup>th</sup> day of January 2024 (“Effective Date”) by and between the Willow Oak Fire Protection District, a Dependent fire district, the West Plainfield Fire Protection District, a Dependent fire district, and the City of Winters, a municipal corporation, through its Fire Department (hereinafter referred to individually as a “Party”, and collectively as the “Parties”). This Agreement shall be known as the Master Joint Operations Agreement (“JOA”) and shall be the basis for cooperation in the provision of fire and emergency services between the Parties.

**RECITALS**

**WHEREAS** the Parties seek to enter into a JOA which works in conjunction with the Yolo County Fire Services Mutual Aid Agreement and to establish a foundation for greater cooperation among the parties in the provision of fire protection and emergency medical services; and

**WHEREAS**, rapidly providing apparatus and personnel, regardless of jurisdiction, and providing prompt, efficient non-emergency services provides a higher level of service to the citizens and visitors of all jurisdictions and is in all Parties’ best interest; and

**WHEREAS**, through each party’s participation in the JOA, significant improvements in training, safety and supervision, and standardization of equipment, where feasible, resulting in overall greater efficiency in the delivery of fire protection and related services to the citizens, businesses and visitors within the communities served by each Party.

**AGREEMENT**

**NOW, THEREFORE**, pursuant to the authority granted by California Government Code §§ 6502 and 55632 and Health & Safety Code §13050, and in consideration of the mutual promises and obligations as set forth herein, the Parties hereby agree as follows:

**1. INTENT**

- A. It is the intent of the Parties to continually seek out and employ joint methods, practices, policies and/or procedures that will maintain or improve the safety and levels of emergency and fire prevention services provided to the citizens of and visitors to the communities each Party serves. Further, it is the intent of the Parties to improve existing practices to assure the highest levels of employee and volunteer safety, efficient and safe emergency operations, administrative efficiency, and cost effectiveness in the delivery of fire protection and EMS and other emergency services.

- B. In support of the intent of this JOA, the Parties agree that operational joint methods and policies that are adopted under this JOA be fully implemented by the Parties.

## **2. RESPONSE TO INCIDENTS**

- A. The Parties agree that the Parties' Fire Chiefs, and/or his/her authorized designees or successors shall jointly establish written protocols for the deployment of fire engines and personnel to emergency incidents within each Party's jurisdiction. Such protocols may include the dispatch of resources to emergencies based upon the quickest response times to the incident, regardless of jurisdiction.
- B. The Parties further agree that the Parties' Fire Chief's, and/or his/her authorized designees or successors shall jointly establish written protocols for the purpose of maximizing the fire protection coverage of the jurisdictions through the repositioning of engines in events where normally staffed engines are otherwise committed to incidents for extended periods of time.
- C. The Parties' Fire Chiefs and/or his/her authorized designees or successors shall jointly review the written protocols annually, or when staffing or other resource changes may negatively impact a protocol, to ensure that no party is overly burdened by responses outside of its jurisdiction.

## **3. JOINT COMMAND AND SUPERVISION OF FIRE DISTRICTS**

- A. The Parties' Fire Chiefs, and/or his/her authorized designees or successors shall establish written protocols for joint or unified command including the shared supervision and incident command of emergency personnel and resources by the Parties chief officers and/or captains. Such protocols may include, but are not limited to, a provision for the assignment of shift supervision and the assignment of incident command responsibilities to establish joint supervisory resources between the Parties.
- B. The Parties' officers serving in the capacity of joint or unified command, including assigned supervision of another Party's employees, shall be entitled to exercise the power and authority as if such officer was an officer employed by all Parties, except as to discipline, as defined in subsection (C) below, which shall be exclusively administered by the employing agency. The Parties' officers serving in the capacity of joint or unified command shall also be entitled to the immunities set forth in state and/or federal law for all decisions and actions taken while serving in such capacity.
- C. For the purposes of this JOA, discipline is defined as a formal or adverse action resulting in a punitive punishment (e.g., written reprimand, suspension without pay, demotion, reduction of pay or dismissal) for an employee. Officers may, subject to the policies of and at the discretion of, the Fire Chief of the employing agency, conduct investigations on behalf of that agency, to include a finding of the facts. Discipline, as herein defined, shall only be administered by the employing agency pursuant to its policies and procedures.

## **4. COMMON OPERATIONS TRAINING, STANDARDS GUIDES AND STANDARD EVOLUTIONS**

- A. The Parties' Fire Chiefs, and/or his/her authorized designees or successors shall develop, maintain, and periodically update a written common set of Standard Policies, Operating Guides, Standard Evolutions and Operating Training Standards. These common processes shall be universally implemented by all uniformed members of each Party.

## 5. JOINT USE OF PERSONNEL

- A. The Parties shall mutually, upon request of another Party to this JOA, and subject to availability of appropriate personnel, assign firefighters to staff fire stations and/or equipment of the other Party. Firefighters staffing such request shall respond equipment of the other Party to incidents ~~as may occur, in the same manner as if the station and equipment were staffed by the requesting Parties' personnel.~~ During times when personnel are assigned, they shall be under the control and direction of the requesting Party.
- B. A Party's Fire Chief or his/her designee may accept a request to provide a Strike Team. At no time will staffing within the Parties' jurisdictions be compromised for Strike Team assignments. Strike Team responses may include co-staffing from the Parties.
- C. Each Party shall procure and maintain for the duration of the JOA, workers' compensation insurance or self-insurance, in compliance with Section 8 below, covering that Party's employees/personnel. At no time shall any Party be responsible for obtaining workers' compensation insurance for another Party's employee, and shall therefore not be subject to civil, criminal, or other penalties for failure to obtain workers' compensation coverage in the event of injury or illness to another Party's employee suffered while providing services under this JOA.
- D. A requesting Party shall be responsible for reimbursing the Party providing any personnel the cost of such personnel, including without limitation, wages and related benefits including workers compensation insurance and employee taxes. For Strike Team requests, the requesting Party shall be responsible for requesting payment that accounts for all costs for the assignment of personnel within sixty (60) days following the termination of the use of those personnel. The requesting Party shall make payment to the other Party within a reasonable period of time from receipt of the request for payment. For all other requests, the Party providing personnel shall invoice the requesting Party within forty-five (45) days following the termination of the use of those personnel and payment by the requesting Party shall be presented for payment within forty-five (45) days of receipt of invoice.

## 6. AREAS OF COOPERATION INVOLVING LESS THAN THE ENTIRE MEMBERSHIP OF THE JOA

- A. Nothing in this JOA shall preclude the Parties from entering into separate contracts or sub-agreements in furtherance of this agreement or adopting policies or protocols outside of this agreement. Such policies or protocols, or contracts or sub-agreement shall not be detrimental to the JOA or any Party to the JOA and, may include but not be limited to: public and firefighter safety; training; fire prevention; public education; equipment standardization; joint use of facilities; or equipment or provision or cost sharing of operations; administrative or management services; or other administrative or support staff.

## 7. INDEMNITY

- A. Each party shall indemnify, defend, protect, and hold harmless the other party and its officials, officers, employees, agents, and volunteers, from and against any and all liability, losses, claims, damages, expenses, and costs (including attorney, expert witness, consultant, and litigation fees) to the extent caused by any negligent or willful act or omission of the indemnifying party or any of its officials, officers, employees, agents or volunteers.

- B. To the extent any liability, losses, claims, damages, expenses, and costs covered by this provision arise from a joint or unified command scenario, the party exercising greater control during the incident giving rise to liability (generally, the party in command) shall have responsibility for providing indemnity and defense under this provision, excepting only matters in which the liability at issue is alleged to arise from the negligent or willful act or omission of the other party or any of its officials, officers, employees, agents or volunteers.

## 8. INSURANCE

- A. As a material condition of this JOA, ~~the Parties~~each Party shall maintain insurance or lawful self-insurance meeting the following standards. Evidence of such coverage shall be provided promptly upon request of another Party to this JOA:

### WORKERS COMPENSATION AND EMPLOYERS' LIABILITY

1. Workers' Compensation coverage with a statutory limit as required by the Labor Code of the State of California.
2. Employers Liability with limits of \$1,000,000 per accident.
3. Thirty (30) days' prior written notice of cancellation or material change must be provided to other parties of this JOA.
4. The coverage shall provide a Waiver of Subrogation endorsement in favor of the other parties, their officers, officials, employees, agents, and volunteers for losses arising from work performed under this JOA.

### GENERAL LIABILITY

1. Commercial General Liability Coverage no less broad than ISO form CG 00 01.
2. Minimum Limits; \$5,000,000 per Occurrence; \$10,000,000 General Aggregate.
3. Each Party and its officials, officers, agents, employees, and volunteers must be endorsed as an additional insured for the liability arising out of ongoing operations by or on behalf of the other Party.
4. The policy definition of "insured contract" must include assumptions of liability arising out of both ongoing operations hazard ("F" definition of insured contract in ISO form CG 00 01, or equivalent).
5. The coverage provided to each Party and its officials, officers, agents, employees, and volunteers as an additional insured must be primary and non-contributory with respect to any insurance or self-insurance program maintained by the other Party.
6. Thirty (30) days' prior written notice of cancellation or material change must be provided to the other Parties.

### VEHICLE LIABILITY

1. Minimum Limit: \$1,000,000 combined single limit per accident.
2. Coverage must apply to all owned, hired, and non-owned vehicles.
3. Each Party and its officials, officers, agents, employee, and volunteers must be endorsed as an additional insured for the liability arising out of ongoing operations by or on behalf of the other Party, or copies of the applicable coverage language effecting the coverage required by this clause.
4. The coverage provided to each Party and its officials, officers, agents, employees, and volunteers as an additional insured must be primary and noncontributory with respect to any

- insurance or self-insurance program maintained by the other Party.
5. Thirty (30) days prior written notice of cancellation or material change must be provided to the other Parties.

## **9. ADDITIONAL PARTIES**

- A. Other Yolo County fire agencies may make a written request to the Parties to become a party to the JOA. The request shall indicate a commitment to the intent of the JOA and all its provisions and shall be executed by modification or amendment of this JOA, approved and executed by the Parties.

## **~~10. TERM OF THIS JOA~~**

- ~~A. The term of this JOA shall commence once all named parties have executed this JOA and shall remain in effect unless terminated by the mutual written consent of all Parties.~~

## **~~11.10. WITHDRAWAL FROM OR TERMINATION OF THE JOA~~**

- A. A Party may terminate its participation in this JOA upon not less than one hundred and eighty (180) days written notice to the other Parties. The terminating Party shall perform all obligations under this JOA until the noticed date of termination.

## **~~12.11. RELATIONSHIP OF PARTIES~~**

- A. The Parties agree that by this JOA they do not intend to provide for the creation of an agency or entity which is separate from the Parties pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, relating to the joint exercise of powers.
- B. Each Party shall be individually responsible for its own covenants, obligations, and liabilities under this JOA. No Party shall be under the control of or shall be deemed to control any other Party or the Parties collectively. No Party shall be the agent of or have the right or power to bind any other Party without such Party's express written consent, except as expressly provided in this JOA.

## **~~13.12. NO THIRD-PARTY BENEFICIARIES~~**

- A. This JOA shall not be construed to create any third-party beneficiaries and is for the sole benefit of the Parties and shall not be construed as granting rights to any person other than the Parties or imposing obligations on any person other than another Parties.

## **~~14.13. GOOD FAITH~~**

- A. Subject to the right of a Party to withdraw or terminate its membership in the JOA, each Party shall use its best efforts and work wholeheartedly and in good faith to implement the JOA and satisfactorily perform the terms and provisions contained herein. The Parties understand that not doing so will impede the ability to provide effective joint delivery of service.

## **~~15.14. COUNTERPART EXECUTION.~~**

- A. This JOA may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.



**16.15. INVALIDITY OF ANY TERM NOT TO INVALIDATE THE ENTIRE JOA**

- A. In the event that any of the terms, covenants or conditions of this JOA or the application of any such term, covenant or condition shall be held invalid as to any Party, person or circumstance by any court of competent jurisdiction, all other terms, covenants or conditions this JOA and their application shall not be affected thereby, but shall remain in full force and effect unless any such court holds that those provisions are not separable from all other provisions of this JOA.

**17.16. NOTICES**

- A. All notices required in this JOA shall be in writing and shall be sent via electronic mail and United States mail, postage prepaid, addressed to the Fire Chiefs of the Parties.

**18.17. GOVERNING LAWS**

- A. Except as otherwise required by law, this JOA shall be interpreted, governed by, and construed under the laws of the State of California. [The venue shall be in Yolo County.](#)

**19.18. COVENANT OF FURTHER ASSURANCES**

- A. The Parties agree that subsequent to the execution and delivery of this JOA, and without any additional consideration, they shall perform such further acts and shall execute such additional documents as are reasonably necessary and appropriate to fulfill the intent of the parties under this JOA and to affect any necessary corrections thereto (as may be requested from time to time).

**20.19. MODIFICATION OF AGREEMENT**

- A. This JOA may be modified or amended only by a subsequent written agreement approved and executed by the Parties.

**IN WITNESS WHEREOF**, the parties hereto have caused this JOA to be executed the day and year first above written.

**WILLOW OAK FIRE PROTECTION DISTRICT**

**CITY OF WINTERS**

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Print Name: Marcus Klinkhammer  
 Print Title: Fire Chief

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Print Name: [JEREMY CRAIG](#)  
 Print Title: [City Manager](#)

**WEST PLAINFIELD FIRE PROTECTION DISTRICT**

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Print Name: CHERIE RITA  
 Print Title: Fire Chief

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## Liability Claims

### 205.1 PURPOSE AND SCOPE

This policy provides guidelines for the management of all claims, including personal injury and property loss or damage, filed against the Department.

### 205.2 POLICY

It is the policy of this department to evaluate and resolve claims in a timely manner, as appropriate.

### 205.3 RESPONSIBILITY

The Fire Chief or Assistant Chief of Operations (hereinafter "risk manager") shall receive, investigate and evaluate any claim for loss or damage received by the Department.

Any member of this department who becomes aware of any potential for a claim or lawsuit, or who receives a formal written claim against the Department, shall forward the information to the risk manager as soon as practicable.

### 205.4 RESPONSE TO CLAIMS

The risk manager will investigate all claims for money or damages received and will resolve claims as appropriate and within guidelines approved by the Board of Fire Commissioners.

If a claim is deficient or incomplete, the risk manager should notify the claimant within 20 days and specify the defects (Government Code § 910.8).

The risk manager should ensure the claim is accepted or rejected within 45 days. Notice of acceptance or rejection should be given to the complainant in writing and in compliance with state law. If a claim is rejected because it was filed late, the notice should state that the claim was returned as untimely but that the claimant may apply promptly to the Department for a leave to file a late claim (Government Code § 912.4; Government Code § 913; Government Code § 911.3).

The risk manager should ensure an application for permission to file a late claim is acted upon within 45 days (Government Code § 911.6).

# Solicitation of Funds

## 211.1 PURPOSE AND SCOPE

Best Practice MODIFIED

The purpose of this policy is to ensure that fundraising activities associated with the West Plainfield Fire Department and West Plainfield Fire Protection District (hereinafter "department") are consistent with its mission, values and legal status. This policy applies to all fundraising activities involving the Department, the West Plainfield Fire Protection District Volunteer Association, and the use of the department name, insignias, equipment or facilities.

### 211.1.1 DEFINITIONS

Best Practice MODIFIED

Definitions related to this policy include:

**Fundraising** - The collection of money through donations, sales or event programming for the purpose of charitable donation or organizational budget enhancement.

## 211.2 POLICY

Best Practice MODIFIED

It shall be the policy of this department that all fundraising activities involving on-duty members or use of department equipment, and that provide financial benefit to the department, must be authorized by the Fire Chief or the authorized designee prior to initiating solicitations.

Authorized fundraising activities should not indicate or imply that a donation will influence services provided by the department. Members engaged in fundraising activities are expected to act ethically regarding the solicitation of funds, the interaction with donors or potential donors and the maintenance of fundraising records.

Members are prohibited from soliciting any goods or services from local businesses, groups or individuals for the purpose of providing incentives, prizes or giveaways to attendees of department-sponsored or hosted events, or to events when members attend as representatives of the.

## 211.3 PROCEDURES

Best Practice MODIFIED

Fundraising activities or events involving the department should incorporate the following elements:

- (a) Compliance with applicable federal, state and local laws and regulations
- (b) Compliance with department and governing-body policies
- (c) A benefit to the that is consistent with the department mission
- (d) An accurate description of the purpose for which funds are requested.
- (e) A limitation on the frequency of solicitations to avoid placing undue pressure on donors

## Solicitation of Funds

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- (f) Identification of the individual soliciting funds as a volunteer, a member of this department or a hired solicitor
- (g) An admonishment that encourages donors to seek independent advice if there is reason to believe that a proposed gift might significantly affect the donor's financial position, taxable income or relationship with other family members.
- (h) The assurance that donor requests to limit the frequency of contacts, to prohibit solicitation by telephone or other technology and to reduce or cease sending printed or electronically transmitted material concerning the department will be honored
- (i) Respect of the donors' privacy and a commitment that the department will not sell or otherwise make available donors' names and contact information

Commercial or corporate sponsorship of fundraising activities or events may be allowed provided that it has been preapproved by the Fire Chief or the authorized designee.

### 211.4 DEPARTMENT SPONSORED EVENTS

Best Practice **MODIFIED**

The following also apply to department-sponsored fundraising events:

- (a) Fundraising events should be clearly identified by a sign indicating the name, product, service, price and purpose of the event.
- (b) At least one member should be present during the entire event.
- (c) Individuals participating in the event should be briefed and supervised to ensure their activities are consistent with this policy.
- (d) Individuals participating in the event should not be compensated by a commission or a percentage of the amount collected.
- (e) Funds raised should be deposited no later than the next business day.
- (f) Fundraising activities should not delay emergency response or otherwise compromise the mission of the organization.
- (g) Fundraising that takes place on public-owned or private property will be done with the knowledge and approval of the property custodian or owner.
- (h) Fundraising that occurs on public ways or near roadways will be coordinated with the responsible law enforcement agency for the protection of pedestrians, motorists and event participants.

### 211.5 FUNDRAISING ON BEHALF OF OTHERS

Best Practice **MODIFIED**

Fundraising for the benefit of a non-profit charitable third party (e.g., blood drive, burn victims, surviving families) having no direct affiliation with the department is permissible provided that the fundraising standards and event prerequisites listed above are followed.

## *Solicitation of Funds*

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Any materials associated with a third-party fundraising activity shall be approved by the Fire Chief or the authorized designee prior to the activity. In addition, there should be a written agreement between the department and the organizers of the activity that includes:

- (a) Written proof that the event is for a charitable purpose.
- (b) Assignment of responsibility to the organizers for all direct costs incurred for the event.
- (c) Assignment of responsibility to the organizers for the collection and reporting of any applicable taxes.
- (d) Written instructions regarding the maintenance of funds raised on behalf of others. The funds shall be maintained in a separate fund and not commingled with other department funds.

The department reserves the right to require additional conditions including, but not limited to, evidence of insurance coverage or appropriate indemnification.

DRAFT

# Hazardous Materials Response

## 318.1 PURPOSE AND SCOPE

### Federal

Hazardous materials HAZMAT may include toxic, flammable, corrosive, explosive, radioactive, or reactive materials; materials that can cause health hazards; or a combination of these materials. The purpose of this policy is to provide a general framework for handling a HAZMAT incident.

Training related to HAZMAT response is addressed in the Hazardous Materials Training Policy.

## 318.2 POLICY

### Federal

It is the policy of the West Plainfield Fire Department to protect the safety of the public and responders to HAZMAT incidents and to comply with all applicable state and federal laws during the management and mitigation of all HAZMAT incidents (29 CFR 1910.120).

## 318.3 RESPONSIBILITIES

### State

All HAZMAT responses should be managed using the National Incident Management System (NIMS) and the Incident Command System (ICS) in accordance with California regulations for emergency response and applicable federal laws.

### 318.3.1 INITIAL ACTIONS

#### Best Practice MODIFIED

If available, information should be provided by Fire Dispatch to the units responding to a HAZMAT incident including the name and type of the material involved (e.g., hydrochloric acid and corrosive), the size and quantity of the containers involved, the nature of the problem (e.g., spill, leak) and any known dangerous properties of the materials.

When dispatched to a known hazardous materials incident, members not officially on duty or specifically trained beyond Hazardous Materials First Responder Operations level shall respond to the fire station for assignment. Such members should choose a route to the station that will avoid the hazardous spill, including the direction of travel of hazardous vapors if known.

The first arriving unit approaching the incident should use caution, approach from upwind and upgrade of the incident, establish Incident Command (ICS), and begin a size-up of the situation. The purpose of the size-up by the first-in company is to determine the nature and severity of the HAZMAT incident and formulate an initial Incident Action Plan (IAP). While it may be necessary to take immediate action to make a rescue or evacuate an area, any action should be taken with an awareness of the risk to department personnel and making appropriate use of available protective equipment. It is important to avoid the premature commitment of personnel to potentially hazardous locations. In some cases, isolating the incident and denying entry until more resources arrive may be the safest approach.

## Hazardous Materials Response

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In assessing the incident, all available references should be used to determine the hazards that are or potentially could be present. These references may include, but are not limited to, the U.S. Department of Transportation (DOT) Emergency Response Guidebook, the National Institute for Occupational Safety and Health (NIOSH) Pocket Guide to Chemical Hazards, Safety Data Sheets (SDS), HAZMAT business plans, manifests, or bills of lading, National Fire Protection Association (NFPA) placards, U.S. DOT placards, and United Nations substance identification numbers. Other sources of information may be available, such as the Chemical Transportation Emergency Center (CHEMTREC®), facility personnel, department specialists, or manufacturers of the materials involved.

The hazards presented by a HAZMAT incident may change significantly as the materials interact with other materials, the surrounding environment, and the actions taken by responders. Responders should consider site topography, surroundings, other potential hazards, and prevailing weather conditions. The initial perimeter established for the incident may need to be expanded to establish the appropriate control zones for the response (e.g., exclusion zone, contamination reduction zone, support zone).

### 318.4 INCIDENT ACTION PLAN

#### Best Practice

The primary goal of the IAP will be to protect the safety of the public and responders. The initial IAP should focus on identifying a safe approach for other arriving units, determining the type of hazard and the scope of the incident, isolating the area and denying entry to the public, determining incident-specific personal protective equipment (PPE), and initiating notifications. The initial IAP may be a written document or may be notes kept and controlled by the Incident Commander (IC). The initial IAP should include the following minimum information:

- (a) Incident name, agency or unified command, and command post location.
- (b) Information for responding units on the best route of travel, staging locations, and minimum isolation distances to maintain the safety of responding members.
- (c) The information available on the products involved or an indication that the products are not yet known.
- (d) The incident control objectives and goals.
- (e) An incident site safety plan and designation of an Incident Safety Officer.
- (f) A communications plan including radio frequencies and contact telephone numbers. When a HAZMAT incident response will be prolonged and will extend beyond an initial operational period, a written IAP should be developed. The written IAP should utilize standard NIMS/ICS forms that may include but are not limited to:
  - ICS-201 Incident Briefing.
  - ICS-202 Incident Objectives.
  - ICS-203 Organization Assignment List.
  - ICS-204 Assignment List.

## Hazardous Materials Response

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- ICS-205 Incident Radio Communications Plan.
- ICS-206 Medical Plan.
- ICS-207 Incident Organization Chart.
- ICS-208 Safety Message/Plan.

### 318.5 RESOURCE CONSIDERATIONS

**Best Practice** **MODIFIED**

Most HAZMAT incidents will require the Incident Commander (IC) to request additional resources in order to implement the IAP and safely mitigate the hazard.

The response to a HAZMAT incident may require numerous specialized resources to achieve incident stabilization and return to normal operations. The IC should consider involving:

- (a) Specialized HAZMAT teams at the technician and/or specialist levels for assistance with mitigating the release of material. Teams may be operated by local or regional fire agencies, military, or private industry.
- (b) Specialized operators or contractors to address post-response mitigation, removal, cleanup, and required disposal of material.
- (c) Local law enforcement for assistance with scene security and evacuation, if necessary.
- (d) Activation of local or regional California HAZMAT emergency response teams for assistance.
- (e) United States Coast Guard assistance for spills affecting waterways.
- (f) Public works and road departments for diking, diversion, or other activities.

Resources shall be coordinated using NIMS/ICS as the response is reinforced. It is important that duties assigned to personnel are suitable for their level of training under federal regulations and California law (Government Code § 8607). It is also important to consider the limitations of available (PPE) and the limitations of chemical detection or monitoring equipment on hand when preparing to commit personnel to a potentially hazardous area.

### 318.6 NOTIFICATIONS

**Best Practice**

Managing the response to a HAZMAT incident may involve required notifications to various local, regional, state, or federal agencies. ICs should consider notifying the following agencies when applicable or required:

- (a) The public, media, and other affected entities, such as schools and businesses
- (b) Adjoining jurisdictions that may be impacted by incident activities
- (c) Local and regional elected officials and emergency management personnel
- (d) California Governor's Office of Emergency Services
- (e) California Office of the State Fire Marshal



## *Hazardous Materials Response*

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- (f) California State Department of Public Health
- (g) California Environmental Protection Agency
- (h) California State Department of Transportation
- (i) California Highway Patrol
- (j) United States Environmental Protection Agency National Response Center

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## News Media Relations

### 319.1 PURPOSE AND SCOPE

Best Practice MODIFIED

The purpose of this policy is to provide guidelines for communicating with representatives of the media and to establish procedures for interacting with media representatives at emergency scenes and for later media requests. Additionally, this policy establishes an operating framework for integration of the Public Information Officer into the incident management system.

### 319.2 POLICY

Best Practice MODIFIED

It is the policy of the West Plainfield Fire Department to establish and maintain a positive working relationship with the media in order to effectively communicate timely and accurate information.

### 319.3 PUBLIC INFORMATION OFFICER DESIGNATION

Best Practice MODIFIED

The Fire Chief shall designate a Public Information Officer. The Fire Chief shall also serve as the Public Information Officer.

As soon as practicable after basic fire and rescue operations are completed on the fireground or at any significant fire incident, the Incident Commander will designate a Public Information Officer if the department's Public Information Officer is unavailable. The Public Information Officer shall interface with and provide timely and relevant information to representatives of the media during critical command stages. A single Public Information Officer will be designated for each incident, including incidents operating under Unified Command and multijurisdictional incidents.

In multiagency or multijurisdictional incidents, it may be necessary to establish a joint information center with a Public Information Officer and Assistant Public Information Officer. In all cases, the Public Information Officer shall be responsible for coordinating the dissemination of information to the media.

Upon arrival at the scene of the incident, the designated Public Information Officer will report to the Incident Commander and obtain an incident briefing.

### 319.4 DISSEMINATION OF INFORMATION

Best Practice MODIFIED

The Public Information Officer should gather and disseminate the following information as deemed appropriate:

- (a) Incident response information, including the number of units and personnel on scene
- (b) Appropriate human interest or safety information
- (c) Nature of the incident and expertise of the fire personnel deployed (e.g., high rise, technical rescue)

## News Media Relations

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- (d) A description of any particular hazards present at the incident
- (e) Identification of life-saving or heroic acts that may have occurred including any rescue scenarios
- (f) Projected duration of the incident

If appropriate, the Public Information Officer may coordinate a brief interview with the Incident Commander.

### 319.5 RESTRICTED INFORMATION

Best Practice **MODIFIED**

The Public Information Officer shall ensure that legally protected information is not released to the media. The Public Information Officer should consult with the Fire Chief or the authorized designee about any issues or concerns regarding legally protected information.

Refer to the Line-of-Duty Death and Injury Notification and Communication Policy for additional considerations regarding communication with the media concerning a line-of-duty death.

### 319.6 MEDIA INQUIRIES

Best Practice **MODIFIED**

All media inquiries received by incident personnel shall be forwarded to the Public Information Officer for response. The Public Information Officer will endeavor to provide accurate information that is available at the time while clearly communicating that any such information is preliminary. The following communication strategies may be employed:

- (a) Reporters should be directed to assemble in a designated staging area to wait until additional information can be obtained.
- (b) If necessary to remain with media representatives, the Public Information Officer may request assistance from the Incident Commander in gathering information. Media representatives may be allowed to take photographs and video, provided they do not interfere with incident operations or create a safety hazard.
- (c) Prior to releasing the names or identifying information of persons seriously injured or deceased, the Public Information Officer shall confirm that the next of kin has been notified. Next of kin notifications are generally handled by law enforcement and/or hospital personnel. The Public Information Officer should contact the Fire Dispatch supervisor to confirm that notification has been made.
- (d) The names of deceased or seriously injured persons shall not be transmitted over the radio.

The Public Information Officer or the authorized designee should not speculate as to the cause of an incident. The Public Information Officer may escort media representatives on a tour of a fire-damaged area following knockdown after receiving authorization from the Incident Commander and in coordination with operations personnel. The Public Information Officer will be responsible for ensuring that all media personnel wear proper protective clothing as warranted.

## News Media Relations

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### 319.7 MEDIA ACCESS

State MODIFIED

Authorized members of the media shall be provided access to scenes of floods, storms, fires, earthquakes, explosions, and other emergency scenes. Access by the media is subject to the following conditions (Penal Code § 409.5(d)):

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public. Media representatives may not bring or facilitate the transport of an unauthorized person into a closed area unless it is for the safety of the person.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
  1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Public Information Officer or other designated spokesperson.

#### 319.7.1 TEMPORARY FLIGHT RESTRICTIONS

Federal MODIFIED

If the presence of media or other aircraft pose a threat to public or personnel safety or significantly hamper incident operations, the Incident Commander should consider requesting a Temporary Flight Restriction (TFR). The TFR request, either for a pre-planned operation or an unplanned incident, should include specific information regarding the perimeter and altitude necessary for the incident. The TFR should be requested through the Yolo County Airport Fixed Base Operator (FBO). If there is no available FBO, the Federal Aviation Administration should be contacted (14 CFR 91.137).

### 319.8 NEWS RELEASES

Discretionary

News releases are documents specifically prepared for release to the media. News releases should generally be authored by the Public Information Officer and approved by the Fire Chief or the authorized designee, prior to release. News releases should be structured to facilitate use by the print media, typically containing no more than two pages of concise information. News releases should be formatted in accordance with the approved department standard.

### 319.9 NEWS CONFERENCES

Discretionary MODIFIED

A news conference is a pre-scheduled event intended to highlight a newsworthy event such as a promotion, the opening of a new fire station, or if a public appearance by a representative of the department is desired. The Fire Chief will determine the purpose and scope of the conference. Any accompanying news release will include details, such as the date, time, and location, and may reference other officials, dignitaries, or agencies that may be in attendance.

## News Media Relations

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The Public Information Officer should prepare the news release and/or a prepared statement for the department spokesperson. The Public Information Officer shall make arrangements for the site, obtain required equipment, arrange for availability of the news release, identify photo locations, and provide escorts, as necessary. The conference may include a moderator or the Public Information Officer, who should make introductory remarks and introductions, assist with any question-and-answer period that may follow, and conclude the conference.

Specific information should not be released prior to the conference. The Public Information Officer should notify appropriate department personnel of the date, time, and location of all news conferences. Department members attending should wear their dress uniform as specified in the Uniform Regulations Policy. Attendance requirements will be determined by the Fire Chief.

### 319.10 THIRD-PARTY REQUEST TO INTERVIEW PERSONNEL

Best Practice **MODIFIED**

Upon approval from the Fire Chief or Assistant Chief of Operations, department members may be authorized to participate in official interviews regarding work-related activities when conducted by law enforcement or other regulatory agencies, such as the California Division of Occupational Safety and Health (Cal/OSHA). Nothing in this policy shall prevent members from being interviewed if required by law to do so.

# Child Abuse Reporting

## 321.1 PURPOSE AND SCOPE

State

The purpose of this policy is to provide guidelines for the mandatory reporting of suspected child abuse or neglect (Penal Code § 11165.7).

### 321.1.1 DEFINITIONS

State MODIFIED

Definitions related to this policy include:

**Child** - Any person under the age of 18 years (Penal Code § 11165).

**Child abuse or neglect** - Includes the following:

- Physical injury or death inflicted by other than accidental means upon a child (Penal Code § 11165.6)
- Sexual abuse as defined in Penal Code § 11165.1
- Neglect as defined in Penal Code § 11165.2
- The willful harming or injuring of a child or endangering a child or the health of a child, as defined in Penal Code § 11165.3
- Unlawful corporal punishment or injury as defined in Penal Code § 11165.4

Child abuse or neglect DOES NOT include an altercation between minors (Penal Code § 11165.6).

## 321.2 POLICY

State

It is the policy of the West Plainfield Fire Department to report suspected child abuse to local law enforcement.

## 321.3 MANDATED REPORTER REQUIREMENTS

State

All members of this department are responsible for the timely and proper reporting of suspected child abuse or neglect. Non-volunteer firefighters, paramedics, EMT I and II and other department members certified under Health and Safety Code Division 2.5 § 1797 et seq. are designated as mandated reporters (Penal Code § 11165.7).

A mandated reporter of this department who, in his/her professional capacity or scope of employment, has knowledge of or observes a child known or reasonably suspected to have been the victim of child abuse or neglect, shall notify law enforcement personnel by telephone as soon as practicable. The member shall then send or transmit a written follow-up report on the form provided by the law enforcement agency (Penal Code § 11168) within 36 hours of receiving the information concerning the incident (Penal Code § 11166(a)). A record of the written follow-up report should be retained.

## Child Abuse Reporting

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Reports of suspected child abuse or neglect shall include the following information if known (Penal Code § 11167(a)):

- The name, business address and telephone number of the mandated reporter
- The capacity that makes the person a mandated reporter
- The information that gave rise to the reasonable suspicion of child abuse or neglect and the source of that information
- The names, addresses and telephone numbers of the child's parents or guardians
- The name, address, telephone number and other relevant personal information about the persons who might have abused or neglected the child

Department members with knowledge of, or who reasonably suspect that, a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage may make a report through a mandated reporter (Penal Code § 11166.05).

Failure to report an incident of known or reasonably suspected child abuse or neglect by a mandated reporter is a misdemeanor and may also result in discipline (Penal Code § 11166(c)).

### 321.4 MANDATED REPORTER STATEMENT

State **MODIFIED**

Each mandated reporter of this department shall be provided with a copy of Penal Code § 11165.7, Penal Code § 11166 and Penal Code § 11167, and shall sign a statement acknowledging that he/she received the copies, is a mandated reporter and will comply with the mandatory reporting provisions (Penal Code § 11166.5). The department will retain the original signed statement consistent with the department's established records retention schedules.

Form: [Child Abuse Reporter - Acknowledgment](#)

California Penal Code §§: [11165.7](#) , [11166](#) , and [11167](#)

### 321.5 CONFIDENTIALITY

State

Reports of child abuse or neglect are to be confidential and may be disclosed only as provided in Penal Code § 11167.5.

**Attachments**

**DRAFT**



**Attachment - Form - Child Abuse -  
Acknowledge Receipt of Docs.pdf**

DRAFT



**West Plainfield Fire Protection District**  
24901 County Road 95, Davis, CA 95616 (530) 756-0212

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**ACKNOWLEDGMENT BY MANDATED CHILD ABUSE REPORTER**

By signing below, I, \_\_\_\_\_ [print name], acknowledge that:

1. I have been given, and have reviewed, copies of the following California Penal Code Sections: 11165.7, 11166 and 11167.
2. I understand that I am a mandated reporter of suspected child abuse.
3. I will comply with the mandatory reporting provisions (California Penal Code § 11166.5).

Dated: \_\_\_\_\_

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**Attachment - Penal Code Sec 11165.7.pdf**

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### PENAL CODE - PEN

**PART 4. PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS [11006 - 14315]** ( Part 4 added by Stats. 1953, Ch. 1385. )

**TITLE 1. INVESTIGATION AND CONTROL OF CRIMES AND CRIMINALS [11006 - 11482]** ( Title 1 added by Stats. 1953, Ch. 1385. )

**CHAPTER 2. Control of Crimes and Criminals [11150 - 11199.5]** ( Chapter 2 added by Stats. 1953, Ch. 70. )

**ARTICLE 2.5. Child Abuse and Neglect Reporting Act [11164 - 11174.3]** ( Heading of Article 2.5 amended by Stats. 1987, Ch. 1444, Sec. 1. )

**11165.7.** (a) As used in this article, "mandated reporter" is defined as any of the following:

- (1) A teacher.
- (2) An instructional aide.
- (3) A teacher's aide or teacher's assistant employed by a public or private school.
- (4) A classified employee of a public school.
- (5) An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of a public or private school.
- (6) An administrator of a public or private day camp.
- (7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.
- (8) An administrator, board member, or employee of a public or private organization whose duties require direct contact and supervision of children, including a foster family agency.

- (9) An employee of a county office of education or the State Department of Education whose duties bring the employee into contact with children on a regular basis.
- (10) A licensee, an administrator, or an employee of a licensed community care or child daycare facility.
- (11) A Head Start program teacher.
- (12) A licensing worker or licensing evaluator employed by a licensing agency, as defined in Section 11165.11.
- (13) A public assistance worker.
- (14) An employee of a childcare institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.
- (15) A social worker, probation officer, or parole officer.
- (16) An employee of a school district police or security department.
- (17) A person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in a public or private school.
- (18) A district attorney investigator, inspector, or local child support agency caseworker, unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor.
- (19) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is not otherwise described in this section.
- (20) A firefighter, except for volunteer firefighters.
- (21) A physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage and family therapist, clinical social worker, professional clinical counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.
- (22) An emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code.
- (23) A psychological assistant registered pursuant to Section 2913 of the Business and Professions Code.
- (24) A marriage and family therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code.

- (25) An unlicensed associate marriage and family therapist registered under Section 4980.44 of the Business and Professions Code.
- (26) A state or county public health employee who treats a minor for venereal disease or any other condition.
- (27) A coroner.
- (28) A medical examiner or other person who performs autopsies.
- (29) A commercial film and photographic print or image processor as specified in subdivision (e) of Section 11166. As used in this article, "commercial film and photographic print or image processor" means a person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, or who prepares, publishes, produces, develops, duplicates, or prints any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image, for compensation. The term includes any employee of that person; it does not include a person who develops film or makes prints or images for a public agency.
- (30) A child visitation monitor. As used in this article, "child visitation monitor" means a person who, for financial compensation, acts as a monitor of a visit between a child and another person when the monitoring of that visit has been ordered by a court of law.
- (31) An animal control officer or humane society officer. For the purposes of this article, the following terms have the following meanings:
- (A) "Animal control officer" means a person employed by a city, county, or city and county for the purpose of enforcing animal control laws or regulations.
  - (B) "Humane society officer" means a person appointed or employed by a public or private entity as a humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.
- (32) A clergy member, as specified in subdivision (d) of Section 11166. As used in this article, "clergy member" means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.
- (33) Any custodian of records of a clergy member, as specified in this section and subdivision (d) of Section 11166.
- (34) An employee of any police department, county sheriff's department, county probation department, or county welfare department.

- (35) An employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 5.655 of the California Rules of Court.
- (36) A custodial officer, as defined in Section 831.5.
- (37) A person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.
- (38) An alcohol and drug counselor. As used in this article, an "alcohol and drug counselor" is a person providing counseling, therapy, or other clinical services for a state licensed or certified drug, alcohol, or drug and alcohol treatment program. However, alcohol or drug abuse, or both alcohol and drug abuse, is not, in and of itself, a sufficient basis for reporting child abuse or neglect.
- (39) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the Business and Professions Code.
- (40) An associate professional clinical counselor registered under Section 4999.42 of the Business and Professions Code.
- (41) An employee or administrator of a public or private postsecondary educational institution, whose duties bring the administrator or employee into contact with children on a regular basis, or who supervises those whose duties bring the administrator or employee into contact with children on a regular basis, as to child abuse or neglect occurring on that institution's premises or at an official activity of, or program conducted by, the institution. Nothing in this paragraph shall be construed as altering the lawyer-client privilege as set forth in Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.
- (42) An athletic coach, athletic administrator, or athletic director employed by any public or private school that provides any combination of instruction for kindergarten, or grades 1 to 12, inclusive.
- (43) (A) A commercial computer technician as specified in subdivision (e) of Section 11166. As used in this article, "commercial computer technician" means a person who works for a company that is in the business of repairing, installing, or otherwise servicing a computer or computer component, including, but not limited to, a computer part, device, memory storage or recording mechanism, auxiliary storage recording or memory capacity, or any other material relating to the operation and maintenance of a computer or computer network system, for a fee. An employer who provides an electronic communications service or a remote computing service to the public shall be deemed to comply with this article if that employer complies with Section 2258A of Title 18 of the United States Code.
- (B) An employer of a commercial computer technician may implement internal procedures for facilitating reporting consistent with this article. These procedures may direct employees who are mandated reporters under this paragraph to report materials described in subdivision (e) of Section 11166 to an employee who is designated by the employer to receive the reports. An employee who is designated to receive reports under this subparagraph shall be a commercial computer technician for purposes of this article. A commercial computer technician who makes a report to the designated employee pursuant to this subparagraph shall be deemed to have complied with the requirements of this article and shall be subject

to the protections afforded to mandated reporters, including, but not limited to, those protections afforded by Section 11172.

- (44) Any athletic coach, including, but not limited to, an assistant coach or a graduate assistant involved in coaching, at public or private postsecondary educational institutions.
- (45) An individual certified by a licensed foster family agency as a certified family home, as defined in Section 1506 of the Health and Safety Code.
- (46) An individual approved as a resource family, as defined in Section 1517 of the Health and Safety Code and Section 16519.5 of the Welfare and Institutions Code.
- (47) A qualified autism service provider, a qualified autism service professional, or a qualified autism service paraprofessional, as defined in Section 1374.73 of the Health and Safety Code and Section 10144.51 of the Insurance Code.
- (48) A human resource employee of a business subject to Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code that employs minors. For purposes of this section, a "human resource employee" is the employee or employees designated by the employer to accept any complaints of misconduct as required by Chapter 6 (commencing with Section 12940) of Part 2.8 of Division 3 of Title 2 of the Government Code.
- (49) An adult person whose duties require direct contact with and supervision of minors in the performance of the minors' duties in the workplace of a business subject to Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code is a mandated reporter of sexual abuse, as defined in Section 11165.1. Nothing in this paragraph shall be construed to modify or limit the person's duty to report known or suspected child abuse or neglect when the person is acting in some other capacity that would otherwise make the person a mandated reporter.
- (b) Except as provided in paragraph (35) of subdivision (a), volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further encouraged to report known or suspected instances of child abuse or neglect to an agency specified in Section 11165.9.
- (c) (1) Except as provided in subdivision (d) and paragraph (2), employers are strongly encouraged to provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. Whether or not employers provide their employees with training in child abuse and neglect identification and reporting, the employers shall provide their employees who are mandated reporters with the statement required pursuant to subdivision (a) of Section 11166.5.
- (2) Employers subject to paragraphs (48) and (49) of subdivision (a) shall provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. The training requirement may be met by completing the



general online training for mandated reporters offered by the Office of Child Abuse Prevention in the State Department of Social Services.

(d) Pursuant to Section 44691 of the Education Code, school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools shall annually train their employees and persons working on their behalf specified in subdivision (a) in the duties of mandated reporters under the child abuse reporting laws. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting.

(e) (1) On and after January 1, 2018, pursuant to Section 1596.8662 of the Health and Safety Code, a childcare licensee applicant shall take training in the duties of mandated reporters under the child abuse reporting laws as a condition of licensure, and a childcare administrator or an employee of a licensed child daycare facility shall take training in the duties of mandated reporters during the first 90 days when that administrator or employee is employed by the facility.

(2) A person specified in paragraph (1) who becomes a licensee, administrator, or employee of a licensed child daycare facility shall take renewal mandated reporter training every two years following the date on which that person completed the initial mandated reporter training. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting.

(f) Unless otherwise specifically provided, the absence of training shall not excuse a mandated reporter from the duties imposed by this article.

(g) Public and private organizations are encouraged to provide their volunteers whose duties require direct contact with and supervision of children with training in the identification and reporting of child abuse and neglect.

*(Amended by Stats. 2020, Ch. 243, Sec. 1. (AB 1963) Effective January 1, 2021.)*

**Attachment - Penal Code Sec 11166.pdf**

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# California

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### PENAL CODE - PEN

**PART 4. PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS [11006 - 14315]** ( Part 4 added by Stats. 1953, Ch. 1385. )

**TITLE 1. INVESTIGATION AND CONTROL OF CRIMES AND CRIMINALS [11006 - 11482]** ( Title 1 added by Stats. 1953, Ch. 1385. )

**CHAPTER 2. Control of Crimes and Criminals [11150 - 11199.5]** ( Chapter 2 added by Stats. 1953, Ch. 70. )

**ARTICLE 2.5. Child Abuse and Neglect Reporting Act [11164 - 11174.3]** ( Heading of Article 2.5 amended by Stats. 1987, Ch. 1444, Sec. 1. )

**11166.** (a) Except as provided in subdivision (d), and in Section 11166.05, a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in the mandated reporter's professional capacity or within the scope of the mandated reporter's employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make an initial report by telephone to the agency immediately or as soon as is practicably possible, and shall prepare and send, fax, or electronically transmit a written followup report within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any nonprivileged documentary evidence the mandated reporter possesses relating to the incident.

(1) For purposes of this article, "reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on the person's training and experience, to suspect child abuse or neglect. "Reasonable suspicion" does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect; any "reasonable suspicion" is sufficient. For purposes of this article, the pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

(2) The agency shall be notified, and a report shall be prepared and sent by fax or electronic transmission, even if the child has expired, regardless of whether or not the possible abuse was a factor contributing to the death, and even if suspected child abuse was discovered during an autopsy.

(3) A report made by a mandated reporter pursuant to this section shall be known as a mandated report.

(b) If, after reasonable efforts, a mandated reporter is unable to submit an initial report by telephone, the mandated reporter shall immediately or as soon as is practicably possible, by fax or electronic transmission, make a one-time automated written report on the form prescribed by the Department of Justice, and shall also be available to respond to a telephone followup call by the agency with which the mandated reporter filed the report. A mandated reporter who files a one-time automated written report because the mandated reporter was unable to submit an initial report by telephone is not required to submit a written followup report.

(1) The one-time automated written report form prescribed by the Department of Justice shall be clearly identifiable so that it is not mistaken for a standard written followup report. In addition, the automated one-time report shall contain a section that allows the mandated reporter to state the reason the initial telephone call was not able to be completed. The reason for the submission of the one-time automated written report in lieu of the procedure prescribed in subdivision (a) shall be captured in the statewide child welfare information system. The department shall work with stakeholders to modify reporting forms and the statewide child welfare information system as is necessary to accommodate the changes enacted by these provisions.

(2) This subdivision shall not become operative until the statewide child welfare information system is updated to capture the information prescribed in this subdivision.

(3) This subdivision shall become inoperative three years after this subdivision becomes operative or on January 1, 2009, whichever occurs first.

(4) This section does not supersede the requirement that a mandated reporter first attempt to make a report via telephone, or that agencies specified in Section 11165.9 accept reports from mandated reporters and other persons as required.

(c) A mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both that imprisonment and fine. If a mandated reporter intentionally conceals the mandated reporter's failure to report an incident known by the mandated reporter to be abuse or severe neglect under this section, the failure to report is a continuing offense until an agency specified in Section 11165.9 discovers the offense.

(d) (1) A clergy member who acquires knowledge or a reasonable suspicion of child abuse or neglect during a penitential communication is not subject to subdivision (a). For the purposes of this subdivision, "penitential communication" means a communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who, in the course of the discipline or practice of the clergy member's church, denomination, or organization, is authorized or accustomed to hear those communications, and under the discipline, tenets, customs, or practices of the clergy member's church, denomination, or organization, has a duty to keep those communications secret.

(2) This subdivision does not modify or limit a clergy member's duty to report known or suspected child abuse or neglect when the clergy member is acting in some other capacity that would otherwise make the clergy member a mandated reporter.

(3) (A) On or before January 1, 2004, a clergy member or any custodian of records for the clergy member may report to an agency specified in Section 11165.9 that the clergy member or any custodian of records for the clergy member, prior to January 1, 1997, in the clergy member's professional capacity or within the scope of the clergy member's employment, other than during a penitential communication, acquired knowledge or had a reasonable suspicion that a child had been the victim of sexual abuse and that the clergy member or any custodian of records for the clergy member did not previously report the abuse to an agency specified in Section 11165.9. The provisions of Section 11172 shall apply to all reports made pursuant to this paragraph.

(B) This paragraph shall apply even if the victim of the known or suspected abuse has reached the age of majority by the time the required report is made.

(C) The local law enforcement agency shall have jurisdiction to investigate any report of child abuse made pursuant to this paragraph even if the report is made after the victim has reached the age of majority.

(e) (1) A commercial film, photographic print, or image processor who has knowledge of or observes, within the scope of that person's professional capacity or employment, any film, photograph, videotape, negative, slide, or any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image depicting a child under 16 years of age engaged in an act of sexual conduct, shall, immediately or as soon as practicably possible, telephonically report the instance of reasonably suspected abuse to the law enforcement agency located in the county in which the images are seen. Within 36 hours of receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written followup report of the incident with a copy of the image or material attached.

(2) A commercial computer technician who has knowledge of or observes, within the scope of the technician's professional capacity or employment, any representation of information, data, or an image, including, but not limited to, any computer hardware, computer software, computer file, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image that is retrievable in perceivable form and that is intentionally saved, transmitted, or organized on an electronic medium, depicting a child under 16 years of age engaged in an act of sexual conduct, shall immediately, or as soon as practicably possible, telephonically report the instance of reasonably suspected abuse to the law enforcement agency located in the county in which the images or materials are seen. As soon as practicably possible after receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written followup report of the incident with a brief description of the images or materials.

(3) For purposes of this article, "commercial computer technician" includes an employee designated by an employer to receive reports pursuant to an established reporting process authorized by subparagraph (B) of paragraph (43) of subdivision (a) of Section 11165.7.

(4) As used in this subdivision, "electronic medium" includes, but is not limited to, a recording, CD-ROM, magnetic disk memory, magnetic tape memory, CD, DVD, thumbdrive, or any other computer hardware or media.

(5) As used in this subdivision, "sexual conduct" means any of the following:

- (A) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals.
- (B) Penetration of the vagina or rectum by any object.
- (C) Masturbation for the purpose of sexual stimulation of the viewer.
- (D) Sadomasochistic abuse for the purpose of sexual stimulation of the viewer.
- (E) Exhibition of the genitals, pubic, or rectal areas of a person for the purpose of sexual stimulation of the viewer.

(f) Any mandated reporter who knows or reasonably suspects that the home or institution in which a child resides is unsuitable for the child because of abuse or neglect of the child shall bring the condition to the attention of the agency to which, and at the same time as, the mandated reporter makes a report of the abuse or neglect pursuant to subdivision (a).

(g) Any other person who has knowledge of or observes a child whom the person knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to an agency specified in Section 11165.9. For purposes of this section, "any other person" includes a mandated reporter who acts in the person's private capacity and not in the person's professional capacity or within the scope of the person's employment.

(h) When two or more persons, who are required to report, jointly have knowledge of a known or reasonably suspected instance of child abuse or neglect, and when there is agreement among them, the telephone report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

(i) (1) The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided that they are not inconsistent with this article. An internal policy shall not direct an employee to allow the employee's supervisor to file or process a mandated report under any circumstances.

(2) The internal procedures shall not require any employee required to make reports pursuant to this article to disclose the employee's identity to the employer.

(3) Reporting the information regarding knowledge of or reasonably suspected child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report

to an agency specified in Section 11165.9.

(j) (1) A county probation or welfare department shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the law enforcement agency having jurisdiction over the case, to the agency given the responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code, and to the district attorney's office every known or reasonably suspected instance of child abuse or neglect, as defined in Section 11165.6, except acts or omissions coming within subdivision (b) of Section 11165.2, or reports made pursuant to Section 11165.13 based on risk to a child that relates solely to the inability of the parent to provide the child with regular care due to the parent's substance abuse, which shall be reported only to the county welfare or probation department. A county probation or welfare department also shall send by fax or electronic transmission a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

(2) A county probation or welfare department shall immediately, and in no case in more than 24 hours, report to the law enforcement agency having jurisdiction over the case after receiving information that a child or youth who is receiving child welfare services has been identified as the victim of commercial sexual exploitation, as defined in subdivision (d) of Section 11165.1.

(3) When a child or youth who is receiving child welfare services and who is reasonably believed to be the victim of, or is at risk of being the victim of, commercial sexual exploitation, as defined in Section 11165.1, is missing or has been abducted, the county probation or welfare department shall immediately, or in no case later than 24 hours from receipt of the information, report the incident to the appropriate law enforcement authority for entry into the National Crime Information Center database of the Federal Bureau of Investigation and to the National Center for Missing and Exploited Children.

(k) A law enforcement agency shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the agency given responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code and to the district attorney's office every known or reasonably suspected instance of child abuse or neglect reported to it, except acts or omissions coming within subdivision (b) of Section 11165.2, which shall be reported only to the county welfare or probation department. A law enforcement agency shall report to the county welfare or probation department every known or reasonably suspected instance of child abuse or neglect reported to it that is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or as the result of the failure of a person responsible for the child's welfare to adequately protect the minor from abuse when the person responsible for the child's welfare knew or reasonably should have known that the minor was in danger of abuse. A law enforcement agency also shall send by fax or electronic transmission a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

*(Amended by Stats. 2022, Ch. 770, Sec. 2. (AB 2085) Effective January 1, 2023.)*

**Attachment - Penal Code Sec 11167.pdf**

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# California

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### PENAL CODE - PEN

**PART 4. PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS [11006 - 14315]** ( Part 4 added by Stats. 1953, Ch. 1385. )

**TITLE 1. INVESTIGATION AND CONTROL OF CRIMES AND CRIMINALS [11006 - 11482]** ( Title 1 added by Stats. 1953, Ch. 1385. )

**CHAPTER 2. Control of Crimes and Criminals [11150 - 11199.5]** ( Chapter 2 added by Stats. 1953, Ch. 70. )

**ARTICLE 2.5. Child Abuse and Neglect Reporting Act [11164 - 11174.3]** ( Heading of Article 2.5 amended by Stats. 1987, Ch. 1444, Sec. 1. )

**11167.** (a) Reports of known or reasonably suspected child abuse or neglect pursuant to Section 11166 or Section 11166.05 shall include the name, business address, and telephone number of the mandated reporter; the capacity that makes the person a mandated reporter; and the information that gave rise to the knowledge or reasonable suspicion of child abuse or neglect and the source or sources of that information. If a report is made, the following information, if known, shall also be included in the report: the child's name, address, present location, and, if applicable, school, grade, and class; the names, addresses, and telephone numbers of the child's parents or guardians; and the name, address, telephone number, and other relevant personal information about the person or persons who the mandated reporter knows or reasonably suspects to have abused or neglected the child. The mandated reporter shall make a report even if some of this information is not known or is uncertain to them.

(b) Information relevant to the incident of child abuse or neglect and information relevant to a report made pursuant to Section 11166.05 may be given to an investigator from an agency that is investigating the known or suspected case of child abuse or neglect.

(c) Information relevant to the incident of child abuse or neglect, including the investigation report and other pertinent materials, and information relevant to a report made pursuant to Section 11166.05 may be given to the licensing agency when it is investigating a known or suspected case of child abuse or neglect.

(d) (1) The identity of all persons who report under this article shall be confidential and disclosed only among agencies receiving or investigating mandated reports, to the prosecutor in a criminal prosecution or in an action initiated under Section 602 of the Welfare and Institutions Code arising from alleged child abuse, or to counsel appointed pursuant to subdivision (c) of Section

317 of the Welfare and Institutions Code, or to the county counsel or prosecutor in a proceeding under Part 4 (commencing with Section 7800) of Division 12 of the Family Code or Section 300 of the Welfare and Institutions Code, or to a licensing agency when abuse or neglect in out-of-home care is reasonably suspected, or when those persons waive confidentiality, or by court order.

(2) No agency or person listed in this subdivision shall disclose the identity of any person who reports under this article to that person's employer, except with the employee's consent or by court order.

(e) Notwithstanding the confidentiality requirements of this section, a representative of a child protective services agency performing an investigation that results from a report of reasonably suspected child abuse or neglect made pursuant to Section 11166 or Section 11166.05, at the time of the initial contact with the individual who is subject to the investigation, shall advise the individual of the complaints or allegations against them, in a manner that is consistent with laws protecting the identity of the reporter under this article.

(f) Persons who may report pursuant to subdivision (g) of Section 11166 are not required to include their names.  
*(Amended by Stats. 2022, Ch. 770, Sec. 3. (AB 2085) Effective January 1, 2023.)*

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## Disposition of Valuables

### 322.1 PURPOSE AND SCOPE

Best Practice MODIFIED

The purpose of this policy is to establish a process by which all valuables found at emergency incidents are inventoried and held securely by the department until the items can be returned to the owner or otherwise legally released for disposition.

### 322.2 POLICY

Best Practice MODIFIED

The West Plainfield Fire Department will take reasonable measures to safeguard valuables found at incident scenes. The department does not have appropriate facilities for storing valuables for safekeeping. Therefore, alternatives to removing valuables from the scene of emergencies will be taken whenever practicable.

### 322.3 PROCEDURE

Best Practice MODIFIED

Any member encountering unsecured valuables, such as cash or jewelry, should immediately report it to the incident commander.

If the property or valuables cannot be secured at the location or with a responsible person at the scene, the member should request any on-site law enforcement officer to take the valuables for safekeeping. The member should document the disposition of such valuables, including the identity of any receiving individual.

A member should take valuables into custody only in unusual cases and with the approval of the incident commander. The valuables should be inventoried in the incident report and the inventory should list any obvious damage

Whenever possible more than one member should be involved with handling unsecured valuables, including identification, return to responsible party, transfer to law enforcement, etc.

## Adult Abuse

### 324.1 PURPOSE AND SCOPE

State

This policy provides members of the West Plainfield Fire Department with guidance regarding when notification is to be made to law enforcement and/or the local ombudsman and licensing agencies of suspected abuse of certain adults.

### 324.2 POLICY

Best Practice

It is the policy of the West Plainfield Fire Department to assist victims of adult abuse by making the proper notifications to those responsible for investigating these matters.

### 324.3 MANDATORY NOTIFICATION

State MODIFIED

Firefighters, paramedics, Emergency Medical Technicians, and other department members certified under Division 2.5 of the Health and Safety Code are designated as mandated reporters (Welfare and Institutions Code § 15630(a)).

Members of the West Plainfield Fire Department shall notify law enforcement or Adult Protective Services (APS) of known, suspected, or alleged instances of abuse when the member (Welfare and Institutions Code § 15630):

- (a) Has observed or has knowledge of an incident that reasonably appears to be adult abuse.
- (b) Is told by an elder or dependent adult of abuse.
- (c) Reasonably suspects abuse.

For purposes of defining adult abuse, a dependent adult is an individual, regardless of whether the individual lives independently, between 18 and 64 years of age, who has physical or mental limitations that restrict his/her ability to carry out normal activities or to protect his/her rights, including but not limited to persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.07; Welfare and Institutions Code § 15610.23).

For purposes of notification, adult abuse is physical abuse, abandonment, abduction, isolation, financial abuse, or neglect. Physical abuse includes any assault or sex crime (Welfare and Institutions Code § 15610.63). Financial abuse includes taking personal or real property by undue influence or intent to defraud (Welfare and Institutions Code § 15610.30).

#### 324.3.1 NOTIFICATION PROCEDURE

State

## Adult Abuse

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Notification should occur by telephone or through a confidential internet reporting tool as soon as practicable. If notification is by telephone, a written report or internet report shall be sent within two working days as provided in Welfare and Institutions Code § 15630(b).

Notification should include (Welfare and Institutions Code § 15630(e)):

- Name of the person making the report.
- Victim's name and age.
- Current location of the victim.
- Names and addresses of family members or any other adult responsible for the elder's or vulnerable adult's care.
- Nature and extent of the condition of the elder or dependent adult.
- Date of the incident.
- Any other information requested, including information that led to the suspicion of elder or dependent adult abuse.

Failure to report an incident of known or reasonably suspected adult abuse by a mandated reporter is a misdemeanor and may also result in discipline (Welfare and Institutions Code § 15630(h)).

### 324.3.2 LONG-TERM CARE FACILITY NOTIFICATION

**State**

If the abuse occurred in a long-term care facility (not a state mental health hospital or a state developmental center), notification shall be made to law enforcement immediately and written reports shall be made to the local ombudsman, the corresponding licensing agency, and law enforcement as required (Welfare and Institutions Code § 15630(b)(1)).

### 324.3.3 STATE MENTAL HOSPITAL OR DEVELOPMENTAL CENTER NOTIFICATION

**State**

If the abuse occurred in a state mental hospital or a state developmental center, notification shall be made immediately to law enforcement.

If the abuse occurred in a state mental hospital or a state developmental center and resulted in any of the following incidents, notification shall also be made to the designated investigators of the Department of State Hospitals or the Department of Developmental Services (Welfare and Institutions Code § 15630(b)(1)(E)):

- (a) Death
- (b) Sexual assault as defined by Welfare and Institutions Code § 15610.63
- (c) An assault with a deadly weapon by a nonresident
- (d) An assault with force likely to produce great bodily injury (as described by Penal Code § 245)
- (e) An injury to the genitals when the cause of the injury is undetermined

## Adult Abuse

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- (f) A broken bone when the cause of the break is undetermined

### 324.4 RELEASE OF REPORTS

**State**

Information related to incidents of adult abuse or suspected abuse shall be confidential and may only be disclosed pursuant to state law and the Release of Records Policy (Welfare and Institutions Code § 15633).

Requests for information about an incident referred to law enforcement should be referred to the law enforcement agency.

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# National Fire Incident Reporting System (NFIRS)

## 327.1 PURPOSE AND SCOPE

### Best Practice

The Federal Fire Prevention and Control Act of 1974 (P.L. 93-498) authorizes the National Fire Data Center in the U.S. Fire Administration (USFA) to gather and analyze information on the magnitude of the nation's fire problem, as well as its detailed characteristics and trends. To do so, the National Fire Data Center has established the National Fire Incident Reporting System (NFIRS). The purpose of this policy is to provide guidance regarding NFIRS reporting to ensure department response information is properly reported to (NFIRS).

## 327.2 POLICY

### Best Practice

The West Plainfield Fire Department is committed to improving fire reporting and analysis capability both locally and on the national level. Therefore, it is the policy of the West Plainfield Fire Department to participate in the NFIRS.

## 327.3 RESPONSIBILITIES

### Best Practice MODIFIED

The USFA has developed a standard NFIRS package that includes incident and casualty forms, a coding structure for data processing, manuals, computer software and procedures, documentation and a National Fire Academy training course for utilizing the system.

The Assistant Chief of Administration should designate a NFIRS coordinator. The NFIRS coordinator shall:

- (a) Develop and maintain familiarity with NFIRS resources and reporting requirements.
- (b) Ensure department information is compliant with the NFIRS reporting format.
- (c) Ensure NFIRS information is transmitted and reported as required.

# Unmanned Aerial Systems

## 331.1 PURPOSE AND SCOPE

### Best Practice

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS), and for the storage, retrieval, and dissemination of images and data captured by the UAS.

### 331.1.1 DEFINITIONS

#### Federal

Definitions related to this policy include:

**Unmanned aerial system (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV), and all the supporting or attached systems designed for gathering information through imaging, recording or any other means.

**Visual observer** - A designated person who is not located with the UAS operator but is in communication with the pilot and can see the UAS in operation.

## 331.2 POLICY

### Best Practice

A UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

## 331.3 PRIVACY

#### Federal

The use of the UAS potentially involves privacy considerations. Absent an authorized reason, operators and visual observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy. Operators and visual observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.

Locations where a person may have a reasonable expectation of privacy include:

- (a) In a residence.
- (b) In the enclosed yard of a residence.
- (c) On private property where activity cannot be seen from the street or ground level.

Methods that may be used to avoid recording private activity include:

- (a) Deactivating a recorder or imaging device until the UAS is away from the potentially private activity.



## Unmanned Aerial Systems

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- (b) Turning the recorder or imaging devices away from persons or locations during UAS operations.

### 331.4 PROGRAM COORDINATOR

**Best Practice** **MODIFIED**

The Fire Chief shall appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Insuring that all authorized UAS pilots and visual observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocols for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging events. Deployment of a UAS shall require written authorization of the Fire Chief or the on-scene IC, depending on the type of mission.
- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocols for conducting criminal fire investigations involving a UAS, including coordinating with local law enforcement.
- Implementing a system for public notification of UAS deployment.
- Developing operational protocols governing the deployment and operation of a UAS, including but not limited to:
  - Safety oversight.
  - Use of visual observers.
  - Establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continued airworthiness of a UAS up to and including its overhaul or service life limitations.
- Developing protocols to ensure that all data intended to be used as evidence for fire investigations are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including chain-of-custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.

## Unmanned Aerial Systems

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- Recommending program enhancements, particularly regarding safety and information security.
- Insuring that established protocols are followed by monitoring and providing periodic reports on the program to the Fire Chief.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

### 331.5 USE OF UAS

**Best Practice** **MODIFIED**

UAS operations should only be conducted consistent with FAA Part 107 regulations.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when undertaken as part of a fire investigation or search. In all other instances, legal counsel should be consulted.

Only authorized operators who have completed the required training shall be permitted to operate the UAS for the purposes authorized in this policy.

#### 331.5.1 PERMISSIBLE USES

**Best Practice**

Situations where a UAS may be considered for use include:

- Hazardous materials incidents.
- Structure fires.
- Mass casualty incidents.
- Search and rescue.
- Wildland fires.
- High-rise incidents.
- Natural and manmade disaster response.
- Video/photographs for investigative support.
- During training activities.
- Anytime an aerial view of the emergency scene is appropriate.

#### 331.5.2 PROHIBITED USES

**Federal** **MODIFIED**

Department UAS, or those utilized by the department, shall not be used:

- To conduct random surveillance activities.

## Unmanned Aerial Systems

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- To target a person based solely on actual or perceived characteristics, such as to race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

### 331.6 RETENTION OF DATA

**Best Practice**

Data collected by the UAS shall be retained as provided in the established records retention schedule.

### 331.7 OWNERSHIP AND USE OF DATA

**Best Practice** **MODIFIED**

The use of any photography or electronic imaging made by members while using a UAS shall comply with the requirements of the department's Photography and Electronic Imaging Policy and the Patient Medical Record Security and Privacy Policy.

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## Personal Communication Devices

### 701.1 PURPOSE AND SCOPE

Best Practice MODIFIED

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued [or funded](#) by the Department or personally owned, while on duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs) and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

### 701.2 POLICY

Best Practice MODIFIED

The West Plainfield Fire Department allows members to utilize department-issued [or funded](#) PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on [or off](#) duty [for business-related purposes](#), or [used off duty in any manner reasonably associated with work-related misconduct](#), will be subject to monitoring and inspection consistent with [applicable law and](#) this policy.

The inappropriate use of a PCD while on [or off](#) duty may impair member safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on duty or off duty for business-related purposes, [or reasonably associated with work-related misconduct](#), may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

### 701.3 PRIVACY EXPECTATION

Best Practice MODIFIED

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any PCD issued by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities.

[This includes records of all keystrokes or web-browsing history made on the PCD. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department PCDs or network.](#)

## Personal Communication Devices

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The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including any department-issued PCD or personally owned PCD that has been used to conduct department-related business. This includes records of all keystrokes or Web-browsing history made on the PCD. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department PCDs or networks.

[This includes records of all keystrokes or web-browsing history made on the PCD. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department PCDs or network.](#)

### 701.4 DEPARTMENT-ISSUED OR FUNDED PCD

Best Practice MODIFIED

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue a PCD. Department-issued [or funded](#) PCDs are provided as a convenience to facilitate on-duty performance only, unless otherwise authorized by the Fire Chief or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause. Except as provided in Section 701.6 below, the telephone numbers associated with any department-issued PCD shall not generally be distributed to individuals who are not members of the Department. Notwithstanding the preceding, the telephone number associated with any PCD identified as the "duty phone" may be given to a career member's family members or to members of affiliated fire departments for the purpose of conducting business or for those authorized personal purposes outlined below.

Unless a member is expressly authorized by the Fire Chief or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of duty or will be turned off when leaving the workplace.

### 701.5 PERSONALLY OWNED PCD

Discretionary MODIFIED

Members who carry a personally owned PCD while on duty are subject to the following conditions and limitations:

- (a) Carrying a personally owned PCD is a privilege, not a right [and permission to carry a personally owned PCD may be revoked if such PCD use is found to be contrary to Department policy.](#) -
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.

## Personal Communication Devices

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- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio, land-based, or other department communications network communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
- (e) The device shall not be utilized to record or disclose any department business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Department, without the express authorization of the Fire Chief or the authorized designee.
- (f) Use of a personally owned PCD constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on duty, members will provide the Department with the telephone number of the device.

Members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off duty, except when required by policy or expressly directed by a supervisor to do so. In all cases and unless on approved leave, non-volunteer members of the Department must respond to hire-back requests when contacted via text or by messaging apps provided by the Department and required for use by such members. Should members engage in such authorized off-duty communications, they shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation.

### 701.6 USE OF PCD

Best Practice **MODIFIED**

The following protocols shall apply to ALL PCDs:

- (a) They may not be used to conduct personal business while on duty except for brief personal communications (e.g., inform family of extended hours or in case of a family emergency).
- (b) They may not be used to access social networking sites for any purpose that is not official department business.
- (c) They may not be used to harass, threaten, coerce, or otherwise engage in inappropriate conduct. Any member having knowledge of such conduct shall promptly notify a supervisor.

The following additional protocols shall apply to all department- owned PCDs:

- (a) The PCD identified as the "duty phone" shall:
  - 1. Be carried by the Company Officer in its approved case or stored by the bedside at night.
  - 2. Not be set to silent or vibrate mode.

## Personal Communication Devices

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3. Use the option to mask the number to the Department number when placing outgoing calls.
- (b) They shall be used to take pictures, make audio or video recordings, and make copies of any such picture or recording for all purposes directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Fire Chief or the authorized designee, may result in discipline.

The following additional protocols shall apply to all **personally-owned** PCDs:

- (a) All shall be set to silent or vibrate mode.
- (b) Their use shall be limited to authorized break times unless an emergency exists.
- (c) They may be used to communicate with other personnel in situations where the use of department-owned PCDs or radio, land-based, or other department communications network communications are either impracticable or not feasible.
- (d) Without prior authorization, they may not be used to take pictures, make audio or video recordings, or make copies of any such picture or recording directly related to official department business. Disclosure of any such information obtained during authorized use to any third party through any means, without the express authorization of the Fire Chief or the authorized designee, may result in discipline.
- (e) [Members will not access social networking sites for any purpose that is not official department business. This restriction does not apply to a personally owned PCD used during authorized break times.](#)
- (f) [Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.](#)

### 701.7 SUPERVISOR RESPONSIBILITIES

Best Practice **MODIFIED**

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
  - (a) An investigation into improper conduct should be promptly initiated when circumstances warrant.
  - (b) Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Fire Chief or the authorized designee.

### 701.8 OFFICIAL USE

Best Practice **MODIFIED**

## *Personal Communication Devices*

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Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

### **701.9 USE WHILE DRIVING**

State **MODIFIED**

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Firefighters operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (Vehicle Code § 23123(a)). Such use should be restricted to business-related calls or calls of an urgent nature. No member shall write, send or read a text-based communication on a PCD while driving (Vehicle Code § 23123.5).

Members should not utilize a personally owned PCD when responding to an emergency or when engaged in an emergency incident.

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## Release of Records

### 801.1 PURPOSE AND SCOPE

#### Best Practice

This policy establishes guidelines for the public to inspect and obtain copies of public records.

Inspection and release of records with protected health information is covered in the Patient Medical Record Security and Privacy Policy.

### 801.2 POLICY

#### State

It is the policy of West Plainfield Fire Department that records not exempt from disclosure by state or federal law will be open for public inspection with the least possible delay and expense to the requesting party (Government Code § 7920.000 et seq.).

### 801.3 INSPECTING PUBLIC RECORDS

#### Best Practice

Public records are generally open to inspection during regular business hours.

Records that in part or whole are exempt from disclosure or require redaction will not be provided for inspection. Upon written request, a redacted copy of the record may be produced as provided in this policy.

### 801.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

#### State

Any member of the public, including the media and elected officials, may obtain copies of unrestricted records of this department by submitting a written and signed request for each record sought and paying any associated fees (Government Code § 7922.530).

- (a) All requests for records shall be forwarded to the West Plainfield Fire Department Custodian of Records for review and disposition. Information in the request should include:
  1. A statement that information is being requested under the California Public Records Act.
  2. A clear and specific description of the record being requested, including, if possible, dates, subjects, titles, or authors of the documents requested.
  3. If requesting a waiver of fees, a description of why the requestor believes a waiver is in the public interest.
  4. Requestor contact information, including name, address, phone, and e-mail.
  5. Any accommodation needed under the Americans with Disabilities Act.
- (b) The processing of requests is subject to the following limitations (Government Code § 7922.530; Government Code § 7922.535):

## Release of Records

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1. All requests should be date stamped upon receipt and logged on the Public Records Act request log.
2. The Custodian of Records or the authorized designee shall determine if the requested record is available and, if so, whether the record is exempt from disclosure.
  - (a) Either the requested record or the reason for nondisclosure will be provided promptly but no later than 10 days from the date of request, unless unusual circumstances preclude doing so.
  - (b) If more time is needed, an extension of up to 14 additional days may be authorized by the Fire Chief or the authorized designee.
  - (c) If an extension is authorized, the Custodian of Records shall provide written notice of the extension to the requesting party.
3. The Department is not required to create records that do not otherwise exist in order to accommodate a request for information or records.
- 4.
5. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be provided promptly.
- 6.
7. Released records shall be logged on the Public Records Act request log.

### 801.5 RECORDS IN ELECTRONIC FORMAT

**State**

Upon request, the Department shall make available any public record in any electronic format in which the Department holds the information or in the format requested if the format has been used by the Department to create copies for its own use or for other agencies. The Department may not provide the records only in electronic format unless specifically asked by the requestor (Government Code § 7922.570; Government Code § 7922.580).

### 801.6 FEES

**State**

A copy of a requested public record not exempt from disclosure shall be made available upon payment of fees established by the West Plainfield Fire Department governing body (Government Code § 7922.530).

The Custodian of Records may exercise discretion to waive all or part of the fee if the requestor demonstrates that a waiver is in the public interest.

#### 801.6.1 FEES FOR RECORDS IN ELECTRONIC FORMAT

**State**

## Release of Records

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The requestor shall bear the direct costs of duplication to produce a copy of a record in an electronic format and shall also bear the programming costs involved to construct a record and any computer services necessary if the request for electronic records is either (Government Code § 7922.575):

- (a) For a record that is produced only at specific scheduled intervals.
- (b) For a record that requires data compilation, extraction, or programming.

### 801.7 RELEASE RESTRICTIONS

#### State

In balancing the public's right to access public records, the statutory individual right of privacy and the need for the West Plainfield Fire Department to be able to efficiently perform its duties, the Legislature has established certain categories of records that may be exempt from public disclosure. A complete list of statutory exemptions is found in the California Public Records Act. Absent a valid court order or other statutory authority, the Public Records Act exempts certain records from disclosure in whole or part. Those pertaining to the West Plainfield Fire Department include but are not limited to the following (Government Code § 7920.000 et seq.):

- (a) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the West Plainfield Fire Department in the ordinary course of business, provided that the public interest in withholding such records clearly outweighs the public interest in disclosure. If a draft contains facts and recommendations, the facts must be disclosed but the recommendations may be withheld.
- (b) Records pertaining to pending litigation to which the West Plainfield Fire Department is a party or to claims made, but only until such litigation or claim has been finally adjudicated or otherwise settled. The complaint, claim, records filed in court, records that pre-date the suit, reports about projects or activities that ended in litigation, and settlement records are subject to disclosure.
- (c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.
  - 1. Home addresses, home telephone numbers, personal cellular telephone numbers, and birth dates of members are exempt from disclosure except in certain circumstances as provided in Government Code § 7927.700.
- (d) Records of complaints to or investigations conducted by the West Plainfield Fire Department for law enforcement purposes.
- (e) Attorney-client discussions are confidential.
- (f) Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations.
- (g) Contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the West Plainfield Fire Department relative to the acquisition of property or to prospective public supply and construction contracts, until all of the property has been acquired or all contract agreements executed.

## Release of Records

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- (h) Records whose disclosure is exempt or prohibited pursuant to provisions of federal or state law, including but not limited to provisions of the Evidence Code relating to privilege.
- (i) Records that relate to archeological site information.

The West Plainfield Fire Department retains the discretion to claim an exemption from public disclosure for any record that does not qualify for a specific exemption under the Public Records Act when the West Plainfield Fire Department determines that the public interest served by not making the record public clearly outweighs the public interest served by disclosure.

Records subject to exemption may nevertheless be made available for inspection if waiving the exemption will serve the public interest, as determined by the West Plainfield Fire Department on a case-by-case basis. However, the West Plainfield Fire Department's determination to disclose a record, which may otherwise be exempt from disclosure, does not constitute a waiver with respect to any other records (Government Code § 7921.505).

When the Custodian of Records determines that a record is exempt and disclosure should be denied, the Custodian of Records should contact legal counsel for the Department for further guidance. If legal counsel concurs with denying disclosure of the record, the Custodian of Records shall log the denial on the Public Records Act request log and provide a summary of the denial, in writing, to the Fire Chief.

### **801.8 RELEASED RECORDS TO BE MARKED**

**Best Practice**

Each page of any record released pursuant to this policy should be stamped in a colored ink or otherwise electronically marked to indicate the department name and to whom the record was released.

## Patient Medical Record Security and Privacy

### 803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish appropriate administrative, technical, and physical safeguards for patient medical records and to provide reasonable safeguards against prohibited uses and disclosures of protected health information (PHI) in accordance with federal and state law, to include the following:

- Health Insurance Portability and Accountability Act (HIPAA) (42 USC § 201 et seq.)
- California Confidentiality of Medical Information Act (CMIA) (Civil Code § 56 et seq.)
- Health and Safety Code § 1797.220
- Health and Safety Code § 1798

#### 803.1.1 DEFINITIONS

Definitions related to this policy include:

**Health information** - Any information, whether oral or recorded in any form or medium, that is created or received by the Department and relates to a person's past, present, or future physical or mental health or condition, or past, present, or future payment for the provision of health care to a person (45 CFR 160.103).

**Individually identifiable health information** - Health information, including demographic information, created or received by the Department that relates to an individual's past, present, or future physical or mental health or condition, the provision of health care to the individual, or the past, present, or future payment for the provision of health care to an individual that can either identify the individual or provide a reasonable basis to believe the information can be used to identify the individual (45 CFR 160.103).

**Limited data set** - PHI that excludes the following direct identifiers of an individual or of relatives, employers, or household members of the individual (45 CFR 164.514(e)):

- Names
- Postal address information, other than town or city, state, and zip code
- Telephone or fax numbers
- Email addresses
- Social Security numbers
- Medical record numbers
- Health plan beneficiary numbers
- Account numbers
- Certificate or license numbers

## Patient Medical Record Security and Privacy

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- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers and serial numbers
- Web Universal Resource Locators (URLs)
- Internet Protocol (IP) address numbers
- Biometric identifiers, including finger and voice prints
- Full-face photographic images and/or any comparable images

**Patient medical records** - Department records or data containing any information identifying a patient.

**Protected health information (PHI)** - Individually identifiable health information that is created or received by the Department. Information is protected whether it is in writing, in an electronic form, or communicated orally (45 CFR 160.103).

**Protected personal information (PPI)** - Information that includes but is not limited to PHI, pictures or other forms of voice or image recording, patient address, telephone numbers, Social Security number, date of birth, age, or any other information that could be reasonably used to uniquely identify the patient or that could result in identity theft if released for unauthorized purposes or to unauthorized personnel.

### 803.2 POLICY

It is the policy of the Department to reasonably safeguard PHI and comply with the HIPAA and the implementing regulations through the use of policy and procedures, system access security and passwords, and limited physical access to hard copy files (45 CFR 164.530(c)).

### 803.3 RESPONSIBILITIES

Members shall protect the security, confidentiality, and privacy of all patient medical records in their custody at all times.

Possessing, releasing, or distributing PPI, including for unauthorized purposes, is prohibited and may violate the HIPAA and/or other applicable laws. Members who have not received department training on the proper handling of these records shall not access patient medical records.

Members with occupational access to patient medical records shall be trained in the proper handling of PHI in accordance with the Health Insurance Portability and Accountability Act (HIPAA) Training Policy and shall reasonably ensure that no unauthorized person shall have access to PHI without the valid authorization of the patient, except as provided by law (45 CFR 164.530(b); 45 CFR 164.512; Welfare and Institutions Code § 5328(24)).

### 803.4 PRIVACY OFFICER

The Fire Chief shall designate a privacy officer who is responsible for all matters relating to the privacy of patient medical information, including PHI. In the absence of a designated privacy officer, the Fire Chief shall serve in such role. The privacy officer shall (45 CFR 164.530):

## Patient Medical Record Security and Privacy

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- (a) Identify who may have access to PPI and PHI.
- (b) Resolve complaints under the HIPAA.
- (c) Mitigate to the extent practicable any harmful effects known to the Department regarding any use or disclosure of PHI in violation of this policy or the HIPAA regulations.
- (d) Ensure members are trained in the proper handling of PHI in accordance with the Health Insurance Portability and Accountability Act (HIPAA) Training Policy.
- (e) Ensure technical and physical safeguards are implemented to maintain security and confidentiality of PHI and to allow access to PHI only to those persons or software programs that have been granted access rights.

### 803.5 PROCEDURE

Records containing PHI or PPI, including Pre-Hospital Care Reports (PCRs), shall be kept out of view unless the report is being completed during an incident, during input of information into the National Fire Incident Reporting System (NFIRS), or during processing or review at West Plainfield Fire Department facilities by authorized personnel (45 CFR 164.530(c)).

### 803.6 SECURITY

All patient records containing PHI or PPI shall be kept secure at all times whether the record is in written, verbal, electronic, or any other visual or audible format (45 CFR 164.306(a)).

Documents provided by a patient or caregiver will receive the same level of confidentiality and security as department records during the time department personnel retain possession of the documents.

No patient record, including documents and electronic images containing PHI, shall be visible to the public.

#### 803.6.1 ELECTRONIC PHI SECURITY

All computer workstations and servers within the Department shall require appropriate security measures, such as user identification and login passwords, to access electronic documents, including electronic PHI (45 CFR 164.308(a)(5)).

Members with access to electronic data shall lock their workstations when left unattended and shall shut down their workstations when leaving for the day to prevent unauthorized access to electronic PHI (45 CFR 164.310; 45 CFR 164.312).

Remote access to department computer workstations requires that appropriate security measures be provided for access to PHI (45 CFR 164.312).

PHI may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, internet web posting, and any configurable data stream. End-to-end authentication is accomplished when the electronic referral

## Patient Medical Record Security and Privacy

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does not leave a secure network environment and the recipient is known, or when encryption and authentication measures are used between sender and recipient, thus verifying full receipt by the recipient. Any electronic PHI traveling outside a secure network environment, via the internet, requires encryption and authentication measures (45 CFR 164.312(e)).

### 803.6.2 HARD COPIES

Hard copies of PCRs shall be kept in a secured area when unattended by authorized personnel. An area of the Department is considered unattended when members are physically outside of the area and unable to maintain record security. This includes but is not limited to breaks, lunch, and meetings outside the Department.

Hard copies of PCRs should be stored in a locked area whenever practicable for ease of record retention and retrieval.

Patient records shall not be removed from the Department without express authorization from the Custodian of Records.

### 803.7 PHI RECORD REQUESTS

The following procedures apply to PHI record requests:

- (a) Requests and subpoenas for copies of patient records shall be processed by the Custodian of Records.
- (b) The Custodian of Records or the authorized designee shall not release records containing PHI without a properly completed authorization to release medical records that is signed by the patient or legal representative of the patient.
  1. Verification that the person completing the authorization is the patient or the legal representative of the patient shall be made with government-issued identification and documentation (45 CFR 164.508(c)).
- (c) Unless the request for records is from the patient or the parent of a minor patient, PHI shall be redacted from the record. A photocopy of the record shall be distributed to the requestor.
- (d) Requests for records via a valid subpoena do not require that PHI be redacted.
- (e) Fulfilled records requests shall be placed in a sealed envelope for release to the requestor.
- (f) A full copy of the valid subpoena or authorization to release medical records form shall be maintained in the file with the PCR.

#### 803.7.1 PROHIBITED DISCLOSURES OF PHI AND PPI

The Department shall not use or disclose PHI or PPI without authorization. Prohibited disclosures include any form of communication, except as permitted in this policy, including but not limited to (45 CFR 160.103):

- (a) PHI or PPI contained in email or other forms of written communication.
- (b) Sharing of PHI or PPI on any website, blog, or other form of social or public media.



## Patient Medical Record Security and Privacy

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- (c) Verbal discussions.
- (d) The use of any imaging device capable of capturing and storing still or moving images, such as digital or other cameras, video cameras, cellular telephones with picture-taking or video-recording capability, or any other device with picture-taking or video-recording capability, while engaged in patient care, while at the scene of a medical emergency or hospital, or at any time when such use could reasonably be expected to result in the inappropriate capture of PHI or PPI.

### 803.7.2 PERMITTED DISCLOSURES OF PHI AND PPI

The Custodian of Records may release records containing PHI or PPI without authorization from the patient under any of the following circumstances:

- (a) For the department's use to carry out treatment, payment, or health care operations (45 CFR 164.506)
- (b) Where the PHI is requested pursuant to a valid subpoena or court order (45 CFR 164.512(e))
- (c) Where the PHI is part of a limited data set (45 CFR 164.514(e))
- (d) Where the PHI is used for public health activities authorized by law, including when the information is necessary to report child abuse or neglect (45 CFR 164.512(b))
- (e) Where the PHI is disclosed to a government authority because the person is believed to be a victim of abuse, neglect, or domestic violence (45 CFR 164.512(c))
- (f) To law enforcement as provided in this policy (45 CFR 164.512(f))
- (g) Where the Department believes that disclosure of the information is necessary to avert a serious threat to the health or safety of a person or the public (45 CFR 164.512(j))
- (h) Where the PHI is required for workers' compensation purposes (45 CFR 164.512(l))

### 803.7.3 REQUIRED DISCLOSURES

The Department must disclose PHI when:

- (a) The PHI is requested by and provided to the individual to whom the PHI belongs (45 CFR 164.502(a)(2)).
- (b) The information is required by the U.S. Secretary of Health and Human Services to investigate compliance with HIPAA (45 CFR 164.502(a)(2)).

### 803.7.4 SUBPOENAS

Records containing PHI or PPI will be disclosed only if one of the following is present (45 CFR 164.512(e)(1)):

- (a) A court order or subpoena signed (or stamped) by a judge that requires no additional assurances or notification to the individual whose records are requested.
- (b) A subpoena or discovery order signed by an attorney which requires additional proof of service that written notification has been given to the individual whose records are requested. In such a case, the subpoena or discovery order must be accompanied by one of the following:

## Patient Medical Record Security and Privacy

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1. A qualified protective order.
2. A notice to consumer (Code of Civil Procedure § 1985.3) or a declaration by the requesting party showing that reasonable efforts have been made to ensure that notice has been provided to the individual whose records are being requested.
  - (a) No records relating to the person named in the notice will be produced until the time to respond to the notice has lapsed and no objections to the production of the materials requested have been made. If a notice to consumer is not provided, the declaration must establish that:
    1. The requesting party has made a good faith effort to provide written notice to the individual.
    2. The notice includes sufficient information about the litigation or proceeding for which the PHI is requested to allow the individual to raise an objection.
    3. The time for the individual to raise objections to the court or tribunal has elapsed.
    4. No objections were filed or all objections have been resolved.
  - (b) In lieu of a declaration, records may be released if there is a court order or a stipulation by the parties to the litigation that both (45 CFR 164.512(e)(1)(v)):
    1. Prohibits the parties from using or disclosing the PHI for any purpose other than the litigation or proceeding for which such information was requested.
    2. Requires the return to the Department or destruction of the PHI (including all copies made) at the end of the litigation or proceeding.

### 803.7.5 RELEASE OF PHI TO LAW ENFORCEMENT

The release of PHI to a law enforcement agency is permitted under the following circumstances:

- (a) In response to a law enforcement officer who completes the department's release of PHI to law enforcement form and requires the PHI (45 CFR 164.512(f)(1)):
  1. To report certain types of wounds or other physical injuries.
  2. In compliance with a court order or court-ordered warrant, subpoena, or summons, a grand jury subpoena, or an administrative request.
- (b) In response to a law enforcement officer who completes the department's release of PHI to law enforcement form for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person. In such a case, the Department may only disclose the following PHI (45 CFR 164.512(f)(2)):
  1. Name and address
  2. Date and place of birth
  3. Social Security number

## Patient Medical Record Security and Privacy

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4. ABO blood type and Rh factor
5. The character and extent of injuries
6. Date and time of treatment
7. Date and time of death, if applicable
8. A description of distinguishing physical characteristics

### 803.8 INDIVIDUAL RIGHTS

The privacy officer is responsible for ensuring the Department complies with all of the following rights of patients:

- (a) The right to request restrictions on certain uses and disclosures of PHI (45 CFR 164.522(a))
- (b) The right to receive their PHI confidentially (45 CFR 164.522(b))
- (c) The right to inspect and copy their PHI (45 CFR 164.524)
- (d) The right to request amendments to their PHI (45 CFR 164.526)
- (e) The right to receive an account of disclosures of PHI (45 CFR 164.528)

#### 803.8.1 PHI AMENDMENT REQUESTS

Patients have the right to review their PHI records and, if necessary, request that amendments be made. A patient must make a request in writing to have his/her medical record amended. Included in the request must be the patient's account of the incident and what specific amendment is being requested (45 CFR 164.526(b)(1)).

The privacy officer has the authority to deny the request for amendment where the PHI (45 CFR 164.526(a)(2)):

- (a) Was not created by the Department.
- (b) Is not part of the designated record.
- (c) Is not available for inspection by the requestor pursuant to 45 CFR 164.524.
- (d) Is accurate and complete.

Within 60 days of receipt of the request for amendment, the privacy officer must provide the basis for its denial in writing or, in the case that the request is approved, provide notice of approval (45 CFR 164.526(b)(2)).

The time for response may be extended for up to 30 days with a written statement to the requestor identifying the reasons for the delay and the date by which the action will be completed (45 CFR 164.526(b)(2)).

## Composition of the Board

### 1200.1 INTRODUCTION

The West Plainfield Fire Protection District is a dependent fire protection district formed by its citizens in 1929.

The District was originally organized under California Health and Safety Code §14440 et seq., and was later (by operation of law) reorganized under the Fire Protection District Law of 1961 (Health and Safety Code §13801 et seq.). The Legislature substantially revised the Fire Protection District Law in 1987 and provided that each district "organized or reorganized pursuant to the Fire Protection District Law of 1961...shall remain in existence as if it had been organized pursuant to this part[.]" [Health & Safety Code §13803(a)]. Accordingly, the District continues to exist today under the 1987 law.

As set forth in Health and Safety Code §13840, all fire protection districts are governed by a Board of Directors. The Board may appoint a Fire Chief, who in turn may exercise various authorities described in statute (e.g., Health & Safety Code §13872.5, authorizing a Chief to issue orders and citations). The Board also has various other rights and powers, including: the power to sue and be sued; the power to acquire real property, including by eminent domain; the power to appoint employees and specify the terms of their employment; the power to enter into and perform contracts; and the ability to adopt ordinances.

### 1200.2 APPOINTMENT OF BOARD MEMBERS

The District is governed by a Board of Fire Commissioners. As a dependent special fire protection district, its Board members are appointed by the Yolo County Board of Supervisors. The Board of Fire Commissioners consists of five appointed members, each of whom must live within the District's boundaries.

## Meetings

### 1201.1 POLICY

It is the Policy of the West Plainfield Fire Protection District Board of Fire Commissioners to hold regular monthly meetings on the third Tuesday of each month, unless another date is agreed upon. The Board may also hold special and emergency meetings as necessary. Additionally, a Committee Chair may set and hold meetings as appropriate.

### 1201.2 ATTENDANCE AT MEETINGS

Members of the Board of Fire Commissioners are expected to and shall attend all regular, special, and emergency meetings of the Board unless there is good cause for absence.

To be counted as present for any meeting, Board Members must be present for the duration of the meeting.

Good cause for absence, including late arrivals or early departures, includes vacations, temporary illness or other unavoidable circumstances of which the President of the Board is notified prior to the meeting. Good cause also includes Board authorized meeting absences such as attendance at a conference directly related to the functions and interests of the District or at the meeting of another public agency in order to participate in an official capacity.

A Board Member who will be absent for good cause may notify the President of the Board by electronic transmission (email), telephone communication, or letter. The President shall notify the Board Clerk of all absences that are excused for good cause. The minutes shall indicate whether an absence was excused.

A vacancy shall occur if a Board Member is absent from three consecutive regular meetings without good cause, except as otherwise provided for by law or as authorized by this section.

## Committees

### 1202.1 POLICY

It is the Policy of the Board of Fire Commissioners to form standing or ad hoc committees as necessary. Each committee shall have at least one technical advisor assigned to it, typically a West Plainfield Fire Department staff member.

### 1202.2 AD HOC COMMITTEES

The President of the Board shall appoint any such Ad Hoc Committees as may be deemed necessary or advisable by the President. The purpose of an Ad Hoc Committee and the time allowed to accomplish that purpose shall be outlined at the time of appointment. An Ad Hoc Committee shall be considered dissolved when its purpose has been accomplished or when the timeframe for its existence has expired, whichever occurs first.

- An Ad Hoc Committee shall be comprised solely of members of the Board and shall consist of less than a majority of Board Members.
- An Ad Hoc Committee may make recommendations to the Board.
- The Board may not delegate any decision-making power to an Ad Hoc Committee.
- An Ad Hoc Committee shall meet on an as-needed basis and shall not have a meeting schedule fixed by charter, ordinance, resolution, or formal action of the Board.

### 1202.3 STANDING COMMITTEES

The following shall be Standing Committees of the Board:

- Budget and Benefits
- Personnel
- Lillard Hall

The President of the Board shall appoint and publicly announce the members of the Standing Committees for the ensuing year no later than the Board's regular meeting in January.

Standing Committees may be assigned to review District functions, activities, and operations, as specified below. Said assignment may be made by the President of the Board or a majority vote of the Board. Any recommendations from Standing Committees shall be submitted to the Board via a written report. All meetings of Standing Committees are subject to the requirements of all applicable open meeting laws, including but not limited to the Brown Act.

- The Budget and Benefits Committee shall be concerned with the financial health and management of District funds, including the preparation of an annual budget, determination of benefits, oversight of expenditures, and locating and securing funding sources. Funding sources include, but are not limited to, cost recovery options and grant opportunities.

## Committees

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- The Personnel Committee shall be concerned with the functions, activities, operations, compensation, and welfare of the Board Clerk, Hall Manager, and Fire Chief.
- The Lillard Hall Committee shall be concerned with the functions, activities, operations, and financial health of Lillard Hall with a focus on limiting liability to, and the financial burden on, the District.

The President of the Board may establish additional Standing Committees as needs warrant.

### **1202.4 BOARD PRESIDENT AS COMMITTEE MEMBER**

Due to the size of the West Plainfield Fire Protection District Board of Fire Commissioners, the President of the Board shall accept at least one Standing Committee assignment each year. The President may also, and is encouraged to, serve on an Ad Hoc Committee as assigned.

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LILLARD HALL - REPORT - ACCOUNTING

Date	Check #	Payment	Deposit	Balance	Payable To	Purpose	
11/21/23	531	675.42		11,827.50	West Plainfield FPD	PG&E / Payroll	Cleared
12/18/23	533	82.03		11,745.47	Edward Sykes	Expense Reimbursement	
12/18/23	534	319.50		11,425.97	Recology	Garbage - October	
12/18/23	535	905.54		10,520.43	WPFPPD	PG&E / Payroll	
12/18/23	661	2,500.00		8,020.43	WPFPPD - Deposits	Moving Deposits to New Account	
12/18/23	662	5,000.00		3,020.43	WPFPPD - Operating	Moving Funds to New Operating Account	



Date(s)	Applicant Organization	Event Type	Applicant Type	Rent Due	Amt Due	Date Paid	Security Deposit Due	SD Amt Due	Date Paid	Date Refunded	Refund Amt	Ins Cert Required	Date Cert Provided	Guard Required	Date Contract Provided
01/03/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/04/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/10/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/11/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/17/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/18/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/23/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/24/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/25/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/30/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/31/24	User	Dog Training	Other	No		01/03/24	No		08/25/22			Yes	03/23/23	No	
01/26/24	Fairfield School	Fundraiser Dinner	WPPFD Resident	No		12/22/23	No		10/26/23			Yes		Yes	
03/09/24	Fly Fishers of Davis	Fundraiser Dinner	Other	Yes			No		10/15/23			Yes		Yes	

LILLARD HALL - REPORT - ACCOUNTING

Date	Check #	Payment	Deposit	Balance	Payable To	From	Purpose
11/22/23			400.00	400.00		Son Chong	Rent - November 2023
12/06/23		39.43		360.57	First Northern Bank		Check Order
12/13/23			400.00	760.57		Son Chong	Rent - December 2023
01/03/24			5,000.00	5,760.57		Lillard Hall Fund - BofA	Transfer funds to new Operating Account
01/08/24			2,000.00	7,760.57		Son Chong, Jennie Keifer, Rent	Rent - January Dates



**West Plainfield Fire Protection District**  
 24901 County Road 95, Davis, CA 95616 (530) 756-0212

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**MINUTES - STANDING COMMITTEE – LILLARD HALL – MEETING  
 January 10, 2024, at 10:15 AM**

Held:  
 West Plainfield Fire Station  
 24901 County Road 95  
 Davis, CA 95616

**1. Call the Meeting to Order (Chair Amy)**

Meeting called to order by Chair Amy at 10:17 AM (had to wait for station radio traffic to clear).

Present were:

Commissioners: Emily Amy  
 Warren Roos  
 Staff: Hall Manager Ned Sykes

**2. Public Comment**

NONE.

**3. Discussion / Action - Kitchen Remodel Progress Report (Hall Manager Sykes)**

Discussed the kitchen remodel progress. Manager Sykes reported that to date about \$17,000 has been spent. The items yet to be completed are (i) installation of the roll-up door and (ii) relocation of the electrical panel.

**4. Discussion / Action - Capital Improvements Update (Chair Amy)**

All present discussed necessary capital Improvements. Manager Sykes is to (i) follow up on the installation of emergency exit lights and to query and determine if a crash bar is required on the north door. If the north door does not need to be an emergency exit, it may not require the crash bar.

**5. Discussion / Action - Restroom Remodel (All)**

There has been no progress on the plans because of the holidays. Commissioner Roos will speak to the architect soon. Prior to having work done on the plans he will confirm with the architect that the restroom count noted on the sketch provided will meet Code for the occupancy.

**6. Discussion / Action – Lillard Hall Budget / Financials (Chair Amy and Chief Rita)**

**a. Adopt Draft 2023-2024 Budget for Board Consideration**

Motion: Accept the draft Lillard Hall budget as presented  
 Motion By: Commissioner Roos  
 Second By: Commissioner Amy

Motion passed unanimously.

**7. Discussion / Action – Maintenance (Chair Amy)**

- a. The HVAC system was serviced by Blake's. It was given a clean bill of health. They were unable to check the air conditioning because it was too cold outside, that will need to be done later.
- b. Manager Sykes reported that he cleaned the gutters.

## MINUTES - STANDING COMMITTEE – LILLARD HALL – MEETING

January 10, 2024, at 10:15 AM

Page 2

- c. Manager Sykes asked about renting a large floor cleaning machine to clean the floor. It needs more than hand mopping to get it clean. He has hand-mopped several times but is not satisfied with the cleanliness of it. He is going to research a few additional options.

**8. Discussion / Action – Rental Updates (Hall Manager Sykes)**

Manager Sykes provided the following updates:

- a. Fairfield School is renting the Hall on January 26, 2024. Manager Sykes indicated he needs to speak with Department personnel to make sure that the dumpster will not be full on that date. Commissioner Roos asked about locking the dumpster to prevent passers-by from putting their garbage into it. There is a lock, but it is found unlocked sometimes.
- b. When asked about the status of Fly Fishers renting the Hall for their meetings, Manager Sykes reported that they have yet to meet to make the decision.
- c. Son Chong's business is up and going. Mr. Chong is happy with how things have gone.
- d. A large rent payment was received from Jenny Keifer.

**9. Open Forum – Other Hall Business (Chair Amy)**

- a. Commissioner Amy asked Manager Sykes about submitting timecards on time. He reported he does not need a calendar; he has that already. For the last pay period he had not planned to submit a timecard, because he was not charging time for attending commission meetings. Commissioner Roos indicated he needs to include that time on his timecard, and Amy agreed, though they appreciated the gesture. It is important to track and report all time. Commissioner Amy suggested that he could scan and email his timecard, he did not need to come in person.
- b. There was a brief discussion about the new bank, First Northern. Both Commissioner Roos and Manager Sykes were impressed with the friendliness of the staff there.

**10. Calendar (Chair Amy)****a. The next Lillard Hall Committee meeting to be determined**

The next Lillard Hall Committee meeting is scheduled for February 14, 2024, at 10:15 AM.

**11. Adjourn Meeting (Chair Amy)**

Chair Amy adjourned the meeting at 10:55 AM.

Approved: January 16, 2024

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EMILY AMY, Chair

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CHERIE RITA, Interim Board Clerk  
(transcribed from notes provided by Chair Amy)



**West Plainfield Fire Protection District**  
 24901 County Road 95, Davis, CA 95616 (530) 756-0212

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**MINUTES - STANDING COMMITTEE – BUDGET AND BENEFITS**  
**January 11, 2024, at 4:00 PM**

In Person  
 Fire Station  
 24901 County Road 95  
 Davis, CA 95616

**1. Call the meeting to order (Chair Stiles)**

Meeting called to order by Chair Stiles at 4:04 PM.

Present were:

Commissioners: Beth Stiles and Warren Roos  
 Staff: Fire Chief Cherie Rita and Fire Captain Scott Bravo

**2. Public comment**

NONE

**3. Discussion / Action – FYE 2024 Budget (All)**

**a. Review Current Budget Usage**

All present reviewed the present budget usage. The trial balance document does report the 218 funds and to date there was nothing unusual to note regarding expenditures. Chief Rita also provided a report of the costs to date of the capital improvement/deferred maintenance projects for 2024, notice almost \$45,000 had been spent and that there was at least one outstanding invoice (for the electrical work in the apparatus bay).

Chief Rita reported that she will ask staff to provide budget input by April 1 (she has notified several staff members already).

Chief Rita reported she was tracking expenses associated with 218 funds. In that report, which will be updated as new costs are incurred, Chief Rita reported that as of January 10, 2024, we had expended roughly \$3,000.00 on G30. There are a few remaining projects, licensing, and taxes remaining. She also noted that we had expended roughly \$15,000 on new personnel (four career and one reserve) to date, some of which will be reimbursed by the grant. This amount does not include salary or benefits.

Chief Rita provided a new list of prioritized capital improvement/deferred maintenance projects for next) fiscal year (FYE 2025. All present reviewed the document, which included a new item by Chief Rita – *Inspect / Repair Roof*. Captain Bravo requested that we add replacing the turnout extractor machine as the one we have is old and not working at 100% efficiency. Those

## MINUTES - STANDING COMMITTEE – BUDGET AND BENEFITS

January 11, 2024, at 4:00 PM

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present recommend that the following three items be given first priority: (i) extractor replacement (estimated to be between \$7,000 and \$10,000), (ii) inspect/repair roof, and (iii) shed. This updated list will be presented to the Board. Chief Rita suggested that as we get closer to the end of this fiscal year, we consider replacing the extractor this fiscal year. Chief Rita will contact the Airport Manager to request they make the asphalt crack repairs North of the station as much of it as a result of the crop duster Airport tenants using it for Airport access.

Captain Bravo a brief overview of the current grant requests, as follows:

- (i) Radio Grant: not awarded; we are working on a new regional grant for portable radios.
- (ii) CalFire VFA: awarded roughly \$11,000.00 for purchase of turnouts and shelters; this is a 50/50 matching grant.
- (iii) Well Generator: work to be completed by March 31, 2023. Captain Bravo reported that costs had increased and we will be required to pay the overage without reimbursement. Commissioner Roos asked about the possibility of changing the pump motor, thus potentially reducing the size and cost of the generator. Captain Bravo does not believe that is an option as that was not how the grant was written and awarded.
- (iv) Replacement of E30: Assistant Chief Stiles is reviewing the options, including requesting the funds from Yocha de He.
- (v) Office of Traffic Safety: Captain Snyder is working on a grant for extrication tools; if awarded this grant will fully pay for the purchases.

**b. Recommendations to Board, if any**

The Committee recommends that the Board accept the updated, prioritized, list of capital improvements/deferred maintenance items for FYE 2025.

**4. Discussion / Action – Take Command**

**a. Contract Withdrawal (Chief Rita)**

Chief Rita reported that now that Take Command has provided the processes and documentation necessary for running our QSHERA program, they are not providing anything useful for our \$1,920 per year fees. She reported, and Captain Bravo, confirmed that, in fact, Take Command has rejected documentation for the employees' continued participation that they had accepted the previous period. Chief Rita also reported that Take Command does not report amounts to payroll, nor do they file the required annual IRS forms. They simply provide information we already have.

Commissioner Stiles asked if we terminated the contract with Take Command

## MINUTES - STANDING COMMITTEE – BUDGET AND BENEFITS

January 11, 2024, at 4:00 PM

Page 3

what would happen with the funds due the employees who do not take the full amount each period. Chief Rita reported that, since we do not acquire insurance with Take Command, they do not actually hold the funds for us. Chief Rita reported that she will be requesting that the County Department of Financial Services add a new fund, similar to the compensated leave fund, to hold those funds.

Both Commissioners Stiles and Roos asked about the additional work. Chief Rita reported that there is not that much involved and would not be an undue additional burden on her or staff. She further reported that she and Captain Bravo are working with Payality (payroll company) to confirm the proper process for reporting these payments and accruals to them, though had not yet connected with a representative. Commissioner Roos asked if we had other payroll company options. Chief Rita reported that it is the company the County utilizes and they pay for it.

b. **Recommendations to Board, if any**

The committee recommends that we withdraw from the contract with Take Command.

5. **Calendar**

a. **The next Budget Committee meeting to be determined**

The next Budget and Benefits Committee meeting is scheduled for April 12, 2024, at 3:00 PM.

6. **Adjourn (Chair Stiles)**

Chair Stiles adjourned the meeting at 5:04 PM.

Approved: January 16, 2024

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BETH STILES, Chair

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CHERIE RITA, Interim Board Clerk

FUND ACCOUNT TRIAL BALANCE

Period 07\_2024  
 Accounting Entity 1000 - Yolo County  
 Fund 8061 - WEST PLAINFIELD FIRE PROTECTION DISTRICT  
 Budget Unit All Budget Units Top Level  
 Cost Center All Cost Centers Top Level  
 Claiming Details All Dept Details Top Level  
 Revenue Source All Revenue Source Top Level

Account	Account Description	Beginning Balance	Activity	Activity CB	
100000	CASH IN TREASURY	225,313.32	(3,133.72)	222,179.60	
101113	RESTRICTED CASH-WPF FPD CAPITAL ASSET REPLACEMENT	204,328.61	-	204,328.61	
101114	RESTRICTED CASH-WPF FPD ACCRUED LEAVE	18,367.66	-	18,367.66	
103100	CASH ON HAND	2,335.01	-	2,335.01	
111010	PROP TAX RECEIVABLE-CURRENT SECURED	304,843.06	-	304,843.06	
111090	PROP TAX RECEIVABLE-CURRENT SECURED SUPPL	1,428.42	-	1,428.42	
113001	DUE FROM OTHER GOV-JE	65,902.59	-	65,902.59	
150000	PREPAID EXPENSE	5,208.72	-	5,208.72	
181100	BUILDING & IMPROVEMENT	166,345.62	-	166,345.62	
181200	IMPROVEMENT OTHER THAN BUILDING	27,567.00	-	27,567.00	
181400	EQUIPMENT	1,243,452.99	-	1,243,452.99	
182100	ACCUMULATED DEPRECIATION-BLDG & IMPRV	(97,716.98)	-	(97,716.98)	
182200	ACCUMULATED DEPRECIATION- IMPRV OTHR THAN BL	(20,692.01)	-	(20,692.01)	
182400	ACCUMULATED DEPRECIATION-EQUIPMENT	(869,613.38)	-	(869,613.38)	
190200	FUTURE LONG TERM DEBT REQUIRE	15,326.03	-	15,326.03	
200000	ACCOUNTS PAYABLE	(3,133.72)	3,133.72	-	
230000	COMPENSATED ABSENSES (L/T)	(15,326.03)	-	(15,326.03)	
301005	FUND BALANCE-NONSPEND-PREPAID EXPENSE	(5,208.72)	-	(5,208.72)	
304001	FUND BALANCE-ASSIGNED-CAPITAL ASSET REPLACEMENT	(203,737.31)	-	(203,737.31)	
304002	FUND BALANCE-ASSIGNED-ACCRUED LEAVE	(18,306.68)	-	(18,306.68)	
304003	FUND BALANCE-ASSIGNED-GENERAL RESERVE	(159,825.00)	-	(159,825.00)	
309999	UNASSIGNED	(106,998.97)	-	(106,998.97)	
300100	NET INVESTMENT IN CAPITAL ASSETS	(449,343.24)	-	(449,343.24)	
400100	PROPERTY TAXES-CURRENT SECURED	(366,696.90)	-	(366,696.90)	
400101	PROPERTY TAXES-CURRENT UNSECURED	(27,477.11)	-	(27,477.11)	
400111	PROPERTY TAXES-PRIOR UNSECURED	(325.00)	-	(325.00)	
403100	INVESTMENT EARNINGS-POOL	(988.70)	-	(988.70)	
403199	GASB 31 FAIR MARKET VALUE - DFS ONLY	(12,740.00)	-	(12,740.00)	
410050	STATE-HIGHWAY PROPERTY RENTALS	(4.26)	-	(4.26)	
410250	STATE-HOMEOWNERS PROPERTY TAX RELIEF	(755.94)	-	(755.94)	
440003	SPECIAL ASSESSMENT	(243,003.66)	-	(243,003.66)	
440600	OTHER CHARGES FOR SERVICES-FIREFGHTR SERVICES	(1,876.92)	-	(1,876.92)	
440690	OTHER CHARGES FOR SERVICES	(180.00)	-	(180.00)	
450900	OTHER MISCELLANEOUS REVENUES	(1,400.34)	-	(1,400.34)	(655,448.83)
500100	REGULAR EMPLOYEES	134,173.69	-	134,173.69	
500120	OVERTIME	5,301.56	-	5,301.56	
501110	SOCIAL SECURITY TAX	8,324.75	-	8,324.75	
501120	MEDICARE	2,018.01	-	2,018.01	
501170	UNEMPLOYMENT INSURANCE	1,144.90	-	1,144.90	



FUND ACCOUNT TRIAL BALANCE

**Period** 07\_2024  
 Accounting Entity 1000 - Yolo County  
**Fund** 8061 - WEST PLAINFIELD FIRE PROTECTION DISTRICT  
 Budget Unit All Budget Units Top Level  
 Cost Center All Cost Centers Top Level  
 Claiming Details All Dept Details Top Level  
 Revenue Source All Revenue Source Top Level

Account	Account Description	Beginning Balance	Activity	Activity CB	
501180	WORKERS' COMP INSURANCE	70,242.00	-	70,242.00	
510010	CLOTHING & PERSONAL SUPPLIES	18,729.99	-	18,729.99	
510020	COMMUNICATIONS	2,272.01	-	2,272.01	
510030	FOOD	279.19	-	279.19	
510040	HOUSEHOLD EXPENSE	3,726.54	-	3,726.54	
510053	INSURANCE-OTHER	12,395.00	-	12,395.00	
510070	MAINTENANCE-EQUIPMENT	18,756.05	-	18,756.05	
510071	MAINTENANCE-BUILDING IMPROVEMENT	20,701.30	-	20,701.30	
510080	MEDICAL, DENTAL, & LAB SUPPLIES	321.75	-	321.75	
510090	MEMBERSHIPS	425.00	-	425.00	
510100	MISCELLANEOUS EXPENSE	305.76	-	305.76	
510102	MISCELLANEOUS EXPENSE-CREDIT CARD SERVICE CHARGES	3.93	-	3.93	
510110	OFFICE EXPENSE	863.60	-	863.60	
510112	OFFICE EXPENSE-PRINTING	523.42	-	523.42	
510120	IT SERVICE-DEPARTMENT SYSTEM MAINTAINANCE	325.46	-	325.46	
510170	RENTS AND LEASES - EQUIPMENT	920.99	-	920.99	
510171	RENTS & LEASES-BUILDING & IMPROVEMENTS	538.13	-	538.13	
510180	TRAINING	453.28	-	453.28	
510190	MINOR EQUIPMENT	10,129.27	-	10,129.27	
510201	TRANSPORTATION & TRAVEL-FUEL	4,000.77	-	4,000.77	
510220	UTILITIES	4,053.40	-	4,053.40	
510252	PROFESSIONAL & SPECIAL SERVICES-INFO TECH SERVICES	1,017.58	-	1,017.58	
510255	PROFESSIONAL & SPECIAL SERVICES-MEDICAL, DENTAL, LAB	803.00	-	803.00	
510275	PROFESSIONAL & SPECIAL SERVICES-OTHER	525.03	-	525.03	
530070	EQUIPMENT	1,656.48	-	1,656.48	324,931.84

WPL CAPITAL IMPROVEMENTS - MAINTENANCE TRACKING - FYE 2025

Priority	Assigned To	Project Description / Parameters
1	D Stiles	<b>Extractor Replacement</b> <b>Part 1 - Equipment</b> - Extractor (including installation) <b>Part 2 - Installation</b> - Electrical
1	D Stiles	<b>Shed</b> - Size = 8' x 10' - Material(s) = Wood and Paint - Construction by WPL members
1	E Snyder	<b>Inspect / Repair Roof (seals around fixtures/screws) - Station</b>
1	D Osborn	<b>Asphalt Crack Repair</b> Locations = in front of apron and north of station Materials = <b>TBD (need some research)</b> Work Performed by = <b>TBD</b>
1	D Stiles	<b>Well Bladder</b> <b>Part 1 - Bladder</b> - Size (gallons) = Match current - Material(s) = Match current <b>Part 2 - Installation - by WPL members</b> - Plumbing - Installation
2	D Stiles C Rita	<b>Electrical Cleanup - App Bay</b>
2	D Stiles	<b>Rollup Door - South - Top Panel Replacement</b> - Like for like - Installation - Service all sensors
2	D Osborn	<b>Paint - Exterior - Station</b> - Match colors EXCEPT roll-up doors white - Fade / chip resistant paint - Prepare surface bare metal where needed - Repair (as much as possible) dents and holes
3	D Stiles	<b>Parking Area</b> Material = (what type gravel?) Installation = - Smoothing area - Laying new material - Leveling after laying new material
3	C Rita S Bravo	<b>Man Doors - App Bay bathroom &amp; tool room</b> - Material: Wood, with kickplate for tool room - Tool Room: knob with exterior key lock option - Bathroom: knob with interior lock
4	E Snyder	<b>Fencing - Replace Current Vinyl</b> <b>Part 1</b> - Material = metal <b>Part 2</b> - Installation = set in cement; maybe by WPL members

below \$5,000 = 1 Quote; \$5,000 - \$9,999.99 = 2 written quotes; \$10,000 - \$49,999.99 = 3 written quotes



**West Plainfield Fire Protection District**  
 24901 County Road 95, Davis, CA 95616 (530) 756-0212

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**MINUTES - STANDING COMMITTEE – PERSONNEL**  
**January 11, 2024, at 5:15 PM**

Held:  
 Fire Station  
 24901 County Road 95  
 Davis CA, 95616

**1. Call the Meeting to Order (Chair Amy)**

Chair Amy called the meeting to order at 5:15 PM.

Present were:

Commissioners: Emily Amy and Warren Roos

Staff: Fire Chief Cherie Rita and Fire Captain Scott Bravo

**2. Public Comment**

NONE

**3. Discussion / Action - Board Clerk Position – Plan of Action (Chair Amy)f**

Chair Amy reported that our candidate had withdrawn. She asked Chief Rita where she had advertised and whether she had provided the position information to the County jobs platform. Chief Rita reported that due to the timing and the fact she had been talking with Chief Klinkhammer about possibly sharing the position with Willow Oak Fire, whose long-time Clerk was retiring in August 2024, she had not done any formal advertising. Commissioners Amy and Roos and Chief Rita all reported they had reached out to various individuals about the position, but none had been interested.

Since hearing that our candidate had withdrawn, Chief Rita had been informed by Chief Klinkhammer that they had hired a Clerk (April Guse) to work with their current Clerk until the current Clerk retires. Chief Rita provided our Clerk job description to Ms. Guse, who will consider the position but would like to revisit the idea of shared duties with Willow Oak and West Plainfield in a few months, after she gets a feel for what the position entails. Captain Bravo pointed out that Willow Oak’s Clerk processes their payroll and would be able to take over ours as well.

Fire Chief Rita noted that as the position was part-time, people interested in the position were hard to find. Chair Amy noted that one huge benefit of the position was the ability to work remotely, except for the monthly Board meeting. Commissioner Roos pointed out that now that businesses such as McDonald’s

MINUTES - STANDING COMMITTEE – PERSONNEL

January 11, 2024, at 5:15 PM

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would be paying \$20.00 per hour, we will likely need to adjust our rate of pay. Commissioner Amy concurred but indicated it would likely be next fiscal year before we could do so.

Chief Rita offered to serve as Interim Clerk until the position can be filled. Commissioner Roos asked about compensation; Commissioner Amy reported Chief Rita had been paid last time she acted as interim and should be this time as well. Chief Rita will serve as Interim Board Clerk and receive compensation at the current rate for the Clerk Position.

Chair Amy instructed Chief Rita to contact April Guse on April 1, 2024, regarding the position. If April Guse is interested in the position, then Chief Rita will schedule a Personnel Committee meeting as soon thereafter as possible.

**4. Adjourn Meeting (Chair Amy)**

Chair Amy adjourned the meeting at 5:33 PM.

Approved: January 16, 2024

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EMILY AMY, Chair

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CHERIE RITA, Interim Board Clerk

# West Plainfield Fire Department (CA)

This report was generated on 1/13/2024 11:20:17 AM



## Basic Incident Info with Number of Responding Apparatus and Personnel for Date Range

Start Date: 12/01/2023 | End Date: 12/31/2023

DATE	INCIDENT #	ADDRESS	INCIDENT TYPE	SHIFT	ZONE	# APP.	#
12/02/2023	2023-239	County Road 31	322 - Motor vehicle accident with injuries	B Shift	261- WNF-WPL - Borderline Call Winters & West Plainfield	4	5
12/03/2023	2023-240		321 - EMS call, excluding vehicle accident with injury	B Shift	No Zone Selected	3	4
12/05/2023	2023-241		321 - EMS call, excluding vehicle accident with injury		0- WPL - West Plainfield Station 30 Response Area	5	7
12/06/2023	2023-242	400 Morgan ST	111 - Building fire	A Shift	260- WNF Auto - Automatic Aid Winters (Not Borderline)	2	3
12/06/2023	2023-243	22990 County Road	542 - Animal rescue	A Shift	0- WPL - West Plainfield Station 30 Response Area	1	4
12/06/2023	2023-244	County Road 27	553 - Public service	A Shift	701- WOF-WPL - Borderline Call Willow Oak & West Plainfield	3	4
12/07/2023	2023-245	County Road 27	352 - Extrication of victim(s) from vehicle	A Shift	702- WOF-WDL-WPL - Borderline Call Willow Oak, Woodland, & West Plainfield	4	5
12/09/2023	2023-246	24901 County Road 95 CIR	571 - Cover assignment, standby, moveup	C Shift	177- MDS-WOF-WPL - Borderline Call Madison, Willow Oak, & West Plainfield	2	4
12/11/2023	2023-247	30092 31a CIR	611 - Dispatched & cancelled en route		No Zone Selected	1	3
12/13/2023	2023-248	County Road 29	131 - Passenger vehicle fire	B Shift	322- DVS-WDL-WPL - Borderline Call Davis, Woodland & West Plainfield	2	3

12/14/2023	2023-249	County Road 98	324 - Motor vehicle accident with no injuries.	B Shift	102- WDL-WPL - Borderline Call Woodland & West Plainfield	5	6
12/16/2023	2023-250	18111 County Road 94B	571 - Cover assignment, standby, moveup		00- WPL Out - West Plainfield Mutual Aid Out of District	1	2
12/19/2023	2023-251	24901 County Road 95 CIR	541 - Animal problem	B Shift	0- WPL - West Plainfield Station 30 Response Area	1	2
12/19/2023	2023-252	County Road 93a	324 - Motor vehicle accident with no injuries.	B Shift	261- WNF-WPL - Borderline Call Winters & West Plainfield	2	4
12/19/2023	2023-253	422 E MAIN ST	611 - Dispatched & cancelled en route	B Shift	260- WNF Auto - Automatic Aid Winters (Not Borderline)	1	2
12/19/2023	2023-254	County Road 31	324 - Motor vehicle accident with no injuries.	B Shift	261- WNF-WPL - Borderline Call Winters & West Plainfield	2	5
12/21/2023	2023-255	County Road 98	463 - Vehicle accident, general cleanup		702- WOF-WDL-WPL - Borderline Call Willow Oak, Woodland, & West Plainfield	2	4
12/23/2023	2023-256		321 - EMS call, excluding vehicle accident with injury	A Shift	0- WPL - West Plainfield Station 30 Response Area	5	6
12/24/2023	2023-257		321 - EMS call, excluding vehicle accident with injury	A Shift	0- WPL - West Plainfield Station 30 Response Area	4	5
12/28/2023	2023-258	County Road 31	463 - Vehicle accident, general cleanup		320- DVS-WPL - Borderline Call Davis & West Plainfield	4	4

**TOTAL # INCIDENTS: 20**



**West Plainfield Fire Protection District**

24901 County Road 95, Davis, CA 95616

(530) 756-0212

**DATED** January 16, 2024

**TO** Board of Fire Commissioners

**FROM** Budget & Benefits Committee Chair Commissioner Beth Stiles  
Fire Chief Cherie Rita

**SUBJECT** Bills Paid Since Last Report - For Board Ratification

Empire Today - Station Flooring	14,369.85
InterState Oil - Fuel (230 gal)	1,089.96
InterState Oil - Propane (211.1 gal)	572.08
LN Curtis	295.33
Pisanis (Napa) - G30	90.61
Quill Corp - Cleaning supplies	173.10
Radio Guys - G30	139.37
Sterling May Company - G30	34.93
<b>TOTAL:</b>	<u><u>16,765.23</u></u>

**FYI ONLY** - Awaiting US Bank Statement

Ace Hardware - G30	16.62
Adobe - Adobe Pro Subscription	19.99
Alhambra - 6 5-Gallon Water Bottles	56.44
All Hands Fire Equipment - G30	162.19
Amazon - Cork Boards	\$128.69
American Red Cross - CPR Training	\$96.00
ATT FirstNet - Apparatus iPads and Duty Phone	\$246.61
Backgrounds.com - On-Call D/O	\$67.83
Clark - Pest Control	126.00
Flag Store - CA & US	57.89
Google - eMail/Storage Subscription	240.00
Grainger - 5 Gal 2 Cycle Fuel	247.51
Home Depot - Shelving	168.41
Home Depot - G30	46.22
Home Depot - Compressor Parts	27.33
iFloorTape - Reflective Floor Tape (App Bay)	105.26
Kimzey - G30 Parts	371.88
Lowes - G30	27.40
Microsoft - Office 365 Subscription	99.99
PDQ - LiveScan COR Application Fingerprints	101.00
PGE - 12-14-2023	1,098.11
Recology - 11-30-23 and 12-31-23	874.06
Starlink - Internet Subscription	120.00
Take Command - QSEHRA Fee	140.00
Vista Print - District Wall Map	76.33
Vonage - Phone Service	16.15
Wizix - Copier	44.76
Woodland Home Center - G30 Parts	22.14
Woodland Home Center - G30 Parts	9.49
Estimated Total US Bank (statement)	<u>4,814.30</u>



**West Plainfield Fire Protection District**  
24901 County Road 95, Davis, CA 95616 (530) 756-0212

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**BOARD OF COMMISSIONERS – REGULAR MEETING - MINUTES  
DECEMBER 19, 2023, at 7:00 PM**

Held in Person at Lillard Hall  
24905 County Road 95  
Davis, CA 95616

Held by Zoom: <https://us06web.zoom.us/j/98831083439>  
One tap mobile – +16699006833,98831083439#  
Dial by your location – (669) 900-6833 US (San Jose)  
Meeting ID: 988 3108 3439

**1. Call the Meeting to Order and Establish Quorum (President McMullen)**

President McMullen called the meeting to order at 7:01 PM.

Present were:

Commissioners: James McMullen, Emily Amy, Beth Stiles, and Warren Roos  
Staff: Board Clerk Carly Hall, Fire Chief Cherie Rita, Assistant Chief Dave Stiles, Fire Captain Patrick Fish, Association President Firefighter Jon Lee, and Hall Manager Ned Sykes

**2. Public Comment**

NONE

**3. Old Business**

**a. Update – Weed Abatement (Firefighter Jon Lee)**

Firefighter Lee reported that the current round of inspections has ended and all have complied. Commissioner Amy asked when the new season would begin. Firefighter Lee advised that it would be March at the earliest. After some discussion it was decided by consensus that this item can come off the Agenda until March 2024.

**b. Update – Yolo County Fire Sustainability Committee (AC Stiles)**

Assistant Chief Stiles reported that there had been no recent meetings and did not expect any for a while. He requested that this item be removed from the Agenda and he will let the Clerk know when to put it back on. By consensus, the Clerk was advised to remove this item from the Agenda until advised by Assistant Chief Stiles.

**4. New Business**

**a. Discussion / Action – Vote to Fill Vice President Position (President McMullen)**

President McMullen asked why this was still on the Agenda as he thought it



had been settled at the last meeting with the interim appointment of Commissioner Roos as Vice President. Chief Rita reported that she had requested that the Clerk leave it on in case we got a new Board member. It can be removed.

**b. Discussion / Action – Contract with Yolo County Department of Financial Services to Prepare SCO Financial Report (Chief Rita)**

Chief Rita advised that neither she nor the Clerk had the ability to prepare this report and requested that the Board enter into the contract to have County staff prepare it.

Motion: Approve the Contract with the County to have County staff prepare the report  
 Motion by: Commissioner Amy  
 Seconded by: Commissioner Stiles  
 Discussion: There was some discussion about who would sign it as President McMullen’s name was on the Contract. There was a motion to amend that motion to have Chief Rita sign it. Ultimately, that amendment to the motion was withdrawn and Chief Rita was directed to the document for President McMullen to sign that evening before he left.

Motion approved unanimously.

Commissioner Amy asked why it had not been presented sooner, given the deadline stated in the letter. Chief Rita advised it had been forgotten on the last Agenda but that County staff was aware and it was not an issue.

**c. Discussion / Action – Bill Payment Process Changes (Chief Rita)**

Chief Rita reported she and Clerk Hall had meet to review the current process for paying invoices and how it can be modified to reduce stress on the Clerk, still provide the County what they need, and pay invoices in a timelier manner. The findings and recommendations after this meeting are:

(1) Finding:  
 It is a significant burden to have to prepare and submit invoices for payment all at once after the Board meetings. It is also not necessary to prepare a separate claim form for each bill or to have all Board members approve their payment and sign the bill cover sheet the Clerk is currently providing each month.

Recommendation:  
 It is recommended that as bills come in they be approved by the Chair of the Budget and Benefit’s Committee and the Clerk

for payment. The Clerk can then sign the invoice and submit it for payment. Then, at each Board meeting, the Clerk would present a list of the bills and amounts paid and the Board can ratify the payments.

Question from Commissioner Amy:

Why does the Board need to ratify the payments? Chief Rita responded that one of the LAFCO findings was that we need to more clearly identify in the Board minutes what financial actions the Board has taken and that the Board is aware of what is transpiring in our financials, from reviewing the financial statements to listing and acknowledging expenditures. Ratification of the actions with respect to bill payment would meet one of the requirements.

(2) Finding:

It is very time consuming for the Clerk to include all of the bill copies in a bill packet for the Board meeting, especially now that all Board members have online access if they want to review a bill copy.

Recommendation:

It is recommended that only a bill coversheet be provided in the Board packet, listing the payee and amount paid.

Motion:	Adopt the Fire Chief's recommendations regarding payment of bills
Motion by:	Commissioner Stiles
Seconded by:	Commissioner Roos
Discussion:	Question raised Commissioner Amy regarding what happens if we have no Clerk, as is the case now?

Amendment:	To change the approval for payment process to have bills approved by any two of the Clerk, Chair of the Budget and Benefits Committee, and Fire Chief
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Amendment by:	Commissioner Amy
Accepted by:	Commissioner Stiles
Discussion:	No further discussion
Original motion approved unanimously; amendment to the motion approved unanimously.	

**d. Discussion / Action – Board Position on Supporting Candidates and /**

**or Legislation (Chief Rita)**

As requested by the Board, Chief Rita presented a list of pros and cons. Chair Amy was apparently the only Board member to prepare a list and it had one item: the time necessary to properly vet candidates.

The first question was whether it was legal for the Board to endorse candidates or legislation. There was some discussion around that. The end result was to ask County Counsel for a ruling. Chief Rita advised that she had anticipated the request and had sent an email to County Counsel.

Commissioner McMullen suggested that the item be broken into parts: supporting candidates and supporting legislation. He also noted that “legislation” was a very narrow term that didn’t include regulations, etc.

Motion: Separate the discussion into two topics:  
 endorsing candidates and endorsing legislation  
 Motion by: Commissioner Roos  
 Seconded by: Commissioner Stiles  
 Discussion: No further  
 Motion approved unanimously.

Commissioner Roos asked what other districts do. Assistant Chief Stiles stated that cities will abstain and he is not sure what other districts are doing. Chief Rita also did not know what other districts are doing. Commissioner Stiles read a prepared statement regarding the Board and politics, stating the Board should stay out of politics.

Commissioner Roos asked if the Board would need to be involved in any way in any PAC the Yolo County Fire Chiefs might form. Chief Rita responded that they would not need to be involved, but that people donating to any such PAC may not realize the PAC and the Board are separate entities.

Motion: The Board take the formal position of not  
 supporting candidates  
 Motion by: Commissioner Amy  
 Seconded by: Commissioner Roos  
 Discussion: No further  
 Motion approved unanimously.

There was brief discussion about the impact, or not, of our District supporting or opposing legislation. President McMullen tabled any motion regarding supporting legislation until we have a response from County Counsel.

Commissioner Stiles asked how requests for proposed legislation would be provided to the Board. Any request for support of legislation might come from various places: Yolo County Fire Chiefs Association, Fire Districts Association, etc. The language of the proposed legislation would be presented to the Board for consideration. Pros and cons would be considered from different sources, not just those provided by the sponsor of the legislation, proposition, etc.

**e. Discussion / Action – Standing Committee – Reports**

**i. Lillard Hall Committee – Amy, Roos**

**1. Manager Report (Hall Manager Sykes)**

Hall Manager Sykes advised that the cash balance provided in his report was for the Bank of America account. He is in the process of moving some funds to the First Northern accounts, from which he will now write checks. The Bank of America account will stay open until all checks written on it have cleared.

**2. Discussion / Action – Approve December 13, 2023, Minutes**

Motion: Approve the December 13, 2023, Lillard Hall Committee meeting minutes as presented  
 Motion by: Commissioner Amy  
 Seconded by: Commissioner Roos  
 Discussion: None  
 Motion approved unanimously and the raise is effective the first payroll period in 2024.

**ii. Budget and Benefits Committee – Stiles, Roos**

**1. Discussion / Action – Ratify Committee’s**

**Recommendation to Increase Pay Rate for On-Call Driver/Operator from \$18.00 per Hour to \$20.00 per Hour**

Commissioner Stiles reported that our new career Firefighter position pay starts at \$18.00 hour; Company Officer, at \$20.00. The On-Call Driver Operators have the same training as the Company Officers. The revised budget does include the funds for a raise for the On-Call Driver Operator position.

Motion: Increase the Pay Rate for On-Call Driver/Operator from \$18.00 per hour to \$20.00 per hour  
 Motion by: Commissioner Stiles  
 Seconded by: Commissioner Roos  
 Discussion: No additional discussion

Motion approved unanimously and the raise is effective the first payroll period in 2024.

**iii. Personnel Committee – Amy, Roos**

**1. Filling Board Clerk Position – Update Only – No Meeting**  
 See Item 7 below.

**f. Discussion / Action – Ad Hoc Committee Report – Solar – Stiles, Roos**  
 No meeting; no report.

**g. Discussion / Action – Liaison Reports**

**i. Fire Prevention / Investigation – McMullen**  
 Nothing to report.

**ii. Large Equipment / Facilities – McMullen**

Chief Rita reported that W230 was gone and B30 was here. Assistant Chief Stiles reported that he was in the process of preparing it for service. He also reported that we had received the \$25,000.00 check. Chief Rita advised that the check had been presented to the County for deposit.

**5. Fire Chief's Report (Chief Rita)**

**a. Staffing**

Chief Rita reported that we have an on-call driver/operator candidate going through the background and medical clearances processes and two other individuals potentially interested in reserve positions. She also reported that she had just submitted the documents to LiveScan for the authorized record keeper for those reports and that she was waiting for confirmation that the program is in place.

**b. Other Items Not Otherwise Addressed Elsewhere During Meeting**

Chief Rita reported that she had rescheduled her meeting with General Services Manager Ryan Pistochni regarding Airport services. The meeting is currently scheduled for December 20, 2023. Commissioner Stiles will also attend.

**6. Fire Fighter's Association Report (President Jon Lee)**

Association President Lee reported that the next Association fundraiser is the Pancake Breakfast on the first Sunday in March. He indicated the members were considering selling mixed drinks (Irish Coffee, Bloody Mary, Mimosa) and he may come back to the Commission for a waiver of the security guard requirement. The members are discussing whether to sell those items. Commissioner Roos asked about liability. President Lee responded that he would be getting an alcohol rider on the insurance and all servers would be trained per ABC rules; we would also probably have a licensed bartender.

Commissioner Roos asked about moving this item up on the Agenda so that Association President Lee did not have to sit through the entire meeting. After some discussion it was decided not to move the item as Association President Lee would likely sit through the meeting anyway so he can report to the Association. Mr. Lee thanked Commissioner Roos for the consideration.

**7. Clerk’s Report (Board Clerk Hall)**

**a. Clerk’s Resignation**

Commissioner Amy advised that this would be Clerk Hall’s last meeting and last day. President McMullen, on behalf of the Board, expressed the Board’s appreciation for all of her work and dedication during her time with us.

Commissioner Amy asked Chief Rita for an update on the search for a new clerk. Chief Rita reported that Willow Oak’s clerk is retiring and she and Chief Klinkhammer had started discussion about sharing a Clerk. She further responded that Clerk Hall had recommended Julie Heath, also from the Department of Financial Services at Yolo County, and Ms. Heath had expressed her interest to Chief Rita interest in applying. Chair Amy directed Chief Rita to have Ms. Heath complete an Application and schedule a Personnel Committee meeting for an interview.

Chief Rita expressed willingness to serve, and will serve, as Interim Board Clerk again until a new clerk can be hired.

**b. Discussion / Action – West Plainfield Fire Protection District Bill Review / Ratification**

Motion: Ratify the bill payments  
 Motion by: Commissioner Amy  
 Seconded by: Commissioner Stiles  
 Discussion: None  
 Motion approved unanimously.

**c. Discussion / Action - Approval of November 21, 2023, Regular Board Meeting Minutes**

Motion: Approve the November 21, 2023, minutes as presented  
 Motion by: Commissioner Roos  
 Seconded by: Commissioner Amy  
 Discussion: None  
 Motion approved unanimously.

**8. Open Forum**  
 NONE

**9. Next regular Board meeting on January 16, 2024, unless another date is agreed upon**

The next meeting date was confirmed as January 16, 2024. President McMullen advised that he would be gone for meeting and that Commissioner Roos will preside over it.

**10. Meeting Adjourned (President McMullen)**

Motion: Adjourn the meeting  
Motion by: Commissioner Amy  
Seconded by: Commissioner Roos  
Discussion: None  
Motion approved unanimously.

President McMullen adjourned the meeting at 8:01 PM.

Approved: January 16, 2024

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WARREN ROOS, Vice President

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CHERIE RITA, Recorder