



LAKEPORT FIRE PROTECTION DISTRICT

445 North Main Street, Lakeport, CA 95453
Telephone: (707) 263-4396 Fax: (707) 263-7087
Web Site: www.lakeportfire.com



Any person may speak for up to 3 minutes on any agenda item; however, total public input per item is not to exceed 15 minutes, unless extended at the discretion of the Board Chair. The public is allowed to comment before any action is taken by the Board on any specific issue. This meeting may be audio and/or video recorded.

Agenda of public meetings and supporting documents are available for public inspection in the Fire District Office, 445 N. Main Street, Lakeport, CA 95453, during normal business hours; or on the District's website: www.lakeportfire.com

***REQUEST FOR DISABILITY – RELATED MODIFICATION OR ACCOMMODATION:** A request for a disability-related modification or accommodation necessary to participate in the Board of Directors' meeting should be made in writing to the Board Clerk at least 48 hours prior to the meeting.*

BOARD OF DIRECTORS **REGULAR MEETING AGENDA**

July 9, 2024, 5:30 P.M.

Lakeport Fire Protection District
445 N. Main Street, Lakeport, CA 95453

A. Call to Order

- A1. Pledge of Allegiance
- A2. Roll Call
- A3. Motion to Approve July 9, 2024 Regular Meeting Agenda (GC §54954.2)

B. Consent Calendar

Approval of consent agenda items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. Any Board member may request that an item be removed from the consent calendar for later discussion.

- B1. Motion to Approve June 11, 2024 Regular Meeting Minutes
- B2. Motion to Approve June 2024 Warrants/Expenditures (CalCard detail provided next month)
- B3. Motion to Approve Payroll for the pay periods ending June Holiday Pay, June 15 and June 30, 2024

C. Public Comment (GC §54954.3)

Any person may speak for three minutes about any subject of concern provided it is within the jurisdiction of the Board of Directors and is not already on the today's agenda.

D Reports – Information/Discussion

D1. Fire Chief's Report

- a) Chief's Activity Report
- b) Incident Log for June 2024
- c) Fleet Mileage/Hours/Service Report for June 2024
- d) Monthly Budget Report for June 2024

D2. Administration Report

D3. Captains' Report

D4. Professional Firefighters Association – Teamsters Local #856 Report

D5. Volunteer Firefighters Association Report

D6. City Council Representative's Report

D7. Board of Supervisors Representative's Report

D8. Directors Activity Reports

E. Action Items

- E1. Review, discussion and possible vote authorizing the Fire Chief to enter into a contract with Brelje & Race Consulting Engineers, in an amount not to exceed \$75,000, for engineering services and core sample testing at 445 N Main St and 901 Larrecou Lane
- E2. Review, discussion and possible vote on accepting the Memorandum of Understanding (MOU) Side-letter for the period July 1, 2019 thru June 30, 2024 re: the Payment and Reporting of Holiday Pay to CalPERS as a result of recent Holiday Pay Audit by CalPERS
- E3. Review, discussion and possible vote accepting the 2023-24 Gann Limit/Prop 4 Compliance Report
- E4. Review, discussion and selection of one of four (4) proposals to provide legal services to the District
- E5. Review, discussion and possible vote authorizing the Fire Chief to enter into a contract with Ridgeline Municipal Strategies, in an amount not to exceed \$27,500, for a nexus study regarding the Schedule of Fees for Services.

F. Request for Future Agenda Items

For August meeting:

Adopted Budget

Measure M Parcel Tax Adjustment based on June SF Bay Area CPI

Ambulance Fees Increase

G. Adjournment

Agenda Posted Per GC §54954.2
on July 5, 2024, at 5:00 p.m.

Ray Lavelle

Ray Lavelle, Board Clerk



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BOARD OF DIRECTORS REGULAR MEETING MINUTES

June 11, 2024, 5:30 P.M.

Lakeport Fire Protection District

445 N. Main Street, Lakeport, CA 95453

A. Call to Order at 5:31 PM

A1. Pledge of Allegiance was led by Chair Gabe

A2. Roll Call

Director Bedford X, Director Britton X, Director Brown X, Vice-Chair Warrenburg X and Chair Gabe X

Staff Present: Fire Chief Patrick Reitz and Admin Lavelle

A3. Motion to Approve June 11, 2024 Regular Meeting Agenda (GC §54954.2)

Director Warrenburg made a motion, seconded by Director Brown, to approve the June 11, 2024 Regular Meeting agenda as distributed.

Ayes: Bedford, Britton, Brown, Gabe & Warrenburg

Noes:

Absent:

Abstain:

Motion Passes

B. Consent Calendar

Approval of consent agenda items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. Any Board member may request that an item be removed from the consent calendar for later discussion.

- B1. Motion to Approve May 14, 2024 Regular Meeting Minutes
- B2. Motion to Approve May 2024 Warrants/Expenditures
- B3. Motion to Approve Payroll for the pay periods ending May 15 and May 30, 2024

Director Brown made a motion, seconded by Director Britton, to approve the consent calendar as distributed.

Ayes: Bedford, Britton, Brown, Gabe & Warrenburg

Noes:

Absent:

Abstain:

Motion Passes

C. Public Comment (GC §54954.3)

Any person may speak for three minutes about any subject of concern provided it is within the jurisdiction of the Board of Directors and is not already on the today's agenda.

None given

D. Reports – Information/Discussion

D1. Fire Chief's Report

- a) Chief's Activity Report (copy attached)

Chief Reitz reported on numerous meetings and activities that have occurred since the last meeting.

- b) Incident Log for May 2024

The incident log for May 2024 was reviewed.

- c) Fleet Mileage/Hours/Service Report for May 2024

The Fleet Mileage/Hours/Service Report for May was reviewed.

- d) Monthly Budget Report for May 2024

The May 2024 Monthly Budget Report was reviewed.

D2. Administration Report

None given.

D3. Captains' Report

Acting Captain Reisbeck gave a brief report on recent activities.

D4. Professional Firefighters Association – Teamsters Local #856 Report

None given.

D5. Volunteer Firefighters Association Report

It was reported that the Memorial Day parade was a success.

D6. City Council Representative's Report

Councilmember Disney reported on recent activities of the City Council.

D7. Board of Supervisors Representative's Report

None given

D8 Directors Activity Reports

A brief report was given regarding the Station Design conference in Arizona attended by Directors Bedford and Brown, Chief Reitz and Firefighter/Medic Hindmarch.

E. Action Items

E1. Review, discussion and possible vote on revisions to the District's purchasing policy specifically related to the procurement of Professional Services

After discussion, the following amendments were made to the submitted purchasing policy:

- 1) Overview of the Purchasing Process – Bid evaluation-pricing preference for businesses based in Lake County will be changed from 5% to 10%***
- 2) Purchasing Agent – The Purchasing Agent shall provide a monthly (not quarterly) report to the Board of Directors of purchases made.***
- 3) Purchasing Authorizations (for Formal Bid and Small Purchases) - "Award to lowest cost, responsive, ..." to be replaced with "Goods and Services shall be awarded based on demonstrated competence and the professional qualifications necessary for the satisfactory performance of the goods and services required, at fair and reasonable prices to the District."***

Director Warrenburg made a motion, seconded by Director Britton, to approve the purchasing policy as amended.

Ayes: Bedford, Britton, Brown, Gabe & Warrenburg

Noes:

Absent:

Abstain:

Motion Passes

E2. Review, discussion and possible vote on adopting Resolution #23/24-16, a Resolution Establishing and Appropriating \$143,046 in Insurance Proceeds Received from Golden State Risk Management Authority (GSRMA) for the repairs to Station 52 and Appropriating That Revenue to Building Maintenance to Fund the Final Payment to Fort Bragg Electric

Director Warrenburg made a motion, seconded by Director Brown, to waive the reading and approve Resolution #23/24-16, a Resolution Establishing and Appropriating \$143,046 in Insurance Proceeds Received from Golden State Risk Management Authority (GSRMA) for the repairs to Station 52 and Appropriating That Revenue to Building Maintenance to

Fund the Final Payment to Fort Bragg Electric.

Ayes: Bedford, Britton, Brown, Gabe & Warrenburg

Noes:

Absent:

Abstain:

Motion Passes

- E3. Review, discussion and possible vote on adopting Resolution #23/24-17, a Resolution to Transfer \$12,000 from Fixed Assets Accounts and \$28,000 from Equipment – Reserves to Fund the Transmission Replacement of the Water Tender and the Balance of the Fire Suppression Skid Purchase for the UTV Program

Director Brown made a motion, seconded by Director Warrenburg, to waive the reading and approve Resolution #23/24-17, a Resolution to Transfer \$12,000 from Fixed Assets Accounts and \$28,000 from Equipment – Reserves to Fund the Transmission Replacement of the Water Tender and the Balance of the Fire Suppression Skid Purchase for the UTV Program.

Ayes: Bedford, Britton, Brown, Gabe & Warrenburg

Noes:

Absent:

Abstain:

Motion Passes

- E4. Review, discussion and possible vote on Resolution #23/24-18, a Resolution Establishing Proposition 4 Appropriations Limit for the 2024-25 Fiscal Year

Chair Gabe requested that the District determine whether or not it is subject to the Proposition 4/Gann Appropriations Limit.

Director Warrenburg made a motion, seconded by Director Britton, to waive the reading and approve Resolution #23/24-18, a Resolution Establishing Proposition 4 Appropriations Limit for the 2024-25 Fiscal Year

Ayes: Bedford, Britton, Brown, Gabe & Warrenburg

Noes:

Absent:

Abstain:

Motion Passes

- E5. Review, discussion and possible vote Authorizing Submittal of the Signature Authorization Form from the County of Lake Auditor/Controller for the 2024-25 Fiscal Year

Director Brown made a motion, seconded by Director Warrenburg, to Authorize Submittal of the Signature Authorization Form from the County of Lake Auditor/Controller for the 2024-25 Fiscal Year

Ayes: Bedford, Britton, Brown, Gabe & Warrenburg

Noes:

Absent:

Abstain:

Motion Passes

F. Request for Future Agenda Items

- 1) Legal Service procurement***
- 2) Nexus Study for Schedule of Fees for Services***
- 3) Annual CPI increase for Measure M Parel tax***
- 4) Consultant for Station 50 options***
- 5) Closed Session re: Labor Negotiations***

G. Adjournment

Chair Gabe adjourned the meeting at 7:41 PM.

Respectfully Submitted:

Ray Lavelle, Board Clerk

Read and Approved:

William Gabe, Board Chairman

June Check/Warrant Listing

Chk #	Chk Date	Vendor Name	Invoice Total	Description
16300 Total	06/05/2024	AIRVAC CORPORATION	\$ 32,342.50	Deposit on Bay Exhaust Systems
16301 Total	06/05/2024	AMERICAN RIVER BENEFIT ADM	\$ 313.20	Base Life Insurance 06/01/2024
16302 Total	06/05/2024	AT & T	\$ 171.35	Phones - Stat 50 04/24
16303 Total	06/05/2024	BUCHHOLZ, GARY	\$ 446.25	Background Chek
16304 Total	06/05/2024	CA ASSOC OF PROFESSIONAL FIREFIGHT	\$ 383.50	LT Disability Insur FT FFs 06/01/24
16305 Total	06/05/2024	CANON FINANCIAL SERVICES	\$ 350.00	June Prepayment
16306 Total	06/05/2024	EUREKA OXYGEN	\$ 942.60	Oxygen Tank Rental
16307 Total	06/05/2024	FORT BRAGG ELECTRIC	\$ -	VOID-Balance of Station 52 repair
16308 Total	06/05/2024	LAKEPORT FIRE (CALPERS ACCOUNT)	\$ 34,291.88	CalPERS Contributions - 05/15/24
16309 Total	06/05/2024	LAKEPORT FIRE (PAYROLL ACCOUNT)	\$ 53,153.18	Payroll Transfer 05-15-24
16310 Total	06/05/2024	LIFE ASSIST	\$ 4,658.79	Medical Supplies
16311 Total	06/05/2024	MENDO MILL AND LUMBER CO.	\$ 539.33	Household Maintenance
16312 Total	06/05/2024	MIDAMERICA ADMINISTRATIVE & RETIREM	\$ 384.00	Quarterly Admin Fee for HRA
16313 Total	06/05/2024	NAPA (LAKE) AUTO PARTS	\$ 426.94	Vehicle Maintenance
16314 Total	06/05/2024	PAK N MAIL	\$ 2,715.12	Weed Abatement Mass Mailing
16315 Total	06/05/2024	PERFORMANCE TRUCK REPAIR, INC.	\$ -	VOID M5013 Install Antenna/radio
16316 Total	06/05/2024	RAINBOW AG STORE	\$ 109.33	Hay for Lakeside Training Conferenc
16317 Total	06/05/2024	REITZ, PATRICK	\$ 60.00	Chief Cell Phone Allowance 06/01/24
16318 Total	06/05/2024	SYSTEMS DESIGN	\$ 2,943.28	Ambulance Billing - 04/01/24
16319 Total	06/05/2024	TACTICAL FIRE EQUIPMENT LLC	\$ 34,626.60	Fire Hoses
16320 Total	06/05/2024	TEAMSTERS LOCAL 856 DUES	\$ 752.00	Union Dues 06/01/24
16321 Total	06/05/2024	TEAMSTERS LOCAL 856 HEALTH & WELFAR	\$ 41,503.48	FT Emp & Retir Insurance - 06/01/24
16322 Total ***	06/05/2024	WESTGATE PETROLEUM CO. INC.	\$ 5,649.98	Fuel
16342 Total	06/14/2024	AT & T	\$ 171.76	Phones - Stat 50 04/24
16343 Total	06/14/2024	AT & T	\$ 265.01	Bedford Misc Travel Expenses
16344 Total	06/14/2024	CASCADE SOFTWARE SYSTEMS- WIN CAM	\$ 190.00	WinCAMs Cloud Hosting
16345 Total	06/14/2024	EUREKA OXYGEN	\$ 189.28	Oxygen Tank Rental
16346 Total	06/14/2024	FORT BRAGG ELECTRIC	\$ 143,046.00	Balance of Station 52 repair
16347 Total	06/14/2024	LAKE COUNTY RECORD BEE	\$ 89.89	Public Hearing Notice-Budget
16348 Total	06/14/2024	LAKEPORT FIRE (CALPERS ACCOUNT)	\$ 20,682.72	CalPERS Contributions - 05/31/24
16349 Total	06/14/2024	LAKEPORT FIRE (PAYROLL ACCOUNT)	\$ 52,649.90	Payroll Transfer 05-31-24
16350 Total	06/14/2024	LAKEPORT VOLUNTEERS FIREFIGHTER ASS	\$ 1,000.00	Pass thru Donation from Estes Famil
16351 Total	06/14/2024	LOCKARD, DENNIS	\$ 675.00	Plan Review - May
16352 Total	06/14/2024	MENDO MILL AND LUMBER CO.	\$ 232.71	Fuel Grinder w/Cut wheel
16353 Total	06/14/2024	MTECH INC.	\$ 8,611.29	Fire Suppression Skid for UTV
16354 Total	06/14/2024	PAK N MAIL	\$ 18.27	Mail Radio to El Paso
16355 Total	06/14/2024	PERFORMANCE TRUCK REPAIR, INC.	\$ 35,802.98	Water Tender Payment
16356 Total	06/14/2024	PRECISION WIRELESS SERVICES	\$ 1,216.31	Install Antennae in M5013
16357 Total	06/14/2024	RIDGELINE MUNICIPAL STRATEGIES	\$ 3,426.32	Mitigation Fee Study April thru May
16358 Total	06/14/2024	TYSON, JOHN	\$ 21.00	Reimburse for Coffee - Dump Fire
16359 Total	06/14/2024	US BANK CORPORATE PAYMENT SYSTEM	\$ 9,515.29	May C/C Statement Payment #1
16360 Total	06/14/2024	WESTGATE PETROLEUM CO. INC.	\$ 2,082.08	Fuel
16361 Total	06/28/2024	JOHNSON, SPENCER	\$ 329.73	Reimb for Pizza after Fire Call
16362 Total	06/28/2024	LAKEPORT FIRE (CALPERS ACCOUNT)	\$ 18,309.39	CalPERS Contributions - 06/15/24
16363 Total	06/28/2024	LAKEPORT FIRE (PAYROLL ACCOUNT)	\$ 67,026.03	Payroll Transfer 06-15-24
16364 Total	06/28/2024	LIFE ASSIST	\$ 2,792.58	Medical Supplies
16365 Total	06/28/2024	MENDO MILL AND LUMBER CO.	\$ 58.30	Foam Board Repair supplies
16366 Total	06/28/2024	MIDAMERICA ADMINISTRATIVE & RETIREM	\$ 666.66	23-24 HRA Contrib Reisbeck Prorated
16367 Total	06/28/2024	MOTOROLA SOLUTIONS, INC.	\$ 676.64	Radio Repair - 510
16368 Total	06/28/2024	MUNICIPAL EMERGENCY SERVICES - MES	\$ 2,205.36	SCBA Flow Testing
16369 Total	06/28/2024	NAPA (LAKE) AUTO PARTS	\$ 218.29	Vehicle Maintenance
16370 Total	06/28/2024	PERFORMANCE TRUCK REPAIR, INC.	\$ 25,208.33	Water Tender Payment
16371 Total	06/28/2024	TELEFLEX	\$ 1,330.00	Medical Supplies
16372 Total	06/28/2024	US BANK CORPORATE PAYMENT SYSTEM	\$ 38,446.77	June C/C Statement Payment #1
16373 Total	06/28/2024	WESTGATE PETROLEUM CO. INC.	\$ 794.90	Fuel
Grand Total			\$ 654,712.10	

***** Check Numbered 16323 thru 16341 were voided**

Please prepare a journal entry to transfer funds to our expenditure accounts for our automated payroll service
for the pay period **6/5/2024 June Holiday Pay**

<u>DISTRICT</u>	<u>FUND</u>	<u>DEPT/DIV</u>	<u>SUB</u>	
Lakeport Fire Protection Dist.	354	9554	795	
DESCRIPTION		CODE	DEBIT (+)	CREDIT (-)
Salaries & Wages-Permanent	FT Admin	01.11 A		
Salaries & Wages-Permanent	FT Shift	01.11 B	0.00	
Salaries & Wages-LT/PT/Temporary	LT Shift	01.12 A		
Salaries & Wages- Overtime	FT Shift OT	01.13 A		
Salaries & Wages -Overtime	LT Shift OT	01.13 B	765.76	
Salaries & Wages -Overtime	FT Admin OT	01.13 C	9,323.84	
Salaries & Wages - FLSA	FLSA	01.13 F		
Medicare - EmployER Paid		02.21 A	132.57	
FICA- EmployER Paid		02.21 B	0.00	
Medical Insur Reimb (PR Code 36)	FT Admin & FT Shift	03.30 A		
Union Dues (PR Code 39)	FT Shift	01.11 C		
CAPF (PR Code C)	FT Shift	01.11 C		
PERS After Tax (PR Codes 53 & 55)	FT Admin & FT Shift	02.23 A		
PERS 1959 Survivor (PR Code 59)	FT Admin & FT Shift	02.23 B		
Deferred Comp (PR Code K)	FT Admin & FT Shift	02.28 A		
Deferred Comp (PR Code RTH)	FT Admin & FT Shift	02.28 A		
Prof. & Spec. - Payroll Processing		23.80 C		
Payroll Clearing Account		09.00		
Payroll Clearing Account		09.00		10,222.17
TOTAL			10,222.17	10,222.17

DISTRICT AUTH. SIGNATURE _____

Please prepare a journal entry to transfer funds to our expenditure accounts for our automated payroll service
for the pay period **06/01/24 - 06/15/24**

<u>DISTRICT</u>	<u>FUND</u>	<u>DEPT/DIV</u>	<u>SUB</u>	
Lakeport Fire Protection Dist.	354	9554	795	
DESCRIPTION		CODE	DEBIT (+)	CREDIT (-)
Salaries & Wages-Permanent	FT Admin	01.11 A	9,866.21	
Salaries & Wages-Permanent	FT Shift	01.11 B	40,297.92	
Salaries & Wages-LT/PT/Temporary	LT Shift	01.12 A	7,771.88	
Salaries & Wages- Overtime	FT Shift OT	01.13 A	4,236.49	
Salaries & Wages -Overtime	LT Shift OT	01.13 B	242.64	
Salaries & Wages -Overtime	FT Admin OT	01.13 C	0.00	
Salaries & Wages - FLSA	FLSA	01.13 F	1,117.38	
Medicare - EmployER Paid		02.21 A	864.37	
FICA- EmployER Paid		02.21 B	189.94	
Medical Insur Reimb (PR Code 36)	FT Admin & FT Shift	03.30 A		1,966.30
Union Dues (PR Code 39)	FT Shift	01.11 C		350.00
CAPF (PR Code C)	FT Shift	01.11 C		177.00
PERS After Tax (PR Codes 53 & 55)	FT Admin & FT Shift	02.23 A		6,681.21
PERS 1959 Survivor (PR Code 59)	FT Admin & FT Shift	02.23 B		19.89
Deferred Comp (PR Code K)	FT Admin & FT Shift	02.28 A		2,100.00
Deferred Comp (PR Code RTH)	FT Admin & FT Shift	02.28 A		125.00
Prof. & Spec. - Payroll Processing		23.80 C		
Payroll Clearing Account		09.00		
Payroll Clearing Account		09.00		53,167.43
TOTAL			64,586.83	64,586.83

DISTRICT AUTH. SIGNATURE _____

Please prepare a journal entry to transfer funds to our expenditure accounts for our automated payroll service
for the pay period **06/16/24 - 06/30/24**

<u>DISTRICT</u>	<u>FUND</u>	<u>DEPT/DIV</u>	<u>SUB</u>	
Lakeport Fire Protection Dist.	354	9554	795	
DESCRIPTION		CODE	DEBIT (+)	CREDIT (-)
Salaries & Wages-Permanent	FT Admin	01.11 A	12,457.32	
Salaries & Wages-Permanent	FT Shift	01.11 B	40,297.92	
Salaries & Wages-LT/PT/Temporary	LT Shift	01.12 A	5,923.32	
Salaries & Wages- Overtime	FT Shift OT	01.13 A	3,323.45	
Salaries & Wages -Overtime	LT Shift OT	01.13 B	78.87	
Salaries & Wages -Overtime	FT Admin OT	01.13 C	0.00	
Salaries & Wages - FLSA	FLSA	01.13 F	1,117.38	
Medicare - EmployER Paid		02.21 A	859.52	
FICA- EmployER Paid		02.21 B	75.33	
Medical Insur Reimb (PR Code 36)		03.30 A		1,966.30
Union Dues (PR Code 39)		01.11 C		350.00
CAPF (PR Code C)		01.11 C		177.00
PERS After Tax (PR Codes 53 & 55)	CalPERS EE Contribs	02.23 A		6,882.03
PERS 1959 Survivor (PR Code 59)	CalPERS EE Contribs	02.23 H		19.89
Deferred Comp (PR Code K & RTH)	CalPERS EE Contribs	02.28 A		2,100.00
Deferred Comp (PR Code K)	Nationwide EE Contribs	02.28 B		125.00
Deferred Comp (PR Code K)	CalPERS ER Contrib	02.28 C		0.00
Prof. & Spec. - Payroll Processing		23.80 C		
Payroll Clearing Account		09.00		52,512.89
Payroll Clearing Account		09.00		
TOTAL			64,133.11	64,133.11

DISTRICT AUTH. SIGNATURE _____

INCIDENT COUNT - JUNE 2024	
Incident Type	Count
Building fire	2
Trash or rubbish fire, contained	1
Passenger vehicle fire	1
Forest, woods or wildland fire	2
Brush or brush-and-grass mixture fire	2
Grass fire	4
Outside rubbish fire, other	1
Medical assist, assist EMS crew	4
EMS call, excluding vehicle accident with injury	157
Motor vehicle accident with injuries	10
Motor vehicle accident with no injuries.	2
Person in distress, other	2
Lock-out	1
Public service assistance, other	1
Public service	8
Assist invalid	11
Unauthorized burning	1
Good intent call, other	1
Dispatched & cancelled en route	48
No incident found on arrival at dispatch address	2
Smoke scare, odor of smoke	3
False alarm or false call, other	1
Local alarm system, malicious false alarm	1
CO detector activation due to malfunction	1
Alarm system activation, no fire - unintentional	2
EMS call, excluding vehicle accident with injury	1
Total:	270

AID GIVEN - JUNE 2024	
Incident Type	Count
Building fire	1
Grass fire	2
EMS call, excluding vehicle accident with injury	13
Motor vehicle accident with injuries	3
Assist invalid	1
Unauthorized burning	1
Dispatched & cancelled en route	32
Total:	53

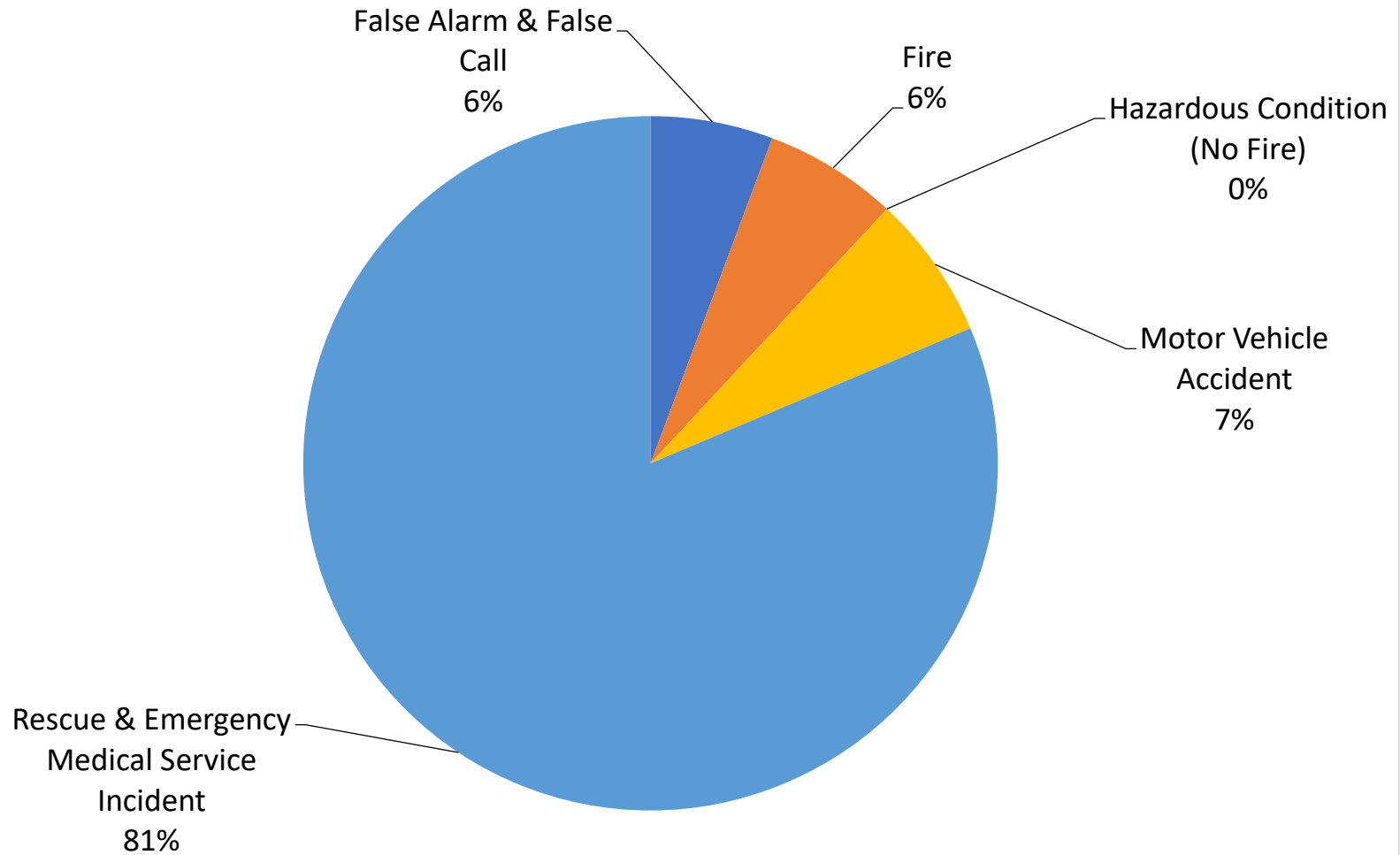
AID RECEIVED - JUNE 2024	
Incident Type	Count
Building fire	1
Trash or rubbish fire, contained	1
Passenger vehicle fire	1
Forest, woods or wildland fire	2
Brush or brush-and-grass mixture fire	2
Grass fire	1
Medical assist, assist EMS crew	1
EMS call, excluding vehicle accident with injury	19
Person in distress, other	1
Dispatched & cancelled en route	1
Total:	30

TOTAL INCIDENTS YTD 2024		
Incident Type	Count	2023
Building fire	4	9
Cooking fire, confined to container	1	1
Chimney or flue fire, confined to chimney or flue	3	2
Trash or rubbish fire, contained	2	4
Passenger vehicle fire	3	4
Forest, woods or wildland fire	2	0
Brush or brush-and-grass mixture fire	3	6
Grass fire	4	0
Outside rubbish fire, other	3	1
Outside rubbish, trash, or waste fire	0	1
Excessive heat, scorch burns with no ignition	0	1
Rescue, EMS incident, other	0	1
Medical assist, assist EMS crew	5	0
Emergency medical service, other	5	3
EMS call, excluding vehicle accident with injury	842	886
Motor vehicle accident with injuries	41	51
Motor vehicle/pedestrian accident (MV Ped)	1	0
Motor vehicle accident with no injuries.	10	9
Removal of victim(s) from stalled elevator	0	1
Trench/below-grade rescue	1	0
Hazardous condition, other	8	6
Gasoline or other flammable liquid spill	0	1
Gas leak (natural gas or LPG)	7	3
Carbon monoxide incident	0	1
Electrical wiring/equipment problem, other	7	1
Overheated motor	0	1
Heat from short circuit (wiring), defective/worn	2	0
Power line down	19	44
Arcing, shorted electrical equipment	1	1
Service Call, other	1	1
Person in distress, other	4	3
Lock-out	3	3
Water problem, other	1	0
Public service assistance, other	9	10
Assist police or other governmental agency	3	1
Police matter	2	0
Public service	43	120
Assist invalid	22	5
Unauthorized burning	1	0
Good intent call, other	1	0
Dispatched & cancelled en route	189	222
Wrong location	1	0
No incident found on arrival at dispatch address	8	6
Authorized controlled burning	3	0
Smoke scare, odor of smoke	8	7
False alarm or false call, other	9	4
CO detector activation due to malfunction	2	1
Municipal alarm system, malicious false alarm	6	1
Local alarm system, malicious false alarm	1	
Smoke detector activation due to malfunction	1	1
Alarm system sounded due to malfunction	2	11
Severe weather or natural distaster, other	0	2
Unintentional transmission of alarm, other	1	0
Alarm system activation, no fire - unintentional	5	0
Special type of incident, other	0	1
Total:	1300	1437

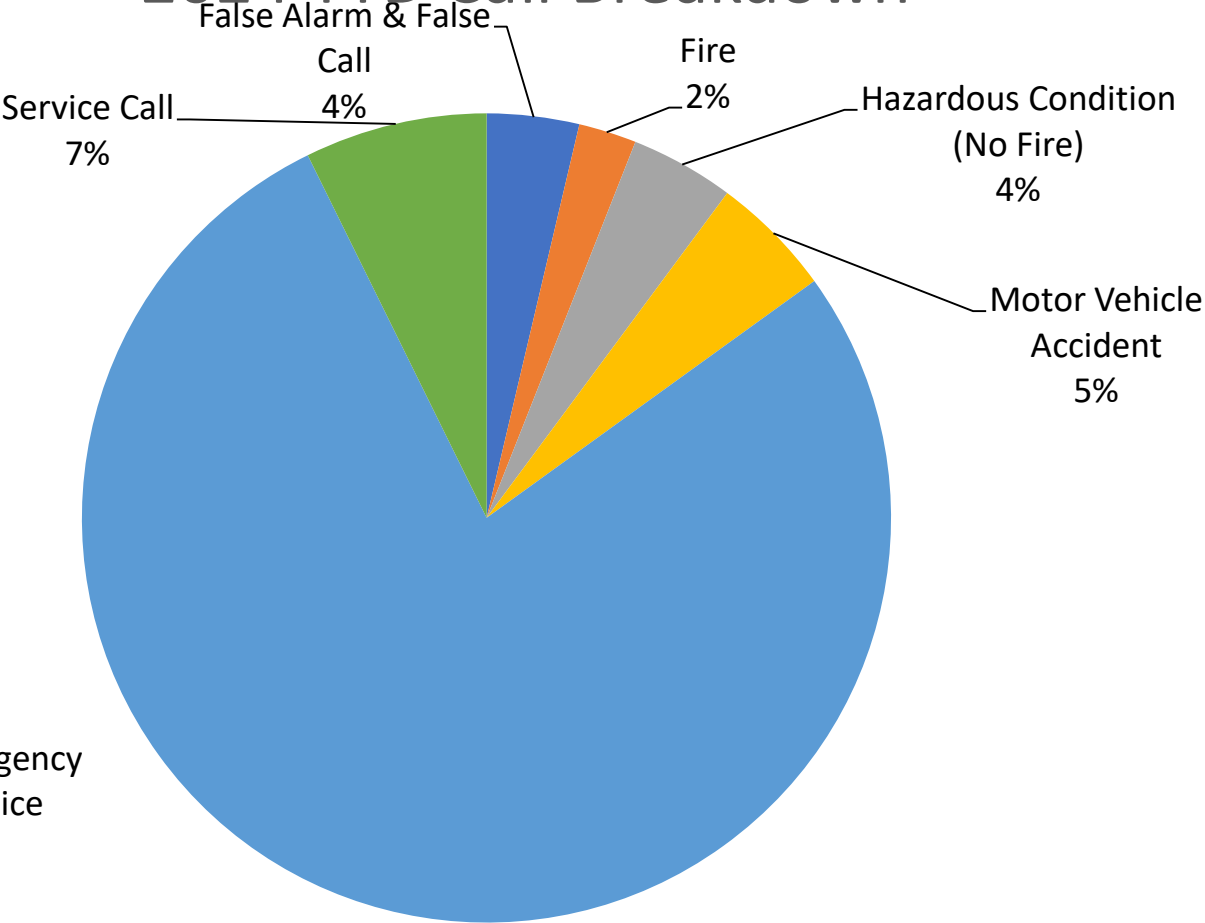
YTD AID GIVEN - 2024		
Incident Type	Count	2023
Building fire	3	4
Grass fire	2	2
Outside rubbish fire, other	1	0
EMS call, excluding vehicle accident with injury	51	38
Motor vehicle accident with injuries	11	9
Power line down	1	0
Public service	2	4
Assist invalid	3	3
Unauthorized burning	1	87
Dispatched & cancelled en route	107	108
Wrong location	1	0
No incident found on arrival at dispatch address	2	1
Special type of incident, other	0	1
Total:	185	256

YTD AID RECEIVED - 2024		
Incident Type	Count	2023
Building fire	1	1
Chimney or flue fire, confined to chimney or flue	1	0
Trash or rubbish fire, contained	1	0
Passenger vehicle fire	1	0
Forest, woods or wildland fire	2	0
Brush or brush-and-grass mixture fire	2	3
Grass fire	1	0
Medical assist, assist EMS crew	1	0
Emergency medical service, other	1	0
EMS call, excluding vehicle accident with injury	75	91
Motor vehicle accident with injuries	5	9
Motor vehicle accident with no injuries	0	1
Person in distress, other	2	0
Public service assistance, other	1	4
Assist invalid	1	0
Dispatched & cancelled en route	10	7
No incident found on arrival at dispatch address	1	6
Smoke scare, odor of smoke	2	1
False alarm or false call, other	1	1
Total:	109	124

June 2024- Call Breakdown



2024 YTD Call Breakdown



LAKEPORT FIRE PROTECTION DISTRICT
MONTHLY FLEET REPORT

UNIT #	MILEAGE		ENGINE HOURS		PUMP HOURS		LADDER HOURS		LAST SERVICE	LAST SERVICE	ELAPSED
	JUNE	MILES	JUNE	HOURS	JUNE	HOURS	JUNE	HOURS	MONTH-YEAR	Miles/Hours	Miles/Hours
E5011	30,469	993	2,346	79	113	12.80			Jan-24	1,889	457 hr.
T5011	20,274	21	2,471	8	131.0	0.00	727	2	Aug-21	19,100	1174 mi.
E5012	161,013	13	16,275	27	190.0	0.00			Jul-23	15,905	370 hr.
E5031	20,980	126	1,445	31	203.0	6.00			Apr-18	17,200	3780 mi.
E5021	31,430	35	3,165	12					Aug-22	3,111	54 hr.
M5011	-	(124,841)	-	(6,920)					Jul-22	91,719	-91719 mi.
M5012	105,971	2,154	5,760	113					Jul-22	90,520	15451 mi.
E5211	-	(51,335)	-	(4,591)	-	-1328.00			Oct-22	4,260	-4260 hr.
WT5011	-	(20,217)							Jun-22	21,005	-21005 mi.
U5011	104,012	102							Sep-22	94,678	9334 mi.
C500	71,692	675							Aug-23	64,417	7275 mi.
U5012	35,931	144							Oct-23	27,039	8892 mi.
Ski5011			77	-							
Ski5012			78	-							
UTV5011	1197	0									
STATION 50 GENERATOR			556	5							
E5011	2021	Pierce	Enforcer								
T5011	1999	Seagrave	Quint								
E5012	2003	Pierce	Dash	West Sac Engine							
E5031	2011	Intl.	Crimson	Spartan							
E5021	1998	Intl.	Opperman								
M5011	2014	Dodge	Braun								
M5012	2015	Dodge	Braun								
E5211	2001	Central States	Spartan								
WT5011	1984	Kenworth	Opperman								
U5011	2008	Dodge	Ram 1500								
C500	2015	Ford	F250								

General Fund - 354		Adopted	6/30/2024		100%	
Account #	APPROPRIATIONS	Budget	This Month	YTD	% of Budget	Remaining \$
01-11	Salaries - Permanent	1,128,000	100,237	1,116,002	99%	11,998
01-12	Extra Help	91,000	13,708	90,816	100%	184
01-13	Overtime - Holiday -	226,825	22,050	224,354	99%	2,471
02-21	Social Security - Medicare	22,000	2,048	22,052	100%	-52
02-22	CalPERS	413,600	43,950	396,888	96%	16,712
02-23	CalPERS Clearing	11,500	6,749	(106)	-1%	11,606
02-28	Deferred Comp Clearing Account	10,300	4,618	8,200	80%	2,100
03-30	Health/Life Insurance	429,000	34,088	420,382	98%	8,618
03-31	Unemployment Insurance	0	0	0	0%	0
03-45	Retiree Other Post Emp. Benefits	55,500	2,950	53,218	96%	2,283
04-00	Workers Compensation	85,250	0	85,234	100%	16
09-00	Payroll Clearing Account	0	(37,360)	0	n/a	0
Total Salaries and Benefits		2,472,975	193,039	2,417,040	98%	55,935
11-00	Clothing & Personal Supplies	18,000	918	17,430	97%	570
12-00	Communications	132,700	1,776	132,616	100%	84
14-00	Household Expense	8,000	1,084	6,533	82%	1,467
15-10	Insurance - Prop., Auto and Eq.	32,500	0	32,446	100%	54
15-12	Insurance - Public Liability	85,600	0	85,568	100%	32
17-00	Maintenance - Vehicles/Equipment	123,000	34,171	122,825	100%	175
18-00	Maintenance - Buildings & Grounds	146,846	143,352	145,774	99%	1,072
19-40	Medical Supplies	52,700	9,980	52,663	100%	37
20-00	Memberships	17,759	0	17,743	100%	16
22-70	Office Supplies	10,100	3,727	10,040	99%	60
22-71	Postage	900	208	616	68%	284
22-72	Books & Periodicals	2,500	194	194	8%	2,306
23-80	Professional & Specialized Services	144,500	5,590	136,821	95%	7,679
24-00	Publications & Legal Notices	500	90	376	75%	124
25-00	Rents & Leases - Equipment	21,000	0	20,789	99%	211
26-00	Rents & Leases - Buildings	10	0	0	0%	10
27-00	Small Tools & Instruments	3,000	265	1,579	53%	1,421
28-30	Supplies & Services	96,500	27,965	92,212	96%	4,288
28-48	Ambulance Expense	117,366	2,943	109,584	93%	7,782
29-50	Transportation & Travel	34,500	5,791	26,809	78%	7,691
30-00	Utilities	84,000	14,642	77,116	92%	6,884
42-10	Notes & Loans/P&I	61,000	0	60,713	100%	287
48-00	Taxes & Assessments	690	0	676	98%	14
61-00	Land - Acquisitions	70,000	0	69,188	99%	812
61-60	Capital Bldgs & Improv.	32,500	32,343	32,343	100%	158
62-71	Capital Equipment Office	0	0	0	0%	0
62-72	Capital Equipment Vehicle	333,337	35,803	333,140	0%	197
62-74	Capital Equipment - Medical	40,417	8,611	40,312	100%	105
62-76	Capital Equipment Other	34,650	34,627	34,627	100%	23
Total Services, Supplies and Capital Expenses		1,704,575	364,080	1,660,730	97%	43,845
Total Fire Protection		4,177,550	557,119	4,077,770	98%	99,780

	General Fund - 354	Adopted	6/30/24		100%	
Account #	REVENUES	Budget	This Month	YTD	% of Budget	Remaining
10-10	Current Secured Taxes	1,072,745	44,526	1,053,024	98%	19,721
10-20	Current Unsecured Taxes	24,205	0	26,676	110%	(2,471)
10-25	Supplemental Roll Taxes - Current	20,000	0	11,385	57%	8,615
10-35	Supplemental Roll Taxes - Prior	5,000	702	5,335	107%	(335)
10-40	Prior Unsecured Taxes	1,500	0	1,234	82%	266
21-60	Permits	25,000	1,500	28,513	114%	(3,513)
42-01	Interest	11,000	0	59,617	542%	(48,617)
42-10	Rent - Finley Station	6,000	0	5,546	92%	454
54-60	Home Owners Prop. Tax Relief	9,000	0	4,270	47%	4,730
54-70/90	State Aid	25,000	0	0	0%	25,000
68-60	Ambulance Revenue	1,272,698	117,415	1,438,490	113%	(165,792)
69-29	Measure "M" Special Tax	1,328,700	7,008	1,367,466	103%	(38,766)
79-60	Sale of Fixed Assets	0	0	0	0%	0
79-90	Other/Miscellaneous Revenue	56,200	(125,329)	68,989	123%	(12,789)
79-91	Cancelled Checks	0	0	8,581	0%	(8,581)
79-93	Insurance Proceeds/Payments	143,046	147,660	147,660	0%	(4,614)
81-22	Operating Transfers In	871,054	0	311,304	0%	559,750
Total Revenue		4,871,148	193,482	4,538,091	93%	333,057
	Transfer from (-to) Fund Balance	(693,598)	363,638	(460,321)		
Total Revenue/using reserves		4,177,550	557,119	4,077,770	98%	
Fund Balances						
Acct. #	General Fund - 354					
	Unreserved Fund Balance	1,543,720	0	(1,776,998)		(233,278)
01-00	Reserves - General	20,000	0	0		20,000
02-00	Petty Cash	150	0	0		150
00-00	Unreserved - General - Designated	200,000	0	688,583		888,583
04-00	Unreserved - Designated - Equip.	850,000	0	218,447		1,068,447
06-00	Unreserved - Designated - Buildings	76,118	0	750,000		826,118
2500	Unreserved - Designated - Medical	58,889	0	580,288		639,177
Total General Fund 354 Equity		2,748,877	0	460,321		3,209,197
Fire Mitigation Fund - 363						
	FY Beginning Fund Balance		This Month	YTD		481,612
42-01	Interest	1,500	0	8,529		8,529
81-22	Operating Transfers/Out			(311,304)		(311,304)
66-15	Lake County Fire Mitigation	21,000	2,076	25,679		25,679
66-16	Lakeport City Fire Mitigation	5,000		1,709		1,709
Total Fire Mitigation Fund 363 Balance			2,076	(275,387)		206,224
Wells Fargo Checking Account		6/30/24				
	Ambulance & Online Payments	\$ 134,812				
Savings Bank of Mendocino Checking		6/30/24				
	ADP Payroll & CalPERS	\$ 57,410				



LAKEPORT FIRE PROTECTION DISTRICT

445 North Main Street, Lakeport, CA 95453
Telephone: (707) 263-4396 Fax: (707) 263-7087
Web Site: www.lakeportfire.com



Date: July 5, 2024
To: Board of Directors
From: Patrick Reitz, Fire Chief
Subject: **Contract for Engineering Services and Core Sampling at Station 50 and Larrecou Property**

Recommendation

1. Make a motion to authorize the Fire Chief to enter into a contract with Brelje & Race Consulting Engineers, in an amount not to exceed \$75,000, for engineering services and core sample testing at 445 N Main St and 901 Larrecou Lane

Background

At the board workshop held on June 25, 2024 to discuss options for Station 50, it was directed that core sampling needed to be done at Station 50 and at the Larrecou property as soon as possible. This is to determine if there are negative conditions existing, such as contaminants, serpentine rock, fuel tanks, etc. that would make building at these sites unfavorable for health and safety reasons.

The attached proposal from Brelje & Race is to perform those services. The contract is for \$68,847, and with a 10% contingency, I am requesting approval to enter into a contract not to exceed \$75,000 for these services.

July 3, 2024

Olivia Grupp, Project Manager
City of Lakeport
225 Park Street
Lakeport, CA 95453

**Subject: Second Revised Proposal – Supplemental Services for Design and Construction
– Lakeport Fire Station Lot Improvements Project
B&R File No. 4944.02**

Dear Olivia:

During our kickoff meeting we discussed adding two additional services under our design and CM contract with the City. The first included environmental services to discover any potentially hazardous soils under the existing firehouse driveway ahead of construction. The other was our recommendation to include geotechnical testing services during the construction phase of the project.

The environmental services were deemed necessary after learning of the existence of a car dealership and/or mechanics shop that previously occupied the same site. Chief Patrick noted buried car parts and a potentially present underground storage tank. Knowing how to deal with the potentially hazardous materials likely to be present, and the presence of an underground storage tank ahead of construction will save considerable delay and costs due to change orders if left to be dealt with during construction. We have requested and received a quote from EBA Engineering in Santa Rosa for performing soil sampling and discovery services for both Phase I and Phase II Environmental Site Assessment (ESA) reports. The Phase I report was not originally included, but has been added per request of the City.

Subsequently, earlier this week it was requested that we include sampling within the apparatus bay at the fire house and include costs for conducting Phase I and Phase II ESAs at another site under consideration for a future fire station. That site is located at 901 Larrecou Lane.

EBA has prepared another update to their scope for including the apparatus bay and for performing a Phase I ESA at the Larrecou Lane site. They are not able to prepare a Phase II ESA estimate as it is currently unknown what historic uses that site may have been used for, nor is it understood what type of fill materials are currently on the site. The Phase II services will need to be estimated post completing the Phase I ESA. The Phase I services have been included under our scope, however, it may also be desirable to contract directly with EBA for all services relating to the Larrecou Lane property.

Geotechnical compaction testing and possibly concrete strength testing are likely to be desired during construction. It is generally best for the testing services to be under the direct control of the

Ms. Olivia Grupp

June 14, 2024

Page 2 of 2

owner (and their representatives) rather than to leave those services to the contractor. We requested and received a quote from RGH Consultants in Santa Rosa for performing geotechnical observation and testing services. The RGH quote is also attached. Note that the exact scope of their services is somewhat unknown at this stage, but we've suggested a scope that we believe will cover all the needed site visits for observing subgrades, collecting soil samples and lab testing. Their scope includes the base project, plus an adder for the bid alternate paving area should that be included in the construction contract. We would recommend approving the full scope with the alternate, and not using that portion of the budget should the alternate not be included.

Per our standard rates schedule, Brelje & Race adds a 10-percent mark-up to subconsultant invoices. Additionally, we estimate roughly 6 hours of engineering staff time and one hour of Principal oversight to coordinate with EBA, and 4 hours of engineering staff time and one hour of Principal oversight to coordinate with RGH throughout the project. Coordination includes scheduling of each subconsultant's work tasks, general communications, and review and comment on their reports and test data.

The total proposed budget for adding these supplemental services is as follows:

EBA Engr Phase I – Fire Station (per quote)	\$4,000.00
EBA Engr – Limited Phase II ESA	\$29,737.00
EBA Engr – Phase I – Larrecou Lane	<u>\$4,000.00</u>
Subtotal EBA	\$37,737.00
RGH Consultants (per attached quote)	\$22,506.00 (With bid alternate)
B&R Mark-up (10% of \$60,243.00)	\$ 6,024.00
B&R Principal (\$265/hr x 2 hrs)	\$ 530.00
B&R Engineer (\$205/hr x 10 hrs)	<u>\$ 2,050.00</u>
Total:	\$68,847.00

Brelje & Race staff time would be invoiced on a time and materials basis as usual, and the work by the subconsultants would likewise be conducted on a time and materials basis. The budgets would not be exceeded without prior written approval from the City.

Please contact me with any questions or comments, or should you care to see any modifications to the scope of extra services being presented.

Very truly yours,

BRELJE & RACE



M. Sean Jeang, P.E.

Senior Principal

enclosures



July 2, 2024

Mr. Sean Jeane
Brelje & Race Consulting Engineers
475 Aviation Blvd. #120
Santa Rosa, California 95403
jeane@brce.com

**SUBJECT: REVISED COST ESTIMATE FOR ENVIRONMENTAL SERVICES –
PHASE I ENVIRONMENTAL SITE ASSESSMENT &
LIMITED PHASE II ENVIRONMENTAL SITE ASSESSMENT
LAKEPORT FIRE DISTRICT
455 NORTH MAIN STREET
LAKEPORT, CALIFORNIA
*EBA Proposal Number 711-24***

Mr. Jeane:

EBA Engineering (EBA) presents this *Revised Cost Estimate for Environmental Services* for the Lakeport Fire District property located at 455 North Main Street in Lakeport, California, hereinafter referred to as the project site. Costs are included herein for the completion of a Phase I Environmental Site Assessment (ESA) to assess historical uses of the project site property with the intention of understanding if historical property uses indicate the potential for environmental impacts to be present on the property. In addition, the Lakeport Fire District has indicated that they plan to replace the asphalt driveway at the property which will also include the installation of an underground vault (“suds separator”) which will collect wash water generated from the washing of fire trucks at the property and will be used to minimize any potential run-off into the storm drain system. EBA understands that the asphalt replacement project and installation of the suds separator will be put out for public bid to contractors. As such, EBA’s understood project objective with respect to asphalt replacement and the suds separator projects is to ascertain if impacted soils exist beneath the asphalt and proposed suds separator area that would require special disposal considerations by the contractor selected to perform the work. Finally, EBA further understands that the Lakeport Fire District has indicated a desire to understand shallow soil conditions beneath the on-site building to inform future decision making with regards to the continued use and/or potential future sale of the property.

According to information provided to EBA, we understand that project site may have historically operated as an automotive repair facility. Due to this reported historical property use, the potential exists for near surface soils to be impacted. As such, EBA has prepared this cost estimate proposal outlining the methodology and costs associated with: 1.) preparation of a Phase I ESA, 2.) the collection of shallow soil samples beneath the site building, and 3.) the collection of shallow soil samples from

soils underlying the areas of proposed construction (existing asphalt driveway and from the location of a proposed suds separator) to evaluate any potential impacts from historical property uses and conditions.

It should be noted that the scope of work for the proposed Phase II environmental assessment activities outlined herein may require modification following the completion of the Phase I ESA if historical information indicates the potential for deeper impacts to soils and/or groundwater as a result of any historical property uses not currently known. The soil sample laboratory analysis proposed herein includes screening for contaminants of potential concern (COPC) for the purpose of characterizing contaminated soils for off-site disposal as part of the asphalt replacement/suds separator project, and to better understand soil conditions at the property to inform future decision making. The soil sampling frequency proposed herein is based on commonly accepted sampling methodology and protocols and includes the laboratory analyses typically required for disposal at a licensed Class II landfill disposal facility.

Based on the provided information, an approximately 375 cubic yards of soils are proposed to be scraped from the current asphalt driveway to a maximum depth of 18 inches below ground surface (bgs), excepting the location of the suds separator that is proposed to be installed to a depth of four feet bgs. In addition, soil sampling beneath the site building is proposed based on an assumed area of approximately 5,280 square feet with a maximum depth of two feet bgs to ascertain if impacted soils are present within the top approximately two feet of soils beneath the building. For cost estimation purposes, the analytical testing program described herein is generally based upon soil characterization requirements for landfill acceptance as established and published by two regional Class II solid waste disposal facilities (Hay Road Landfill located in Vacaville, CA and Sonoma Central Landfill located in Cotati, CA) as applicable based on the reported historical use of the property as an automotive repair facility. While the analytical testing program includes the typical chemical constituents based upon the reported historical uses of the property, additional analytical testing may be required for profiling and acceptance to alternate facilities, and/or may need to be modified based upon the discovery process during completion of the Phase I ESA.

It should additionally be noted that contingent upon potential detections of the proposed analytical testing parameters, an expanded analytical suite may be required (i.e., a detection of polychlorinated biphenyls [PCBs] would typically trigger the additional analysis of dioxins and furans). Additionally, if the analytical results exceed Total Threshold Limit Concentration(s) (TTLC[s]), solubility testing would be required to determine if the soil is considered State and/or Federal Hazardous Waste which would include analysis for soluble limit threshold concentration (STLC) and/or Toxicity Characteristic Leaching Procedure (TCLP), as applicable. If additional analysis is required based upon the initial analytical results, EBA will provide a revised proposal detailing the additional costs.

It is important to note that the soil sampling and analytical testing program proposed herein is not intended for an off-site soil reuse scenario that would require the prior approval of the Regional Water Quality Control Board and significantly more project coordination, documentation, analytical testing and reporting.

The following tasks have been developed based upon our understanding of the project objectives.

SCOPE OF WORK – PHASE I ENVIRONMENTAL SITE ASSESSMENT

Task 1: Phase I Environmental Site Assessment

EBA will prepare a Phase I ESA in accordance with ASTM Standard E1527-21 and the All-Appropriate Inquiry. The purpose of the Phase I ESA is to assess the presence and effect of hazardous or toxic substances or waste impacts to the subject property. A site may contain these substances or wastes as a result of current and past site activities, unauthorized dumping and disposal, and migration of contaminants from near site properties. Importantly, the Phase I ESA will also inform whether any modifications to the proposed Phase II scopes of work are warranted. As part of the preparation of the Phase I ESA, EBA will perform the following tasks.

Subtask 1a: Historical Land Use Review

EBA will review available historical resources for prior land use of the subject property and near site properties. This shall include interviews with people knowledgeable about the use and history of the property. This will also include obtaining available information from public regulatory and permitting agencies that have publicly available documentation regarding the property. Information sources will also be reviewed that includes Sanborn Fire Insurance maps, historical city directories, historical aerial photographs, historical topographic maps and other available historic information sources that have information for the historic use of the project site. These information sources shall be reviewed to identify recognized environmental conditions.

Subtask 1b: Regulatory Agency Records Review

EBA will review a search of Local, State and Federal environmental databases to identify potential environmental issues with respect to the subject property as well as near site properties located within a search radius in accordance with ASTM Standard E 1527-21 for Phase I Environmental Site Assessments and the All-Appropriate Inquiry. Task 2 will also include a review of available records from public agencies for the subject property and near-site properties of concern identified in the environmental database review process. EBA will conduct file reviews at each of these agencies as necessary to supplement the initial findings.

Subtask 1c: Site Reconnaissance

A detailed site reconnaissance of the subject property will be performed in order to verify the existing property use and condition. Potential environmental conditions that may be observed during site reconnaissance include the following:

- Areas of use and development
- Areas of historic site use
- Historic structures
- Mines, Mining Activity Areas, Processing Areas
- Dump Sites
- Underground and aboveground fuel storage areas
- Herbicide and pesticides use and storage areas
- Manure and waste impoundment ponds
- Dead, distressed, or dying vegetation
- Seeps
- Oil slicks or discoloration on surface soils
- Discernible chemical odors
- Hazardous substances and hazardous substance containers
- Solid or liquid waste disposal or storage areas
- Soil disturbances such as grading or filling
- Areas of cannabis production
- Presence, status, and condition of equipment containing polychlorinated biphenyls
- Wastewater discharges and outfalls
- Waste disposal and waste disposal structures
- Presence and use of pits, sumps, and floor drains
- Any other observations that could affect the project

The site reconnaissance will include near site properties to verify the potential for environmental impact to the subject property. Please note that observations of the current condition of near site properties will be obtained to the extent that this can be accomplished discretely and without entering the near site properties.

Subtask 1d: Report of Findings

EBA will prepare a Report that will include a summary of information that provides conclusions and recommendations pursuant to the findings. An assessment of the condition of the site with respect to potential environmental liability will also be provided.

COST ESTIMATE & SCHEDULE

The cost to implement the above Task 1 scope of work is not-to-exceed **\$4,000**. Work will commence immediately upon authorization and be completed in 30 days from the date of authorization.

ASSUMPTIONS

For the purposes of developing the Task 1 scope of work and the cost estimate, the following assumptions were made:

- There is free and open access to the property.
- A Preliminary Title Report will be provided for the project site property.

SCOPE OF WORK – LIMITED PHASE II ENVIRONMENTAL SITE ASSESSMENT

Task 2: Pre-Field Project Coordination, Scoping & USA Marking

Task 2 includes costs for coordination with the asphalt and concrete coring contractor, the Client and any other involved parties. Additionally, EBA will prepare a brief field Work Plan for field staff which describes the project approach, sampling methodologies, and includes a Site Map depicting the proposed soil sampling locations. In addition, prior to the implementation of fieldwork, EBA will mark the site for Underground Service Alert (USA) to ensure the locations of each of the proposed shallow soil boring locations are clear of publicly operated underground utilities as is required by law.

Estimated Cost: \$3,380.00

Task 3: Soil Boring Advancement & Sample Collection

For the area proposed for asphalt removal and replacement, a total of 16 discrete soil samples will be collected from eight shallow soil boring locations which will be composited in the laboratory 4-to-1 to yield four (4) composite soil samples for analytical testing. Within the site building, a total of 16 (16) discrete soil samples will be collected from eight shallow soil boring locations which will be composited in the laboratory 4-to-1 to yield four (4) composite soil samples for analytical testing.

Prior to sample collection, the asphalt and/or concrete at each boring location would be cored by a licensed contractor to avoid the mixing of asphalt with the near-surface soils which could potentially result in false detections of constituents with a similar analytical signature (i.e., petroleum hydrocarbons). Concrete coring will enable the collection of soil samples beneath the concrete slab of the site building. The sampling frequency is generally based on protocols described within *Bulletin 100* for Sonoma Central Landfill which, in general, requires one 4-point composite sample per 100 cubic yards of material. This sampling frequency also meets soil profiling requirements for Hay Road Landfill, a Class II landfill. To ensure that soil sampling is representative of the area and proposed depth of construction within the asphalt driveway and beneath the site building, a total of 16 shallow soil borings would be advanced and two discrete soil samples collected from each location. In the area of the proposed asphalt replacement, soil samples will be collected from approximate depths of 6-inches and 18-inches whereas soil samples collected from shallow borings drilled within the building will be collected from depths of 6-inches to two-feet bgs. The 32 discrete soil samples would then be composited by the laboratory four-to-one to yield eight 4-point composite samples for chemical analysis. In addition, at the location of the proposed suds separator, two borings will be drilled to enable the collection of four discrete soil samples at varying depths that will be composited by the laboratory four-to-one. In total, nine (9) 4-to-1 composite soil samples are proposed for analytical testing.

Soil samples will be collected in 6-ounce glass jars and/or 2-inch diameter by 6-inch-long stainless-steel tubes and placed under refrigerated conditions pending transport under Chain-of-Custody (COC) procedures to the laboratory for the laboratory analysis shown below in Task 4:

The soil samples will be submitted on a standard laboratory turnaround time of 10 days.

Estimated Cost: \$8,663.50

Task 4: Analytical Testing

As discussed, a total of nine (9) 4-point composite soil samples are proposed for the following laboratory analysis:

- Gasoline Range Organics (GRO), Diesel Range Organics (DRO), and Heavy Hange Organics (HRO) by EPA Test Method 8015B;
- Volatile Organic Compounds (VOCs) by EPA Test Method 8260B;
- Semi-volatile Organic Compounds (SVOCs) including Polycyclic Aromatic Hydrocarbons (PAHs) by EPA Test Method 8270C
- PCBs by EPA Test Method 8082; and
- The 17 California Assessment Manual Metals (CAM 17 Metals) by EPA Test Method 6020A / 200.8.

In addition, one soil sample will be analyzed for the following constituents:

- Reactivity, Corrosivity and Ignitability (RCI) by EPA Test Method SW-846 and ASTM D-93-79/D-93-80/D-3278.

Estimated Cost: \$9,073.75

Task 5: Reporting

Approximately 30 days following the cessation of field work and receipt of analytical data, EBA will prepare a Report of Investigation for review. Included in the transmittal will be a description of work completed, and analytical results. The report will include recommendations for soil disposal and landfill acceptance based on analytical findings, a site map showing locations of borings, and tabulated laboratory analytical results.

Estimated Cost: \$4,620.00

SUMMARY OF COSTS

The work described herein under Tasks 2 through 5 can be performed on a time and materials basis not-to-exceed **\$29,737.00** without prior approval from the Client.

ASSUMPTIONS AND EXCLUSIONS

For the purposes of developing the scopes of work and the cost estimate for Tasks 2 through 5, the following assumptions were made:

- We understand that prevailing wage rates and associated Department of Industrial Relations (DIR) reporting is not applicable or required.
- Laboratory costs are based on a standard 10-day turnaround time.
- There is free and open access to the project area.
- No regulatory agency permitting or reporting is required for the work proposed herein.
- The sampling proposed herein is based upon the information provided by Brelje & Race reflecting the location and depth of the proposed asphalt removal and replacement, and the District's desire to better understand soil conditions beneath the site building.
- Assumes no investigation derived waste will be generated which requires profiling and subsequent disposal to a licensed disposal facility.
- Please refer to the previously stated understanding of the project objectives. Additional work may be required based upon the findings from the initial investigation activities and/or to assess more specific project objectives such as, but not limited to sampling and analytical testing for the purpose of obtaining regulatory concurrence for off-site soil reuse. Any additional work not included herein would be performed under a separate Agreement for Services.

LIMITATIONS

Throughout this project, additional information may become available. This new information may result in a change in the scope of work, which may result in a change in the cost of the project. EBA will notify the client when there is a change in the cost and will not proceed without prior approval of the changes from the client.

I trust this provides the information you require at this time. If you have any comments or questions, please call me at (707) 544-0784.

Sincerely,
EBA ENGINEERING



Kevin Coker
Senior Environmental Scientist

ATTACHMENT: Cost Breakdown Spreadsheet


Cost Breakdown Spreadsheet - Pre-Costruction Soils Characterization

Location: 455 North Main Street, Lakeport, California

Client Name: Brelje & Race

EBA Proposal Number: P711-24

Date: July 2024

 Task	HOURS						TOTALS LABOR		Laboratory Analytical	Concrete Coring	Materials Mileage & Misc.	ESTIMATED COSTS
	Project Manager	Senior Geologist	Senior Environmental Scientist	Project Geologist	Design Drafter	Clerical	Total EBA	EBA Task				
	\$190.00	\$175.00	\$165.00	\$150.00	\$120.00	\$60.00	Hours	Total				
Task 1: Phase I Environmental Site Assessment		2	16		4		22	\$ 3,470.00			\$ 530.00	\$ 4,000.00
Task 2: Project Management & Pre-Field Activities		4	6	8	2		20	\$ 3,130.00			\$ 250.00	\$ 3,380.00
Task 3: Soil Sampling		4		24			28	\$ 4,300.00		\$ 3,775.00	\$ 588.30	\$ 8,663.30
Task 4: Analytical Testing							0	\$ -	\$9,073.75			\$ 9,073.75
Task 5: Reporting		6	14	6	3		29	\$ 4,620.00				\$ 4,620.00
TOTAL:	0	16	36	38	9	0	99	\$ 15,520.00	\$9,073.75	\$ 3,775.00	\$ 1,368.30	\$ 29,737.05



July 2, 2024

Mr. Sean Jeane
Brelje & Race Consulting Engineers
475 Aviation Blvd. #120
Santa Rosa, California 95403
jeane@brce.com

**SUBJECT: COST ESTIMATE FOR ENVIRONMENTAL SERVICES –
PHASE I ENVIRONMENTAL SITE ASSESSMENT
901 LARRECOU LANE
LAKEPORT, CALIFORNIA
*EBA Proposal Number 711-24***

Mr. Jeane:

EBA Engineering (EBA) presents this proposed work scope and cost to conduct a Phase I Environmental Site Assessment (ESA) for the proposed located 91 Larrecou Lane in Lakeport, California that is comprised of Lake County Assessor's Parcel Number 025-472-060. The following sets forth a scope of work and provides a cost estimate for completion of the work. Following completion of the Phase I ESA, if warranted, a separate cost proposal for any Phase II ESA activities would be prepared if the results of the Phase I ESA indicate any historical land uses with the potential to results in environmental impacts at the property.

SCOPE OF WORK

Task 1: Phase I Environmental Site Assessment

EBA will prepare a Phase I ESA in accordance with ASTM Standard E1527-21 and the All-Appropriate Inquiry. The purpose of the Phase I ESA is to assess the presence and effect of hazardous or toxic substances or waste impacts to the subject property. A site may contain these substances or wastes as a result of current and past site activities, unauthorized dumping and disposal, and migration of contaminants from near site properties. As part of the preparation of the Phase I ESA, EBA will perform the following tasks.

Task A: Historical Land Use Review

EBA will review available historical resources for prior land use of the subject property and near site properties. This shall include interviews with people knowledgeable about the use and history of the property. This will also include obtaining available information from public regulatory and permitting agencies that have publicly available documentation regarding the property. Information sources will also be reviewed that includes Sanborn Fire Insurance maps, historical city directories, historical aerial photographs, historical topographic maps and other available historic information

sources that have information for the historic use of the project site. These information sources shall be reviewed to identify recognized environmental conditions.

Task B: Regulatory Agency Records Review

EBA will review a search of Local, State and Federal environmental databases to identify potential environmental issues with respect to the subject property as well as near site properties located within a search radius in accordance with ASTM Standard E 1527-21 for Phase I Environmental Site Assessments and the All-Appropriate Inquiry. Task 2 will also include a review of available records from public agencies for the subject property and near-site properties of concern identified in the environmental database review process. EBA will conduct file reviews at each of these agencies as necessary to supplement the initial findings.

Task C: Site Reconnaissance

A detailed site reconnaissance of the subject property will be performed in order to verify the existing property use and condition. Potential environmental conditions that may be observed during site reconnaissance include the following:

- Areas of use and development
- Areas of historic site use
- Historic structures
- Mines, Mining Activity Areas, Processing Areas
- Dump Sites
- Underground and aboveground fuel storage areas
- Herbicide and pesticides use and storage areas
- Manure and waste impoundment ponds
- Dead, distressed, or dying vegetation
- Seeps
- Oil slicks or discoloration on surface soils
- Discernible chemical odors
- Hazardous substances and hazardous substance containers
- Solid or liquid waste disposal or storage areas
- Soil disturbances such as grading or filling
- Areas of cannabis production
- Presence, status, and condition of equipment containing polychlorinated biphenyls
- Wastewater discharges and outfalls
- Waste disposal and waste disposal structures
- Presence and use of pits, sumps, and floor drains
- Any other observations that could affect the project

The site reconnaissance will include near site properties to verify the potential for environmental impact to the subject property. Please note that observations of the current condition of near site properties will be obtained to the extent that this can be accomplished discretely and without entering the near site properties.

Task D: Report of Findings

EBA will prepare a Report that will include a summary of information that provides conclusions and recommendations pursuant to the findings. An assessment of the condition of the site with respect to potential environmental liability will also be provided.

COST ESTIMATE & SCHEDULE

The cost to implement the above scope of work is not-to-exceed **\$4,000.00**. Work will commence immediately upon authorization and be completed in 30 days from the date of authorization.

ASSUMPTIONS

For the purposes of developing the scope of work and the cost estimate, the following assumptions were made:

- There is free and open access to the property.
- A Preliminary Title Report will be provided for the project site property.

CLOSING

Thank you again for the opportunity to provide services for this project. Should you have any questions or comments regarding this cost estimate, please contact me at (707) 544-0784.

Sincerely,

EBA ENGINEERING



Kevin Coker
Senior Environmental Scientist



Experience is the difference

Santa Rosa Office

3501 Industrial Drive, Suite A
Santa Rosa, CA 95403
707-544-1072

Napa Office

1041 Jefferson St, Suite 4
Napa, CA 94559
707-252-8105

June 10, 2024

Brelje and Race Consulting Engineers

Attention: Sean Jeane
475 Aviation Boulevard
Santa Rosa, CA 95401
jeane@brce.com

Proposal

Proposal Number: 95.009550

Geotechnical Observation and Testing Services During Construction
City of Lakeport Fire Station Driveway Replacement
445 North Main Street
Lakeport, California

As requested, we are pleased to submit this proposal to provide geotechnical observation and testing services during replacement of the existing rear access driveway for the Lakeport Fire Station, located at 455 North Main Street in Lakeport, California. The enclosed scope of services and fee estimate are based on a project scope briefing by Sean Jeane of Brelje & Race.

Project Description: The City of Lakeport (City) plans to replace, with concrete, the existing driveway off North Forbes Street for the Lakeport Fire Station. The firehouse driveway will include a concrete commercial driveway entrance, curb, gutter, and pedestrian sidewalk. The goal for this fire station improvement project is to enhance infrastructure and emergency response capabilities. As a bid alternate, the asphalt parking lot south of the new driveway may be replaced.

Scope of Services: We understand that compaction testing and concrete compressive strength testing are recommended for this project. Our personnel will visit the site to observe and test the following work items:

- Subgrade for the driveway, curb, gutter, and sidewalk;
- Class 2 Aggregate Base (aggregate base) below the concrete driveway, curb, gutter, and sidewalk;
- Laboratory compaction curves for subgrade and aggregate base;
- Placement of concrete (including slump testing and casting of cylinders) for the driveway, curb, gutter, and sidewalk areas; and
- Placement of asphalt for patch paving areas.

If the Bid Alternate item is performed, our personnel will visit the site to observe and test the following work items:

- Compaction testing of subgrade;
- Placement of Class II aggregate base; and
- Placement of asphalt.

The results of our observations and testing will be made available to the contractor(s) on the job site so that timely corrective action might be taken, if required. Upon completion, we will provide the results of our testing, including field and laboratory data, to Brelje & Race.

Fee Estimate: RGH proposes to provide the services outlined herein on a time and expense basis in accordance with the attached schedule of charges for an estimated fee of \$18,546, which increases to \$22,506 if the Bid Alternate work is performed. Our estimated fee can be itemized as follows:

BID SCOPE OF SERVICES

TASK OR COST ITEMS	VISITS/ UNITS	HRS/VISIT HRS/UNIT	COST/HR COST/UNIT	COST
Pre-Construction Meeting	---	---	---	\$750
Pick-Up Subgrade Sample for Curve	1	4	\$180	\$720
Subgrade Compaction Testing	3	6	\$180	\$3,240
Aggregate Base Compaction Testing	3	6	\$180	\$3,240
Laboratory Curves	2	---	\$490	\$980
Asphalt Patch Work Placement	1	6	\$180	\$1,080
Maximum Theoretical Specific Gravity (RICE)	1	---	\$170	\$170
Concrete Placement and Sampling	2	8	\$180	\$2,880
Cylinder Pick Up	2	4	\$150	\$1,200
Compressive Strength Tests	2	---	\$200	\$400
Project Administration, Reporting	---	---	---	\$2,200
SUBTOTAL ESTIMATED COST – BID SCOPE OF SERVICES				\$16,860
10% CONTINGENCY				\$1,686
TOTAL ESTIMATED COST – BID SCOPE OF SERVICES				\$18,546

BID ALTERNATE SCOPE OF SERVICES

ALTERNATE TASK OR COST ITEMS	VISITS/ UNITS	HRS/VISIT HRS/UNIT	COST/HR COST/UNIT	COST
Parking Lot Subgrade Compaction Testing	1	6	\$180	\$1,080
Parking Lot Aggregate Base Compaction Testing	1	6	\$180	\$1,080
Asphalt Compaction Testing – Straight-Time	1	2*	\$180	\$360
Asphalt Testing Compaction Testing - Overtime	1	4*	\$270	\$1,080
SUBTOTAL ESTIMATED COST – BID ALTERNATE SCOPE OF SERVICES				\$3,600
10% CONTINGENCY				\$360
TOTAL ESTIMATED COST – BID ALTERNATE SCOPE OF SERVICES				\$3,960

*Continuation of manhours for patch paving from Bid scope of services

TOTAL ESTIMATED COST FOR BID AND BID ALTERNATE

TOTAL ESTIMATED COST – BID SCOPE OF SERVICES	\$18,546
TOTAL ESTIMATED COST – BID ALTERNATE SCOPE OF SERVICES	\$3,960
TOTAL ESTIMATED COSTS	\$22,506

Our total fee could vary depending on the actual construction procedures and rate of progress. These, in turn, are dependent on soil conditions encountered and the prevailing weather. We will keep you advised of our charges by issuing progress billings and will inform you of any changes in conditions which might significantly affect our fee. The above estimate does not include charges for observation and retesting of the repair of unsatisfactory work. Should charges be incurred for the observation and retesting of the repair of unsatisfactory work, they will be billed to you, but could be itemized for backcharge to the contractor(s), if requested.

Authorization: We expect that you will submit an American Council of Engineering Company's standard agreement for our review and execution. The agreement will serve as our authorization to proceed with the scope of services included herein.

Very truly yours,
RGH Consultants



Eric G. Chase
Principal Geotechnical Engineer
Project Manager



EGC:JJP:dap:brw
Electronically Submitted

[https://rghgeo.sharepoint.com/sites/shared/shared documents/work in progress/_pip/_egc/lakeport fire station rfp/95.009550 proposal.docx](https://rghgeo.sharepoint.com/sites/shared/shared%20documents/work%20in%20progress/_pip/_egc/lakeport%20fire%20station%20rfp/95.009550%20proposal.docx)

Attachments: Schedule of Charges



Experience is the difference

Santa Rosa Office
 3501 Industrial Drive, Suite A
 Santa Rosa, CA 95403
 707-544-1072

Napa Office
 1041 Jefferson St, Suite 4
 Napa, CA 94559
 707-252-8105

SCHEDULE OF CHARGES
Effective January 1, 2024

Unless agreed otherwise, work is charged for on a time and expense basis in accordance with the following schedule of charges:

PERSONNEL

Principal	\$250/hour
Associate	\$205/hour
Senior Engineer/Geologist	\$195/hour
Project Engineer/Geologist	\$175/hour
Staff Engineer/Geologist	\$150/hour
Field Engineer	\$140/hour
Field Engineer (Prevailing Wage)	\$180/hour
Graphics	\$110/hour
Report Typing/Reproduction.....	\$90/hour

EQUIPMENT

Slope Inclinometer Instrument	\$200/day
Coring Machine	\$400/day
Infiltration Test Apparatus.....	\$200/day
Sonic Echo Foundation Test Gauge.....	\$200/day
Specialty Software (i.e. SLOPE/W, VolFlo).....	\$70/hour

CONCRETE

Concrete Compression Testing - Set of 4 Cylinder Breaks.....	\$200
Shotcrete Panel (Includes coring, compression testing of 4 cores, and disposal).....	\$400
Each Additional Cylinder Break	\$50
Each Additional Core Break	\$100

OTHER

Travel time is charged at regular rates. Vehicle mileage is charged at the current federal rate. For court appearance, expert witness testimony, or deposition the charge is \$400 per hour for the principal, associate, and project level professional and \$280 per hour for all others, payable in advance. Four and eight hour minimums apply for court appearance.

Time worked in excess of 8 hours per day and Saturday/night work will be charged at 1.5 times the hourly rate. Time worked in excess of 12 hours per day and Sundays/holidays will be charged at 2 times the hourly rate.

Outside services including laboratory analysis, consultants, subcontractors, equipment not listed above, outside reproduction, aerial photographs, meals, lodging, shipping and special equipment or services not listed above are charged at cost plus 20 percent.



LAKEPORT FIRE PROTECTION DISTRICT

445 North Main Street, Lakeport, CA 95453
Telephone: (707) 263-4396 Fax: (707) 263-7087
Web Site: www.lakeportfire.com



Date: July 5, 2024
To: Board of Directors
From: Patrick Reitz, Fire Chief
Subject: **Teamsters MOU Side Letter re Payment and Reporting of Holiday Pay to CalPERS for the period July 2019 thru June 2022**

Recommendation

1. Make a motion to approve both versions of the MOU Side Letter regarding the payment and reporting to CalPERS of Holiday Pay, with preference given to the version allowing Rescue Systems Certification to be reportable to CalPERS as an educational incentive, and authorizing the Board Chair to sign and send the version that aligns with CalPERS' final decision regarding reportable educational incentives

Background

Back in February 2023, the District received the results of a CalPERS audit of Holiday Pay reported between July 2019 and June 2022. As a result of this audit, the District was cited as being noncompliant with Public Employment Retirement Law (PERL) in its reporting of Holiday Pay to CalPERS during that period.

The reasons cited for non-compliance were that the calculation of Holiday Pay paid out during the audit period included compensation that was not-reportable to CalPERS and/or compensation that was reported incorrectly.

It was determined that Holiday Pay reported to CalPERS during the audit period was not calculated on "base pay," but instead was calculated on base pay, educational incentives and uniform allowance. Also, the Holiday Pay calculation included "normalizing" the 2,912 hours/year that firefighters work to the 2,080 hours/year that a 40-hour/week employee would work. This is also non-compliant with PERL.

Additionally, PERL requires that there be language within all labor agreements that address the calculation and reporting of Holiday Pay to CalPERS. As there was no written labor agreement in place between the District and the Teamsters during 2 of the 3 years

of the audit period, and the current MOU does not have the required language, this was another area of noncompliance.

The District has spent the last 16 months working closely with CalPERS, the Teamsters and the union stewards to address these issues, with the goal being to report as much compensation as legally allowable regarding Holiday Pay.

As a result, the attached side letter was developed by CalPERS to address both the compliance issues as well as the reporting issues, for both the out-of-contract period (July 2019 thru June 2021) and the current MOU period (July 2021 thru June 2024).

The proposed side-letter allows for paramedic pay and certain educational incentives to be included in the payment and reporting of “compounded” holiday pay to CalPERS during the out-of-contract period. However, as the current MOU only allows for Holiday Pay to be calculated on “base pay” (without paramedic pay or educational incentives), compounded Holiday Pay was not paid or reported to CalPERS for the current MOU period. However, there still needed to be language added to the current MOU regarding the payment and reporting of Holiday Pay and that language is included in the side letter to make the current MOU compliant with PERL.

It was negotiated that almost all of the currently offered educational incentives would be included in the out-of-contract period calculation and reporting of Holiday Pay, but not every incentive that is offered is included as reportable. The only educational incentive that has not been finalized (one way or the other) with CalPERS is the Rescue Systems certification offered by the State Fire Marshal’s office prior to July 2021. CalPERS has denied the certification as reportable and the District has formally appealed that decision.

I am asking the Board to approve the attached letter in two (2) forms dependent upon whether or not CalPERS reverses their decision on Rescue Systems not being reportable. The first form includes the Rescue Systems certification as being reportable (highlighted in yellow in the letter) and the second form would remove the highlighted section and Rescue Systems certification would not be reportable to CalPERS.

We will submit the version of the letter to CalPERS that aligns with their final decision on whether or not Rescue Systems Certification can be included with compounded Holiday Pay.

LAKEPORT FIRE PROTECTION DISTRICT
AND
LAKEPORT PROFESSIONAL FIREFIGHTERS' ASSOCIATION
TEAMSTERS LOCAL #856
SIDE LETTER OF AGREEMENT

This Side Letter Agreement ("Side Letter") is made and entered into on (enter date), pursuant to meet and confer with the Lakeport Professional Firefighters' Association Teamsters Local 856. Lakeport Fire Protection District and the Lakeport Professional Firefighters Association Teamsters Local 856 are sometimes referred to in this Side Letter as "Party" or, collectively, as the "Parties".

All other provisions of the parties' Memorandum of Understanding (MOU), effective July 1, 2021 through June 30, 2024, shall remain unchanged unless otherwise agreed to by the parties or because of subsequent negotiations over a successor MOU.

SECTIONS 11.6 - 11.7, AND 11.9 – EDUCATIONAL PAY INCENTIVES AND HOLIDAY PAY

Educational Pay is defined as those incentives found in the following MOU Sections: Section 11.6 – Paramedic Pay; Section 11.7 – pay for Education; and Sections 11.9 - 11.9.1 - Holiday Pay. Incentive pays are calculated off the employee's base pay.

Base pay is defined as the employee's base salary, as defined by Classification and Step, within the Board approved publicly available pay schedules. Base pay does not include additional compensation, such as overtime pay or any other special compensation item per Government Code section 20636 within the Public Employees' Retirement Law (PERL).

Pursuant to the California Code of Regulations (CCR) section 571 for classic members, and section 571.1 for PEPR members, incentive pays, and special assignment pays are subject to CalPERS approval as reportable compensation.

11.6 – EDUCATIONAL PAY – PARAMEDIC PAY

Employees who obtain and maintain certification in auxiliary medical techniques shall receive an additional \$450.00 per month (\$225.00 per pay period).

11.7 - EDUCATIONAL PAY – EDUCATIONAL INCENTIVE - PERIOD COVERS JULY 1, 2019 to JUNE 30, 2024

Lakeport Fire Protection District will compensate all represented employees with an educational incentive for attaining the following educational certificates and degrees which enhance the employee's ability to do their job. Employees may receive up to 10% additional pay for eligible educational incentive pays if they are not required by the employee's job description/classification.

Degrees and certifications must be attained from an accredited institution. Additionally, there are two types of Accredited Academies, which include the Accredited Regional Training Programs (ARTP) and the

Accredited Local Academies (ALA). ARTP is defined as a partnership between an accredited community college or university and Office of the State Fire Marshal (OSFM) to deliver approved State Fire Training (SFT) curriculum within a given region. ALA is defined as a partnership between a fire agency serving a specific authority having jurisdiction and OSFM to deliver approved SFT curriculum within a given region.

A. College Degrees – Eligible Educational Incentive:

AA/AS Degree

The fire district shall pay their employees an additional five percent (5%) of base pay (per pay period or per month) for an A.S. Degree in Fire Science from an accredited institution. Payment shall occur following proof of degree.

B. Certification Pay – Eligible Educational Incentive

Company Officer Certification

The fire district shall pay their employees who attain a Company Officer Certification an additional two and one-half percent (2.5%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Fire Investigator Certification

The fire district shall pay their employees who attain a Fire Investigator Certification an additional one percent (1%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Fire Inspector 1 Certification

The fire district shall pay their employees who attain a Fire Inspector 1 Certification an additional one percent (1%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Fire Inspector 2 Certification

The fire district shall pay their employees who attain a Fire Inspector 2 Certification an additional two percent (2%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Plan Examiner Certification

The fire district shall pay their employees who attain a Plan Examiner Certification an additional one and one-half percent (1.5%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Fire Apparatus Driver/Pump Apparatus Certification

The fire district shall pay their employees who attain a Fire Apparatus Driver/Pump Apparatus Certification an additional two percent (2%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Hazardous Materials Technician Application Certification

The fire district shall pay their employees who attain a Hazardous Materials Technician Application Certification an additional two percent (2%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Hazardous Materials Specialist Application Certification

The fire district shall pay their employees who attain a Hazardous Materials Specialist Application Certification an additional one percent (1%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Fire and Life Safety Educator Certification

The fire district shall pay their employees who attain a Fire and Life Safety Educator Certification an additional one percent (1%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

Rescue Systems Certification (certification must have been attained prior to July 2021)

The fire district shall pay their employees who attained a Rescue Systems Certification prior to July 2021 an additional one percent (1%) of base pay (per pay period or per month). Payment shall occur following proof of certification.

11.9 – HOLIDAY PAY (Base Pay Compounded) – PERIOD COVERS JULY 1, 2019 to JUNE 30, 2021

Union safety members, who are normally required to work on approved holidays because they work in positions that require scheduled staffing without regard to holidays, will be compensated 104 hours of holiday pay (8 hours per holiday x 13 holidays) and calculated off the employee’s base pay (pursuant to the Board approved publicly available pay schedules) plus the hourly equivalent of Educational Incentive and Paramedic Pay if an employee is eligible. Lakeport Fire Protection District will validate eligibility for each employee. If an employee is not eligible for Educational Incentive or Paramedic Pay, then neither special compensation item will be included in the calculation of Holiday Pay.

Holiday Pay will be paid in two (2) semi-annual payments occurring in November and June; however, per CCR section 571, Holiday Pay must be reported as earned (per pay period), regardless of when it is paid.

Reference the following calculation:

8 hours per holiday x 13 holidays = 104 hours per year

104 hours per year divided by 24 pay periods = 4.33 hours per pay period

Following is a list of the thirteen (13) District recognized holidays for which the employees will be compensated.

- New Year's Day
- Martin Luther King's Birthday
- Washington's Birthday (President's Day)
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day

Veteran's Day
Thanksgiving Day
Day following Thanksgiving Day
Christmas Day
Christmas Eve
New Year's Eve

11.9.1 – HOLIDAY PAY – PERIOD COVERS JULY 1, 2021 to JUNE 30, 2024

Union safety members, who are normally required to work on approved holidays because they work in positions that require scheduled staffing without regard to holidays, will be compensated 104 hours of holiday pay (8 hours per holiday x 13 holidays) and calculated off the employee's base pay pursuant to the Board approved publicly available pay schedules.

Holiday Pay will be paid in two (2) semi-annual payments occurring in November and June; however, per CCR section 571, Holiday Pay must be reported as earned (per pay period), regardless of when it is paid.

Reference the following calculation:

8 hours per holiday x 13 holidays = 104 hours per year

104 hours per year divided by 24 pay periods = 4.33 hours per pay period

Following is a list of the thirteen (13) District recognized holidays for which the employees will be compensated.

New Year's Day
Martin Luther King's Birthday
Washington's Birthday (President's Day)
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day following Thanksgiving Day
Christmas Day
Christmas Eve
New Year's Eve

Regardless of whether the district and union members negotiate the calculation of Holiday Pay to be higher than what is reported to CalPERS, Holiday Pay reported to CalPERS will be calculated on the Employee's base pay only.

(Signature page follows)



LAKEPORT FIRE PROTECTION DISTRICT

445 North Main Street, Lakeport, CA 95453
Telephone: (707) 263-4396 Fax: (707) 263-7087
Web Site: www.lakeportfire.com



Date: July 8, 2024
To: Board of Directors
From: Patrick Reitz, Fire Chief
Subject: **2023-24 Proposition 4/Gann Limit Appropriations Compliance Report**

Recommendation

1. Make a motion to accept the 2023-24 Proposition 4/Gann Limit Appropriations Compliance Report and direct staff to forward a copy to the Lake County Auditors-Controllers office

Background

While the District has yet to determine whether or not it is subject to the Proposition 4/Gann Limit for Appropriations, it has been decided to proceed as if the District were subject to the limit until it shall prove otherwise.

Every year, an appropriations limit is set based on applying a calculation to the prior year's limit. This calculation is based on government-sponsored data regarding population and cost-of-living changes for the County and applying that formula to the prior year's appropriations limit to set a new limit for the current year.

The District is historically overwhelmingly under the appropriations limits it is allowed and so this reporting has never caused any compliance problems for the District.

Lakeport Fire Prot. Dist.
 445 N Main St
 Lakeport, CA 95453

Prop 4 Compliance Report
 Fiscal Year 2023-2024

2023-2024 Prop 4 Compliance

Code	Line Item	Proceeds of Tax	Non Proceeds Tax	Allocated	Totals
1010	Property Tax-Current Secured	\$ 1,053,024			\$ 1,053,024
1020	Property Tax- Current Unsecured	\$ 26,676			\$ 26,676
1025	Property Tax- Supp 813-Current	\$ 11,385			\$ 11,385
1030	Property Tax - Prior Secured	\$ -			\$ -
1035	Property Tax- Supp 813-Prior	\$ 5,335			\$ 5,335
1040	Property Tax- Prior Unsecured	\$ 1,234			\$ 1,234
2160	Permits/Other		\$ 28,513		\$ 28,513
4201	Interest	\$ 16,810		\$ 42,807	\$ 59,617
4210	Rents & Concessions		\$ 5,546		\$ 5,546
5460	State Aid/HOPTR	\$ 4,270			\$ 4,270
5470	Disaster Rev Loss Backfil (State)				\$ -
5490	State Aid - Other				\$ -
5630	Other Government Agencies		\$ -		\$ -
6860	Institutional Care & Service			\$ 1,438,490	\$ 1,438,490
6929	Other Services- Fire Protection			\$ 1,367,466	\$ 1,367,466
7960	Sale of Fixed Assets		\$ -		\$ -
7990	Other Sales-Miscellaneous		\$ 68,989		\$ 68,989
7991	Cancelled Checks		\$ 8,581		\$ 8,581
7992	Insurance Refund/Rebate				\$ -
7993	Insurance Proceeds		\$ 147,660		\$ 147,660
8122	Operating Transfers In				\$ -
	Totals	\$ 1,118,734	\$ 259,289	\$ 2,848,763	\$ 4,226,786

Prop. 4 Limit 2023-2024	\$ 2,370,654
Proceeds of Tax	\$ 1,118,734
Over/ (Under) Prop 4 Limit	(\$1,251,919)

Interest Calculations

Total Interest	\$ 59,617
Total Revenue (less Interest)	\$ 4,167,169
Subtract Non-Proceeds	\$ (259,289)
Total Proceeds of Tax & Allocated	\$ 3,907,880

Lakeport Fire Prot. Dist.
 445 N Main St
 Lakeport, CA 95453

**Prop 4 Compliance Report
 Fiscal Year 2023-2024**

	Total before Interest	Proceeds & Allocated	Interest Portion
Proceeds from tax	\$ 1,101,924	28%	\$ 16,810
Allocated	\$ 2,805,956	72%	\$ 42,807
<i>Totals</i>	\$ 3,907,880	100%	\$ 59,617

Year	Per Capita	Population	Calc Factor	Prior Appropriations		Increase/ (Decrease)	Notes
				Limit	New Limit		
2020-2021					\$2,169,396		<i>Adjusted based on 20-21 Audit Finding</i>
2021-22	1.0573	0.9989	1.0561	\$2,169,396	\$2,291,179	\$121,783	Revised from 6/8/21 \$2,313,991
2022-23	1.0755	0.9965	1.0717	\$2,291,179	\$2,455,539	\$164,359	
2023-24	1.0444	0.9907	1.0347	\$2,291,179	\$2,370,654	\$79,474	
2024-25	1.0362	1.0027	1.0390	\$2,370,654	\$2,463,104	\$92,450	



LAKEPORT FIRE PROTECTION DISTRICT

445 North Main Street, Lakeport, CA 95453
Telephone: (707) 263-4396 Fax: (707) 263-7087
Web Site: www.lakeportfire.com



Date: July 5, 2024
To: Board of Directors
From: Patrick Reitz, Fire Chief
Subject: **Proposals for Legal Services**

Recommendation

1. Make a motion to authorize the Fire Chief to engage (*insert selected firm name here*) to perform legal services to the District in an amount not-to-exceed his purchasing authority per the board-approved procurement policy

Background

There is the possibility of a potential conflict of interest existing within our present legal counsel's office. In an effort to address this before the potential conflict of interest could become an issue, I have solicited proposals for legal services from other counsel.

Attached are four (4) proposals received for legal services. I am asking the board to make a selection and authorize me to engage the legal services of the firm of their choice.



Laura J. Fowler
Partner
(916) 551-2085
laura.fowler@bbklaw.com

July 2, 2024

VIA EMAIL

Patrick Reitz
Fire Chief
Lakeport Fire Protection District
445 North Main Street
Lakeport, CA 95453

Dear Chief Reitz:

Best Best & Krieger LLP (BBK) is pleased to present this proposal to the Lakeport Fire Protection (District) to provide Legal Services.

Description of Services Provided

BBK is California's oldest and largest full-service public agency law firm. Our organization has concentrated its practice on the representation of special districts, municipalities and other public agencies for more than 130 years, providing counsel in a wide array of practice areas. The firm offers unparalleled relevant legal experience and profound knowledge, combined with "local firm" availability, responsiveness and familiarity. BBK's focused experience assisting public agencies throughout California, including fire districts around the state, has allowed us to develop efficiencies that stand unmatched by any other law firm. The firm currently represents more than 50 fire departments as part of its general counsel representation to cities and special districts throughout California.

With extensive involvement in all aspects of public agency law, we have pioneered methods to deliver advisory and litigation services in a comprehensive and cost-effective manner. BBK is one of the recognized leaders in California municipal law, remaining on the cutting edge of municipal issues for well over a century. Our approach ensures the highest quality and most timely representation available in California. Specific experience that may be relevant to the District is outlined below; our proposed general counsel for the District, Joanna Gin, has experience in advising fire departments on issues concerning everything from fire safety issues to fees, fire service contracts and negotiations, labor and employment and related land use and zoning issues.

Public Records Act and Brown Act

BBK advises clients on all aspects of California's open government laws, including the Public Records Act. We routinely brief our clients on pending legislation and cases in the area. With the emergence of new technology, we regularly advise clients regarding the use of email, records retention and the public's right to access electronic information. We regularly speak at seminars and workshops regarding updates concerning the Public Records Act and email/technology issues.

BBK provides advice regarding the interpretation and application of the Ralph M. Brown Act (Open Meeting Law) to our public agency clients. Advice often pertains to:

- Requirements for agenda preparation, posting and distribution
- Closed session topics and reporting
- Notices and agendas for special and emergency meetings
- Adding agenda items after agenda is posted
- Conducting meetings by teleconferencing
- Application of Brown Act to committees of official bodies
- Avoiding violations and penalties

We also defend challenges to our clients' compliance with the Brown Act.

Labor and Employment

Our Labor and Employment group provides public employers with a full range of legal counsel and litigation services for all types of workplace issues and needs, including the following:

- Employee Benefits
- Employee Discipline and Termination
- Employee Discrimination & Sexual Harassment
- Coordinating Investigations into Workplace Complaints
- Employment In-House Training
- Employment Policies and Agreements
- Labor Negotiations and Other Union Matters
- Wage and Hour Law
- Workplace Safety and Workers' Compensation

A wide range of public agency employers turn to BBK for representation in all aspects of labor and employment law. Our lawyers work closely and personally with employer clients to prepare employment agreements and policies. We also assist when necessary with

evaluating and responding to requests for reasonable accommodation. When potential claims arise, we assist in developing effective compliance and dispute resolution strategies. When necessary, our lawyers also provide a vigorous defense in discrimination, harassment, wrongful termination, wage and hour and other labor and employment litigation. Because labor and employment problems often involve high stakes and intense time pressure, we are committed to giving employers highly responsive service.

We provide advice on compliance with state and federal laws such as Title VII, the Fair Employment and Housing Act, the Fair Labor Standards Act, the Americans with Disabilities Act and federal and state family leave laws. When workplace concerns arise out of the collective bargaining process, we handle contract negotiations, impasse procedures, grievance and arbitration proceedings, union representation proceedings, and unfair labor practice charges before local, state and federal agencies. Our lawyers regularly represent employers before the National Labor Relations Board, the Public Employment Relations Board, the California Department of Fair Employment and Housing, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Labor and State Labor Commissioner, and the Division of Occupational Safety and Health, as well as public agency personnel boards and civil service commissions.

Contracts and Agreements

BBK has extensive experience handling contract issues. We have drafted thousands of contracts for public agency clients, ranging from simple real property acquisition, software license, and professional services agreements to more specialized agreements. Our services include preparation and review of contract specifications and required bidding documents and negotiation and drafting of personnel services and construction management contracts.

BBK attorneys frequently deal with construction and public works contracts and issues, because we represent various public agencies that systematically engage in public works projects. We help our clients comply with competitive bidding requirements and disputes, navigate day-to-day construction issues relating to prevailing wage compliance, handle change orders and payment requests and select competent professional consultants and construction contractors. We have assisted several agencies in complex negotiations relating to the settlement of large construction contract disputes involving fraudulent performance and payment bonds for uncompleted public buildings, bankruptcy filings of general contractors and various subcontractors and tax liens and other claims made by the Internal Revenue Service (IRS).

BBK has longstanding experience with various types of franchises. Our attorneys have negotiated and drafted dozens of franchise agreements including familiar types of agreements such as those for cable television, solid waste disposal, oil and gas pipelines, taxicabs, tow trucks, and operation of gas and electric systems as well as more esoteric franchises such as those for placing advertising on publicly-owned bus shelters or operating a commuter rail system over publicly-owned tracks. Our attorneys are familiar with the laws applicable to each type of franchise, comfortable working with our clients to ensure that each client's needs and goals are met in franchise agreements, and experienced at obtaining the most favorable terms possible for our clients.

BBK advises on a wide range of public works projects, including transportation systems, water storage and transmission facilities, wastewater treatment and recycling systems and educational facilities. With a California-licensed professional civil engineer and other engineers within our firm, we offer not just legal prospective but also industry knowledge and first-hand experience in designing and constructing public facilities.

BBK attorneys routinely provide advice on all aspects of public agency contracting, including selecting project delivery methods, addressing bid protests and performance disputes, and resolving claims. Well-drafted contracts and procurement procedures are the foundation of any successful construction project. We prepare comprehensive public works bid packages, contract documents, and purchasing and related materials tailored to each client's objectives. Our contract documents reflect not only the latest trends and legal requirements but also the recommendations and learnings of our seasoned construction litigators. BBK attorneys are fully conversant in bid protests, sole source analysis, the Americans with Disabilities Act, Clean Air Act and Buy America requirements.

We have experience with many forms of contracting, including traditional design-bid-build with "hard" competitive bidding, design-build, design-sequencing, construction manager multi-prime, and other creative project delivery mechanisms. We have developed construction contract documents that comply with requirements for various types of funding sources, including Federal Highway Administration and Federal Transit Administration requirements. Our documents always meet federal and state procurement laws and regulations.

Our attorneys also have extensive experience preparing prequalification packages, bid documents, general and special conditions, and other contract documents for the construction of public works. We frequently review proposals and proposal documents, including bonds, insurance and bid procedures, for legal sufficiency and responsiveness and to otherwise assist clients in the evaluation process. We support clients in the process

of qualification-based selection of design professionals and in negotiations of performance requirements, indemnity, and other “legal terms” of professional services agreements. We provide advice regarding the use of project labor agreements, local hiring, and other related procurement issues.

Ordinances and Resolutions

Every public attorney in our firm is trained in ordinance drafting. We tailor our services to individual client needs and prepare ordinances in plain English without legalese. For some clients, we draft all ordinances; for others, we review staff drafts for legal sufficiency. Because BBK has a multitude of public clients, it is rare for a new issue to arise that we have not seen. When asked to draft an ordinance or resolution, our vast experience and online database of ordinances and resolutions can save clients considerable time, since we have often drafted something similar in the past.

Land Use and Planning

We work on every aspect of the land use and planning process for public agency clients, from General Plans to Specific Plans, from Tentative Maps to Conditional Use Permits and from Development Agreements to Form Based Zoning Codes. For our special districts, such as Fire Districts, we are familiar with the balanced interplay between cities’ zoning ordinances and their effects on Fire District projects. We work closely with staff on planning issues and advise on all planning matters. In addition to the regular review of zoning ordinances and service to our clients’ planning commissions and housing boards, we also assist clients with the legal review of other specialized land use matters.

Our Team for the District

BBK proposes **Joanna Gin** to serve as general counsel to the District and **Brent Collinson** to serve as backup general counsel. **Laura Fowler** will provide labor and employment counsel for the District. This team has the support and backing of our firm’s 250 attorneys, any of whom can provide additional or supplemental legal services to the District if needed. Brief biographies are provided below, with full biographies attached to this proposal.

Joanna Gin – Proposed General Counsel

Joanna Gin is an attorney in BBK’s Municipal Law practice group. She serves as general counsel for the Lake County Fire Protection District, Nevada County Consolidated Fire District and Ukiah Valley Sanitation District. Joanna also serves as the deputy general counsel for the Sacramento Area Council of Governments and served as assistant city

attorney for the City of Winters. Joanna also regularly assists fire protection districts throughout Northern California, by attending meetings, performing transactional work and providing advice.

In addition to general public agency work, Joanna also focuses on compliance with Propositions 218 and 26 and state laws related to fees. This includes providing advice relating to fire mitigation fees, special taxes for fire protection services and inspection fees. Joanna also works with fire personnel relating to the adoption of Fire Codes.

Before joining BBK, Joanna attended the University of California, Davis School of Law. Joanna clerked for the Sacramento City Attorney's Office and assisted the civil litigation and advisory units on municipal affairs.

Prior to attending law school, Joanna worked in legislative affairs for nearly a decade in Sacramento. Joanna was appointed by Gov. Jerry Brown to the position of assistant deputy director in the Office of Legislative Affairs at the Department of General Services. While there, she helped oversee the office in the preparation of legislative analyses and policy recommendations relating to state contracts and property. Before that, Joanna worked at the Assembly Business and Professions Committee, which oversees the regulation of licensed and certified professionals.

Brent P. Collinson – Proposed Backup General Counsel

Prior to becoming semi-retired, Brent Collinson helped the Truckee Fire Protection District grow from a mainly volunteer force to one with more than 50 paid and highly trained employees. He was extensively involved in promoting and enforcing defensible space requirements, including nuisance abatement and prosecuting violations as a misdemeanor. He also helped the Truckee Tahoe Airport District go from surviving closure threats to the airport winning the Truckee Donner Chamber of Commerce Public Agency of the Year Award. He was selected in 2019 by four local special districts to be general counsel to form and advise a joint powers agency.

With an overarching goal to solve — not create — problems for clients, Brent's practice is focused on representing public agencies on a variety of issues, as well as estate planning, trust administration and probates and general business and personal consultation. An attorney with over 40 years of experience, Brent owned or partnered in his own firm for most of his practice before joining BBK as of counsel.

Patrick Reitz

July 2, 2024

Page 7

He also consults with businesses and individuals on the many issues that arise in running a business or in one's life journey. These include everything from disputes with neighbors to business transactions and transitions and contracts to real estate purchases and easements.

Brent is a frequent presenter at events sponsored by organizations that includes the Northern California Legal Secretaries Association, Sierra College, Tahoe City Optimists Club and the Truckee Rotary Club. Brent is admitted to the U.S. Supreme Court and the U.S. District Court for the Eastern District of California.

Laura J. Fowler - Proposed Labor and Employment Counsel

Laura Fowler is a partner in BBK's Labor & Employment Law practice group. Laura represents employers in a variety of court and administrative proceedings. She represents a variety of fire districts throughout the state and also represents municipalities with their own fire departments. She is well-versed in issues implicating fire service employers, including wage and hour issues, volunteer programs, the Firefighter's Bill of Rights, safety issues and employment policies.

Laura defends both public and private employers in lawsuits for wrongful termination, breach of contract, unpaid wages, harassment, failure to accommodate, retaliation and discrimination. Laura represents public and private employers in administrative proceedings filed with the Equal Employment Opportunity Commission, the Department of Fair Employment and Housing, the Labor Commissioner and the Workers' Compensation Appeals Board. She also drafts employee handbooks, policies, employment agreements and severance agreements. Laura provides employers with day-to-day advice regarding wage and hour issues, leaves of absence, disability accommodations, and decisions regarding discipline and termination. She has conducted workplace investigations and also oversees investigations conducted by outside investigators.

Prior to joining the firm, she was an attorney with McDonough Holland & Allen in Sacramento. Laura presents seminars on a number of employment-related issues and acted as a guest lecturer at her alma mater, McGeorge School of Law. She graduated from law school as valedictorian and was selected by the law school faculty as the outstanding graduating senior for her graduating class. She served as writer and editor for the *Pacific Law Journal*. After law school, she served as law clerk for the Honorable Milton L. Schwartz of the U.S. District Court for the Eastern District of California. She is admitted to all the districts of the U.S. District Court in California and the U.S. Ninth Circuit Court of Appeals.

Rates

BBK recognizes the need to keep legal costs under control. We have a longstanding commitment to the affordable delivery of legal services to municipalities and public agencies. Given the depth and breadth of our experience, we often get the job done in much less time, resulting in lower costs. In addition, BBK partners are thoughtful of staffing routine tasks to associates and paralegals, when appropriate, who are billed at much lower rates for cost considerations.

PROPOSED HOURLY RATES FOR BASIC LEGAL SERVICES

Basic legal services include all services provided to the District that are not otherwise specifically identified below as Special Legal Services are billed as follows:

Personnel	Hourly Rate
Attorneys	\$290
Paralegals, Law Clerks, Analysts	\$170

PUBLIC RECORDS ACT / ADVANCED RECORDS CENTER (ARC)

We propose to utilize our new Advanced Records Center (ARC) team to handle non-routine Public Records Requests, if the District so chooses. With ARC, BBK combines its legal acumen and experience with cutting-edge technology to provide comprehensive and cost-effective support for non-routine records-related matters. Specifically, the ARC team will assist the District with non-routine Public Records Act processing and policy drafting as needed.

For this service, BBK proposes a low, blended rate of \$220 for all attorneys, paralegals, law clerks and analysts.

PROPOSED HOURLY RATES FOR SPECIAL LEGAL SERVICES

If other attorneys are called upon to work on special counsel services that might arise with the District, those attorneys will bill at then-current individual public rates which are based on experience and areas of focus. For example, Laura Fowler's special services rate for employment counsel is currently \$360 per hour. The firm's rate ranges for other special services fall within the following ranges: Partners and Of Counsel range from \$305 to \$670 per hour; Associates range from \$260 to \$330 per hour and Paralegals, Law Clerks and Analysts range from \$185 to \$270 per hour.

Special Counsel Services:

- A. Litigation and formal administrative or other adjudicatory hearing matters
- B. Labor relations and employment matters
- C. Non-routine real estate matters (e.g., CC&Rs, deed or title work)
- D. Land acquisition and disposal matters (including pre-condemnation)
- E. Taxes, fees and charges matters (e.g. Prop. 218 & Mitigation Fee Act)
- F. Public construction disputes
- G. Non-routine contract negotiation matters (including non-BBK model agreements and franchise agreements)
- H. Environmental matters (e.g., CEQA, NEPA, endangered species)
- I. Water law matters (e.g., water rights & quality)
- J. Tax and ERISA related matters
- K. Benefits and CalPERS issues
- L. Toxic substances matters (e.g., CERCLA, RCRA)
- M. Complex public utility matters (e.g. electric, natural gas, telecommunications, water, rail or transit that involve state or federal regulatory issues)
- N. Renewable energy and energy efficiency project contracts and power purchase agreements
- O. Intergovernmental Relations and Advocacy efforts (e.g., legislative and regulatory representation) at the federal and state level
- P. Non-routine election law matters, including election law litigation
- Q. Other matters mutually agreed upon between BBK and the District

We strive to offer low, competitive rates for our public agency clients. Because of this, we request a nominal increase to our rates in the form of an annual cost of living adjustment (COLA) which follows the Consumer Price Index provided by the U.S. Department of Labor for the local area.

REIMBURSEMENTS

BBK does not charge for routine word processing, legal assistants, clerical costs, administrative support staff, secretarial costs and office costs, including telephone and fax charges. Reimbursement of costs advanced by BBK on behalf of the District as well as other expenses will be billed at actual cost. These currently include, but are not limited to, mileage at the IRS authorized rate; actual expenses for being away from our offices on District business; postage; legal research; and any cost of printing or reproducing documents, photographs, electronically stored information (ESI) if needed or other items necessary for legal representation

Patrick Reitz
July 2, 2024
Page 10

We look forward to discussing our experience and qualifications with you in more detail. If you require any additional information, please feel free to contact me by phone or email.

Sincerely,



Laura J. Fowler
for BEST BEST & KRIEGER LLP

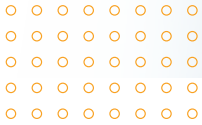
LJF



ASSOCIATE

Joanna Gin

📍 Sacramento, CA 📞 (916) 551-2857 ✉️ joanna.gin@bbklaw.com



Joanna Gin is an attorney in BBK’s Municipal Law practice group. She serves as general counsel for the Lake County Fire Protection District, Nevada County Consolidated Fire District and Ukiah Valley Sanitation District. Joanna also serves as the deputy general counsel for the Sacramento Area Council of Governments and served as assistant city attorney for the City of Winters. Joanna also regularly assists fire protection districts throughout Northern California, by attending meetings, performing transactional work and providing advice.

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Prior to attending law school, Joanna worked in legislative affairs for nearly a decade in Sacramento. Joanna was appointed by Gov. Jerry Brown to the position of assistant deputy director in the Office of Legislative Affairs at the Department of General Services. While there, she helped oversee the office in the preparation of legislative analyses and policy recommendations relating to state contracts and property. Before that, Joanna worked at the Assembly Business and Professions Committee, which oversees the regulation of licensed and certified professionals.

Accolades

- Witkin Award for Scientific Evidence

Professional & Community Involvement

- Sacramento County Bar Association
- Asian/Pacific Bar Association of Sacramento

CORE PRACTICES

- Municipal Law
- Election Law
- Fees, Taxes & Assessments
- Special Districts

EDUCATION & ADMISSIONS

Education

University of California, Davis School of Law, J.D.

University of California, Berkeley, B.A., political science & English, *with honors*

Bar Admissions

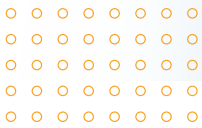
California



OF COUNSEL

Brent P. Collinson

📍 Sacramento, CA 📞 (530) 587-9233 ✉️ brent.collinson@bbklaw.com



Prior to becoming semi-retired, Brent Collinson helped the Truckee Fire Protection District grow from a mainly volunteer force to one with more than 50 paid and highly trained employees. He was extensively involved in promoting and enforcing defensible space requirements, including nuisance abatement and prosecuting violations as a misdemeanor. He also helped the Truckee Tahoe Airport District go from surviving closure threats to the airport winning the Truckee Donner Chamber of Commerce Public Agency of the Year Award. He was selected in 2019 by four local special districts to be general counsel to form and advise a joint powers agency.

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Brent is a frequent presenter at events sponsored by organizations that includes the Northern California Legal Secretaries Association, Sierra College, Tahoe City Optimists Club and the Truckee Rotary Club. Brent is admitted to the U.S. Supreme Court and the U.S. District Court for the Eastern District of California.

Notable Experience

Current Representation

- Truckee Tahoe Workforce Housing Agency

Past Representation

- Truckee Tahoe Airport District
- Truckee Fire Protection District
- Truckee Cemetery District
- Truckee Sanitary District
- Truckee Donner Recreation and Park District

CORE PRACTICES

- Real Estate
- Special Districts
- Trusts & Estates
- Business

EDUCATION & ADMISSIONS

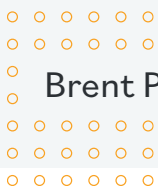
Education

University of the Pacific, McGeorge School of Law, J.D.

University of California, Davis, B.A.

Bar Admissions

California



- Tahoe Forest Hospital District
 - Fallen Leaf Lake Community Services District
-

Accolades

- Truckee Inter-Club Citizen of the Year
 - Truckee Rotary Paul Harris Fellow
-

Professional & Community Involvement

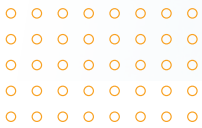
- Truckee Tahoe Bar Association, past president
- Truckee Rotary Club, past president
- Polly Klaas Foundation, Board Member and Secretary
- Truckee Rotary Community Foundation Board Member and Secretary
- Truckee Football Foundation, board member
- Wellspring Counseling Center, past president
- “Ask the Experts,” California Special Districts Magazine, Volume 11, Issue 5



PARTNER

Laura J. Fowler

📍 Sacramento, CA 📞 (916) 551-2085 ✉️ laura.fowler@bbklaw.com



Laura Fowler is a partner in BBK’s Labor & Employment Law practice group. Laura represents employers in a variety of court and administrative proceedings. She represents a variety of fire districts throughout the state and also represents municipalities with their own fire departments. She is well-versed in issues implicating fire service employers, including wage and hour issues, volunteer programs, the Firefighter’s Bill of Rights, safety issues and employment policies.

Laura defends both public and private employers in lawsuits for wrongful termination, breach of contract, unpaid wages, harassment, failure to accommodate, retaliation and discrimination. Laura represents public and private employers in administrative proceedings filed with the Equal Employment Opportunity Commission, the Department of Fair Employment and Housing, the Labor Commissioner and the Workers’ Compensation Appeals Board. She also drafts employee handbooks, policies, employment agreements and severance agreements. Laura provides employers with day-to-day advice regarding wage and hour issues, leaves of absence, disability accommodations, and decisions regarding discipline and termination. She has conducted workplace investigations and also oversees investigations conducted by outside investigators.

Prior to joining the firm, she was an attorney with McDonough Holland & Allen in Sacramento. Laura presents seminars on a number of employment-related issues and acted as a guest lecturer at her alma mater, McGeorge School of Law. She graduated from law school as valedictorian and was selected by the law school faculty as the outstanding graduating senior for her graduating class. She served as writer and editor for the *Pacific Law Journal*. After law school, she served as law clerk for the Honorable Milton L. Schwartz of the U.S. District Court for the Eastern District of California. She is admitted to all the districts of the U.S. District Court in California and the U.S. Ninth Circuit Court of Appeals.

Accolades

- *The Best Lawyers in America*®, Employment Law, 2024

Professional & Community Involvement

- American Bar Association
- Sacramento Area Human Resources Association
- Sacramento Advisory Council

CORE PRACTICES

- Business
- Labor & Employment
- Labor & Employment Litigation
- Municipal Law
- Public Agency Labor & Employment
- Special Districts

EDUCATION & ADMISSIONS

Education

University of the Pacific, McGeorge School of Law, J.D., *with great distinction*

California State University, Sacramento, B.A.

Bar Admissions

California

Derek P. Cole
dcole@colehuber.com

REPLY TO:
 ROSEVILLE ONTARIO

July 2, 2024

VIA ELECTRONIC MAIL ONLY

Patrick Reitz
Fire Chief
Lakeport Fire Protection District
445 N. Main Street
Lakeport, CA 95453
Email: preitz@lakeportfire.com

Re: *Proposal for General Counsel Services*

Dear Chief Reitz:

Cole Huber LLP is pleased to submit this proposal for General Counsel Services. Below, we explain our firm’s qualifications for providing legal services, provide biographies for the principal attorneys who would provide these services, and propose rates and terms for compensation.

FIRM OVERVIEW

Founded in 2007, Cole Huber LLP is a law firm founded on a commitment to legal excellence. From our Northern California (Roseville) and Southern California (Ontario) offices, our firm provides full-service advisory services and representation to local agencies throughout the state. Our 21 full-time attorneys advise our municipal clients on the broad range of issues affecting California local government. The firm’s tagline, “Advancing Your Agenda,” is more than a tagline; it’s what we do.

Cole Huber LLP currently serves as City Attorney to nine cities, general counsel to several special districts, and special counsel to a number of cities and counties. Our attorneys also regularly author articles and publications for and speak at events sponsored by the California Special Districts Association and other municipal-focused organizations.

Whether in advice counsel or litigation matters, the touchstones of the firm’s philosophy are responsiveness, communication, and accuracy. We make great efforts to ensure our attorneys are always available to clients, we regularly communicate with clients regarding the status of pending matters, and, most important, we correctly interpret the law. Our firm is mindful of the budgetary challenges public agencies face in today’s environment. To provide cost-effective legal services, we provide competitive hourly and flat-rate packages to our clients to ensure they get the best value for their scarce public funds.

PROPOSED LEGAL TEAM

If retained as General Counsel, we would propose a team of the following attorneys to provide legal services. Although we are proposing multiple attorneys, we would take great care to ensure that work is performed only by the necessary legal professionals and there is no duplication of work performed. The goal of assigning multiple personnel is to ensure that the proposed team can cover the broad scope of subjects that might arise during our representation.

Elizabeth M. Fratarcangeli, Bar No. 309321, admitted 2016.

During her tenure with Cole Huber LLP, Ms. Fratarcangeli has worked on a wide variety of matters, including public law procedural and legal issues, labor and employment matters, general civil litigation and land use litigation. Currently, Ms. Fratarcangeli serves as Assistant City Attorney for the Cities of Oakley and Paradise and previously served in that capacity for the City of Antioch. Ms. Fratarcangeli also serves as special counsel to the City of Lincoln.

In addition to serving as Assistant City Attorney, Ms. Fratarcangeli has served as general counsel to the Merced Housing Authority and is currently special counsel to Sacramento Housing and Redevelopment Agency, working on unlawful detainers and various public housing related issues. Ms. Fratarcangeli also has years of code enforcement litigation experience, including Health & Safety Code Receiverships and general nuisance abatement. Ms. Fratarcangeli has conducted numerous trainings on open-meeting laws, the Brown Act, and harassment prevention for her municipal clients. She is also actively involved in the League of California Cities events and trainings.

Ms. Fratarcangeli graduated with distinction from the Valparaiso University School of Law in 2015. During law school, Ms. Fratarcangeli served as an extern for the Honorable Christopher Nuechterlein, and the Honorable Andrew Rodovich at the U.S. District Court, Northern District of Indiana. She was also the Associate Editor of the *Valparaiso University Law Review*, the Chief Justice of the school's Moot Court team, and a law clerk for a prestigious firm in downtown Chicago. Prior to attending law school, Ms. Fratarcangeli graduated from the Loyola Marymount University in 2011 with a Bachelor of Arts degree in Psychology.

Derek P. Cole, Bar No. 204250, admitted 1999.

Mr. Cole is a co-founder of Cole Huber LLP. He serves as the City Attorney for the Cities of Oakley (since 2010) and Sutter Creek (since 2010). He twice served as Interim City Attorney for the City of Antioch while that city recruited for its in-house attorney (2015-2016 and 2017-2019). Mr. Cole also previously served as the City Attorney for Angels Camp (2012-2017) and as County Counsel for Trinity County (2008-2013).

Although Mr. Cole is familiar with all aspects of municipal government, he has an emphasis in land use and environmental law. He has ample experience in matters concerning

CEQA, planning and zoning, development agreements, the Subdivision Map Act, and air and water quality laws. He also has significant experience in litigating post-approval challenges to projects under CEQA, the Planning and Zoning Law, and other applicable land use and environmental laws.

Mr. Cole has also developed expertise in municipal finance matters, including all aspects of Propositions 218 and 26 compliance, fees, special assessments, and taxes of all types. He has handled matters concerning transactions-and-use (“sales”) tax ballot measures, utility users’ taxes, and a variety of special taxes. He likewise has experience in matters involving local elections and ballot measures. Mr. Cole also has substantial experience in utility matters, including in matters concerning water service, wastewater, and solid-waste collection.

Mr. Cole was selected to the Northern California *Super Lawyers* list from 2015 to 2023; was named as a “Top Lawyer” in *Sacramento* magazine from 2015 to 2022; and was honored by the *Sacramento Business Journal* with “Best of the Bar” awards in 2014, 2016, and 2018.

Mr. Cole is active in the City Attorneys’ Department of the League of California Cities. He previously served on the Department’s Attorney Development Succession Committee and Nominating Committee, which is responsible for appointing the Department’s Officers. Mr. Cole also served as Chair of the Municipal Law Handbook Committee, which is responsible for publishing Cal Cities’ comprehensive guide concerning municipal law. For two years, Mr. Cole served on the Department’s Legal Advocacy Committee, which provides counsel to the Cal Cities on its amicus or “friend-of-the-court” efforts.

Mr. Cole has further authored several amicus briefs on behalf of Cal Cities, the California State Association of Counties, California Special Districts Association, and International Municipal Lawyers Association, and other local government organizations. He has submitted amicus briefs to the United States Supreme Court, Ninth Circuit Court of Appeals, California Supreme Court, and California District Courts of Appeals.

Mr. Cole graduated with distinction from the University of the Pacific, McGeorge School of Law in 1999. At McGeorge, Mr. Cole was admitted to the Order of the Coif, Order of Barristers, and Traynor Honor Society. He was also a member of the Editorial Board of the *McGeorge Law Review* and published two student comments in that journal. Prior to attending law school, Mr. Cole graduated from the University of California at Santa Barbara in 1996 with a Bachelor of Arts degree in Law and Society.

David G. Ritchie, Bar No. 283303, admitted 2012.

Mr. Ritchie represents cities, counties, and special districts in a broad range of labor and employment matters including collective bargaining with police, fire and emergency services employee associations and professional, technical, and miscellaneous employee groups. Mr. Ritchie recently served as City Attorney for the City of Willows and currently serves as Assistant

City Attorney to the City of Oroville. He acts as lead attorney representing public agency clients before the Public Employment Relations Board, in other employment-related administrative proceedings, and in arbitration of disputes.

Mr. Ritchie assists employers with workplace investigations, employee discipline, and defending against employee grievances and complaints. He provides public agency clients with training on the Peace Officers Procedural Bill of Rights, Firefighters Procedural Bill of Rights, negotiations and other agency obligations under the Myers-Milias-Brown Act, prevention of harassment and abusive conduct in the workplace, and governmental ethics obligations. He holds an AWI-CH certificate from the Association of Workplace Investigators.

Mr. Ritchie serves as the General Counsel for the Housing Authority of the County of Merced and General Counsel for the Del Puerto Health Care District. Mr. Ritchie previously served as Deputy County Counsel for Trinity and Modoc Counties and as Special Counsel for Alpine County, principally providing Labor and Employment and Labor Relations services as well as collective bargaining, and on Dependency law matters. Mr. Ritchie is a regular contributor to the *California Municipal Law Blog* and columnist for the *Daily Journal*.

Mr. Ritchie received his Master of Laws (LL.M.)(2010) from Santa Clara University with the CALI-Award winning achievement for Excellence in Remedies and a specialization in Intellectual Property Law. He received his Juris Doctor (JD)(1997) from the University of Manitoba Law School where he was the Articles Editor and Technical Editor for two years with the Manitoba Law Journal. He received his B.A. (1994) with Distinction from Bishop's University, Lennoxville, QC Canada.

COMPENSATION

If retained as General Counsel, the firm would charge its standard rates for municipal advisory services. For 2024, the rate schedule is as follows:

Senior partners (21 or more years in practice)	\$300/hour
Partners (8-20 years in practice)	\$275/hour
Associates (less than 8 years in practice)	\$240/hour
Paralegals	\$175/hour
Law clerks	\$200/hour

In addition, the firm would seek reimbursement for standard "out of pocket" and reimbursable items. Given the proximity of the District office and our Roseville office, the firm

Patrick Reitz, Fire Chief
July 2, 2024
Page 5

would not charge mileage for any vehicle trips associated with our travel to and from the District office.

CONCLUSION

Our firm is well positioned to provide your District with high quality, responsive, and efficient legal services at a reasonable cost.

Any questions regarding our response may be directed to me. My mail and email addresses are listed on this page; you may also reach me by phone at 916-787-7520 (direct dial) or 916-212-7387 (mobile). I am fully authorized to represent our firm in any negotiations and I will be happy to respond to any questions you may have.

Sincerely,



Derek P. Cole
COLE HUBER LLP



July 2, 2024

VIA EMAIL ONLY chief500@lakeportfire.com

Lakeport Fire Protection District
445 N. Main Street
Lakeport, CA 95453

RE: Proposal of Moore & Bogener, Inc. for Attorney Services

Dear Chief Reitz:

Enclosed with this letter please find the proposal from Moore & Bogener, Inc. for Legal Counsel for the Lakeport Fire Protection District. The proposal itself contains general information about the law firm, the firm's rates, references for public entity clients, and other relevant information. However, please feel free to reach out to me directly if you would like any additional information.

The firm appreciates the Board's consideration for this role.

Sincerely,



COLLIN BOGENER

CMB/lw
Enclosure

**PROPOSAL OF MOORE & BOGENER, INC. FOR ATTORNEY
SERVICES FOR LAKEPORT FIRE PROTECTION DISTRICT**

Firm Contact Information:

Entity Submitting Proposal: Moore & Bogener, Inc.
Physical Address: 1600 West Street, Redding, California 96001
Telephone No.: (530) 605-0355
Facsimile No. (530) 605-3693
Webpage: www.mooreandbogener.com

1. Firm Organization/Credentials/Professional Experience

Moore & Bogener, Inc. is a Redding, California law firm specializing in real property, business and municipal/public entity law. The firm handles both transactional work and litigation for its clients, with significant trial experience in areas such as land use, nuisance, and Proposition 218. Attorneys at the firm are licensed by the State Bar of California, and admitted to practice in the Eastern District, the Northern District, and the 9th Circuit Court of Appeals.

Importantly, the firm maintains a considerable consulting practice to governmental agencies, including cities, fire protection, water delivery, vector control districts, and joint powers authorities. This representation includes providing opinion and guidance on areas ranging from the Brown Act, the Public Records Act, the Political Reform Act and the California Environmental Quality Act, frequently presenting these issues to the elected officials and staff at local agencies. Counsel at the firm also possesses extensive knowledge pertaining to government entity personnel issues, understanding the intersection of the FLSA, the Labor Code and the Government Code.

2. Primary Contact Attorney/Project Team

The firm is made up of two partners, Aaron Moore and Collin Bogener, one associate attorney, a legal assistant, and two general staff. Collin Bogener will be the primary contact for the Lakeport Fire Protection District (“LFPD”), and Aaron Moore will be the back-up.

Collin Bogener

Mr. Bogener graduated from California Western School of Law in 2010 and was admitted to the State Bar of California that same year. In early 2011, he began working as an associate attorney for the law firm of Maire & Burgess in Redding, California. In 2014, Mr. Bogener began working exclusively with Jody Burgess, and specializing in real estate, business, and municipal law. On July 1, 2015, Mr. Bogener co-founded the firm of Burgess & Bogener. The firm became Moore & Bogener in April of 2018 when Jody Burgess was appointed by the Governor to a judgeship in Shasta County, and Aaron Moore became partner. The firm continues its focus on real estate, business, and municipal law.

Mr. Bogener has represented local government agencies for approximately 10 years wherein he has handled ordinance drafting, consultation on open government under the Ralph M. Brown Act, Proposition 218 advice and litigation, conflict under the Political Reform Act, enforcement through administrative abatement, employee relations, CalPERS as related to a retired annuitant, and general consultation on matters related to contract review.

Mr. Bogener is presently the City Attorney for the City of Anderson and for the City of Corning. Those meetings take place on Tuesday evenings.

Aaron Moore

Mr. Moore graduated from the University of California, Los Angeles in 2003 and Boston University School of Law in 2006. Following graduation, Mr. Moore worked at the law firm of Hanna, Brophy, McAleer & Jensen for one year, and then for the firm Maire & Burgess for four years before forming Swanson Moore along with Jeffery Swanson in 2012. In 2018, Mr. Moore joined Moore & Bogener after Jody Burgess was appointed to the bench.

Throughout his career, Mr. Moore has practiced in the general areas of real estate, business, and municipal law. Mr. Moore has represented local government agencies for the past six years, including serving as the Deputy City Attorney for the City of Anderson and City of Corning, as well as the primary attorney for Anderson Fire Protection District and Shasta Community Services District.

Michael Ricks

Mr. Ricks has been an associate at the firm since May of 2017, when he was first admitted to practice law. Since that time, he has assisted the partners with public

agency representation, including appearances at public meetings, warrant preparation, and Public Records Act compliance. He graduated from Cal Northern School of Law in 2016 where he was recognized for his performance in the subject of real property. Prior to being admitted to practice, Mr. Ricks gained significant knowledge of water law while working as staff at the Central Valley Water Board. Mr. Ricks is the backup legal counsel for the Mountain Gate Community Services District.

Additional Staff

The firm is also comprised of a legal assistant, Lisa Wilson, who has been working in the legal industry for well over 20 years. Ms. Wilson has extensive experience in civil litigation, Proposition 218 and CEQA included. The firm also has two general staff members in Katie Richards and Hannah Rogers, who assist the attorneys in day-to-day matters. The attorneys have frequent file review meetings with staff to ensure they are up to speed on the legal issues pending before the firm, which assures some level of knowledge when speaking with the local agency representative.

3. Legal Training and Honors

Mr. Bogener and Mr. Moore attend the annual California League of Cities City Attorney Conference every year, which is a three-day seminar focused on the representation of local agencies, including cities and special districts. The firm has attended this training every year since 2016. This conference always educates the attorneys on upcoming bills or recent court cases which will alter the way in which public entities operate. This assists the agencies represented by the firm in ensuring compliance with state law.

In 2015, 2016, 2017, 2018, 2019, 2020, and 2021, Mr. Bogener was designated as a Rising Star by Super Lawyers rating service in the San Francisco Magazine. The Rising Star designation is given to no more than 2.5 percent of the California practicing attorneys who are under the age of 40 or who have been practicing for less than 10 years.

4. Public Agency References

Joey Forseth-Deshais, City Manager for the City of Anderson, California, (530) 378-6646

Brant Mesker, City Manager for the City of Corning, California, (530) 824-7034

Jeff Cole, District Manager for the Mountain Gate Community Services District,
(530) 275-3002

Chief Steve Lowe, Anderson Fire Protection District, (530) 378-6699

Chief Roger Moses, Shasta Lake Fire Protect District, (530) 275-7474

5. Conflict of Interest

The firm partners do not have any conflicts of interest in the potential representation of LFPD.

6. Proposed Rate of Compensation

The services to be provided to the District will be at a rate of \$250.00 an hour for general legal services, travel time included, for all attorneys.

If the representation concerns litigation, the hourly rate is \$300.00 for a partner, \$250.00 for an associate, and \$90.00 for a paralegal.



AARON W. MOORE



COLLIN M. BOGENER

LAKEPORT FIRE PROTECTION DISTRICT

GENERAL COUNSEL SERVICES

PROPOSAL

SUBMITTED BY:

THEODORE STREAM



www.streamkimlaw.com

JULY 3, 2024

Stream, Kim, Hicks, Wrage, & Alfaro, P.C.
3493 Tenth Street, Suite 700 Riverside, CA 92501
Phone: (951) 783-9470
Email: ted.stream@streamkim.com



July 3, 2024

**Mailing Address:
445 N. Main Street
Lakeport, California 95453**

RE: LAKEPORT FIRE PROTECTION DISTRICT GENERAL COUNSEL PROPOSAL

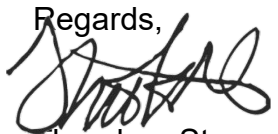
Dear Fire Chief Patrick Reitz,

Stream Kim Hicks Wrage & Alfaro, P.C. is pleased to submit this proposal to the Lakeport Fire Protection District General Counsel services. Stream Kim is a public agency, business, and complex civil litigation law firm based in Riverside County, and currently serves as City Attorney and City Prosecutor for the City of Desert Hot Springs, and lead trial counsel for various other public and private clients.

Stream Kim was founded in 2018 by five top-tier litigators dedicated to the highest standards of client service, legal skill, and community involvement. Every member of our team brings unique and important talents so that the firm can offer a wide variety of high-quality legal services. Stream Kim has an excellent reputation, particularly in complex litigation. The Firm's areas of expertise include, but are not limited to: public agency law; business and corporate law; construction law; employment law; appellate law; health care law and emergency medical services; intellectual property law; litigation; and real estate and land use law. Stream Kim provides legal advice and general litigation services in each of these areas of expertise, and routinely provides its clients with well-written and concise legal opinions, resolutions, and ordinances. Moreover, Stream Kim ensures that its clients are well advised on the effect of proposed and newly enacted legislation.

Building relationships with our clients and providing value-added service is the key to our success. We utilize the latest technology to lower costs and pass those savings along to our clients. Moreover, we are always available to our clients and are quick to respond to developing issues that face our municipal and private industry clients. Stream Kim has multiple highly qualified attorneys, as well as dedicated and skilled secretaries, paralegals, and law clerks, and we reduce costs to our clients by ensuring that a particular task is performed at the appropriate level.

Regards,



Theodore Stream

I. STREAM KIM'S QUALIFICATIONS

Stream Kim Hicks Wrage & Alfaro ("Stream Kim" or "the Firm") is a full-service public agency and litigation law firm based in Riverside County. Stream Kim prides itself on providing excellent and thorough legal services in a timely, cost efficient, and concise manner. Stream Kim's attorneys bring experience and expertise covering the full array of issues facing a public agency, as well as significant private sector expertise. This combination of public and private sector success allows us to approach issues facing a public agency from a unique perspective, ensuring the most optimal approach to achieving our desired goals. Additionally, the Firm has a unique approach of providing attorney office hours several days a week directly out of its clients' offices. This unique business model and our litigation expertise distinguish Stream Kim from other public agency and civil litigation law firms.

A. Description of Stream Kim

Stream Kim Hicks Wrage & Alfaro, P.C. is a registered California professional corporation in good standing with the California Secretary of State.

Stream Kim routinely advises public agencies on the full range of matters that impact such entities, including constitutional and statutory matters, petitions and referenda, municipal finance, public contracts, public sector labor and employment issues, and taxes and fees. Our Firm has as expertise in the Ralph M Brown Act; Political Reform Act; Public Records Act; contract law; intellectual property rights; and parliamentary procedure. Additionally, Stream Kim's experience and expertise in employment law and civil litigation will prove invaluable to the Lakeport Fire Protection District ("District"). Stream Kim provides legal advice and general litigation services in each of these areas of expertise, and routinely provides its clients with well-written and concise legal opinions, resolutions, and ordinances. Further, Stream Kim ensures that its clients are well advised on the effect of proposed and newly enacted legislation.

Stream Kim handles a wide variety of legal issues within the public sector including, but not limited to, land use, environmental analysis, development agreement negotiations, public works construction contract preparation, prevailing wage compliance, and property tax measures.

B. Stream Kim's Qualifications, Experience, and Expertise

1. Attorney Resumes

THEODORE K. STREAM (State Bar License 138160)

Ted Stream is a founding shareholder of Stream Kim Hicks Wrage & Alfaro, P.C. His leadership and respect in the legal community is the result of passionate client service and noteworthy courtroom victories on the state, federal, and appellate court levels and before a myriad of administrative bodies. Ted's extensive experience with complex claims in a variety of areas continues to attract requests for services from clients around

the world, many of whom are on the Fortune 500. Further, Ted represented the City of Rancho Mirage and the City of Desert Hot Springs in litigation matters, and he previously litigated on behalf of the City of Cathedral City in a long-term case against developers in the city.

He began his career by graduating with honors from Willamette University College of Law. He subsequently served as a law clerk in the Oregon Department of Justice. For 13 years he was a Partner in the law firm Stream & Stream and then a Partner at Gresham Savage Nolan & Tilden, before launching Stream Kim Hicks Wrage & Alfaro in 2018. Ted is a prominent litigation attorney, with numerous courtroom successes including: 1) recovering an unprecedented \$600,000 in attorney's fees and costs in an action after successfully defending Wal-Mart against a developer, 2) successfully defending the City of Desert Hot Springs against a claim for attorneys' fees in excess of \$300,000 – the judge awarded the plaintiffs no attorneys' fees whatsoever, 3) successfully defending the City of Desert Hot Springs in a suit to recover over \$250,000 of development impact fees plus interest, obtaining a demurrer as to all causes of action raised in the complaint against the City and 4) representing the City of Desert Hot Springs in a 7-day trial, successfully obtaining an order from the court to transfer all the assets of a trust to the City's Recreation Center. To add to his numerous successes, Ted served as lead trial and appellate counsel for dozens of counties, cities and fire districts before the California Supreme Court in a series of cases that defined rights and responsibilities under the California Emergency Medical Services Act [*City of San Bernardino v. County of San Bernardino*, 15 Cal.4th 909, 64 Cal.Rptr.2d 814 (1996)]. Ted has also been successful in a variety of trademark, trade dress, and copyright infringement cases.

Ted's high ethical standards, influential published cases, and many years of experience have earned Ted the highest recognition –Preeminent AV- from Martindale-Hubbell. This rating is awarded through a peer review system. In addition to his legal acumen, Ted is greatly involved in his Riverside and Coachella Valley communities, is a member of several Bar Associations, and several philanthropic organizations, such as American Heart Association and A Foundation for Kids, where he serves and has served on the Board of Directors since 2014.

TUAN-ANH VU (State Bar License 285801)

Tuan-Anh Vu has extensive experience representing public agencies, including on matters related to the Public Records Act, Political Reform Act, and the Ralph M. Brown Act. Tuan currently serves as City Attorney for the City of Desert Hot Springs where practices municipal law and litigation, including Pitchess motion defense, records requests, administrative hearings, receiverships, code enforcement, inspection and abatement warrants, and ordinance and resolution drafting and implementation. In addition, Tuan has extensive transactional experience in municipal law.

Prior to joining Stream Kim in 2019, Tuan served as Deputy City Attorney for the cities of Victorville, Rancho Mirage, and Cathedral City, and served as Deputy General

Counsel for other public agencies. Tuan's experience includes both transactional and litigation matters, including drafting contracts, drafting legal memoranda, assisting with Public Records Act requests, advising legislative bodies on the Ralph M. Brown Act, and preparing resolutions and ordinances. Tuan has also handled numerous receiverships to abate blighted properties, civil lawsuits to abate public nuisances, and successfully argued multiple cases in the Court of Appeal.

Tuan-Anh graduated from the University of California, Riverside, where he received a Bachelor of Arts degree in History and received a minor in Law and Society. He earned his Juris Doctor from the Pepperdine University Caruso School of Law and served as a staff member of the Journal of the National Association of Administrative Law Judiciary. Tuan was admitted to the State Bar of California in December of 2012.

JAMIE WRAGE (State Bar License 188982)

Jamie Wrage is the principal of Stream Kim's employment law group. Whether a case is in pre-litigation, litigation/arbitration, or on appeal, she provides seasoned advice to her clients to identify and work toward the best outcome. Her more than 20 years of experience ensures that matters are properly handled in the fast-changing world of employment law.

Jamie has provided counsel to human resources personnel and management regarding federal and state employment law issues for 20 years. She has successfully represented employers both in court and before federal and state governmental agencies, including the Department of Fair Employment and Housing (DFEH) (now the Civil Rights Department), the Department of Industrial Relations, the Fair Employment and Housing Commission (FEHC), Cal/OSHA, the California Labor Commissioner, the Workers' Compensation Appeals Board, the California Unemployment Appeals Board, the U.S. Equal Opportunity Commission (EEOC), and the U.S. Department of Labor (DOL). She has extensive experience defending and advising employers embroiled in wage-and-hour class actions, PAGA litigation, Cal-WARN, and harassment/discrimination/retaliation litigation.

Jamie counsels California employers in state and federal employment law compliance, on topics such as litigation prevention, wage-hour compliance, discrimination and harassment law and avoidance, employee investigations, discipline and termination issues, coordination of protected employee leaves, disability accommodations, employee safety, OSHA and privacy. She works with employers to develop or analyze employment contracts, as well as human resources policies, handbooks and procedures to prevent future litigation and stay aware of the ever-changing employment law landscape.

Jamie also serves as an outside, independent investigator for employers investigating allegations of unlawful conduct, such as harassment, discrimination or retaliation. An experienced interviewer, Jamie uses her years of employment-law experience to conduct thorough and well-documented workplace investigations with as little disruption to operations as possible. She is also affiliated with several legal

organizations including the Riverside County Bar Association and Riverside Legal Aid, where she has served as President of the Board.

Jamie received her Juris Doctor in 1996 from Loyola Law School, where she was Articles Editor of Loyola Law Review. She graduated University of Southern California with a Master of Public Administration in 1990. She received two B.A.s from University of South Florida in English and Political Science in 1989, where she graduated with honors.

2. Beneficial Areas of Experience

Ralph M. Brown Act

As a service to its clients, Stream Kim routinely provides training pertaining to the Ralph M. Brown Act (open meetings), Political Reform Act (conflicts of interest), Sexual Harassment, Public Records Act (public records disclosure), and other topics of general concern for public agency staff, appointed and elected officials, and other decision-makers operating within the public sector. Our firm also provides advice on changes in laws or regulations that may impact our public agency clients and advice on how our public agency clients might benefit from preemptive policy or procedural changes, offering timely, comprehensive and strategic advice, training and solutions, helping instill public confidence in our clients' decision-making processes, and assuring legal and regulatory compliance. Through decades of practice, we understand the challenges our public agency clients face and are well prepared with strategies to help streamline the response process and avoid costly pitfalls.

We regularly advise clients regarding issues relating to open meetings, often being called upon after hours and "on the fly" to provide immediate and urgent Ralph M. Brown Act direction. We have advised on complex questions and provided training for local officials and staff. Recognizing that each specific problem calls for a specific solution, the experience of the firm's attorneys allows us to provide our clients a comprehensive yet focused approach to the practice of law, especially when it comes to the Ralph M. Brown Act.

Public Records Act

Always at the forefront on emerging issues, our attorneys and paralegals are leading authorities in public agency and Public Records Act law. We speak and write on legislative changes and legal developments impacting how the Public Records Act is interpreted and applied, and always keep our clients informed. Our services include helping clients efficiently locate, review, and produce physical and electronic records while ensuring privacy rights are respected, evaluating what should and should not be disclosed under the Public Records Act, drafting determination letters that document the agency's response efforts to the public records request, and defending clients' processes before courts to defend their disclosure determinations and claims of exemption. We have successfully litigated cases involving the Public Records Act.

Political Reform Act

Facing intense public scrutiny, media attention, and regulatory oversight, government entities, public officials and those doing business with the government must do more than simply comply with public integrity standards and applicable laws and regulations. They must command public respect and build trust by promoting integrity, transparency, and fairness in all of their dealings.

Issues relating to conflict of interest are among the matters that must be dealt with on a day-to-day basis. We regularly provide advice to cities and other public agencies on issues related to the Political Reform Act, Government Code section 1090, and other conflict of interest laws. As all levels of government adopt, reexamine, and strengthen ethical and accountability standards, and aggressively pursue and prosecute violators, our attorneys offer timely, comprehensive and strategic advice, training and solutions, helping instill public confidence in our clients' decision-making processes and assuring legal and regulatory compliance.

Contract Law – Practice, Preparation, and Review

Contracts often entail complex relationships between public agencies and service providers, lessors, purchasers, contractors, subcontractors, engineers, architects and so forth. Stream Kim has a reputation of working meticulously, seeing projects through from start to finish. Our services encompass everything from negotiation to resolution of claims. Stream Kim's highly skilled team of attorneys understands the complexities of leases, service provider agreements, of procurement and construction laws as well as their interplay with the numerous statutes and regulations governing such projects. On behalf of our clients, we draft and review contracts, leases, purchase and sale agreements, waivers, all in light of the best interest of the entity.

Stream Kim has also developed an extensive internal database of work product and legal research that its staff may draw upon depending on the nature of a particular task or assignment. Use of such preexisting work product and legal research is designed to save time and expense for the client. Such preexisting work product includes, but is not limited to, contract templates, litigation templates, research memoranda, and a library of workshop and seminar materials on a variety of laws affecting public entities.

Employment Law

Stream Kim represents public entities, businesses, non-profit organizations, and public-private partnerships throughout California in the full range of labor and employment advice, counseling, training, investigations, administrative hearings, and litigation in state and federal courts.

We provide sophisticated, operations-focused advice on complex issues such as employee classification, discipline and terminations, leaves of absence, workplace culture, social media, disability issues, employee privacy and free speech rights, whistleblower laws, and management of internal and external complaints. Our attorneys

are experts in drafting and revising personnel policies, employee handbooks, and employment contracts, as well as conducting audits covering the entire organization or focusing on specific subjects such as hiring practices or workplace safety. Our employment lawyers have represented every type of employee – rank and file, management, and professional.

A key strength of our negotiations practice is our experience litigating and arbitrating the same issues negotiated at the bargaining table. When litigation is unavoidable, we have experience defending employers in single- and multi-plaintiff lawsuits involving wage-and-hour issues, wrongful termination, sexual harassment, racial discrimination, disability accommodation, retaliation, defamation, medical leave, and trade secret misappropriation, among others.

As attorneys who also represent clients in employment litigation, we know how to conduct independent investigations and prepare reports that will withstand scrutiny and credibly serve in a courtroom, arbitration or public domain. Our programs provide employees with the awareness, knowledge and tools needed to thrive in today's complex workplace, including Harassment and Bullying Prevention, Recognizing and Minimizing Implicit Bias, How to Have Inclusive Conversations about Difficult Issues, Protecting Due Process of the Accused while Investigating Allegations, Promoting a Respectful Workplace, and Bystander Intervention Training.

Court Case Representation

With decades of experience in public agency work and civil litigation, Stream Kim has a keen sense for providing succinct, concise, and salient cost/benefit analysis that its public agency clients find material and indispensable when confronted with the important task of evaluating the merits of avoiding, circumventing, initiating, continuing, or settling litigation. Our trial attorneys have decades of experience defending and prosecuting civil claims, and their expertise is recognized across the entire spectrum of civil representation, from real estate to healthcare and public agency law to intellectual property litigation. Our attorneys have represented cities, special districts and other governmental entities in litigation at every level including the California Supreme Court.

We have the capacity to respond immediately to any administrative proceedings and litigation that may arise. The breadth of our expertise in almost any potential litigation allows us to assign an attorney with significant experience in relevant areas of law. If litigation is pursued, the Stream Kim's trial team is ready and prepared. Stream Kim has not only successfully defended against claims, but also recovered significant rights and funds on behalf of our clients. We also have the appellate expertise to protect our clients' interests every step of the way, from the early assessment of claims through appeals in state or federal courts. Our cases have both clarified existing law and empowered public agencies in their decisions.

3. Role of the General Counsel

As experienced General Counsel, Stream Kim views this role in local government as being a position through which the Firm can provide excellent and thorough legal services in a timely, cost efficient, and concise manner, all while avoiding taking sides in political debates or directing policy or managerial decision-making entrusted to the Board of Directors, Fire Chief, and supporting staff. The General Counsel should serve as legal advisor and counselor to the Board of Directors and Fire Chief to assist the Board of Directors and Fire Chief achieve the direction, policy, and goals that they determine are in the best interest of the District.

More specifically, the General Counsel's role is to take direction from the Board of Directors and Fire Chief on all legal assignments and to provide legal advice regarding any matter that implements, promotes, or protects the District's legal interests as they relate to federal and state law, or applicable administrative rules, regulations, and procedures.

The General Counsel should work closely with the Fire Chief on all legal issues pertaining to the implementation and administration of all official policies of the Board of Directors. In this regard, the General Counsel should collaborate with the Fire Chief on all legal issues that may affect any of the above such as, but not limited to, proposed legislation, staff, the public, or other parties that involve any situation that may have legal implications affecting the District.

The General Counsel should also keep the Fire Chief fully informed of all legal assignments received from District staff and any legal advice provided to them regarding any such assignments. This affords the Fire Chief not only the opportunity to participate in any particular direction provided to the General Counsel by their staff, but it also provides the Fire Chief an opportunity to monitor legal time and expenses.

Building relationships with our clients and providing value-added service is the key to our success. Communication is key, which is why Stream Kim goes to great lengths to ensure that the General Counsel routinely attends regular and special meetings for our clients. Stream Kim always places the client's needs first and foremost. The General Counsel assumes full responsibility for the quality of work and the professionalism of Stream Kim's staff.

II. FEES / DETAILED DESCRIPTION OF PROPOSAL

The below fees encapsulate the fees proposed by Stream Kim.

A. GENERAL SERVICES FEES

The Firm acknowledges the scope of work outlined in the Request for Proposal and agrees that all of the described services, with the exception of litigation services, are general legal services included within the scope of services of this proposal.

- Senior Attorneys (10 plus years) \$350/hour
- Junior Attorneys (fewer than 10 years) \$300/hour
- Paralegals \$250/hour

Except for extenuating circumstances and agreed to in advance, the Firm does not charge for travel time.

B. LITIGATION SERVICES FEES

The Firm proposes to provide litigation services on an hourly fee structure as needed by the District. Litigation services shall only include services provided by the Firm that are directly applicable to an actual lawsuit initiated by the District or its affiliated entities, or in response to an actual lawsuit filed against the District or its affiliated entities, or in an actual lawsuit in which the District either chooses to act or is required to act. Time expended by the Firm performing litigation services will be billed at the following rates:

- Senior Attorneys \$400/hour
- Junior Attorneys \$350/hour
- Paralegals \$275/hour

Except for extenuating circumstances agreed to in advance, the Firm does not charge for travel time.

III. REFERENCES

References available upon request.



LAKEPORT FIRE PROTECTION DISTRICT

445 North Main Street, Lakeport, CA 95453
Telephone: (707) 263-4396 Fax: (707) 263-7087
Web Site: www.lakeportfire.com



Date: July 5, 2024
To: Board of Directors
From: Patrick Reitz, Fire Chief
Subject: **Nexus Study for Fees for Services by Ridgeline Municipal Strategies**

Recommendation

1. Make a motion to authorize the Fire Chief to enter into a contract with Ridgeline Municipal Strategies, in an amount not to exceed \$27,500, for a nexus study regarding the Schedule of Fees for Services

Background

Last year, as part of a collective agreement by the fire districts around the lake, the Board voted to engage Ridgeline Municipal Strategies to do a nexus study regarding mitigation fees for the District. The result of this study was that the District was able to justify a significant increase in mitigation fees, which was ultimately approved by the City of Lakeport and County of Lake. The District will begin collecting increased mitigation fees next month.

The last time the Schedule of Fees for Service was updated was June 2020. The District has seen significant cost increases across all areas in the four (4) years since the fee schedule was last adjusted. Additionally, the fees schedule is not as comprehensive as it should be, with the District not collecting fees for services and the costs associated for those services as a result.

I am requesting the Board authorize me to engage Ridgeline Municipal Strategies to perform a nexus study regarding our Schedule of Fees for Services in an amount not to exceed \$27,500 (\$25,000 + 10% contingency).