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# THE DOYLE LAW FIRM

A PROFESSIONAL LAW CORPORATION

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Aaron E. Doyle  
Attorney and Counselor

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November 20, 2020

**VIA ELECTRONIC & U.S. MAIL**

(email: [grizzlystore@sbcglobal.net](mailto:grizzlystore@sbcglobal.net))

Jeanne Graham, Chairperson  
Eastern Plumas Rural Fire Protection District  
141 Delleker Road  
Portola, CA 96122

**Re: Demand for the Eastern Plumas Rural Fire Protection District's Compliance with the Ralph M. Brown Act [Govt. Code §§ 54960.1(b)54960.2]**

Dear Chairperson Graham:

My firm represents Assistant Chief John Fatheree. I write to demand that the Eastern Plumas Rural Fire Protection District ("District") and its Board of Directors ("Board") cease and desist its violations of the Ralph M. Brown Act (the "Act"), and to demand that the Board cure its violations by (1) reinstating the assistant chief position; (2) include a brief general description of each item of business to be transacted or discussed, whether in open or closed session, for all future board or other public meetings held by the District; (3) publicly post its agendas on its website 72 hours before any regularly scheduled board meeting; (4) rescind each of its actions from its November 2, 6 and 16, 2020 meetings; (5) rescind and cure its violations of the Act from its October 26, 2020 closed session regarding "possible litigation"; and, (6) comply with all other requirements set forth in the Act for future meetings. I am also requesting that the Board provide me with written notice of its intent to cure, or not cure, its alleged violations within 30 days of the date of this letter.

It is my understanding that the District's Board held a closed session at its regular meeting on November 16, 2020. The Board discussed, deliberated, and decided to dissolve or eliminate the District's only assistant chief position that has been occupied by Assistant Chief Fatheree since year 2017, during this closed session.

I. The Board's Brown Act Violations

a. The Board's Closed Session And Decision To Dissolve The Assistant Chief's Position

As you are undoubtedly aware, the District is a local agency as defined by Gov. Code § 54951 and its Board is subject to the Act that is codified at Gov. Code § 54950, et seq. Accordingly, all District board meetings are to be open and public. Unless expressly authorized, no closed sessions of the Board are allowed. Gov. Code § 54962. If the Board does meet in closed session it must be for one of the purposes expressly authorized by the Act. The Act requires that the Board include a brief general description of each item of business to be transacted or discussed at the meeting, including any items to be discussed in closed session. Gov. Code §§ 54954(a), 54954.2(a).

I have reviewed the Board's October 12, 26 and November 2 and 16 agendas and I am unable to find where the Board indicated it would be considering any matter relating to the dissolution or elimination of the assistant chief position – either in a public or closed session.

b. The Board's Closed Session Regarding The Dissolution Of The Assistant Chief's Position

The Board's agendas for its November 2 and November 16 regular meetings indicate the Board had closed sessions but they did not indicate what items were being considered or discussed at those closed sessions, other than a vague reference to "personnel." The elimination of a District position is not a "personnel" matter subject to the exceptions of the open meeting requirements of the Act. Holding a closed session to consider the dissolution or elimination of the assistant chief position required the Board to describe that item on the agenda, regardless of whether it was to be discussed in open or closed session. (Gov. Code § 54957.7(a)).

It is my position that any discussion regarding the dissolution or elimination of any District position, including the assistant chief position, in a closed session of the board is improper and contrary to the requirements of the Act. See *Shapiro v. San Diego City Council* (2002) 96 Cal.App.4th 904, 917 [117 Cal.Rptr.2d 631, 641–642], holding "Statutory exceptions authorizing closed sessions of legislative bodies are construed narrowly and the Brown Act 'sunshine law' is construed liberally in favor of openness in conducting public business."

c. The Board's Failure To Publicly Report On Closed Session Regarding The Dissolution Of The Assistant Chief's Position

Even assuming arguendo that the Board mistakenly believed it was authorized by law to consider the dissolution or elimination of the assistant chief position in closed session and not describe the item on the agenda, the Board also failed to publicly report on the decision during the open meeting of both its decision to eliminate the position and the vote or abstention on that decision



Ms. Jeanne Graham, Chairperson  
Re: Demand for Compliance with Brown Act  
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of every member present as required by the Act. (See Gov. Code §§ 54957.1, 54957.7(b); *see also Kleitman v. Superior Court* (1999) 74 Cal.App.4th 324, 332 [87 Cal.Rptr.2d 813, 819], as modified (Sept. 9, 1999) “after a closed session is held, the legislative body must reconvene into open session and make a public report of the actions taken during the closed session.”)

d. The Board’s October 26, 2020 Closed Session Regarding Possible Litigation

I also note that the Board’s October 26, 2020, agenda described it was holding a closed session for “personnel” and “possible litigation.” The Board’s October 26, 2020 reference to “possible litigation” is also unduly vague. Section 54956.9 of the Act only authorizes the Board to meet in closed session to “confer with, or receive advice from, *its* legal counsel regarding pending litigation . . .”, not *possible* litigation (Govt. Code 54956.9). “The purpose of [section 54956.9] is to permit the body to receive legal advice and make litigation decisions only; it is not to be used as a subterfuge to reach nonlitigation oriented policy decisions.” (Cal. Dept. of Justice, Off. of Atty. Gen., *The Brown Act* (2003), p. 40). To the extent the Board did not meet with or receive advice from its legal counsel at this closed session regarding *pending* litigation, it is my position that the Board’s closed session for “possible litigation” was in violation of the Act.

e. The Board’s Failure To Publicly Post Its Agendas On Its Website For Its November 6 Special Meeting Of Its November 16 Regular Meeting

The last agenda posted by the Board on the District’s website was for its regular meeting on November 2, 2020 (*see* <https://eprfpd.specialdistrict.org/board-meetings>, last accessed November 20, 2020). Gov. Code § 54954.2(a)(2), provides, in pertinent part, “An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda.” The Board did comply with its obligation to publicly post on its public website the Board’s agenda for its special meeting on November 6 or its regular meeting on November 16.

II. Demand For Compliance With The Brown Act

For the reasons discussed above, it is our position that the Board’s decision to dissolve or eliminate the assistant chief position is null and void pursuant to Gov. Code § 54960.1. Accordingly, we demand that the Board cure these violations of the Act by reinstating the assistant chief position and restoring Assistant Chief Fatheree to that position.

Because the Board did not comply with its obligation under the Act to publicly post its agenda on its website for its November 6 and November 16 meetings as required by Gov. Code § 54954.2(a)(2), we assert that the Board’s actions taken at each of those meetings are null and void and must be rescinded to the extent permitted by law. (Gov. Code § 54960.1(a)). And because the Board did not meet in closed session on October 26, 2020 to confer with, or receive



Ms. Jeanne Graham, Chairperson  
Re: Demand for Compliance with Brown Act  
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advice from, *its* legal counsel regarding *pending* litigation, the Board must also cure this violation. (Govt. Code 54956.9)

I request that you inform me of the Board's decision to cure, or not to cure, the alleged violations of the Act within 30 days of the date of this letter.

Thank you for your immediate attention to this matter.

Sincerely,

THE DOYLE LAW FIRM  
A Professional Law Corporation



AARON E. DOYLE  
Attorney-at-Law

Att: October 12, 26 and November 2, 2020 Board Agendas

ec: Assistant Chief John Fatheree  
Lydia Acosta, Director  
Ronnie Couto, Director  
Kevin Sankey, Director



# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

epripd@att.net

## AGENDA

**For the Regular Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors to be held at 141 Delleker Rd., Portola, CA 96122**

**On November 02, 2020 at 6:00 PM**

**MEETING VIA CONFERENCE CALL**

**DIAL-IN NUMBER 701-802-5263 CODE 6465910#**

Board Members: Chairperson Jeanne Graham, Director Ronnie Couto, Director Lydia Acosta and Director Kevin Sankey

- **Call Meeting to Order**
- **Roll Call**
- **Pledge of Allegiance**
- **Public Comment:** Members of the public are invited to address the District on any matter of interest to the public that is not on the agenda. Pursuant to the Brown Act, the District cannot take any action on items not listed on the posted agenda, but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.
- **Consent Items:**
  1. Minutes from October 23, 2020 Emergency Meeting
  2. Minutes from October 26, 2020 Regular Meeting
- **Budget**
- **Secretary's Report**
- **Director's Reports**
- **Chief's Report**
- **Discussion and Possible Action:**
  1. Consolidation
  2. Use of District owned vehicles/Red Light Permits
  3. Ad hoc committee reports: a) Consolidation b) Personnel
  4. SOG's – Rules & Regulations – Policies & Procedures – FBOR
  5. SCBA's
  6. Ladder Truck Certification Status
  7. Truck Maintenance
  8. Ordinances – Fire
  9. FASIS – Bickmore Risk
  10. Audit
  11. Portola turnover to Beckwourth
  12. Pump Testing
  13. PPE
- **Old Business:**
  1. Ethics Training
  2. Grant Writer
- **New Business:**
- **Closed Session: Personnel**
- **Adjournment**

In compliance with the Americans with Disabilities Act (ADA), the district will make every reasonable attempt to accommodate any attendee or participant at the meeting needing special assistance beyond what is normally provided. Please contact Eastern Plumas Rural Fire Protection District at 530-832-5626 at least 48 hours prior to this meeting to inform us of your particular needs and to determine if accommodation is feasible. Individuals with impaired hearing and/or speech impediments and a Telecommunication Device for the Deaf (TDD) may dial 1-800-342-5966 to reach the Commission.

### REPORTS/ANNOUNCEMENTS

Pursuant to Government Code Section 54954.2, Board members and Administrative Officer may take a brief announcement or brief report on his or her activities. Board members and Administrative Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.



# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446  
epripd@att.net

## AGENDA

**For the Regular Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors to be held at 141 Delleker Rd., Portola, CA 96122**

**On October 12, 2020 at 6:30 PM**

**MEETING VIA CONFERENCE CALL**

**DIAL-IN NUMBER 701-802-5263 CODE 6465910#**

Board Members: Chairperson Jeanne Graham, Director Ronnie Williams, Director Lydia Acosta and Director Kevin Sankey

- **Call Meeting to Order**
- **Roll Call**
- **Pledge of Allegiance**
- **Public Comment:** Members of the public are invited to address the District on any matter of interest to the public that is not on the agenda. Pursuant to the Brown Act, the District cannot take any action on items not listed on the posted agenda, but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.
- **Consent Items:**
  1. **Minutes from the September 14, 2020 Regular Monthly Meeting**
  2. **Minutes from the September 28, 2020 Emergency Meeting**
  3. **Minutes from the September 30, 2020 Emergency Meeting**
  4. **Minutes from the October 7, 2020 Emergency Meeting**
  5. **Adoption of Resolution 2020-006 Dept. of Forestry and Fire Protection Agreement #7FG20034**
- **Budget**
- **Secretary's Report**
- **Director's Reports**
- **Chief's Report**
- **Discussion and Possible Action:**
  1. **Record Retention**
  2. **Renewal of Care Flight memberships**
  3. **ISU Insurance Renewal**
  4. **Use of District owned vehicles**
  5. **New Employee PAF's**
  6. **Ad hoc personnel committee**
  7. **SOG's**
  8. **Rules and Regulations**
  9. **Policies and Procedures**
  10. **FBOR**
  11. **Web Page**
  12. **Department credit card – Cal Card and Voyager**
  13. **Grant Writer**
  14. **AED Program**
- **Old Business:**
- **New Business:**
- **Closed Session: Personnel**
- **Adjournment**

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### REPORTS/ANNOUNCEMENTS

Pursuant to Government Code Section 54954.2, Board members and Administrative Officer may take a brief announcement or brief report on his or her activities. Board members and Administrative Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.





# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

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## AGENDA

**For the Special Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors to be held at 141 Delleker Rd., Portola, CA 96122**

**On October 26, 2020 at 6:00 PM**

**MEETING VIA CONFERENCE CALL**

**DIAL-IN NUMBER 701-802-5263 CODE 6465910#**

Board Members: Chairperson Jeanne Graham, Director Ronnie Couto, Director Lydia Acosta and Director Kevin Sankey

- **Call Meeting to Order**
- **Roll Call**
- **Pledge of Allegiance**
- **Public Comment:** Members of the public are invited to address the District on any matter of interest to the public that is not on the agenda. Pursuant to the Brown Act, the District cannot take any action on items not listed on the posted agenda, but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.
- **Consent Items:**
  1. **Minutes from the October 12, 2020 Regular Monthly Meeting**
- **Budget**
- **Secretary's Report**
- **Director's Reports**
- **Chief's Report**
- **Discussion and Possible Action:**
  1. **Jim Graham – Webpage update**
  2. **Consolidation**
  3. **Use of District owned vehicles**
  4. **Red Light Permits**
  5. **Ad hoc personnel committee**
  6. **Lexapol**
  7. **SOG's**
  8. **Rules and Regulations**
  9. **Policies and Procedures**
  10. **FBOR**
  11. **Cal Card**
  12. **Increase board meeting frequency**
  13. **AED Program**
- **Old Business:**
- **New Business:**
- **Closed Session: Personnel**  
**Possible Litigation**
- **Adjournment**

In compliance with the Americans with Disabilities Act (ADA), the district will make every reasonable attempt to accommodate any attendee or participant at the meeting needing special assistance beyond what is normally provided. Please contact Eastern Plumas Rural Fire Protection District at 530-832-5626 at least 48 hours prior to this meeting to inform us of your particular needs and to determine if accommodation is feasible. Individuals with impaired hearing and/or speech impediments and a Telecommunication Device for the Deaf (TDD) may dial 1-800-342-5966 to reach the Commission.

### REPORTS/ANNOUNCEMENTS

Pursuant to Government Code Section 54954.2, Board members and Administrative Officer may take a brief announcement or brief report on his or her activities. Board members and Administrative Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

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# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

epripu@att.net

## AGENDA

For the Regular Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors to be held at 141 Delleker Rd., Portola, CA 96122

On November 16, 2020 at 6:00 PM

MEETING VIA CONFERENCE CALL

DIAL-IN NUMBER 701-802-5263 CODE 6465910#

Board Members: Chairperson Jeanne Graham, Director Ronnie Couto, Director Lydia Acosta and Director Kevin Sankey

- Call Meeting to Order
- Roll Call
- Pledge of Allegiance
- **Public Comment:** Members of the public are invited to address the District on any matter of interest to the public that is not on the agenda. Pursuant to the Brown Act, the District cannot take any action on items not listed on the posted agenda, but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.
- **Consent Items:**
  1. Minutes from the October 23, 2020 Emergency Monthly Meeting
  2. Minutes from the October 26, 2020 Regular Meeting
  3. Minutes from the November 2, 2020 Regular Meeting
  4. Minutes from the November 6, 2020 Special Meeting
- **Budget** a) Fire Recovery b) OES Fires
- **Secretary's Report**
- **Director's Reports**
- **Chief's Report**
- **Discussion and Possible Action:**
  1. **Ad Hoc Committee Reports**
    - a) Consolidation
    - b) Personnel
  2. Meeting decorum/Rules of Order
  3. Brown Act
  4. Firefighter Benefits/EAP
  5. Streamline Webpage
  6. Parking Lot Resurfacing
  7. Hose & SCBA Grants
  8. SCBA's
  9. Grant Writer
  10. PPE Update
  11. Office Supply Budget
  12. Shipping Container
  13. Cal Card
  14. Audit
  15. Ordinance/Resolution for Fires – Follow-up
  16. Fire Recovery
  17. Ladder Truck
  18. Pump Testing
  19. Turnover – Portola to Beckwourth
  20. SOG's – Rules & Regulations – Policies & Procedures
  21. Who can sign contracts that obligate funds
- **Old Business:**
- **New Business:**
- **Closed Session: Personnel**
- **Adjournment**

In compliance with the Americans with Disabilities Act (ADA), the district will make every reasonable attempt to accommodate any attendee or participant at the meeting needing special assistance beyond what is normally provided. Please contact Eastern Plumas Rural Fire Protection District at 530-832-5626 at least 48 hours prior to this meeting to inform us of your particular needs and to determine if accommodation is feasible. Individuals with impaired hearing and/or speech impediments and a Telecommunication Device for the Deaf (TDD) may dial 1-800-342-5966 to reach the Commission.

### REPORTS/ANNOUNCEMENTS

Pursuant to Government Code Section 54954.2, Board members and Administrative Officer may take a brief announcement or brief report on his or her activities. Board members and Administrative Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.







## AGENDA

### For the Regular Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors to be held at 141 Delleker Rd., Portola, CA 96122 On December 07, 2020 at 6:00 PM

To slow the spread of COVID-19, the Health Officer's Shelter Order of September 14, 2020, prevents public gatherings (Health Officer Order). In lieu of a public gathering, the Board of Directors meeting will be accessible via internet and phone to all members of the public as permitted by the Governor's Executive Order N29-20. To attend the Board meeting log in to: [www.freeconferencerecall.com](http://www.freeconferencerecall.com), online meeting ID: eprfpd.

By phone: DIAL-IN NUMBER 701-802-5263 CODE 6465910#

All telephone and online participants will be limited to three (3) minutes apiece for comments. The Board Chair may reduce the amount of time allotted per telephone caller at the beginning of each item or public comment period depending on the number of calls and the business of the day. Your patience is appreciated.

Board Members: Chairperson Jeanne Graham, Director Ronnie Couto, Director Lydia Acosta and Director Kevin Sankey

- Call Meeting to Order
- Roll Call
- Pledge of Allegiance
- **Public Comment:** Members of the public are invited to address the District on any matter of interest to the public that is not on the agenda. Pursuant to the Brown Act, the District cannot take any action on items not listed on the posted agenda, but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.
- **Consent Items:**
  1. Minutes from the November 16, 2020 Regular Meeting
- Budget
- Secretary's Report
- Director's Reports
- Chief's Report
- **Discussion and Possible Action:**
  1. **Ad Hoc Committee Reports:**
    - a. **Consolidation** Update to the board, request guidance back to the committee
    - b. **Personnel** Update to the board, request guidance
  2. **Audit**
    - a. Status
  3. **Meeting Platform**
    - a. Do we want to stay with current platform or move to another
    - b. Cost of different platforms
  4. **SOG's – Rules & Regulations – Policies & Procedures**
    - a. Status of changes
  5. **COVID 19 Department Status**
    - a. Staff report on requirements and what is being done to mitigate COVID
  6. **Brown Act Correspondence**
    - a. Review correspondence. Decide how to proceed
  7. **Department Restructure**
    - a. Board taking over administrative needs
    - b. What other ways can we restructure to optimize personnel
  8. **Fire Recovery**
    - a. Status of current claims
    - b. Billing going forward
  9. **Streamline Webpage**
    - a. Status
    - b. Posting agenda / minutes prior to standup of webpage
  10. **Brown Act Training**
    - a. Availability of training and cost
  11. **Parking Lot Resurfacing**
    - a. Receive bids and decide which company to use
  12. **Shipping Container**
    - a. Sales contract from water company
    - b. Permits
  13. **Hose & SCBA Grants**
    - a. Updates
    - b. Application Status

14. **Scott SCBA**
  - a. Status
15. **Cal Card**
  - a. Status of application
  - b. Authorized Signers and Users
16. **Turnouts**
  - a. How many do we need
  - b. Cost
  - c. Continue contract with LN Curtis
17. **9834 Air Conditioning**
  - a. Cost to repair
18. **Surplus Equipment**
  - a. Proposed Disposal of 9851
19. **Propane Contract**
  - a. Do we want to continue to shop when need refill or go with a contract
  - b. Review contract with Suburban Propane
20. **Ordinance/Resolution for Fires**
  - a. Follow-up
21. **Turnover – Portola to Beckwourth**
  - a. Status
  - b. Items the district needs to do
  - c. AED's placed in business in the City
22. **Firefighter Recognition Night**
  - a. Information

- **Old Business:**
- **New Business:**
- **Closed Session: Personnel**
- **Adjournment:**

In compliance with the Americans with Disabilities Act (ADA), the district will make every reasonable attempt to accommodate any attendee or participant at the meeting needing special assistance beyond what is normally provided. Please contact Eastern Plumas Rural Fire Protection District at 530-832-5626 at least 48 hours prior to this meeting to inform us of your particular needs and to determine if accommodation is feasible. Individuals with impaired hearing and/or speech impediments and a Telecommunication Device for the Deaf (TDD) may dial 1-800-342-5966 to reach the Commission.

**REPORTS/ANNOUNCEMENTS**

Pursuant to Government Code Section 54954.2, Board members and Administrative Officer may take a brief announcement or brief report on his or her activities. Board members and Administrative Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.



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**Eastern Plumas Rural Fire Protection District**  
141 Delleker Rd. Portola, CA 97  
Phone: 530.832.5626 Fax: 530.832.5446  
epripd@att.net

## AGENDA

### For the Emergency Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors to be held at 7552 Lake Davis Rd., Portola, CA 96122

On December 08, 2020 at 2:50 PM

To slow the spread of COVID-19, the Health Officer's Shelter Order of September 14, 2020, prevents public gatherings (Health Officer Order). In lieu of a public gathering, the Board of Directors meeting will be accessible via internet and phone to all members of the public as permitted by the Governor's Executive Order N29-20. To attend the Board meeting log in to: [www.freeconferencecall.com](http://www.freeconferencecall.com), online meeting ID: eprfpd. By phone: DIAL-IN NUMBER 701-802-5263 CODE 6465910#

All telephone callers will be limited to two (2) minutes apiece. The Board Chair may reduce the amount of time allotted per telephone caller at the beginning of each item or public comment period depending on the number of calls and the business of the day. Your patience is appreciated.

**Board Members:** Chairperson Jeanne Graham, Director Ronnie Couto, Director Lydia Acosta and Director Kevin Sankey

- **Call Meeting to Order**
- **Roll Call**
- **Public Comment:** Members of the public are invited to address the District on any matter of interest to the public that is not on the agenda. Pursuant to the Brown Act, the District cannot take any action on items not listed on the posted agenda, but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.
- **Closed Session:**
  - **Consult with Counsel regarding Brown Act Demand Letter**
- **Reconvene from Closed Session**
- **Report out Closed from Closed Session**
- **Adjournment**

In compliance with the Americans with Disabilities Act (ADA), the district will make every reasonable attempt to accommodate any attendee or participant at the meeting needing special assistance beyond what is normally provided. Please contact Eastern Plumas Rural Fire Protection District at 530-832-5626 at least 48 hours prior to this meeting to inform us of your particular needs and to determine if accommodation is feasible. Individuals with impaired hearing and/or speech impediments and a Telecommunication Device for the Deaf (TDD) may dial 1-800-342-5966 to reach the Commission.

#### REPORTS/ANNOUNCEMENTS

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# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446  
eprfpd@att.net

## MINUTES

**For the Emergency Meeting of the Eastern Plumas Rural Fire Protection District's  
Board of Directors held at  
7552 Lake Davis Rd., Portola, CA 96122 On  
December 08, 2020 at 2:50 PM**

Board Members: Chairperson Jeanne Graham, Director Lydia Acosta, Director Rhonda  
Williams and Director Kevin Sankey

- 1) **Call Meeting to Order:** Meeting called to order at 2:55 PM.
- 2) **Roll Call:** Chairperson Jeanne Graham, Director Kevin Sankey, Director Lydia Acosta and Director Rhonda Williams were all present.
- 3) **Closed Session: Consult with Counsel Regarding Brown Act Demand Letter:** Chairperson Graham called for closed session at 3:00 PM.
- 4) **Report on Closed Session:** Chairperson Graham called the meeting back into open session at 3:30 PM. Board is awaiting response from counsel for direction.
- 5) **Adjournment:** Director Sankey made a motion to adjourn the meeting at 3:31 PM. Director Acosta seconded the motion. All present voted Aye.

ATTEST:

\_\_\_\_\_  
Katy Martinez, Secretary

\_\_\_\_\_  
Jeanne Graham, Chairperson

APPROVED AND SIGNED AT EPRFPD'S \_\_\_\_\_ REGULAR BOARD MEETING

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# THE DOYLE LAW FIRM

A PROFESSIONAL LAW CORPORATION

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Reply to: Gold Country Office

Aaron E. Doyle  
Attorney and Counselor

email: aaron@thedoylelawfirm.law

December 13, 2020

**VIA ELECTRONIC MAIL ONLY**

*(email: [grizzlystore@sbcglobal.net](mailto:grizzlystore@sbcglobal.net))*

Jeanne Graham, Chairperson  
Eastern Plumas Rural Fire Protection District  
141 Delleker Road  
Portola, CA 96122

**Re: Demand for the Eastern Plumas Rural Fire Protection District's compliance with the Ralph M. Brown Act relating to its December 8, 2020 emergency meeting [Govt. Code § 54956.5(e)]**

Dear Chairperson Graham:

I am in receipt of your email dated December 8, 2020, regarding the Eastern Plumas Rural Fire Protection District's Board of Directors ("Board") emergency meeting on December 8, 2020. I understand from your email that the Board acted on its decision to proceed with the emergency meeting even though the Board had not fulfilled its notice requirements under the Brown Act ("Act").

I write today to demand that the Board provide me with a copy of the minutes, a list of persons notified or attempted to be notified, a copy of the roll call vote, and any actions taken at the December 8, 2020, emergency meeting, and if the Board has not already done so, that it complies with the requirements of Government Code § 54956.5(e).

Government Code § 54956.5(e) requires that the Board, as soon as possible after an emergency meeting, post in a public place for 10 days, a copy of the minutes, a list of persons notified or attempted to be notified, a copy of the roll call vote, and any actions taken at an emergency meeting. (*See* Govt. Code § 54956.5(e)). It has been more than five days since the Board's



Ms. Jeanne Graham, Chairperson

Re: EPRFPD compliance with the Brown Act relating to is December 8, 2020 emergency meeting

December 13, 2020

Page 2

December 8, 2020, emergency meeting. The District's website is devoid of the minutes, list of persons notified or attempted to be notified, a copy of the roll call vote, and any actions taken at the meeting. The District's public bulletin board where the District commonly places its meeting agendas and other public notices is also devoid of this information. If I am incorrect, and the Board has posted this information as required by the Act, I ask that you provide me with the location of the posting(s) and the dates and times the information required by Government Code § 54956.5(e) was posted.

If the Board has not complied with the Act, I am requesting that the Board immediately do so by publicly posting the required information as required by Government Code § 54956.5(e). I am also requesting that the Board provide me with a copy of such posting via email or facsimile no later than 5:00 p.m. on Monday, December 14, 2020.

Although I believe the Board's emergency meeting was not authorized under the Act because there was no dire emergency as defined by Government Code § 54956.5(a)(1) or (a)(2), it would be premature for me to opine or to demand the Board cease and desist from further unauthorized emergency meetings without the benefit of my full review of the minutes and the Board's decision(s) from the emergency meeting. If, after a review of the requested information it is determined that the statutory requirements for an emergency meeting were not met, my client reserves the right to further demand the Board cease and desist from its violations of the Act, and to demand that the Board cure and correct any violations of the Act committed by the Board at its December 8, 2020, emergency meeting.

Thank you for your immediate attention to this matter.

Sincerely,

THE DOYLE LAW FIRM  
A Professional Law Corporation



AARON E. DOYLE  
Attorney-at-Law

Att: December 8, 2020 emergency agenda

ec: Assistant Chief John Fatheree  
Lydia Acosta, Director  
Ronnie Couto, Director  
Kevin Sankey, Director



**Eastern Plumas Rural Fire Protection District**

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

epripd@att.net

**AGENDA**

**For the Emergency Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors to be held at 7552 Lake Davis Rd., Portola, CA 96122**

**On December 08, 2020 at 2:50 PM**

To slow the spread of COVID-19, the Health Officer's Shelter Order of September 14, 2020, prevents public gatherings (Health Officer Order). In lieu of a public gathering, the Board of Directors meeting will be accessible via internet and phone to all members of the public as permitted by the Governor's Executive Order N29-20. To attend the Board meeting log in to: [www.freeconferencecall.com](http://www.freeconferencecall.com), online meeting ID: eprfpd. By phone: DIAL-IN NUMBER 701-802-5263 CODE 6465910#

All telephone callers will be limited to two (2) minutes apiece. The Board Chair may reduce the amount of time allotted per telephone caller at the beginning of each item or public comment period depending on the number of calls and the business of the day. Your patience is appreciated.

**Board Members: Chairperson Jeanne Graham, Director Ronnie Couto, Director Lydia Acosta and Director Kevin Sankey**

- **Call Meeting to Order**
- **Roll Call**
- **Public Comment:** Members of the public are invited to address the District on any matter of interest to the public that is not on the agenda. Pursuant to the Brown Act, the District cannot take any action on items not listed on the posted agenda, but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.
- **Closed Session:**
  - **Consult with Counsel regarding Brown Act Demand Letter**
- **Reconvene from Closed Session**
- **Report out Closed from Closed Session**
- **Adjournment**

In compliance with the Americans with Disabilities Act (ADA), the district will make every reasonable attempt to accommodate any attendee or participant at the meeting needing special assistance beyond what is normally provided. Please contact Eastern Plumas Rural Fire Protection District at 530-832-5626 at least 48 hours prior to this meeting to inform us of your particular needs and to determine if accommodation is feasible. Individuals with impaired hearing and/or speech impediments and a Telecommunication Device for the Deaf (TDD) may dial 1-800-342-5966 to reach the Commission.

**REPORTS/ANNOUNCEMENTS**

Pursuant to Government Code Section 54954.2, Board members and Administrative Officer may take a brief announcement or brief report on his or her activities. Board members and Administrative Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

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**Eastern Plumas Rural Fire Protection District**

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

eprfpd@att.net

**AGENDA**

**For the Special Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors to be held at 141 Delleker Rd., Portola, CA 96122**

**On December 19, 2020 3:00 PM**

To slow the spread of COVID-19, prevents public gatherings (Health Officer Order). In lieu of a public gathering, the Board of Directors meeting will be accessible via internet and phone to all members of the public as permitted by the Governor's Executive Order N29-20. To attend the Board meeting log in to: [www.freeconferencecall.com](http://www.freeconferencecall.com), online meeting ID: eprfpd.

By phone: DIAL-IN NUMBER 701-802-5263 CODE 6465910#

All telephone and online participants will be limited to three (3) minutes apiece for comments. The Board Chair may reduce the amount of time allotted per telephone caller at the beginning of each item or public comment period depending on the number of calls and the business of the day. Your patience is appreciated.

**THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC**

In response to the recent resurgence of coronavirus cases in the County, and continuing concerns of the Governor of the state of California and the Plumas County Public Health Officer about potential community spread of Coronavirus from prolonged indoor gatherings, members of the public will not be permitted to physically attend the Special Board Meeting, but are allowed to participate telephonically in accordance with the Governor's Executive Order N-29-20.

Board Members may be participating in the meeting via telephone consistent with the Order.

1. Call to order
2. Roll call
3. Pledge of Allegiance
4. Board Chair message regarding the intent to cure alleged Brown Act issues raised by Aaron E. Doyle from letters dated November 20, 2020 and December 13, 2020.

6. Public Comment

Members of the public are invited to address the District on any matter of interest to the public that is not on the agenda. Pursuant to the Brown Act, the District cannot take any action on items listed on the posted agenda, but may add to a future agenda, matters brought up under public comments for appropriate action at a future meeting.

7. Regular Calendar
- 7.1 Approval of a comprehensive mandatory Brown Act training for Board Members and designated staff at its January 18, 2020 regular board meeting in open session, and legal review of all agendas for Brown Act compliance, prior to training.

The recommendation is for Meyers Nave, Special Counsel to provide the comprehensive Brown Act training for Board Members, the Board Secretary, and the Fire Chief. The comprehensive training will be recorded for future mandatory training of the Board and District Staff.

- 7.2 Rescinding all items for which action was taken by the Board during its November 2 and 16, 2020 Regular Board Meetings, and its November 6, 2020 Special Board Meeting.
- 7.3 Appointment of labor negotiators: Jeanne Graham, Chairperson; Kevin Sankey, Director, and Bob Frank, Chief.  
  
Labor negotiators shall serve as the Board's representatives in labor negotiations with the District's employees.
- 7.4 Authorizing the Chairperson to enter into an agreement with High Desert of Reno, NV in an amount not to exceed \$1,000 for Fire Truck Pump Testing.
- 7.5 Granting the Chairperson authority to execute purchase agreements in an amount not to exceed \$250 per month, warrants of which shall be presented to the Board on a monthly basis.
- 7.6 Authorizing the recertification of Self-Contained Breathing Apparatus in an amount not to exceed \$1,500.
- 7.7 Approval of an agreement with Mountain Girl Grants in an amount not to exceed \$525 for grant writing services and authorizing the Chairperson to execute the agreement with Mountain Girl Grants.
- 7.8 Acceptance of government surplus property: fire hoses, from Marine Corps Logistics Base Barstow, CA.
- 7.9 Affirming the Assistant Fire Chief position remains a position of the District.
8. Closed Session
- 8.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Fire Chief
- 8.2 CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Jeanne Graham; Kevin Sankey.  
Employee organization: Unrepresented employees.
- 8.3 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(3): One Case.
- 8.4 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): One Case.
- 8.5 REPORTABLE ACTIONS FROM CLOSED SESSION
9. REQUESTS FOR FUTURE AGENDA ITEMS
10. Adjournment

In compliance with the Americans with Disabilities Act (ADA), the district will make every reasonable attempt to accommodate any attendee or participant at the meeting needing special assistance beyond what is normally provided. Please contact Eastern Plumas Rural Fire Protection District at 530-832-5626 at least 48 hours prior to this meeting to inform us of your particular needs and to determine if accommodation is feasible. Individuals with impaired hearing and/or speech impediments and a Telecommunication Device for the Deaf (TDD) may dial 1-800-342-5966 to reach the Commission.

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## Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446  
[eprfpd@att.net](mailto:eprfpd@att.net)

December 19, 2020

The Doyle Law Firm  
Attn: Aaron E. Doyle  
P.O. Box 987  
Martinez, CA 94553  
[aaron@thedoylowlawfirm.law](mailto:aaron@thedoylowlawfirm.law)

Re: Demands for the Eastern Plumas Rural Fire Protection District's Compliance with the Ralph M. Brown Act [Gov't Code §§ 54950 *et seq.*]

Dear Mr. Doyle:

This letter is in response to your two letters dated November 20, 2020 and December 13, 2020, which demanded the Eastern Plumas Regional Fire Protection District ("District") and its Board of Directors ("Board"), to undertake cure and remedial actions of alleged violations of the Ralph M. Brown Act (Gov't Code §§ 54950 *et seq.*) ("Brown Act").

Specifically, your November 20, 2020 letter demanded the following from the District:

*[The District shall] cease and desist its violations of the Ralph M. Brown Act (the "Act"), and to demand that the Board cure its violations by (1) reinstating the assistant chief position; (2) include a brief general description of each item of business to be transacted or discussed, whether in open or closed session, for all future board or other public meetings held by the District; (3) publicly post its agendas on its website 72 hours before any regularly scheduled board meeting; (4) rescind each of its actions from its November 2, 6 and 16, 2020 meetings; (5) rescind and cure its violations of the Act from its October 26, 2020 closed session regarding "possible litigation"; and, (6) comply with all other requirements set forth in the Act for future meetings. I am also requesting that the Board provide me with written notice of its intent to cure, or not cure, its alleged violations within 30 days of the date of this letter.*

Your December 13, 2020 letter demanded the following:

*I write today to demand that the Board provide me with a copy of the minutes, a list of persons notified or attempted to be notified, a copy of the roll call vote, and any actions taken at the December 8, 2020, emergency meeting, and if the Board has not already done so, that it complies with the requirements of Government Code § 54956.5(e).*



As well as:

*...reserves the right to further demand the Board cease and desist from its violations of the Act, and to demand that the Board cure and correct any violations of the Act committed by the Board at its December 8, 2020, emergency meeting.*

During the District Board of Directors Special Meeting on December 19, 2020 ("Special Meeting"), the District undertook and approved of actions that addressed the alleged Brown Act violations highlighted in your letters.

#### Results of the December 19, 2020 Special Meeting of the Board

The District approved mandatory comprehensive Brown Act training for Board Members, the Board Clerk, and the District's Chief, which will occur at the Board's January 18, 2021 regular Board Meeting. The training will be given by the law firm Meyers Nave, will be open to the public, recorded, and shall become part of a mandatory training for all Board officials. A component of this training will specifically address the Brown Act's requirements regarding the preparation and posting of agendas for regular, special, and emergency meetings. Additionally, to further ensure Brown Act compliance in the meantime, all agendas prior to the training will be reviewed and approved by legal counsel.

The Special Meeting agenda, in compliance with the Brown Act, appropriately agendized all items from the Board's November 2, 2020 and November 16, 2020 meetings on which actions were taken by the Board. Further the Board, re considered and re-approved those aforementioned items in compliance with the Brown Act during the Special Meeting (see attached agenda items 7.2-7.9 for reference).

The Board also affirmed that the position of District Assistant Fire Chief remains a position of the District, and thus has not been eliminated from the District's organizational structure.

The closed session held during the Special Meeting also cured the alleged closed session violation from October 26, 2020, as well as curing errors the District identified on its own after review of its November 2, 2020, November, 6, 2020, and November 16, 2020 Board Meeting agendas. For reference the cured closed session items were titled:

- 8.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Fire Chief
- 8.2 CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Jeanne Graham; Kevin Sankey.  
Employee organization: Unrepresented employees
- 8.3 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(3): One Case.
- 8.4 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): One Case.

Additionally, the reportable actions from the Special Meeting closed session were publicly reported in open session of the Special Meeting.

Accordingly, the District believes it has legally cured the alleged violations of the Brown Act demanded from your November 20, 2020 letter.

Posting of Agendas on the District Website

Your November 20, 2020 letter in a heading states that the Board failed to “Publicly Post Its Agendas On Its Website For Its November 6 Special Meeting Of Its November 16 Regular Meeting,” but the body of the subsequent analysis states that, “The Board did comply with its obligation to publicly post on its public website the Board’s agenda for its special meeting on November 6 or its regular meeting on November 16.”

While the District is not entirely clear on your contention, your analysis references Gov’t Code § 54954.2(a)(2), which generally requires all public entities to maintain a publicly accessible website and post its agendas on that website. Pursuant to Gov’t Code § 53087.8, the District was operating under an adopted resolution permitting delayed implementation of a public agency website. With the establishment of the District’s new website in October 2020, the District has been diligently working to learn to how to best utilize this new technological tool. Nevertheless, the District has committed to publicly posting its agendas on its website, as demonstrated with timely posting of the Special Meeting agenda on its website, and will continue to do so for all future meetings.

#### December 13, 2020 Demand Letter

You December 13, 2020 Demand Letter, demands “copies of copy of the minutes, a list of persons notified or attempted to be notified, a copy of the roll call vote, and any actions taken at the December 8, 2020, emergency meeting and if the Board has not already done so, that it complies with the requirements of Government Code § 54956.5(e).”

As permitted by Gov’t Code § 54960.1, the District will be curing your alleged violations of the Brown Act by providing you with the required documentation within the 30-day cure period.

#### The District’s Commitment to Brown Act Compliance

As noted by Chairperson Jeanne Graham during the Special Meeting, the District is committed to transparency in its service to the public, and is continually working to ensure it complies with all laws and regulations, including the Brown Act. Given the commitment to receive comprehensive training on the Brown Act, the District has taken affirmative and remedial actions to ensure that it is in compliance with the Brown Act for future meetings.

Further, the District again stresses its commitment to properly agendizing all future open and closed session meeting items in accordance with the Brown Act.

Based upon all of the aforementioned actions of the District, the District is of the opinion that it has cured the alleged violations stated in your demand letters. Should you have any questions regarding any of the actions taken by the District, or the District’s future plans for Brown Act compliance please contact myself by email at [grizzlystore@sbcglobal.net](mailto:grizzlystore@sbcglobal.net) or by mail at: 141 Delleker Road, Portola, CA 96122.

Thank you.

Regards,

/s/ Jeanne Graham, Chairperson  
Eastern Plumas Rural Fire Protection District

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# THE DOYLE LAW FIRM

A PROFESSIONAL LAW CORPORATION

649 Main Street, Suite 102  
P.O. Box 987  
Martinez, CA 94553  
Tel. (925) 231-8140  
Fax. (925) 237-9060

Aaron E. Doyle  
Attorney and Counselor

email: aaron@thedoylelawfirm.law

November 20, 2020

**VIA ELECTRONIC MAIL**

*(email: [grizzlystore@sbcglobal.net](mailto:grizzlystore@sbcglobal.net))*

Jeanne Graham, Chairperson  
Eastern Plumas Rural Fire Protection District  
141 Delleker Road  
Portola, CA 96122

**Re: Request for Public Records and Request for Agendas**

Dear Chairperson Graham:

I am requesting that the District and its Board promptly, but in no event not later than 10 days from the date of this letter, provide me with copies of the following public records pursuant to Govt. Code § 6250, et seq.:

1. Digital audio recording for all Board meetings from January 1, 2020 through the date of the Board's response to this request.
2. All non-privileged or non-exempt digital audio recording of the portions of any closed session where the Board discussed or deliberated on the dissolution or elimination of the assistant chief position.
3. All electronic emails, text messages or other electronic or written communications sent or received by any Board member that pertains, relates or references the elimination of the assistant chief position from January 1, 2020 through the date of response to this request.
4. All electronic emails, text messages or other written or electronic communications sent or received by any Board member that pertains, relates or references the actual or planned resignation or termination of Chief Robert Frank from January 1, 2020 through the date of response to this request.



Ms. Jeanne Graham, Chairperson  
Re: Request for Public Records  
November 20, 2020  
Page 2

5. All electronic emails, text messages or other electronic or written communications sent or received by any Board member that pertains, relates, or references the Brown Act from January 1, 2020 through the date of response to this request.
6. Any complaint, notice, demand, or other communication alleging the Board violated any provision of the Brown Act or any public notice requirement from January 1, 2010 through the date of response to this request.
7. Agendas for all meetings held by the Board from January 1, 2020 through the date of response to this request.
8. Meeting minutes for all meetings held by the Board from January 1, 2020 through the date of response to this request.
9. All electronic emails, text messages or other electronic or written communications sent or received by any Board member that pertains, relates or references any board meeting, regular, special or emergency, held outside of the District's boundaries from January 1, 2020 through the date of response to this request.
10. All non-privileged or non-exempt electronic emails, text messages or other electronic or written communications sent or received by any Board member that pertains, relates or references the "possible litigation" items that were discussed or deliberated on at its October 12, 2020 regular meeting.

By way of this letter, I am also requesting that the District and its Board mail me a copy of the agenda and full agenda packet for every regular, special or emergency Board meeting no later than the time the agenda is posted or is delivered to the members of the Board, whichever is earlier, for the next 12 months, pursuant to Govt. Code § 54954.1.

If you have any questions regarding this request, please do not hesitate to write me at [aaron@thedoylslawfirm.law](mailto:aaron@thedoylslawfirm.law).

Sincerely,

THE DOYLE LAW FIRM  
A Professional Law Corporation



AARON E. DOYLE  
Attorney-at-Law

cc: Eastern Plumas Rural Fire Protection District (*email: eprfpd@att.net*)

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# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

[eprfpd@att.net](mailto:eprfpd@att.net)

December 10, 2020

Aaron E. Doyle  
Attorney and Counselor  
649 Main Street, Suite 102  
P.O. Box 987  
Martinez, CA 94553

DEC 10 2020

**Re: Request for Public Records and Request for Agendas**

Dear Mr. Doyle:

Attached are answers and documents which are responsive to your request for public records and agendas.

1. Digital audio recording for all Board meetings from January 1, 2020 through the date of the Board's response to this request.

The District retains audio recordings of meetings for 30 days. As of the date of your demand, November 20, 2020, there are audio recordings of the following meetings:

October 26, 2020	Special Meeting
November 02, 2020	Regular Meeting
November 16, 2020	Regular Meeting
December 07, 2020	Regular Meeting

These recordings are contained on a hand-held recording device and are available to be played over the telephone or in person at the District's Fire Station located at 141 Delleker Rd., Portola, CA 96122. A mutually agreeable time can be arranged for the District secretary to be available to allow access to these recordings either via telephone or in person at the fire station with proper COVID safety protocols.

2. All non-privileged or non-exempt digital audio recording of the portions of any closed session where the Board discussed or deliberated on the dissolution or elimination of the assistant chief position.

There are no digital audio recordings responsive to this request.

3. All electronic emails, text messages or other electronic or written communications sent or received by any Board member that pertains, relates or references the elimination of the assistant chief position from January 1, 2020 through the date of response to this request.

Attached is a copy of an email written by Director Rhonda Couto on November 10, 2020 to Board Chairperson Jeanne Graham, Director Kevin Sankey and Director Lydia Acosta.2





# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

[eprfpd@att.net](mailto:eprfpd@att.net)

4. All electronic emails, text messages or other written or electronic communications sent or received by any Board member that pertains, relates or references the actual or planned resignation or termination of Chief Robert Frank from January 1, 2020 through the date of response to this request.

There are no emails, text messages or other written or electronic communications responsive to this request.

5. All electronic emails, text messages or other electronic or written communications sent or received by any Board member that pertains, relates, or references the Brown Act from January 1, 2020 through the date of response to this request.

Attached is an email dated March 16, 2020 written by Director Kevin Sankey and addressed to fellow board directors, Jeanne Graham, Lydia Acosta and Rhonda Couto as well as district secretary, Katy Martinez. This email was written in response to an email dated March 16, 2020 written by Ms. Martinez.

Attached is the email dated November 12, 2020 written by Battalion Chief Attama in response to a question by Director Sankey

6. Any complaint, notice, demand, or other communication alleging the Board violated any provision of the Brown Act or any public notice requirement from January 1, 2020 through the date of response to this request.

There are no complaints, notices, demands or other communications response to this request.

7. Agendas for all meetings held by the Board from January 1, 2020 through the date of the response to this request.

Attached are Agendas for the following meetings held from January 1, 2020 through the date of the response to this request:

- |                        |                   |
|------------------------|-------------------|
| 1. January 21, 2020    | Regular Meeting   |
| 2. February 11, 2020   | Regular Meeting   |
| 3. March 10, 2020      | Regular Meeting   |
| 4. April 14, 2020      | Regular Meeting   |
| 5. April 28, 2020      | Emergency Meeting |
| 6. May 01, 2020        | Emergency Meeting |
| 7. May 12, 2020        | Regular Meeting   |
| 8. June 08, 2020       | Regular Meeting   |
| 9. June 20, 2020       | Emergency Meeting |
| 10. July 13, 2020      | Regular Meeting   |
| 11. July 27, 2020      | Emergency Meeting |
| 12. August 10, 2020    | Regular Meeting   |
| 13. September 01, 2020 | Emergency Meeting |
| 14. September 14, 2020 | Regular Meeting   |
| 15. September 28, 2020 | Emergency Meeting |





# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

[eprfpd@att.net](mailto:eprfpd@att.net)

16. September 30, 2020	Emergency Meeting
17. October 07, 2020	Emergency Meeting
18. October 12, 2020	Regular Meeting
19. October 26, 2020	Special Meeting
20. November 02, 2020	Regular Meeting
21. November 16, 2020	Regular Meeting
22. December 07, 2020	Regular Meeting
23. December 08, 2020	Emergency Meeting

8. Meeting minutes for all meetings held by the Board from January 1, 2020 through the date of response to this request.

Attached are Minutes for the following meetings held from January 1, 2020 through the date of the response to this request:

1. January 21, 2020	Regular Meeting
2. February 11, 2020	Regular Meeting
3. March 10, 2020	Regular Meeting
4. April 14, 2020	Regular Meeting
5. April 28, 2020	Emergency Meeting
6. May 01, 2020	Emergency Meeting
7. May 12, 2020	Regular Meeting
8. June 08, 2020	Regular Meeting
9. June 20, 2020	Emergency Meeting
10. July 13, 2020	Regular Meeting
11. July 27, 2020	Emergency Meeting
12. August 10, 2020	Regular Meeting
13. September 01, 2020	Emergency Meeting
14. September 14, 2020	Regular Meeting
15. September 28, 2020	Emergency Meeting
16. September 30, 2020	Emergency Meeting
17. October 07, 2020	Emergency Meeting
18. October 12, 2020	Regular Meeting
19. October 26, 2020	Special Meeting
20. November 02, 2020	Regular Meeting
21. <b>November 16, 2020</b>	<b>Regular Meeting*</b>
22. <b>December 07, 2020</b>	<b>Regular Meeting*</b>
23. <b>December 08, 2020</b>	<b>Special Meeting*</b>

*\*Minutes from November 16, 2020 and December 07, 2020 will be furnished upon approval of them by the Board at the next Board meeting.*

9. All electronic emails, text messages or other electronic or written communications sent or received by and Board member that pertains, relates or references any board meeting, regular, special or emergency, held outside of the District's boundaries from January 1, 2020 through the date of response to this request.



## Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

[eprfpd@att.net](mailto:eprfpd@att.net)

Attached email dated October 06, 2020 to board members calling for meeting on Oct 7, 2020.

10. All non-privileged or non-exempt electronic emails, text messages or other electronic or written communications sent or received by any Board member that pertains, relates or references the "possible litigation" items that were discussed or deliberated on at its October 12, 2020 regular meeting.

We believe the meeting you are referencing should be October 26, 2020 Special meeting. There are no emails, text messages or other written or electronic communications responsive to this request.

Sincerely,

Katy Martinez  
Secretary  
Eastern Plumas Rural Fire Protection District