



Agenda

San Mateo Consolidated Fire Department Board of Directors Regular Meeting Wednesday, May 12, 2021 – 4:00 P.M.

Consistent with the Governor's Executive Order N-29-20 promoting social distancing, there will be no physical or in-person meeting location available to the public. Instead, the meeting will be accessible, and members of the public may participate and give public comment, via video teleconference by accessing the following website link:

Video Teleconference Information: Via Personal Zoom Web Link

Register in advance for this webinar:

https://zoom.us/webinar/register/WN_2QfjTqICRIggtQkZ1cSzA

1. OPENING

- 1.1. Call to Order & Determination of a Quorum
- 1.2. Pledge of Allegiance
- 1.3. Roll Call

2. AGENDA CHANGES

The Chair/Board Member may change the order of the Agenda or request discussion of a Consent Item. A member of the public may request discussion of a Consent Item by emailing the Acting Board Clerk Nicole Morales at nmorales@smcfire.org prior to Public Comment.

3. PUBLIC COMMENT

Public Comment is limited to 15 minutes, with a maximum of three (3) minutes per speaker. If you wish to address the hearing body, please notify the Department as soon as practical by emailing the Acting Board Clerk of the Fire Board at nmorales@smcfire.org. If you are addressing the Board of Directors on a non-agenda item, the Board of Directors may, but is not required to, briefly respond to statements made or questions posed as allowed by the Brown Act (GC 54954.2). The Board of Directors may refer items to staff for attention, or have a matter placed on a future Board of Directors Meeting, for more comprehensive action or report.

4. CONSENT

- [4.1](#) Approval of Fire Board Meeting Minutes from April 14, 2021.
- [4.2](#) Adopt a resolution approving an amendment to the lease agreement with the City of Foster City to include the new training office modular building located at 3470 East Third Avenue in Exhibit A and authorizing the Fire Chief to execute the amendment
- [4.3](#) Adopt a resolution approving an amendment to the lease agreement with the City of San Mateo and authorizing the Fire Chief to execute the amendment.
- [4.4](#) Adopt a resolution establishing the San Mateo Consolidated Fire Department's (SMC Fire) Conflict of Interest Code.

5. NEW BUSINESS

5.1 Receive Fire Board feedback and public comment on the Fiscal Year 2021-22 Operating Budget and consider adopting a Resolution approving the Fiscal Year 2021-22 Operating Budget.

5.2 Conduct a workshop on the concept of introducing a First Responder Fee, which is a fee to defray the cost of providing Department services.

6. OLD BUSINESS

6.1. Adopt an Ordinance adopting the 2021 International Wildland Urban Interface Code with amendments and modifying the 2019 California Fire Code with local amendments. Public Hearing – Second Reading.

7. REPORTS AND ANNOUNCEMENTS

7.1. Board Members and Department Management Staff will have an opportunity to make announcements.

8. CLOSED SESSION

8.1. Personnel Action Pursuant to Government Code Section 54957 – Fire Chief Job Description and Procedure for Hiring.

8.2. Personnel Action Pursuant to Government Code Section 54957 – Interim Chief Position; Consideration of Candidate.

9. RETURN FROM CLOSED SESSION

9.1. Report Upon Return from Closed Session – Department Counsel

10. ADJOURNMENT

I, Nicole Morales, Acting Board Clerk of the San Mateo Consolidated Fire Department, hereby declare that the foregoing Agenda was posted in compliance with the Brown Act prior to the meeting date.

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Acting Fire Board Clerk at (650) 522-7900 no less than 72 hours prior to the meeting. Notification in advance of the meeting will enable the Fire Department to make reasonable arrangements to ensure accessibility to this meeting.

Copies of documents distributed at the meeting are available in alternative formats upon request. Any writing or documents provided to a majority of the Board regarding any item on this Agenda will be made available for public inspection at the Department Fire Administration Office located at 1040 E. Hillsdale Blvd., Foster City, CA 94404, during normal business hours. In addition, most documents will be posted on the Department's website at <https://www.smcfire.org/fire-board-meeting-agendas>.



Meeting Minutes

San Mateo Consolidated Fire Department Board of Directors Regular Meeting Wednesday, April 14, 2021 – 4:00 P.M. Zoom Video Teleconference

1. OPENING

The meeting was called to order at 4:00 pm by Board Chair Goethals.

1.3. Roll Call

Board Members Present: Goethals, Lieberman & Awasthi

Board Members Absent: None

2. AGENDA CHANGES

There were no agenda changes.

3. PUBLIC COMMENT

None

4. CONSENT

Board Member Lieberman commented on item 4.9 regarding the agreement with the City of San Mateo for Finance and Human Resources services for a 5-year term ending on June 30, 2026. He stated it the agreement was not addressed much in advance with City Managers and he is not in favor of a 4% annual increase. He is not objecting moving forward but questions the escalation clause. Chief Administrative Officer (CAO) Corbett to discuss further with Lieberman offline.

Board Member Lieberman made a motion to approve the Consent calendar, which was seconded by Board Member Awasthi. The Acting Board Secretary took a roll call vote and the Consent calendar items were approved 3-0.

5. NEW BUSINESS

Item 5.1 - Receive the Fiscal Year 2020-21 Budget Update & Fiscal Year 2021-22 Budget Preview.

Treasurer Rich Lee provided a Power Point presentation on the current fiscal year 2020-21 budget including a preview for fiscal year 2021-22. Beginning with the general fund, the amended 2020-21 budget assumes \$42.7 million in total revenue. Based on year-to-date revenues, total revenues are estimated to be \$43.7 million where \$2 million is from CalOES deployment reimbursements. Majority of general fund expenditure variances come from salaries, benefits and overtime. Based on year-to-date expenditures, total expenditures are estimated to be \$42.8 million. An unfavorable variable largely represents overtime costs incurred in responding to mutual aid events. The general fund will have an estimated \$43.6 million in total revenues and \$42.8 million in total expenditures. Absent any changes, it is anticipated there will be a net gain of \$0.8 million. However, this does not contemplate the \$1 million in financial relief that SMC fire has committed to provide the member agencies. SMC fire has identified some discretionary expenditures that it can reduce to get projected expenditures down to \$42.8 million, leaving a net reduction of \$200,000 by the end of the fiscal year. This will result in a draw down on the ending fund balance. SMC Fire needs to identify an additional \$200,000 in expenditure reductions in order to meet that goal without impacting the ending fund balance.

Fiscal year 2021-22, the general fund is comprised of the operating contributions from the member agencies with San Mateo at 60% (\$25.2 million), Foster City and Belmont at 20% each (\$8.4 million each). At \$43 million, 80% comes from employee compensation. Salaries and wages comprise the majority at \$27.2 million followed by benefits at \$10.7 million. The long-term financial plan for SMC Fire's general fund estimated for the current fiscal year does contemplate the \$1 million in financial relief and that SMC Fire is committed identifying \$200,000 of additional reductions for expenditures resulting in a net break even. Factoring in known and assumed changes in employee compensation and other operating expenditures, Treasurer Lee shared the financial forecast for the next five years for SMC Fire. The projected change in contributions include a 6% increase next fiscal year and slowing to 2% in the intervening years of the forecast.

SMC Fire's second fund is the Fire Protection and Life Safety Fund (Fund 37). The 2020-21 budget has quite a variance in revenues which is related a decrease in inspection revenue due to a loss of a Deputy Fire Marshal and two Fire Inspectors. In expenditures, there is a favorable variance largely due to SMC Fire addressing the revenue shortfalls which results in about \$200,000 variance between the amended budget and our year end estimate. On the income statement side of this fund, there is \$2.3 million in estimated revenues and \$3.7 million in total expenditures results in a net loss of \$1.4 million. It's projected to end the year with \$200,000 in negative fund balance and will require the general fund to provide a temporary loan to Fund 37 the amount of \$200,000. The fund's long-term financial plan's ending fund balance starts with \$1.2 million in the prior fiscal year, going negative for the current fiscal year, and marginally remaining there until the end of next fiscal year. The fund will break even by 2023 and finally get to the black in 2024. In order to accomplish this, SMC Fire will defund two fire inspector positions as well as not renew the facility lease for the O'Farrell property at the end of December of 2021.

Board Chair Goethals stated he understands the savings from not paying rent at O'Farrell and noted the Chief is working on shared workspace plans in the cities and at Fire Station 28 but asked for clarification regarding the reduction of expenditures by decreasing full time inspectors. Treasurer Lee stated that the inspector positions would still exist but the appropriations for those positions would be defunded. Fire Marshal stated the division just hired back two part time inspectors and they will be able to pick up some of that workload in addition to the fee study which will be presented in May. Between those two things, we can continue to provide the services that we need to be provided and participate with all our mandates. When the financial situation improves and we start actually realizing those revenues from the fee study, it will help Fund 37.

Board Member Awasthi asked for further clarification of what led to the reduction in revenue. Treasurer Lee stated it's related to inspection & plan check revenues that have not come to fruition. As provided in the staff report, it is also related to the loss of inspectors and a Deputy Fire Marshal who help drive the revenue. Board Chair Goethals shared that a loss of inspections was due to COVID. Fire Marshal Marshall stated that reducing staff is counterintuitive but large projects will begin to break ground which will increase the fees collected. We will continue to right the ship and start back in the upward trend. Inspection revenue generated from large public events and theaters have stopped and we made a conscious effort to not hit other industries that have been severely affected by the pandemic. Inspections continue for places that are still open and pose a fire risk.

Board Chair Goethals stated this fund should always have a fund balance and Treasurer Lee agreed that we will achieve the goals of this fund to have reserves at 25% of the operating budget. Board Member Lieberman shared a summary by recapping that we ended up with less work than anticipated, our fee structure was not fully cost recoverable, we will slowly increase fees over time (which will be in place within a year or two), reducing staff and supplemental work can be carried out with a lesser number inspectors, but we will be hiring as the work materializes. In the short-term, we can have our reduced

staff carry out all the work in a one-to-two-year period. Then as additional work increases and as the fees become more cost recoverable, that is when we will add more staff. Fire Marshal Marshall agreed with his interpretation.

Treasurer Lee stated there is no action from the board, but we will back in May for budget adoption. Board Member Goethals asked if there was any public comment on this item, which there were none.

Item 5.2 - Adopt a resolution approving the revised salary schedules to reflect the hourly, monthly, and annual ranges for merit classifications within the San Mateo Consolidated Fire Department.

Chief Iverson provided an overview to the Board. In January 2021, Board approved the revised compensation benefits salaries for the positions of Emergency Medical Clinical Educational Specialists, Emergency Services Manager, and Deputy Fire Chief. The staff report recommends the salary schedule to be revised and approved as updated. Board Member Goethals asked if there was any public comment on this item, which there were none.

Board Member Lieberman made a motion to adopt the resolution, which was seconded by Board Member Awasthi. The Acting Board Secretary took a roll call vote, and the resolution was approved 3-0.

Item 5.3 - Adopt the 2018 International Fire Code with the 2019 California Amendments and the 2021 International Wildland Urban Interface Code. Public Hearing – First Reading.

Fire Marshal Marshall provided an overview of ordinance (attached). Due to the increase in wildfire danger in the jurisdiction, primarily in San Mateo and Belmont, we have addressed the need to adopt an ordinance to be able to reduce our wildfire exposure. This ordinance was developed keeping in line with the state law by adopting the 2021 International Wildland Urban interface code. Additionally, this puts us in line with some of our neighbors. This does include retroactive enforcement on properties that are doing the renovations. The ordinance aligns with the sprinkler ordinance which states if you remodel more than 50% of your structure, you have to upgrade to the current safety standard with regard to sprinklers as well as upgrade with regard to the low cost retrofit list for wildfire protection. This list will be required for people to disclose on real estate transactions starting at the end of the year. This allows for a less intrusive way to increase the safety of our public as well as making sure that they are ready for the state law change.

Board Member Goethals asked if there was any public comment on this item, which there was one. Public Comment – Drew commented this his concern is about embers blowing in lower risk areas. He also referenced the retrofit list and asked if the threshold could be lowered from 50% to 30%, similar to the sprinkler ordinance. He would also like to have examples of how the ordinance impacts smaller single-family neighborhood lots. Fire Marshal Marshall responded that he is addressing larger high-risk hazards but will address smaller lots in lower risk areas, including lowering thresholds. Board Member Lieberman also stated that he's contemplated the 50% threshold which is a good place to start this year, but would like to recommend that level change modifications be considered annually. Board Chair Goethals requested that thresholds be on a sliding scale for consideration for this and future ordinances.

Board Member Lieberman made a motion to adopt the ordinance, which was seconded by Board Member Awasthi. The Acting Board Secretary took a roll call vote and the ordinance was approved 3-0.

Item 5.4 - Adopt a resolution in support of staff's application for grant funds via the SAFER (Staffing for Adequate Fire and Emergency Response (SAFER) for the purpose of funding twelve (12) firefighter positions.

Chief Iverson provided an overview of the grant with a PowerPoint presentation (attached). Board Chair Goethals stated he had addressed some concerns with the Chief for the overall expenditures. Based on

attrition and the overtime expenditures, it seems that we could see no increases and perhaps even a decrease in expenditures. Additionally, he would like this to be monitored very closely as the grant makes sense at this point based on those factors.

Board Member Goethals asked if there was any public comment on this item, which there was one. Public Comment – Drew asked what our usual hiring practice is and how 12 positions were determined? Additionally, he is supportive of keeping the staffing rather than laying off the positions. Chief Iverson stated we will see enough retirements which would make layoffs highly unlikely. SMC Fire continuously hires new firefighters and we currently have 4 recruits in a Fire Academy. Without the grant, we estimate 6 that need to be hired in the fall. By doubling the request to 12, it allows us to keep up with normal staffing, prepare for future retirements, and to have firefighters onboard earlier. Also, the grant will help us move closer toward meeting the recommended National Fire Protection Association (NFPA) 1710 standard by become 25%-30% compliant. Board Chair Goethals additionally stated that retirements are not always consistent, but we continuously monitor eligibilities.

Board Member Awasthi made a motion to adopt the resolution, which was seconded by Board Member Lieberman. The Acting Board Secretary took a roll call vote and the resolution was approved 3-0.

6. OLD BUSINESS

Item 6.1 - Adopt a resolution approving the San Mateo Consolidated Fire Department's Strategic Plan for 2021.

Chief Iverson provided an overview of the 2021 Strategic Plan which was introduced at the January board meeting. We have conducted updates feedback with Command Staff which now includes a Department Vision Statement. Board Member Goethals asked if there was any public comment on this item, which there were none.

Board Member Lieberman made a motion to adopt the resolution, which was seconded by Board Member Awasthi. The Acting Board Secretary took a roll call vote and the resolution was approved 3-0.

7. REPORTS & ANNOUNCEMENTS

Operations Update

Deputy Chief Thrasher provided an update on the Operations Division. Staffing for the Operations Division currently has no vacancies. With one firefighter reinstatement at the end of this month including the 4 recruits currently in the academy, we have hired for all known vacancies. From a call volume perspective, we saw a significant drop in 2020 primarily due to COVID 19, for 2021 we are trending to surpass our pre-COVID call volumes. A training facility at the Foster City Corp Yard is coming soon. It will complement our existing training tower and is being funded through a grant from Gilead. The Hazmat team continues training and continues to seek grant funding for equipment upgrades. New Station 25 nears completion and should be occupied before June. Lastly, we anticipate delivery of the 3 new Pierce fire engines by late winter. There were no questions from the Board.

Community Risk Reduction Update

Fire Marshal Marshall provided an update:

- The OES Division is working with the three cities on the local hazard mitigation plan update that will make us eligible for federal funding for disaster relief funding. We've met with Foster City and Belmont and plan to meet with San Mateo tomorrow.
- The evacuation software Zonehaven, continues to move forward. It is currently in a ready to state to use any time there is an evacuation that needed to occur. City staff as well as fire staff have all been trained and we will continue to train more people as we move on.

Fire Chief Update

Chief Iverson provided a brief update by acknowledging and thanking the organization during a challenging 2020. Last year we were awarded over \$1,000,000 in grants and with tonight's staff reports, we are on track for \$8.5 million potential grant funding over the next three years.

8. ADJOURNMENT

The Board Secretary reminded the participants that next meeting is scheduled for May 12th at 4:00pm and the meeting was adjourned at 5:09 pm.

DRAFT



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Ray Iverson, Fire Chief

Meeting Date: May 12, 2021

Subject: Foster City Lease Agreement - Amendment #1

RECOMMENDATION

Adopt a resolution approving an amendment to the lease agreement with the City of Foster City/Estero Municipal Improvement District to include the new training office modular building located at 3470 East Third Avenue in Exhibit A and authorizing the Fire Chief to execute the amendment.

BACKGROUND

On December 17, 2018, the City of Foster City and the San Mateo Consolidated Fire Department (SMC Fire) entered into a lease consistent with Foster City's participation as a member agency to the Joint Powers Authority comprising SMC Fire in providing fire protection services within the Foster City jurisdiction.

In October 2020, SMC Fire staff identified the need for a modular building with a classroom and offices to be placed adjacent to training tower located at the Foster City Corporation Yard. The project involves locating a 60' x 24' modular building to a paved parking area adjacent to the training tower. The activities and number of participants that currently operate at the training site will remain the same. The only change would be daily staffing by a Training Battalion Chief and a Training Captain to be onsite for officer trainings. The modular building would stay in place until a Regional Training Facility is built on Tower Road in San Mateo County. The County has already pledged the land, which will be financed through Measure A funds. This new regional facility would likely be completed within five years or less.

In December 2020, SMC Fire was awarded Gilead's Corporate Giving Program in the amount of \$178,709 to fund the initial setup of the facility, including the first year of ongoing operations and maintenance costs.

ANALYSIS

SMC Fire intends to install a new training office modular building adjacent to the existing training tower, located at 3470 East Third Avenue in Foster City's Corporation Yard. The intent of this staff report is to add this location to the list of Leased Premises contained in Exhibit A of the Lease Agreement.

FISCAL IMPACT

While the initial setup of the facility and first-year operating and maintenance costs will be covered by the Gilead grant, ongoing operating and maintenance costs beyond the first year will need to be covered by SMC Fire. It is estimated that these costs will be approximately \$25,783 annually.

ATTACHMENTS

- A. Resolution
- B. Amendment #1

RESOLUTION NO. RES-2021-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO
CONSOLIDATED FIRE DEPARTMENT APPROVING AN AMENDMENT TO THE
LEASE AGREEMENT WITH THE CITY OF FOSTER CITY/ESTERO MUNICIPAL
IMPROVEMENT DISTRICT TO INCLUDE THE NEW TRAINING OFFICE
MODULAR BUILDING LOCATED AT 3470 EAST THIRD AVENUE**

WHEREAS, on December 17, 2018, the City of Foster City and the San Mateo Consolidated Fire Department (SMC Fire) entered into a Lease consistent with Foster City's participation as a member agency to the Joint Powers Authority comprising SMC Fire in providing fire protection services within the Foster City jurisdiction; and,

WHEREAS, in October 2020, SMC Fire staff identified the need for a modular building with a classroom and offices to be placed adjacent to training tower located at the Foster City Corporation Yard; and,

WHEREAS, in December 2020, SMC Fire was awarded Gilead's Corporate Giving Program in the amount of \$178,709 to fund the initial setup of the facility, including the first year of ongoing operations and maintenance costs; and,

WHEREAS, SMC Fire intends to install a new training office modular building adjacent to the existing training tower, located at 3470 East Third Avenue in Foster City's Corporation Yard; and,

WHEREAS, the intent of this amendment is to add this location to the list of Leased Premises contained in Exhibit A of the Lease Agreement.

NOW, THEREFORE, the Board of Directors of the San Mateo Consolidated Fire Department resolves as follows:

1. Adopt a resolution approving an amendment to the lease agreement with the City of Foster City/Estero Municipal Improvement District to include the new training office modular building located at 3470 East Third Avenue in Exhibit A and authorizing the Fire Chief to execute the amendment.

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 12th day of May, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel

AMENDMENT #1 TO THE LEASE AGREEMENT BETWEEN THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT AND CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT FOR FIRE STATIONS, OFFICE AND MEETING SPACE, AND TRAINING FACILITIES

This Amendment #1 ("Amendment") to the December 17, 2018 Lease Agreement For Fire Stations, Office and Meeting Space, and Training Facilities (~~"Lease"~~) is made and effective April 19, 2021, by and between the City of Foster City/ Estero Municipal Improvement District ("Owner") and the San Mateo Consolidated Fire Department ("Department"), who hereby agree as follows:

RECITALS

- A. On December 17, 2018, Owner and Department entered in the Lease consistent with Owner's participation as a member agency to the Joint Powers Authority comprising the Department, and for the Department's use in providing fire protection services within the Department's jurisdiction.
- B. The parties intend for Department to install a new training office modular building adjacent to the existing training tower, located in Owner's Corporation Yard, located at 3470 East Third Avenue, Foster City, CA 94404. The parties intend to add this location to the list of Leased Premises contained in Exhibit A to the Lease.

TERMS

- 1. **Recitals:** The foregoing Recitals are incorporated into to Terms of this Amendment as if substantively set forth herein.
- 2. **Amendment to Lease:** Owner consents to and authorizes the Department to install and make use of a new training office modular building in Owner's Corporation Yard, located at 3470 East Third Avenue, Foster City, CA 94404, and the parties Agree that such modular building shall be subject to the terms of the existing Lease. Exhibit A (Description of Leased Premises) to the Lease is hereby superseded and replaced with new Exhibit A, attached hereto and incorporated by reference, that adds the training office modular building at Owner's Corporation yard to the list of Leased Premises.
- 3. **Restatement of the Lease:** Except as otherwise stated in this Amendment, the Lease is hereby restated in its entirety and shall continue in full force and effect with all of its recitals, terms, and attachments binding on both the Owner and Department. Should a conflict exist between the terms of the Lease and this Amendment, the terms of this Amendment shall prevail.

In witness of the foregoing terms, the parties' authorized representatives have signed below.

SAN MATEO CONSOLIDATED FIRE DEPARTMENT

By: _____ Date: _____
Ray Iverson, Fire Chief

APPROVED AS TO FORM:

By: _____ Date: _____
William D. Ross, Department Counsel

THE CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT

By: _____ Date: _____
Peter Pirnejad, City Manager

APPROVED AS TO FORM:

By: _____ Date: _____
Jean Savaree, City Attorney



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Ray Iverson, Fire Chief

Meeting Date: May 12, 2021

Subject: City of San Mateo Lease Agreement - Amendment #1

RECOMMENDATION

Adopt a resolution approving an amendment to the lease agreement with the City of San Mateo and authorizing the Fire Chief to execute the amendment.

BACKGROUND

On March 4, 2019, the City of San Mateo and the San Mateo Consolidated Fire Department (SMC Fire) entered into a Lease Agreement for the Fire Stations 21, 23, 24, 25, 26, and 27.

Section 1.2 of the lease agreement includes the following:

1.2 Relocation. Owner anticipates moving Fire Station No. 25 to a new location. In the event that Owner relocates an existing fire station, Owner shall have the right upon at least 180 days' prior written notice to Department to relocate Department and to substitute for the Premises other space in the vicinity containing at least as much square footage as the leased Premises. Owner shall improve such substituted space, at its expense, with improvements at least equal to those in the Premises as of the date of the proposed relocation. Owner shall pay all reasonable third-party expenses incurred in connection with, and caused by, such relocation. In the event of relocation, the parties agree to amend Exhibit A to this Lease.

Effective June 1, 2021, Exhibit A will reflect the new location of Fire Station No. 25 at 1455 Shafter Street, San Mateo, CA 94402. Additionally, the first sentence of Section 1.2 is hereby deleted.

ANALYSIS

The intent of this staff report is to replace the address and assessor parcel number for Fire Station No. 25 in the description of leased premises contained in Exhibit A of the Lease Agreement and to delete the first sentence of Section 1.2.

FISCAL IMPACT

The lease agreement amendment has no fiscal impact.

ATTACHMENTS

- A. Resolution
- B. Amendment #1

RESOLUTION NO. RES-2021-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO
CONSOLIDATED FIRE DEPARTMENT APPROVING AN AMENDMENT TO THE
LEASE AGREEMENT WITH THE CITY OF SAN MATEO AND AUTHORIZING THE
FIRE CHIEF TO EXECUTE THE AMENDMENT.**

WHEREAS, on March 4, 2019, the City of San Mateo and the San Mateo Consolidated Fire Department (SMC Fire) entered into a Lease Agreement for the Fire Stations 21, 23, 24, 25, 25, 26, and 27; and,

WHEREAS, effective June 1, 2021, Exhibit A will reflect the new location of Fire Station #25 at 1455 Shafter Street, San Mateo, CA 94402; and,

WHEREAS, the first sentence in Section 1.2 of the Agreement, which reads "Owner anticipates moving Fire Station No. 25 to a new location." is hereby deleted; and,

WHEREAS, the intent of this staff report is to replace the address and assessor parcel number for Fire Station No. 25 in the description of leased premises contained in Exhibit A of the Lease Agreement and to delete the first sentence of Section 1.2.

NOW, THEREFORE, the Board of Directors of the San Mateo Consolidated Fire Department resolves as follows:

1. Adopt a resolution approving an amendment to the lease agreement with the City of San Mateo and authorizing the Fire Chief to execute the amendment.

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 12th day of May, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel

**AMENDMENT NO. 1 TO THE AGREEMENT
BETWEEN THE CITY OF SAN MATEO AND
SAN MATEO CONSOLIDATED FIRE DEPARTMENT
FOR FIRE STATIONS 21, 23, 24, 25, 26, AND 27**

WHEREAS, the City of San Mateo ("Owner"), a charter city and municipal corporation of the State of California, and the San Mateo Consolidated Fire Department ("Department"), entered into a Lease Agreement for Fire Stations 21, 23, 24, 25, 26, and 27 ("Agreement") on March 4, 2019; and

WHEREAS, Owner and Department wish to amend the Agreement effective June 1, 2021 to reflect the new location of Fire Station No. 25;

NOW, THEREFORE, the parties agree as follows:

1. The first sentence in Section 1.2 of the Agreement, which reads "Owner anticipates moving Fire Station No. 25 to a new location." is hereby deleted.
2. Exhibit A is amended to replace the address and assessor parcel number for First Station No. 25 with the following:

1455 Shafter Street
San Mateo, CA 94402

APN 034-394-240
3. The remaining terms of the Agreement remain in full force and effect.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, CITY OF SAN MATEO and the SAN MATEO CONSOLIDATED FIRE DEPARTMENT have executed this Agreement on May 12, 2021.

CITY OF SAN MATEO

SAN MATEO CONSOLIDATED FIRE
DEPARTMENT

Drew Corbett
City Manager

Ray Iverson
Its Authorized Agent
Fire Chief

APPROVED AS TO FORM

Gabrielle Whelan
Assistant City Attorney

William D. Ross
Department Counsel



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Ray Iverson, Fire Chief

Meeting Date: May 12, 2021

Subject: Conflict of Interest Code

RECOMMENDATION

Adopt a resolution establishing the San Mateo Consolidated Fire Department's (SMC Fire) Conflict of Interest Code.

BACKGROUND

The Political Reform Act of 1974 (the "Act") created, among other things, the Fair Political Practices Commission (FPPC). The purpose of the Act and the FPPC is to ensure that public officials act in a fair and unbiased manner in the governmental decision-making process. The Act requires governmental agencies to adopt a conflict of interest code that delineates disclosures and Form 700 filings by its officers and officials.

The FPPC's Regulations that implement the Act contain the terms of a standard conflict of interest code that can be adopted by reference (California Code of Regulations, Title 2, Section 18730). The terms of the standard conflict of interest code can be incorporated by reference by the Department.

In conjunction with adopting the model conflict of interest code, the Department may articulate the positions of officers, officials, and employee positions that are subject to applicable disclosure categories, as set forth in the Appendices to the Conflict of Interest Resolution.

FISCAL IMPACT

The Conflict of Interest Code has no fiscal impact.

ATTACHMENTS

- A. Resolution
- B. Conflict of Interest Code

RESOLUTION NO. RES-2021-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO
CONSOLIDATED FIRE DEPARTMENT ADOPTING A CONFLICT OF INTEREST
CODE**

WHEREAS, the Political Reform Act (“Act”), Government Code Section 87100 *et seq.*, provides that no public official at any level of state or local government shall make, participate, or in any way attempt to use his or her official position to influence a government decision in which he or she knows or has reason to know that he or she has a financial interest; and,

WHEREAS, the Act requires state and local government agencies to promulgate and adopt conflict of interest codes; and,

WHEREAS, the Fair Political Practices Commission (FPPC) has promulgated regulations which implement the Act including California Code of Regulations, Title 2, Section 18730 which contains the terms of a standard conflict of interest code and is hereby incorporated by reference with any amendments to it as duly adopted by the FPPC; and,

WHEREAS, attached as Attachment A is a Conflict of Interest Code, along with appendices, which set forth disclosure categories and procedures for filing Statements of Economic Interests;

WHEREAS, the attached Conflict of Interest Code, along with its Appendices and the incorporation of California Code of Regulations, Title 2, Section 18730, are incorporated by reference and shall constitute the Conflict of Interest Code of the San Mateo Consolidated Fire Department (SMC Fire).

NOW, THEREFORE, the Board of Directors of the San Mateo Consolidated Fire Department resolves as follows:

1. California Code of Regulations, Title 2, Section 18730, as amended, is hereby incorporated by reference and, along with the enclosed Exhibit A (Conflict of Interest Code) and Appendices A and B thereto, shall constitute the Conflict of Interest Code of the San Mateo Consolidated Fire Department.

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 12th day of May, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel

ARTICLE C: ADMINISTRATIVE PROCEDURES

SECTION 15: CONFLICT OF INTEREST CODE

POLICY

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict-of-interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of California Code of Regulations Title 2, Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure requirements shall constitute the conflict-of-interest code of the **San Mateo Consolidated Fire Department ("SMCFD")**.

PROCEDURE

15.1 PLACE OF FILING STATEMENTS OF ECONOMIC INTERESTS

1. The Members of the Board of Directors and Fire Chief shall file their original Form 700s directly with the Clerk of the Board for the San Mateo County Board of Supervisors using the electronic filing system. Alternatively, if the Form 700s are not filed electronically, the paper Form 700 and waiver shall be filed with SMCFD and, upon receipt of these paper Form 700s with waivers, SMCFD shall make and retain a copy and forward the original to the Clerk of the County Board of Supervisors.
2. The Form 700s for designated positions, *other than* the members of the SMCFD's Board of Directors and Fire Chief, shall be filed with SMCFD.
3. SMCFD shall retain a copy of all electronically filed Form 700s, a copy of all paper Form 700s with waivers, and the original Form 700s of designated positions. SMCFD shall make the Form 700s available for public review, inspection, and reproduction. (Gov. Code section 81008.)

Created 5/12/2021
Approved
Review

APPENDIX A

PUBLIC OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that positions listed below manage public investments *and will file a statement of economic interests pursuant to Government Code Section 87200.* .

An individual holding one of the below-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Board of Directors	1
Fire Chief	1
General Counsel	1
Chief Administrative Office	1
Treasurer	1
Deputy Fire Chief	1
Division Chief	1
Battalion Chief	1
Fire Marshal	1
Deputy Fire Marshal	1
Business Manager	1
Fleet & Facilities Manager	3
Management Analyst	3
Fire Prevention Inspector	3
Emergency Services Manager	3
Clinical Education Specialist	3
Consultants/New Positions	*

* Consultants/New Positions are included in the list of designated positions and shall be added pursuant to the disclosure requirements in this code subject to the following limitation:

The Fire Chief may determine in writing that a particular consultant or employee hired into a listed position, is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements in this section, even though their position is listed as a “designated position”. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Fire Chief’s determination is a public

record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Sec. 81008.)

APPENDIX B

DISCLOSURE CATEGORIES

Individuals holding designated positions must report their interests according to their assigned disclosure category(ies):

1. Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by SMCFD; and investments and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources.
2. Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by SMCFD.
3. Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by SMCFD.



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Rich Lee, Treasurer

Meeting Date: May 12, 2021

Subject: Fiscal Year 2021-22 Operating Budget Approval

RECOMMENDATION

Adopt a Resolution approving the fiscal year 2021-22 operating budget.

BACKGROUND

At the April 14, 2021 Fire Board meeting, staff provided a presentation to the Fire Board and solicited public comment on the Fire Chief's proposed 2021-22 operating budget. The proposed budget was delivered to the Fire Board on May 6, 2021 and was posted to the San Mateo Consolidated Fire Department's website on May 10, 2021. An additional public hearing will take place to receive any further public comment prior to the Board's approval of the 2021-22 budget.

ANALYSIS

The 2021-22 operating budget continues to provide funding for core services at levels consistent with what the three member agencies relied on when each agency had its own fire department, with adjustments predominantly focused on updating costs to reflect current conditions. Overall, the total proposed budget is \$45.6 million, which primarily includes the General Fund at \$43.0 million. The remaining \$2.6 million is for the Fire Prevention and Life Safety Fund, which is a cost recovery program that generates revenues through service fees to pay for its program costs.

Funding for SMC Fire comes from contributions by its member agencies, as prescribed in the Joint Powers Authority (JPA) governing SMC Fire: 20% Belmont, 20% Foster City, and 60% San Mateo. As described earlier, because program costs in the Fire Protection and Life Safety Fund are recovered through service fees, contributions from member agencies are not required for this fund's activities. Further, there are revenues generated in the General Fund from charges for services such as CPR, first aid, and other public educational classes, intergovernmental partnerships for services that SMC Fire provides, and interest earnings from the fund balance. As such, member agencies contributions are not required for these revenue-generating services, and the interest earnings get credited to each member agency's contributions according to each member agency's contribution rate. Detail on the contributions is presented under the General Fund long-term financial plan included in Attachment A. The table below shows the contributions proposed for each member agency in SMC Fire for fiscal year 2021-22.

Total General Fund Operations 2021-22	\$43,022,792
Recovered Costs:	
Charges for Services, Intergovernmental Partnerships, Interest Earnings	(994,051)
Total Member Agencies Contributions	\$42,028,741
<i>Belmont (20%)</i>	<i>\$8,405,748</i>
<i>Foster City (20%)</i>	<i>\$8,405,748</i>
<i>San Mateo (60%)</i>	<i>\$25,217,245</i>

Following Board approval of the proposed 2021-22 budget, each of the member agencies will seek approval from their respective City Councils on the budget, including their respective contributions. Once approved, SMC Fire's 2021-22 budget becomes final and adopted.

FISCAL IMPACT

There is no direct budgetary impact resulting from this report. Proposed contributions from the member agencies, estimated revenues from General Fund related activities, and estimated revenues from fire prevention activities are sufficient to meet SMC Fire's expenditure plan for 2021-22.

ATTACHMENTS

A. Proposed Resolution: Fiscal Year 2021-22 Operating Budget

RESOLUTION NO. RES-2021-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO
CONSOLIDATED FIRE DEPARTMENT APPROVING THE 2021-22 BUDGET**

WHEREAS, the San Mateo Consolidated Fire Department (SMC Fire) Board of Directors held a public hearing on the fiscal year 2021-22 budget; and,

WHEREAS, the budget required to operate and support SMC Fire is \$45,640,235 for the fiscal year beginning July 1, 2021 and ending June 30, 2022; and,

WHEREAS, unrecoverable costs in the approved budget are allocated between the member agencies as prescribed in section 14.2 of the Joint Powers Authority (JPA) governing SMC Fire: sixty percent (60%) to City of San Mateo, or \$25,217,245, and twenty percent (20%) each to Foster City and Belmont, or \$8,405,748 each.

NOW, THEREFORE, the Board of Directors of the San Mateo Consolidated Fire Department resolves as follows:

1. Approve SMC Fire's budget, which provides for expenditures and appropriations in a total of \$45,640,235 for the fiscal year beginning July 1, 2021 and ending June 30, 2022, as set forth in the accompanying Staff Report and its attachments.
2. Recommend approval of the budget to the governing bodies of the member agencies.
3. Authorize the Fire Chief, upon approval of the budget by the governing boards of the member agencies, to effectuate SMC Fire's budget as adopted.

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 12th day of May, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Ray Iverson, Fire Chief

Meeting Date: May 12, 2021

Subject: First Responder Fee for Emergency Medical Services Workshop

RECOMMENDATION

Conduct a workshop on the concept of introducing a First Responder Fee, which is a fee to defray the cost of providing Department services.

BACKGROUND

A First Responder Fee is cost recovery for first responder paramedic services, which is permitted under California Health and Safety Code Sections 13146.2(b), 13217(b), 13862, 13869, 13871, 13874, 13916, and 17951, together with Chapter 8, Division 1, Title 7 of the California Government Code. It has become more prevalent to fund the enhanced paramedic level of service provided by engine and truck companies. A number of other fire departments in the greater Bay Area already charge for this fee; however, currently no other jurisdictions in San Mateo County are doing so the fee is used to reimburse fire departments for the direct costs of services.

ANALYSIS

With costs continuing to rise for providing fire services, including enhanced levels of paramedic services, SMC Fire, as a part of its strategic plan, is continuing to look at revenue opportunities to offset member contributions. A First Responder Fee is another potential revenue opportunity for the Board to consider.

FISCAL IMPACT

If a First Responder Fee were fully implemented, which would result in local residents being charged for paramedic services, an estimated \$2.3 million in gross annual revenue would be received. There would be an additional cost for administering this fee program, whether it is done by San Mateo's Finance Department or through a third-party vendor. If the administration is conducted by a third-party vendor, the administration fees could be factored into the fee. Those costs are not known at this time but would be quantified should the Board direct additional study on this item. Annual revenues would be lower if an alternative version of the First Responder Fee were implemented, such as only charging for extraordinary response.

ATTACHMENTS

A. Presentation

First Responder Fee Ordinance

May 12, 2021 Fire Board Meeting



1

What is a First Responder User Fee?

A First Responder User Fee, permitted under Section 13916 of the California Health and Safety Code, is cost recovery for first responder paramedic services.

2

Jurisdictions with the First Responder Fee Ordinance

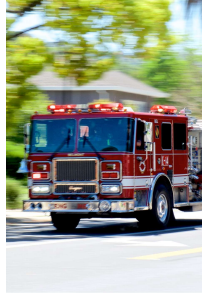
It has become an industry standard to fund the enhanced paramedic level of service provided by engine and truck companies. Several fire departments in the greater Bay Area charge this fee also; such as:

- Alameda City
- Alameda County
- Albany
- Amador County
- Anaheim
- Benicia
- Berkeley
- Contra Costa
- Corte
- Cosumnes
- Fairfield
- Folsom
- Long Beach
- Moraga – Orinda Fire District
- Novato
- Rockland
- Sac. City
- Sac. Metro
- San Ramon

3

Essential Public Service

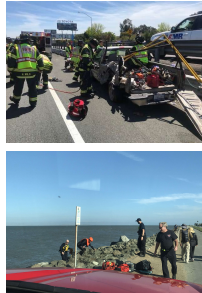
The use of property taxes was designed to fund fire suppression and basic medical care only. But communities have come to expect paramedic (advanced) level of care and it is considered an essential public service.



4

Historical Response Data

SMCFD is committed to medical emergency responses on an average of **30 minutes on scene per response.**



5

Fee Amount

The fee is based on:

- Actual personnel,
- Equipment, and
- Materials costs.

A public agency cannot profit from a fee. This fee will only be charged to insurance companies whose clients receive medical care from a first responder unit (Engine or Truck).



6

Fee Amount (continued)

The amount is based on the results of a nexus study that was completed by a neutral, third-party consultant (NBS). The nexus study identified an hourly rate which included the cost of personnel, apparatus, and equipment, plus costs associated with managing the Fire Department.



7

Fee Amount (continued)

The Fee applies to each patient of an incident where a First Responder vehicle from the San Mateo Consolidated Fire Department arrives on scene.



Because pre-hospital care is considered to be a critical component of the healthcare system, most medical insurances cover the First Responder User Fee.



8

Fee Amount (continued)

The estimated projected annual revenue for this new fee totals \$2.3 million dollars.



9



10



STAFF REPORT

To: San Mateo Consolidated Fire Department Board of Directors

From: Ray Iverson, Fire Chief

Meeting Date: May 12, 2021

Subject: San Mateo Consolidated Fire Ordinance

RECOMMENDATION

Waive second reading and adopt an Ordinance adopting the 2021 International Wildland Urban Interface Code with amendments and modifying the 2019 California Fire Code with local amendments.

BACKGROUND

The San Mateo Consolidated Fire Department (SMC Fire) Board of Directors adopted the 2019 California Fire Codes with local amendments on October 8, 2019. At the time, it was unclear what the State of California would require regarding wildland fire mitigation. Since that time, and after additional devastating fires, including the CZU Lightning Complex fires in San Mateo County, the regulatory picture has become clearer. This ordinance puts SMC Fire in line with current State law, as well as in line with upcoming requirements enacted into law, but not yet in effect.

The JPA Agreement stipulates that SMC Fire is required to “enforce all fire codes within the jurisdictions which they serve.”

Section 1 and 2.14 of the JPA Agreement specify that SMC Fire is responsible for “Fire and Emergency Medical Services”, including:

“The provision of fire suppression, fire prevention, investigation, rescue, training, public education, disaster preparedness, emergency medical services, hazardous materials response and directly related activities”. Under this authority, the Board of Directors has the ability to approve Fire Code Ordinances within their respective jurisdictions.

ANALYSIS

SMC Fire is providing the Fire Board with the proposed changes to the code in order to stay in line with State law.

Government Code 51182 prescribes those things that a property must do to be in compliance with standard practices in wildfire safety.

Government Code section 51186 prescribes penalties for failure to comply, up to and including abatement by SMC Fire and placing a tax lien on the property for costs of this abatement.

AB 38 modified the California Civil Code and requires that all real estate transactions after January 1, 2021 disclose if the property is in a designated fire hazard zone, and specifies that a disclosure be made as to whether any of the “low cost retrofits” have been made to the property in accordance with Government Code section 51189. It also specified that a local jurisdiction conduct wildland fire risk inspections in accordance with Government Code section 51182 and provide a copy of that report to the seller.

This Ordinance puts SMC Fire in line with each of these requirements, and takes it a step further, requiring all properties that are modified more than 50% of their original square footage comply with the low cost retrofits list published by the California Department of Forestry and Fire Protection and the Office of the State Fire Marshal. This threshold is the same as the currently enforced residential fire sprinkler threshold.

NOTICE PROVIDED

This Ordinance shall be published in summary in the San Francisco Examiner, posted in the San Mateo Fire Administrative Office, the Fire Prevention Office, and shall be effective 30 days after the date of adoption.

ATTACHMENTS

- A. Ordinance
- B. CALFire’s List of Low Cost Retrofits
- C. Facts and Findings

**SAN MATEO CONSOLIDATED FIRE DEPARTMENT
FIRE CODE ORDINANCE NO. 2021-001**

**ESTABLISHING THE SAN MATEO CONSOLIDATED FIRE CODE BY ADOPTING THE
2018 INTERNATIONAL FIRE CODE WITH THE 2019 CALIFORNIA AMENDMENTS AND
THE 2021 INTERNATIONAL WILDLAND URBAN INTERFACE CODE**

**NOW, THEREFORE THE FIRE BOARD OF THE SAN MATEO CONSOLIDATED FIRE
DEPARTMENT, CALIFORNIA, HEREBY ORDAINS THAT:**

FIRE CODE

PARTS

- I. Adoption
- II. Applicability
- III. Adoption of Sections and Modifications

- IV. Violations
- V. Fire and Life Safety Inspections
- VI. Environmental Determination
- VII. Notice Provided

PART I- ADOPTION

- A. The San Mateo Consolidated Fire Department hereby adopts the 2019 California Fire Code Chapter 49 (California Code of Regulations, Title 24, Part, 9 [based on the 2018 International Fire Code published by the International Code Council]), with California Amendments and the 2021 International Wildland Urban Interface Code (published by the International Code Council) as specified in part III of this ordinance. Those chapters and appendices not mentioned in section III are only to be used for reference and are not enforceable. The codes with the changes, additions, and deletions set forth this ordinance, are adopted by this reference as though fully set forth in this ordinance. As of the effective date of this ordinance, the provisions of the fire code are controlling and enforceable within the limits of each city within the jurisdiction.
- B. The 2019 California Fire Code (CFC), California Code of Regulations, Title 24, Part 9, adopting the 2018 International Fire Code of the International Code Council with necessary California amendments, and the 2021 International Wildland Urban Interface Code published by the International Code Council, together with the non-building standards reproduced therein except otherwise provided by this ordinance, are adopted by reference as the Wildland Urban Interface Code Fire Code of SAN MATEO CONSOLIDATED FIRE DEPARTMENT. This Code including all amendments thereto, shall hereafter be called the “WUI Code,” and/or this “Code” and are adopted as and for the rules, regulations, and standards within the Jurisdiction as to all matters therein, except otherwise provided.
- C. No section of the Code shall impose a mandatory duty of enforcement on the Jurisdiction, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the Jurisdiction, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.
- D. A copy of the WUI Code, as defined herein, shall be kept on file on with the office of the San Mateo Consolidated Fire Department Fire Marshal.
- E. The San Mateo Consolidated Fire Department has determined that modifications to the 2018 International Fire Code with the 2019 California Amendments and the International Wildland Urban Interface Code are needed and reasonably necessary due to local climatic, geological, and topographical conditions, as set forth in Attachment 1 (Findings in Support of Amendments to the 2019 California Fire Code and International Wildland Urban Interface Code), which are incorporated fully herein.

PART II- APPLICABILITY

- A. All sections of this Code shall apply to all buildings, structures, and portions thereof, and to all appurtenances and fixtures thereto, and anything connected with, or by, or in, or on, any premise or building.
- B. Whenever any provision of this Chapter code or in any other law, ordinance, or resolution of any kind, impose overlapping or contradictory regulations, or contain any restrictions

covering the same subject matter, the provision that is more restrictive or imposes higher standards or requirements shall govern.

PART III- ADOPTION OF SECTIONS AND MODIFICATIONS

The following sections of the 2021 International Wildland Urban Interface Code are adopted as described below.

Chapter 1 is partially adopted with adopted sections and modifications listed below.

Section 101 is adopted except as modified and deleted as below:

Section 101.1 Title. Amended

101.1 Title. These regulations shall be known as the Wildland Urban Interface Code of SAN MATEO CONSOLIDATED FIRE DEPARTMENT, will be referred to herein as this “CODE,” and/or “WUI CODE.”

SECTION 101.4 Retroactivity. Amended

SECTION 101.5 is not adopted

Section 102 is adopted in its entirety

Section 103 is replaced by section 103 of the California Fire Code as adopted by San Mateo Consolidated Fire Department

Section 104 is replaced by section 104 of the California Fire Code as adopted by San Mateo Consolidated Fire Department

Section 105 is adopted as amended below:

105.3 Alternate Materials, design, and methods. Where alternate materials, design, and methods are to be used, the process listed in section 104.9 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department shall be used.

Section 106 is adopted as amended below

106.1 Permits shall be as set forth in section 105 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department shall be used.

Sections 106.2 through 106.10 are deleted

Section 107 is adopted in its entirety as amended below

Section 107.3 is amended below

107.3 Site Plan. In addition to the requirements for plans in the California Building Code and California Fire Code, site plans shall include topography, width, and percent of grade of access roads, landscape, and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures, and their appendages, roof classification of buildings and site water supply systems. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

Section 107.4 is amended below

107.4 Hazardous Vegetation and Fuel Management. Vegetation and fuel management plans required by this code, Chapter 7A of the California Building Code or the California Fire Code shall comply with Section 4906 of the California Fire Code as adopted by the San Mateo Consolidated Fire Department

Section 107.5 is amended below

107.5 Fire protection plan. Where required by the code official pursuant to Section 405, a fire protection plan shall be prepared and shall be submitted to the code official for review and approved as a part of the plans required for a permit.

Section 108 is adopted without modification

Section 109 is adopted as amended below

109.1 Fees. Fees shall be in accordance with the San Mateo Consolidated Fire Department Master Fee Schedule.

Sections 109.2 through 109.6 is deleted

Section 110 is adopted with amendments below

Section 110.4.5.2.1 is amended as follows

110.4.5.2.1 Method of service. Such notice shall be deemed properly served where a copy thereof is served by one of the following methods:

1. Delivered to the owner or the owner's authorized agent personally.
2. Sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with a return receipt requested.
3. Delivered by email at an email address provided by the property owner or their designated representative.

4. Delivered in any other manner as prescribed by local law.

Section 110.4.7 is amended as follows

110.4.7 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the *approved* construction documents or directive of the *code official*, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.4.7.1 Summary Abatement. If conditions set forth in the notice of violation are not abated within a reasonable amount of time, the Department may hire a contractor to abate the violations. All expenses will be billed to the property owner, and if not paid, a lien on the property shall be placed on the property.

110.4.7.2 Any violations of this code shall be considered a public nuisance in accordance with Government Code section 38773.

Section 111 is adopted without modification

Section 112 is not adopted

Section 113 is not adopted

Section 114 is adopted without modification.

Chapter 2 is adopted in its entirety as amended below.

Local agency fire hazard severity zone. An area in the jurisdiction designated as having a low, medium, high, or very high fire risk as determined by the San Mateo Consolidated Fire Department Wildland Hazard Assessment.

Chapter 3 is adopted in its entirety as amended below

302.1 is amended as below

302.1 Declaration. The San Mateo Consolidated Fire Department conducted a study with the Anchorpoint Group which identified hazard zones. This study will be referred to as the San Mateo Consolidated Fire Department Wildland Assessment. The zones identified in the assessment shall be used for enforcement of this code.

302.2 Mapping. The San Mateo Consolidated Fire Department Wildland Assessment shall be posted online and maintained by the Fire Marshal.

Chapter 4 is adopted in its entirety

Chapter 5 is replaced by the following

Section 501 General

501.1 Buildings constructed in a high or very high fire hazard severity zone shall comply with section 502.

Section 502 Construction Standards

502.1 Construction Methods and Requirements Within Established Limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

California Building Code, Chapter 7A
California Residential Code, Section R337
California Referenced Standards Code, Chapter 12-7A

Chapter 6 is adopted in its entirety and amended as below.

602.1 is amended as below

602.1 Automatic Sprinkler Systems. Automatic Sprinkler systems shall be installed in accordance with Chapter 9 of the California Fire Code as amended by the San Mateo Consolidated Fire Department.

Table 603.2 is modified as follows

Table 603.2 Required Defensible Space

Fire Hazard Severity Zone	Fuel Modification Distance (Feet)^a
Moderate	30
High	50
Very High	100

^a Distances may be increased due to site specific analysis based on local conditions.

Chapter 7 is adopted in its entirety

The following section of the 2019 California Fire Code is amended as described below.

Chapter 49 is adopted in its entirety as amended below

Section 4901.1 is amended as follows

4901.1 Scope. The mitigation of conditions where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses shall comply with this chapter and the 2021 International Wildland Urban Interface Code as adopted by the San Mateo Consolidated Fire Department.

SECTION 4902 DEFINITIONS. ADDED

LOCAL AGENCY HIGH FIRE HAZARD SEVERITY ZONE. An area designated by the local agency based on a fire assessment conducted by the San Mateo Consolidated Fire Department.

SECTION 4904.3 LOCAL FIRE HAZARD SEVERITY ZONES. ADDED.

4904.3 Local Fire Hazard Severity Zones. Local Fire Hazard Severity Zones shall be as determined by the San Mateo Consolidated Fire Department Wildland Fire Assessment conducted in July 2019.

SECTION 4905.2 Construction Methods and Requirements Within Established Limits. Amended.

4905.2.1 Construction Methods and Requirements Within Established Limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

California Building Code, Chapter 7A,
California Residential Code, Section R337,
California Referenced Standards Code, Chapter 12-7A.

4905.2.2 Additions to structures. If an addition to a structure exceeds 50% of the original square footage and the structure is in a designated fire hazard zone of high or very high, the structure shall meet the requirements of California Department of Forestry and Fire Protection's Low Cost Retrofit List. (Attached)

SECTION 4905.3.1 LOCAL FIRE HAZARD SEVERITY ZONE REQUIREMENTS. ADDED

4905.3.1 Local fire hazard severity zone requirements. Buildings constructed in local Agency Fire Hazard Severity Zones considered to be "High" or "Very High" shall comply with section 4905.2.

SECTION 4906.2 APPLICATION. AMENDED

4906.2 Application. [No change]

1. [No change]

1.1. [No change]

1.2. [No Change]

1.3. [No Change]

2. All land designated by the San Mateo Consolidated Fire Department Wildland Fire Assessment in one of the following zones:

2.1. Moderate

2.2. High

2.3. Very High

SECTION 4907.1 GENERAL. AMENDED

4907.1 General. Defensible space will be maintained around all buildings and structures in State Responsibility Areas (SRA) as required in Public Resources Code 4290 and “SRA Fire Safe Regulations” California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Local Responsibility Area (LRA) shall maintain defensible space as outlined in Government code sections 51175 through 51189 in moderate, high, and very high fire hazard severity zones as designated by the San Mateo Consolidated Fire Department Wildland Fire Assessment.

* * *

PASSED AND ADOPTED as a resolution of the Board of Directors of the San Mateo Consolidated Fire Department at the regular meeting held on the 12th day of May, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Acting Board Secretary

Board President

APPROVED AS TO FORM:

William D. Ross, General Counsel



Low Cost Retrofit List

10 Low Cost Ways to Harden Your Home

1. When it is time to replace your roof, replace it with fire-resistant Class A roof material.
2. Block any spaces between your roof covering and sheathing (bird stops).
3. Install non-combustible corrosion resistant metal gutter covers on gutters to prevent the accumulation of leaves and debris in the gutter.
4. Cover your chimney and stovepipe outlets with noncombustible corrosion corrosion-resistant metal mesh screen ([spark arrestor](#)), with 3/8-inch to 1/2-inch openings.**
5. Cover all vent openings with 1/16-inch to 1/8-inch noncombustible corrosion resistant metal mesh screens.**
6. Caulk and plug gaps greater than 1/16-inch around exposed rafters and blocking to prevent ember intrusion.
7. Inspect exterior siding for dry rot, gaps, cracks and warping. Caulk or plug gaps greater than 1/16-inch in siding and replace any damaged boards, including those with dry rot.
8. Install weather stripping to gaps greater than 1/16-inch in garage doors to prevent ember intrusion. The stripping must be compliant with UL Standard 10C.
9. When it's time to replace your windows, replace them with multi-paned windows with at least one pane of tempered glass.
10. When it's time to replace your siding or deck, use compliant noncombustible, ignition-resistant, or other [materials approved by the Office of the State Fire Marshal \(OSFM\)](#).

5 No Cost Ways to Create Defensible Space and Enhance the Effects of a Hardened Home

1. Regularly clean your roof, gutters, decks, and the base of walls regularly to avoid the accumulation of fallen leaves, needles and other flammable materials (see [Defensible Space](#) for more details).
2. Ensure all combustible materials are removed from underneath, on top of, or within five feet of a deck.
3. Remove vegetation or other combustible materials that are within five feet of windows and glass doors.
4. Replace wood mulch products within five feet of all structures with noncombustible products such as dirt, stone, or gravel.
5. Remove all dead or dying grass, plants, shrubs, trees, branches, leaves, weeds, and pine needles within 30 feet of all structures or to the property line.

*This list was developed as a best practices guide and to assist homeowners to ensure their home is more ignition-resistant from wildfires. Low cost can be subjective. Some of these items are based on upgrading to more stringent materials when that feature is up for replacement due to normal maintenance or lifespan, i.e. roofs.

** Do not use fiberglass or plastic mesh as they can melt or burn.

ATTACHMENT C
to
San Mateo Consolidated Fire Ordinance No. 2021-001

NECESSARY MODIFICATION TO THE 2019 CALIFORNIA FIRE CODE DUE TO LOCAL CONIDITONS

INTRODUCTION

San Mateo Consolidated Fire Ordinance 2021-001 contains attachments, deletions, and additions to provisions reproduced in the 2019 California Fire Code and adopts the 2021 International Wildland Urban Interface Code as an additional code. The modifications to the building standards contained in Fire Code are reasonably necessary because of the climatic, geologic, and topographic conditions found within the jurisdiction. In accordance with Health and Safety Code Sections 13689.7, 17958, 19758.5, 17958.7, and 18941.5, this document describes the climatic, geologic, and topographic conditions in the jurisdiction and the specific modifications to building standards by the San Mateo Consolidated Fire Department to be necessary due to local conditions.

PART I:
LOCAL CONDITIONS

A. Profile of The Cities

The San Mateo Consolidated Fire Department is located in San Mateo County in an area identified as being in the southern region of the County. The City of Burlingame is to the north, the bay and Hayward are to the east, and San Carlos and Redwood City are to the south. The San Mateo Consolidated Fire Department encompasses all of Belmont, Foster City, San Mateo, and small portions of unincorporated Belmont and San Mateo. The City of Belmont is roughly 4.6 miles and a resident population of 27,000. Foster City has an area of about 20 miles and a resident population of 34,000. The City of San Mateo has an area of roughly 15.8 miles and a resident population of 104,000. The combined areas include large tracks of open space found in the steep forested ridges and foothills in the western portions. Highway 101 passes between Foster City and San Mateo and Interstate 280 is along the western edge.

B. Local Conditions

The climatic, geologic, and topographic conditions found in the jurisdiction necessitate making modifications to the building standards in the 2016 California Fire Code to provide a reasonable degree of fire and life safety in this community. These conditions are discussed in detail below.

1. Climatic Conditions

The service area of the San Mateo Consolidated Fire Department, on average, experiences an annual rainfall between 18 to 25 inches. This rainfall can be expected between October and April of each year and is based on the 100-year weather almanac. However, during summer and early fall months, there is little, if any, measurable precipitation. During this dry period, the temperatures are usually between 70-90 degrees with light to gusty westerly

winds. These drying winds, mixed with the natural vegetation create extensive grass and brush land fire risk. With residential developments encroaching into these wooded and grass, or brush covered areas, wind and terrain-driven fires could have severe consequences and place lives and properties at risk.

2. Topographic Conditions

- (a) Hills. Much of the San Mateo Consolidated Fire Department service area is located in hills. The hilly terrain has influenced developments to follow the path of least resistance, creating a meandering pattern. The development pattern includes lots of inconsistent size, and development is often set deeply back from the street. The development pattern also does not lend itself to a good systematic street and road layout, which would promote easy traffic flow. It has, in fact, resulted in few major cross-town thoroughfares, which tend to be heavily congested, primarily during commute hours and seasonal periods of the year. "Pass-through" vehicular traffic in the San Mateo Consolidated Fire Department service area, such as the areas of Alameda de las Pulgas, Ralston Ave., and El Camino Real, increase commute time traffic for East and West bound vehicular movement to US 101 and Interstate 280. This creates barriers, which increases the response time of fire apparatus and other emergency vehicles. The topography of the San Mateo Consolidated Fire Department service area is also burdened by major structures. Employment areas are throughout the service area, and people who work in these complexes have added to the traffic congestion, thereby increasing fire apparatus response times.
- (b) Vegetation. The hilly portions of the San Mateo Consolidated Fire Department service area contain trees, dense brush vegetation, and a heavy growth of natural grasses and native and non-native trees that contribute to fuel-loading. The surrounding areas suffer several wildland fires each year.
- (c) Roads and Streets. The number of vehicle miles driven is steadily increasing despite limited growth. Many older streets are narrow and steep. The impact of additional planned developments and increased traffic flow will continue to affect the delivery of fire protection services.

PART II:

FINDINGS FOR SPECIFIC MODIFICATIONS TO BUILDING STANDARD

A. 2019 California Fire Code

Chapter 49

- 1. Development in hilly terrain with narrow and meandering streets results in delay of fire personnel in accessing those in need of emergency services. Additionally, these areas are prone to increased risk of wildland urban interface (WUI) which will be particularly

challenging in combating wildfires. Fuel reduction and modification is one way to combat the risk of high wildfire risk.

2. New structures built in a Wildland Urban Interface Zones need to be built in a fire resistive fashion to mitigate the risk of wildfire. Structures that are modified need to have their risk reduced so as to reduce overall risk to the community

B. 2021 International Wildland Urban Interface Code

1. Developments, both new and existing areas, need to manage vegetation to keep neighborhoods reasonably safe from wildfire, and in particular, conflagrations.