



# COUNTY OF SANTA CRUZ

0417

OFFICE OF EMERGENCY SERVICES  
495 UPPER PARK DRIVE, SANTA CRUZ, CA 95060  
(831)458-7150 FAX: (831)458-7139  
MICHAEL J. DEVER, C.E.M., ADMINISTRATOR

May 6, 2005

AGENDA: MAY 24, 2005

Board of Supervisors  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

SUBJECT: AMENDMENT TO SECTION 2.120.020 AND 2.120.040 OF THE SANTA CRUZ COUNTY CODE  
RELATING TO THE MEMBERSHIP OF THE COUNTY FIRE DEPARTMENT ADVISORY COMMISSION

Members of the Board:

The Santa Cruz County Code, Section 2.120.020 specifies the membership on the Fire Department Advisory Commission (FDAC). It provides that the Commission shall consist of 13 members. In addition to the five members representing the supervisorial districts, the code specifies that a member be designated by the following county departments/groups: HSA-Environmental Health, HSA- Emergency Medical Services, Planning Department, Office of Emergency Services; Department of Public Works; CDF/County Fire, Volunteer Company Officers, and a Fire Labor Organization representative. Section 2.120.040 specifies that a quorum shall be eight members of the 13 member commission.

In accordance with the FDAC 2004 Annual Report's Future Goals, the FDAC reviewed and evaluated the Commission membership at the January 19, 2005 meeting. As a result of this review, it was the consensus of the Commission that the working connection between the County Fire Department and Emergency Medical Services, Environmental Health and Department of Public Works had proved to be very limited over the course of the Commission's existence. The Commission members concluded that your Board, the FDAC, County Fire and the agencies involved would be better served by converting HSA-Emergency Medical Services, HSA-Environmental Health and the Public Works Department from voting memberships on the FDAC to staff roles. HSA and Public Works have agreed to attend future FDAC meetings in a staff capacity should input from their departments become necessary.

Therefore, the Fire Department Advisory Commission has recommended amendment of County Code Section 2.120.020 to reflect the deletion of these three department representatives, for a new total of ten members on the Commission. The 8-member Quorum requirement in Section 2.120.040 of the code is being recommended for deletion, as the bylaws specify the quorum requirements. In addition, the FDAC Bylaws were reviewed and evaluated by the Commission at the April 20, 2005 meeting. The Commission concluded that the bylaws should be modified to delete the position of Executive Secretary and instead specify that minutes of the meetings are to be prepared by staff, as has been the Commission's practice.

It is therefore RECOMMENDED that your Board:

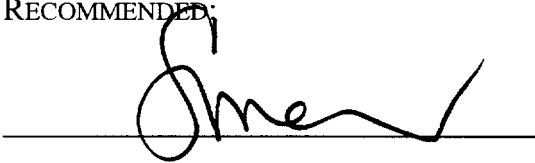
1. Approve the attached ordinance amending Sections 2.120.020 and 2.120.040 of the Santa Cruz County Code relating to the Fire Department Advisory Commission, and
2. Approve the attached revised Bylaws of the Fire Department Advisory Commission.

Sincerely,



Michael J. Dever  
Emergency Services Administrator

RECOMMENDED:



Susan A. Mauriello  
County Administrative Officer

MD:BL

Attachments:

1. Draft Proposed Ordinance (changes highlighted)
2. Proposed Ordinance
3. Draft Proposed FDAC Bylaws (changes highlighted)
4. Proposed FDAC Bylaws

cc: Fire Department Advisory Commission  
Public Works Department: Tom Bolich, Susann Rogberg  
Health Services Agency: Rama Khalsa, Bob Kennedy, Celia Barry

AMENDMENT TO SECTION 2.120.020 AND 2.120.040 OF THE SANTA CRUZ COUNTY CODE RELATING TO THE MEMBERSHIP OF THE COUNTY FIRE DEPARTMENT ADVISORY COMMISSION

Agenda: May 24, 2005

Page 2

REVISED

0418

It is therefore RECOMMENDED that your Board:

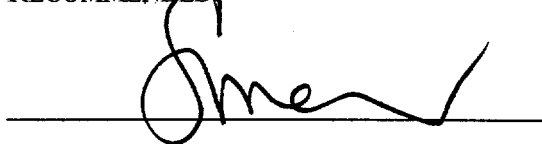
1. Approve the attached ordinance amending Sections 2.120.020 and 2.120.040 of the Santa Cruz County Code relating to the Fire Department Advisory Commission, and
2. Approve the attached revised Bylaws of the Fire Department Advisory Commission.

Sincerely,



Michael J. Dever  
Emergency Services Administrator

RECOMMENDED:



Susan A. Mauriello  
County Administrative Officer

MD:BL

Attachments:

1. Draft Proposed Ordinance (changes highlighted)
2. Proposed Ordinance
3. Draft Proposed FDAC Bylaws (changes highlighted)
4. Proposed FDAC Bylaws

cc: Fire Department Advisory Commission  
Public Works Department: Tom Bolich, Susann Rogberg  
Health Services Agency: Rama Khalsa, Bob Kennedy, Celia Barry

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE AMENDING SECTION 2.120.020 OF THE  
SANTA CRUZ COUNTY CODE RELATING TO  
MEMBERSHIP OF THE FIRE DEPARTMENT ADVISORY COMMISSION**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

**SECTION I**

Section 2.120.020 of the Santa Cruz County Code is hereby amended to read as follows:

**2.120.020 Membership.**

- A. The commission shall consist of ~~thirteen~~ ten members, residents of the county, appointed by the board of supervisors.
- B. Each supervisor shall nominate one person who resides within the supervisor's district within the jurisdiction of the county fire department.
- C. ~~Eight~~ Five members, one designated by each of the following county departments/groups:
  - 1. ~~HSA~~ Environmental health Planning department;
  - 2. ~~HSA~~ Emergency medical services Office of emergency services;
  - 3. ~~Planning department~~ County fire/CDF;
  - 4. ~~Office of emergency services~~ Volunteer company officers;
  - 5. ~~Department of public works~~ Fire labor organization representative
  - 6. ~~CDF/ county fire~~
  - 7. ~~Volunteer company officers~~;
  - 8. ~~Fire labor organization representative~~. (Ord.4455 § 1 (part), 1997)

**SECTION II**

Section 2.120.020 of the Santa Cruz County Code is hereby amended to read as follows:

**2.120.040 Organization and Procedures**

- 2.120.040 Organization and procedures
  - a. General Organization. The commission shall comply in all respects with Section 2.381 10 through 2.38.250 of this code, unless otherwise provided herein.
  - B. County Staff. The county fire department shall provide staff support for the commission. The emergency services ~~coordinator~~ administrator, or his or her designated representative, shall serve as administrative secretary to the Commission. The administrative secretary shall receive copies of all reports and recommendations prepared by the commission.

C. Meetings. The commission shall meet quarterly. Other meetings may be scheduled as determined by the commission membership and/or by the chairperson.

D. Quorum. A quorum must be present in order for any matters requiring a vote to be acted on. ~~A quorum shall be eight members of the commission.~~

**SECTION III**

This ordinance shall take effect on the 31<sup>st</sup> day after the date of final passage.

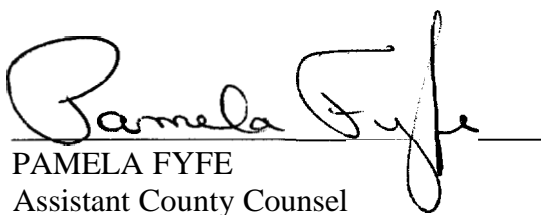
PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS  
ABSTAIN: SUPERVISORS

\_\_\_\_\_  
Chairperson of the  
Board of Supervisors

ATTEST: \_\_\_\_\_  
Clerk of the Board

Approved as to form:

  
PAMELA FYFE  
Assistant County Counsel

Distribution: Fire Department Advisory Commission  
Office of Emergency Services  
County Counsel  
General Services

**ORDINANCE NO. \_\_\_\_\_****ORDINANCE AMENDING SECTION 2.120.020 OF THE  
SANTA CRUZ COUNTY CODE RELATING TO  
MEMBERSHIP OF THE FIRE DEPARTMENT ADVISORY COMMISSION**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

**SECTION I**

Section 2.120.020 of the Santa Cruz County Code is hereby amended to read as follows:

**2.120.020 Membership.**

- A. The commission shall consist of ten members, residents of the county, appointed by the board of supervisors.
- B. Each supervisor shall nominate one person who resides within the supervisor's district within the jurisdiction of the county fire department.
- C. Five members, one designated by each of the following county departments/groups:
  1. Planning department;
  2. Office of emergency services;
  3. County fire/CDF;
  4. Volunteer company officers;
  5. Fire labor organization representative

**SECTION II**

Section 2.120.020 of the Santa Cruz County Code is hereby amended to read as follows:

**2.120.040 Organization and Procedures****2.120.040 Organization and procedures**

a. General Organization. The commission shall comply in all respects with Section 2.38110 through 2.38.250 of this code, unless otherwise provided herein.

B. County Staff. The county fire department shall provide staff support for the commission. The emergency services administrator, or his or her designated representative, shall serve as administrative secretary to the commission. The administrative secretary shall receive copies of all reports and recommendations prepared by the commission.

C. Meetings. The commission shall meet quarterly. Other meetings may be scheduled as determined by the commission membership and/or by the chairperson.

D. Quorum. A quorum must be present in order for any matters requiring a vote to be acted on..

**SECTION III**

This ordinance shall take effect on the 31<sup>st</sup> day after the date of final passage.

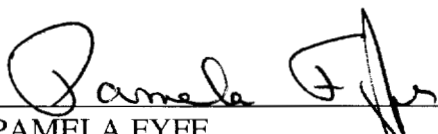
PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2005, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS  
ABSTAIN: SUPERVISORS

\_\_\_\_\_  
Chairperson of the  
Board of Supervisors

ATTEST: \_\_\_\_\_  
Clerk of the Board

Approved as to form:

  
\_\_\_\_\_  
PAMELA FYFE  
Assistant County Counsel

Distribution: Fire Department Advisory Commission  
Office of Emergency Services  
County Counsel  
General Services

**BYLAWS**  
**FIRE DEPARTMENT ADVISORY COMMISSION**

I. **DUTIES AND RESPONSIBILITIES**

The Commission shall exercise those duties and responsibilities set forth for the Commission in Santa Cruz County Code Chapter 2.120.

11. **MEETINGS**

- A. The regular meeting of the Commission shall be held on a quarterly basis each calendar year, by schedule, as determined by a majority of Commission members each January.
- B. No meeting of this Commission shall be held in any facility that prohibits the admittance of any person, or persons on the basis of race, religion, color, national origin, disability, medical condition (cancer related), marital status, sex, sexual preference, age (over 40), or veteran status. All meetings shall be held at locations which are accessible to the public and which are functional for, usable, and accessible to persons with disabilities.
- C. Special meetings may be called by the Chair, or by a majority vote of the Commission, during any regular or special meeting.
- D. A quorum is represented by a simple majority of those Commissioners currently appointed.
- ~~E.~~ At least seventy-two (72) hours prior to each regular meeting, an agenda shall be mailed to each Commission member and to any person or organization which has submitted a written request to the Commission for notification of meetings, and shall be posted at a location that is freely accessible to the public. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting.
- ~~F.~~ Notice for a special meeting must be received at least twenty-four (24) hours prior to the time of the meeting. An agenda for the special meeting shall be mailed to each Commission member and to each person or organization which has submitted a written request to the Commission for notification of meetings, and shall be posted at least twenty-four (24) hours prior to the special meeting at a location that is freely accessible to members of the public. No business other than that listed on the agenda shall be considered at a special meeting.



- FG. A person shall not be required to register his or her name or fulfill any other obligation as a condition to attendance at any meeting of this Commission, but may volunteer such information for inclusion in the Commission minutes.
- GH. The meetings will be conducted in accordance with Roberts Rules of Order Revised unless otherwise specified by the authorizing legislation or these bylaws.

#### 111. OFFICERS

- A. The officers of the Commission are the Chair, and Vice-Chair, ~~and~~ Secretary
- B. The duties of the Chair are to preside over the meetings, prepare agendas, and execute all documents on behalf of the Commission. The Vice-Chair shall assume these same duties in the absence of the Chair. Staff ~~The Secretary~~ shall keep minutes of each meeting.
- C. Election of officers shall take place at the annual organizational meeting held in January of each year at a day, time and place to be announced in its meeting notice. Term of office is limited to one year.

#### IV. AGENDAS

- A. No action or discussion shall be undertaken on any item not appearing on the posted agenda except that members of the Commission may briefly respond to statements made or questions posed by persons exercising their public testimony rights or ask a question for clarification, refer the matter to staff or to other resources for factual information, or request staff to report back at a subsequent meeting concerning any matter.
- B. Notwithstanding, the foregoing action may be taken on a item of business not appearing on the posted agenda upon a determination by two-thirds vote of the membership of the Commission, or if less than two-thirds of the members are present, by unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the Commission subsequent to the agenda being posted.

- C. Community oral communication will be heard as the first item of business on each agenda. Oral communication shall be limited to non-agenda items which are within the subject matter jurisdiction of the Commission.
1. Public comments presented during oral communication will be limited to three minutes.
  2. The Chair of the Commission may establish reasonable limits on the amount of time allotted to each speaker on a particular item.
  3. The Chair may establish a reasonable limit on the total amount of time allotted for public testimony of a particular item or the total amount of time allotted for community oral communications.
  4. When further discussion is required, the Commission may vote to allot time in the agenda of the following meetings.

V. COMMITTEES

- A. Committees or task forces may be appointed as needed by the Chair with the majority approval of the Commission. The Chair, with the majority approval of the Commission, shall terminate the committee when its function is no longer necessary.
- B. All committees shall comply with the notice and agenda requirements otherwise applicable to the Commission in these Bylaws, except for committees composed solely of less than a quorum of the members of the Commission which are not standing subcommittees of the Commission with either a continuing subject matter jurisdiction or a meeting schedule fixed by resolution or other formal action of the Commission.

VI. PUBLIC INPUT

Beside public input on non-agenda items as described in Item 4 (c), the public may comment on agenda items before or during the Commission consideration of the item. Comments should be directly related to the agenda item and be concise. The Chair shall regulate such comments to insure they come at an appropriate time to be considered in Commission deliberations and are not too long or duplicative. Written materials may also be submitted related to agenda items. These shall be considered as part of the Commission deliberations.

VII. AMENDMENTS TO BYLAWS

- A. Amendments to these Bylaws may be recommended to the Board of Supervisors by a majority vote of the Commission.
- B. These Bylaws, and any subsequent amendments thereto, shall be approved by the Board of Supervisors pursuant to Santa Cruz County Code Section 2.38.140.
- C. Proposed amendments shall be sent out with the agendas.

---

Chair, Santa Cruz County  
Fire Department  
Advisory Commission

Date Adopted by Commission:

---

---

Chair, Santa Cruz County  
Board of Supervisors

Date Adopted by  
Board of Supervisors:

---

**BYLAWS**  
**FIRE DEPARTMENT ADVISORY COMMISSION**

I. **DUTIES AND RESPONSIBILITIES**

The Commission shall exercise those duties and responsibilities set forth for the Commission in Santa Cruz County Code Chapter 2.120.

II. **MEETINGS**

- A. The regular meeting of the Commission shall be held on a quarterly basis each calendar year, by schedule, **as** determined by a majority of Commission members each January.
- B. No meeting of this Commission shall be held in any facility that prohibits the admittance of any person, or persons on the basis of race, religion, color, national origin, disability, medical condition (cancer related), marital status, sex, sexual preference, age (over **40**), or veteran status. All meetings shall be held at locations which are accessible to the public and which are functional for, usable, and accessible to persons with disabilities.
- C. Special meetings may be called by the Chair, or by a majority vote of the Commission, during any regular **or** special meeting.
- D. A quorum is represented by a simple majority of those Commissioners currently appointed.
- E. At least seventy-two (72) hours prior to each regular meeting, an agenda shall be mailed to each Commission member and to any person or organization which has submitted a written request to the Commission for notification of meetings, and shall be posted at a location that is freely accessible to the public. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting.
- F. Notice for a special meeting must be received at least twenty-four (24) hours prior to the time of the meeting. An agenda for the special meeting shall be mailed to each Commission member and to each person or organization which has submitted a written request to the Commission for notification of meetings, and shall be posted at least twenty-four (24) hours prior to the special meeting at a location that is freely accessible to members of the public. No business other than that listed on the agenda shall be considered at a special meeting.

- G. A person shall not be required to register his or her name or fulfill any other obligation as a condition to attendance at any meeting of this Commission, but may volunteer such information for inclusion in the Commission minutes.
- H. The meetings will be conducted in accordance with Roberts Rules of Order Revised unless otherwise specified by the authorizing legislation or these bylaws.

### III. OFFICERS

- A. The officers of the Commission are the Chair and Vice-Chair..
- B. The duties of the Chair are to preside over the meetings, prepare agendas, and execute all documents on behalf of the Commission. The Vice-Chair shall assume these same duties in the absence of the Chair. Staff shall keep minutes of each meeting.
- C. Election of officers shall take place at the annual organizational meeting held in January of each year at a day, time and place to be announced in its meeting notice. Term of office is limited to one year.

### IV. AGENDAS

- A. No action or discussion shall be undertaken on any item not appearing on the posted agenda except that members of the Commission may briefly respond to statements made **or** questions posed by persons exercising their public testimony rights or ask a question for clarification, refer the matter to staff or to other resources for factual information, or request staff to report back at a subsequent meeting concerning any matter.
- B. Notwithstanding, the foregoing action may be taken on a item of business not appearing on the posted agenda upon a determination by two-thirds vote of the membership **of** the Commission, or if less than two-thirds of the members are present, by unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the Commission subsequent to the agenda being posted.

- C. Community oral communication will be heard as the first item of business on each agenda. Oral communication shall be limited to non-agenda items which are within the subject matter jurisdiction of the Commission.
1. Public comments presented during oral communication will be limited to three minutes.
  2. The Chair of the Commission may establish reasonable limits on the amount of time allotted to each speaker on a particular item.
  3. The Chair may establish a reasonable limit on the total amount of time allotted for public testimony of a particular item or the total amount of time allotted for community oral communications.
  4. When further discussion is required, the Commission may vote to allot time in the agenda of the following meetings.

## V. COMMITTEES

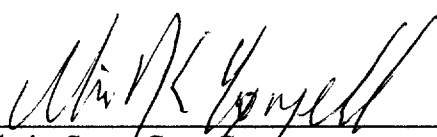
- A. Committees or **task** forces may be appointed as needed by the Chair with the majority approval of the Commission. The Chair, with the majority approval of the Commission, shall terminate the committee when its function is no longer necessary.
- B. All committees shall comply with the notice and agenda requirements otherwise applicable to the Commission in these Bylaws, except for committees composed solely of less than a quorum of the members of the Commission which are not standing subcommittees of the Commission with either a continuing subject matter jurisdiction or a meeting schedule fixed by resolution or other formal action of the Commission.

## VI. PUBLIC INPUT

Beside public input on non-agenda items as described in Item 4 (c), the public may comment on agenda items before or during the Commission consideration of the item. Comments should be directly related to the agenda item and be concise. The Chair shall regulate such comments **to** insure they come at an appropriate time to be considered in Commission deliberations and are not too long or duplicative. Written materials may also be submitted related to agenda items. These shall be considered as part of the Commission deliberations.

VII. AMENDMENTS TO BYLAWS

- A. Amendments to these Bylaws may be recommended to the Board of Supervisors by a majority vote of the Commission.
- B. These Bylaws, and any subsequent amendments thereto, shall be approved by the Board **of** Supervisors pursuant to Santa Cruz County Code Section **2.38.140**.
- C. Proposed amendments shall be sent out with the agendas.

  
 \_\_\_\_\_  
 Chair, Santa Cruz County  
 Fire Department  
 Advisory Commission

Date Adopted by Commission:

4-20-05  
 \_\_\_\_\_

\_\_\_\_\_  
 Chair, Santa Cruz County  
 Board **of** Supervisors

Date Adopted by  
Board of Supervisors:

\_\_\_\_\_