



REDCOM BOARD OF DIRECTORS

Agenda

April 4, 2024 @ 1:00pm

Special Meeting

Minutes

Santa Rosa Fire Training Tower

2126 West College Ave.

Santa Rosa, CA

Join by Teams Meeting 1-323-886-6897 Conference # 382 246 036#

Director Dr. Luoto will have his location at 26 Loma Ave La Selva Beach, CA 95076

He will be attending remotely.

Public is Welcome at this location.

Since we have one Board Member remote for this meeting. He will be meeting the guidelines that are required per the Brown Act.

Present:

Steve Akre – Sonoma Valley - Chair (observer)

Mark Heine – Sonoma County Fire- Vice Chair

Scott Westrope – SRFD

Jason Boaz – Healdsburg

Dave Crawl – Coast life Support

Dr. Mark Luoto – County EMS Medical Director (Remote)

Bryan Cleaver – CVEMSA

Others Present:

Evonne Stevens – REDCOM Executive Director

Brenda Bacigalupi – REDCOM Administration Assistant

Nick Barber – REDCOM

Gabe Stirnes – Sonoma Valley – (Remote)

Stephen Dalporto – 1401

Matt Tagnozzi – 1401

Sam Hoel – 1401

Teddy Day – 1401

Keith Jeffus – 1401

John Holt – 1401

Joe Stewart – 1401

Matt Gloeckner – SRFD

Paul Ricci – SRFD
Scott Melendy – Cal Fire
Michael Musgrove – SRFD
Tambra Curtis – Legal Counsel
Ethan Dawson – Legal Counsel
Mike McCallum – SRFD
Shepley Schroth- Cary - Gold Ridge
Sean Lacy – Sonoma Valley
Pamela Bell – Bells
Zach Brown – SRFD
4 Unknow remote callers

Notice: Copies of additional materials provided to the Board of Directors for information on agenda items are available at the REDCOM fire & EMS 9-1-1 Center.

1. Call to Order Made by Mark Heine @1301. Let the record reflect Dr. Luoto is attending remotely from the address published on the agenda. Also, the record should reflect that Chair Akre is on the call as an observer he is not participating as a voting director today as he has not agenized for remote connection to our meeting.
2. Approval of the Agenda Motion to approve Agenda made by Bryan Cleaver, Second Jason Boaz – Discussion – No further comments – Approved unanimously. Roll call was made since we have a remote Board Member. Motion passed.
3. Public Comment Period
In this time-period, anyone from the public may address the REDCOM Board of Directors regarding any subject over which the Board has jurisdiction, but which is not on today’s agenda. Individuals will be limited to a three-minute presentation.

No action will be taken by the Board as a result of any items presented at this time.

Mark Heine - This is a time period anyone from the public may address the REDCOM Board of directors provide general public comment on any subject over which the Board has jurisdiction, but which is not on today’s agenda as well as public comment you have on schedule or agenda is closed session items. We will limit everybody to 3 minutes please. I will start with those in attendance in the room and then for those of you that are joining remotely if you use the raise hand feature if that is possible for you, I would appreciate that. We will get to you as soon as we take comment from the room. With that I will take a show of hands. Matt we will start with you please.

Matt Tangozzi – Good afternoon, everyone, thank you very much for taking the time to listen to me. I am appreciative of the fact, that not all of the Board members sitting here, were involved with or have knowledge of why we are here today. I have a prepared statement to read that will hopefully clarify my statements made on March 14th. It appears the REDCOM Board has misinterpreted my public statement at the March 14, 2024, meeting. I have never threatened to take legal action against REDCOM. I was merely encouraging the Board to look into concerns regarding the process behind its contract with AP Triton. In fact, I was not the first member of the public to bring up these concerns at the March 14th meeting. I was trying to communicate my opinion that the Board should look closely at these issues and attempt to remedy any problems before continuing down the path of issuing a formal RFP. I hope that by calling this special meeting, the Board is not attempting to intimidate or silence Local 1401's voice in this process or discourage labor from having a voice at public meetings. Rather than expend resources on this a misinformed belief that I or Local 1401 pose a legal threat to the Board, the Board should invest its time and energy into addressing these legitimate concerns. Thank you.

Mark Heine – Thank you Matt, I appreciate that. Next hand.

Matt Gloeckner – I am here representing Santa Rosa Fire Management Labor Union. I represent 9 Chief officers in the city of Santa Rosa. City of Santa Rosa is a member of the JPA I am here to speak on behalf of where the Board is at with the legal issues specifically the fact that I believe that Matt Tognazzi comments are misrepresented by the Board. I am not sure how it got placed on the Board agenda or why but what Matt is referencing to myself as Chief Officer and a citizen of this community spoke out at the last Board meeting regarding potential legal pitfalls that the JPA was stepping into. My concern is based on the fact that I do not want this JPA nor our community members to spend any more money needlessly on the process that was wrought with issues from top to bottom. The Board knows that there are issues with JPA agreement. It is over 20 years old and the fact that Matt stood up and said something that he was singled out. I do not know why. Why were my comments were not singled out, because I said the same thing. There are issue regarding what AMR believes possible issues with purchasing with the RFP with foundational agreements for the RFP liability related to the RFP where do those liabilities lie. If the JPA was sued today who holds the bag for that. I think these are all issues that we need to solve. My recommendation again to the Board instead of trying to isolate all these different rumors. We all need to be adults here and be professional and recognize that this process started 20 plus years ago with people like Kenny and Chief Lewis building this thing that we have. It is time to take a fresh look at how the Board operates. Isolate any issues that are out there. Fix those foundational issues. If that means that the JPA

board needs to take a timeout and bring in Board members and their legal representatives, then so be it. We can get together as a team in there with our people with labor represented and make sure that we rebuilt this thing and make sure it is right before we take a step forward and bring in another operator. I am assuming that County Legal is here because they represent REDCOM, but the County of Sonoma has been very frank with us the fire service. They want out of the fire service industry. My preference would be that at that point we take a look at bringing in our own legal counsel for the JPA. That is truly separate and truly has an understanding of what is going on and represents the Board, not Santa Rosa Fire, not AMR, not the County of Sonoma this needs to be impartial. Before the Board takes their next steps in moving forward when they fix their foundational agreements because that is what we owe to the public and each other. That you guys look at setting some ground rules for how the RFP is going from then on. This stuff about moving behind the shadows and Brown Act violations they cannot and should not be tolerated, thank you.

Sam Holt - Thank you for the opportunity to comment publicly. I am going to read off my notes. I do not want to be on the next agenda. Our members deserve a voice. I am the Vice President local 1401 and I am going to speak very frankly. I do not know who brought this agenda item onto the agenda it is not listed. They did the Board a disservice. I would like to give everyone on the Board the benefit of the doubt because I do not know where this is coming from. The agenda item is misleading. It states that 1401 President Matt Tognazzi threatened litigation on his specific manner. This the misleading and factually incorrect. The portion of the meeting minutes included and taken out of context. I would like the Board to release the full minutes. Which will show that Matt's comments were referred to earlier comments made which are missing from this agenda. Even the cherry-picked comments that we do have clearly do not constitute a threat to the litigation. It is not confusing, but if the Board was confused or had questions they could have reached out to Matt, 1401 eboard or me and they did not. There was no contact made. You think that this this was a sincere attacked to assess a threat that contact would have been made or some effort would have been made to reach out. This is just a shot across about labor, be careful what you are say in a public meeting it might be ripped out of context. It might be place on the agenda and sent out to all every Chief in the county and might be discussed in the secret closed session where you have no ability to defend yourself. Your name may be attached to a description that represents you as threatening and perhaps that was not the intent but that was the effect. If there is back pedaling to be done. Maybe there is going to be some accounts, lawyers this is the Brown Act agenizing, but nobody forced the agenda item to be written in a misleading and counterfactual manner. That decision was made. That was a specific decision of how to agenize this and whose names to name. Those actions speak louder than words. I agree

words should consider the legality of the process of these threats. That is not what this. This is not what we are looking this is specifically calling out someone by name and that has a chilling effect on public comment. Those of you on the Board that did not orchestrate this item this should be a wakeup call. This is not the relationship that we want to have. This is the second time this process has happened. Everybody in this room wants the right thing for Sonoma County. We are all public servants all the Fire service. We are working together to deliver those services. Pick up the phone call us, talk to us, develop that relationship and if we treat all of us with fairness and respect it would be much better for everyone involved. Thank you.

Mark Heine- Thank you, appreciate that.

Stephen Dalporto – I do not have a whole lot more to add. I think everyone covered the basis of how we got here. I just want to remind everybody we are here because of a manufactured crisis last year by two members of the Board when there was not one. However, we got to this point. However, Matt Tognazzi our president of our union got on this. Those four members are digging us deeper into a hole slowing down this whole process to get us moving in the right direction. I would urge this Board to really take a look at itself find out who is pushing this, who is getting us to this point that we are at a meeting like this having the union to sit here and defend ourselves from our job that we are supposed to do. There is some ulterior motives out there that we are trying to protect and make sure the best service is getting out to the citizens and right now we are fighting with Board members to get it that way. I hope this Board takes a look does some research as to why we are in these places and who is leading this charge to get us here because if we have to keep doing this, we are going to do our jobs as union leaders to keep fighting for what is right. We will be back here every time having to do that. I hope all of you up there can figure this out and get us moving in the right direction from here.

Mark Heine – Appreciate that. Other hands in the room? Seeing none. Going to those online. If you like to add to public comment, please use raise hand if that does not work for you, please chime in we will take your comment. Chief Arke.

Steve Akre - I appreciate it. I just want to go on the record saying that I am recusing myself again at the advice of legal counsel for the closed session item so I will be leaving the meeting as soon as public comment is complete. Thank you.

Mark Heine – Thank you, Chief. Anybody else that is online? I do not see any hands up or anybody else chiming in. We are going to close public comment period. Bring it back to the Board. There is no scheduled new business items.

Board will move into closed session conference meet with Legal Counsel and anticipated litigation relative to section 54956.9 of the Government Code and the Board is going to stay here, correct?

Brenda Bacigalupi – Yes.

Scott Westrope - I have some questions for council I believe. Santa Rosa being asked to recuse from this closed session item?

Ethan Dawson – I do not believe. Recusal on the basis of a government code 1090 violation, potential violation, no violation has occurred yet obviously. It is really a discussion that needs to be had with your agency's council and then your decisions and whether or not to participate in any future RFP process. To the extent that an agency might want to bid on a REDCOM contract going forward. You would want to avoid being involved in the RFP process for that contract. It is not really REDCOM council's position. We do not want to be in the position of telling you can and cannot bid on contracts, who can or cannot participate in meetings. It is really more of a decision that needs to make for itself.

Scott Westrope - To summarize what you said to make sure I understand it correctly is that if I do not recuse there is a high potential that the Santa Rosa would not be able to respond to the RFP.

Ethan Dawson - It really depends on a lot of factors that depending on how the Board may or may not decide to structure its RFP. It is too far out in the future for me to really make a determined call.

Scott Westrope - Is there a way to segment the closed session items to talk about the foundational administrative issues of the JPA versus the actual RFP.

Tyler Dawson – Correct, I think that is really what our goal is here is to not discuss any future RFP as part of this closed session. This closed session is specifically on the topic of the AP Triton RFP it was already put out and responded to.

Mar Heine – Not RFP the RFQ.

Ethan Dawson - The RFQ process submitted their proposal and then the REDCOM Board entered into a contract with AP Triton. That is the topic for the closed session. It is not any future RFP process that may or may not occur and it is also not structural or administrative functions of REDCOM.

Scott Westrope – I am still struggling with what part of what discussion is talking about the foundational issues that we have identified out of the JPA and what are in response to the AP Tritons memo as part of building an RFP. I think it is important as a Board Member and as a member agency to be part of the legal discussion over the foundation of the JPA in as much as you might give legal advice to the Board that now myself presumably Sonoma Valley do not have. That is my big concern, but I do not want to put myself in a position where organization is not able to respond to an RFP if we so choose.

Ethan Dawson – In today's closed session will have no bearing on any future RFP or your decision of whether or not to bid on it. It will not be discussing any future RFP that has not occurred yet. The only thing we will be discussing is the AP Triton contract.

Scott Westrope – With that I am going to opt not to recuse. I now have some concerns whether or not Chief Akre. I was not noticed about any recusal until just now. My concern is does Chief Akre have the same information to make an educated discussion. I do not mean to put him on the spot by any means. Just as a point of the Board Chair is recused and seems like there is more information has been teased out to may change his decision.

Mark Heine – That is a fair question.

Ethan Dawson - If you want to give him a call or try to get him back on the meeting before we break for closed session.

Mark Heine – The issue is he is on the meeting he had not planned (I do not want to speak for you Steve so jump in) He was not planned on attending, because it is an agenda item by closed session only meeting. I think the assumption was made that was relative to topics that could preclude him from being a future bidder. However, even with him on the zoom call for us right now. He is not agenda item as an attending remotely on the agenda that went out. From my point of view, he probably could not participate no matter what. I will leave that up to you.

Ethan Dawson – I think that is a fair point. If it has not been agenda item as a remote participant. It is a Brown Act violation.

Mark Heine – Yes, right. Steve were you able to hear all that?

Steve Akre - I think so and thank you Chief Westrope for that consideration. Yes, my understanding heading into today's meeting, was that Legal Counsel's advice still stood on this item and as it did at our last Board meeting. That is the

reason for me not attending. The information that is just come out is new to me. With that I wish I would have been in a position to be able to attend. You know in person is always my preference, but I respect where we are at right now and I certainly do not want to do anything even questionable for the Brown Act. I am ok with signing off in closed session. My follow-up question to Legal Counsel is could I attend or be in the closed session but just not be the voting member because I was not listed on the agenda as a as a remote participant.

Ethan Dawon - I would conservatively lean towards no.

Mark Heine – Not to put you in the hot seat. You need to be able to attend obviously if you wish to attend and participate and if that is the case. Then maybe the best option is for us is not to move forward right now. We will reschedule a special meeting where now that armed with the information. I appreciate the clarification. Now that you are armed with the information from Legal Counsel to what they had on the agenda. If you wish to attend, we need to accommodate that.

Steve Akre - I appreciate that very much that consideration but obviously there is a lot of folks in attendance here today both in person and online and you know I have a lot of confidence in my fellow Board members to make the right decision on this and to consider things thoughtfully. In that interest I do not think as much as I would like to be there. I do not think that pushing this special meeting to another date and time is productive. I will defer to the rest of the Board members, and I will sign off once you enter into the closed session.

Mark Heine – Ok, understood, thank you, we are going to move into close session.

Jason Boaz – Before we move into closed session. I would like the time to address some comments that were made in the public comment. Is that appropriate.

Mark Heine – I guess you can address if you want. That is not what the public comment is designed for.

Jason Boaz – I realize that, but I do not want everybody walking at of this room in a worse place then they came in. Generally speaking, as a Board member. I would like to say that first of all, I think we all have the same end goal. We started at the same place. I think we all have the same goal and ultimately, we are all on the same team. As a Board member I did feel very exposed by the comments that were made in the last meeting particular by Mr. Tognazzi both personally and as a Board member. That being said in my experience working for a city. When there is

talk about potential, it did not feel like a direct threat to me, but it felt like there were things brewing that could lead to legal action. In my experience that kind of changes its course the way things are done and those need to be addressed before it moves forward. I just want to say in my opinion. I was not involved in your discussions prior to this. This is not a shot across the bow at labor my impression of this was that we were going to move into closed session and discuss what I have heard talked about us fundamental issues with founding documents which I still do not know what those are. Also issues with the with the RFQ and RFP which I still do not know what those are. My impression was that we were moving to closed session to address what we perceive to be some of the issues not as anything directed towards anybody in particular and labor specifically. With that being said, I do not want people leaving this room thinking something nefarious various going on behind the scenes. I thought we were moving into closed session to discuss what those issues might be and how we might address them. If we are doing something different, I guess we will find out in a minute. That is all I wanted to say.

Mark Heine - Thank you, appreciate that. We will excuse the audience please. We will come back in afterwords and grab everybody.

Closed session started 1325.

4. New Business

None

5. **Conference with Legal Counsel – Anticipated Litigation**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 of the Government Code: A statement made by Matt Tognazzi in an open and public meeting of the REDCOM Board of Directors on March 14, 2024, threatening litigation on a specific matter within the responsibility of the legislative body. (Govt. Code section 54956.9(e)(4).) See attached transcription of statement.

Closed session started 1325.

6. Report Out of Closed Session

_Mark Heine – Thank you everybody for leaving the room and thank you in person and online for your patience with us. The Board is coming out of closed session

and back into open session at 1412. I will turn to our legal counsel to report out and maybe start off with introduction from both of you please.

Sure, I am Tandra Curtis, Deputy County Counsel with County of Sonoma. I am the normal representative from legal work for REDCOM. I was out of the office for a couple of weeks. In my absence Ethan Dawson stepped in and has provided legal advice to REDCOM. He is with us here today and he will speak regarding the report out from closed session.

Ethan Dawson – Thanks, nice to meet you all officially now. Just a brief report out of closed session. The Board received information regarding potential liability on the procurement of the professional services agreement with AP Triton and no further action was taken. Just to address a couple public comments that the Board really wanted to stress, and I also want to take some responsibility here. Matt naming you in in the in the agenda is the requirement of the Brown Act for that closed session justification. It was never intended to be a criticism or to put your name out in front of all the Fire Chiefs in the county or anything like that. This was really just an opportunity for the Board to receive information about their potential liability over this contract. There were no discussions of the structure of the JPA the future RFP for dispatch services or kind of any other topic. We really just limited to potential liability on the AP Triton contract. Unfortunately, the closed session statement is what it is and, but it was never intended to silence labor's involvement or to you know attack Matt or anybody else. That is all from closed session.

Mark Heine – Thank you, Item 7 was next meeting. We have been in a traditional pattern of quarterly meetings and the next one is not until July. It seems to me just from my point of view that is a long way away. We probably ought to keep the ball rolling on a lot of the things that we have going on. The process, the concerns that have been raised about it, those kinds of things. I could just pitch out maybe a potential concept I will do it in a form of a motion chime in as you see. I would move that we set a little bit more aggressive meeting schedule to get us back on a monthly meeting schedule for the foreseeable future. If I am recalling right AP Triton current contract is in different phases. Phase one is producing a report doing whatever they did to put into that report stakeholder interviews and all those kinds of things and come up with a report. Then phase two was getting into the actual drafting of the RFP. Then phase three is the issuance of it, am I getting that right?

Scott Westrope - That is my regulation.

Mark Heine- I would like to move that we get on a regular monthly meeting schedule and direct our Executive Director to try to find the best date for the Board and staff to be able to accomplish that.

Brenda Bacigalupi – I will take of that.

Mark Heine – It our meeting schedule out to our stakeholders as fast as possible so they can get on their calendars when that is done. Then we only progress forward through phase one. We said that the next meeting we direct Evonne to put a new business item on to receive AP Tritons report and make that public let them present it. Let us take all the public's comments initially on that. Then give them time for everybody to digest that and not move forward with phase two and three until such time as we have a chance to address with legal counsel the concerns that have been raised about purchasing guidelines and some other things relative to our JPA source documents. Does that make sense. That was my actual motion. Should I restate it?

Jason Boaz – Was the actual motion?

Mark Heien – Yes, should I restate it?

I move that we get on to a monthly meeting schedule and that staff work with the Board to identify what the best times for those set meetings are. Then we get that out to our stakeholders as fast as possible so they can get them on their calendars and prep for that. Then at the next meeting whenever that is scheduled to be an action item on there to receive phase one of AP Triton work and we direct staff not to progress with any future phases until such time as we give people feedback about phase one and frame up with legal counsel where if anywhere, we need to go with source JPA documents.

Jason Boaz- I will second that with a comment. I have much better understanding now of what the concerns are about foundational documents and other things, and I am confident that we can move forward as a group and address everybody's concerns. I think since we have come this far, I would like to air out the room publicly the report and take comments and pause and address some of the concerns before moving forward.

Mark Heine – Any other questions before we go to the public before we have the 1st and 2nd motion.

Jason Boaz - Not a question but I would be open to do an even more frequent meetings every two weeks if you wanted to until we move through this. It is up to you guys.

Mark Heine – Maybe there is a medium. We could go into the monthly meeting schedule if there is presenting time sensitive topics related that. We could set a special meeting if we need to.

Scott Westrope – Monthly is a little bit more realistic. The only thing I want to confirm is with that direction the next meeting would be set up in approximately in a month from now.

Mark Heine – Yes.

Brenda Bacigalupi – Do you want me to keep the same time frame that we have been doing.

Mark Heine - I just think you need to ping the Directors through a doodle poll or whatever and find out what works. I think everybody's does not have it on their calendar until July.

Jason Boaz – It sounds like Thursday might be problematic for some of us. Are there other days that are possible.

Brenda Bacigalupi – I will just do a doodle poll for the dates and times like I have been doing.

Mark Heine – Any other questions or public comment on the motion? Anybody online wish to provide comment on the motion.

Motion to approve monthly meeting schedule made by Mark Heine, Second Jason Boaz – Discussion – No further comments – Approved unanimously. Roll call was made since we have a remote Board Member. Motion passed.

7. Next meeting will be – July 11, 2024, at 2:00 pm, In person only.

8. Adjournment- Motion to adjourn.

Mark Heine - I will take a motion to adjourn. Motion to adjourn made by Bryan Cleaver, Second Joason Boaz – Discussion – No further comments – Approved unanimously. Roll call was made since we have a remote Board Member. Motion passed at 1418.

Mark Heine - Thank you everybody and everybody online. I appreciate your time.