



EMERGENCY MEDICAL CARE COMMITTEE

CONTRA COSTA COUNTY

Wednesday, March 10, 2021
4:00 – 5:30 p.m.
Zoom Virtual Meeting

Agenda

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| 4:00 p.m. | 1. Introduction of Members and Guests |
| 4:05 | 2. Approval of Minutes from September 9, 2020 & December 9, 2020 meetings |
| 4:07 | 3. Comments from the Public
Members of the public may speak up to 3 minutes each on matters either on or not on this agenda. |
| 4:10 | 4. Chair's Report
Jon King, EMCC Chair |
| 4:15 | 5. Members' Reports |
| 4:20 | 6. Fire Chiefs' Report
Fire Executive Chief Representative |
| 4:30 | 7. EMCC Legislative Report
Emergency Nurses Association Representative |
| 4:35 | 8. EMCC Officer Nominating Committee
Chair to appoint a committee to develop a slate of officers to serve from 12/21 to 11/23 |
| 4:40 | 9. Staff Report: Required Brown Act & Ethics Training Updates
Rachel Morris, Contra Costa EMS Agency – Staff to EMCC |
| 4:45 | 10. Quarterly Update on Alliance Ambulance Services
Chief Terence Carey, Contra Costa County Fire Protection District |
| 4:55 | 11. EMS Medical Director's Report
Senai Kidane, MD, Contra Costa EMS Medical Director |
| 5:10 | 12. EMS Director's Report
Marshall Bennett, Contra Costa EMS Director |
| 5:25 | 13. Agenda Items for next meeting: June 9, 2021 |
| 5:30 | 14. Adjournment |

*(I)-Informational / *(A)-Action

Reasonable accommodations can be made for persons with disabilities planning to attend the EMCC Meeting by contacting EMS Staff at least 24 hours in advance at (925) 608-5454.

Any disclosable public records related to an item on a regular meeting agenda and distributed by the County to a majority of members of the Emergency Medical Care Committee less than 96 hours prior to that meeting are available for public inspection at 777 Arnold Drive, Suite 110, Martinez, during normal business hours.



EMERGENCY MEDICAL CARE COMMITTEE CONTRA COSTA COUNTY

Meeting Minutes

September 9, 2020

Members Present Representing

Executive Committee:

Chair: Jon King Police Chiefs' Association
Ellen Leng Alameda-Contra Costa Medical Association
James Lambert Hospital Council Bay Area Division

Terence Carey *Contra Costa Fire Chiefs' Association*
Jack Clapp *Public Provider Field Paramedic*
David Goldstein *EMS Agency Interim Director*
Senai Kidane *EMS Agency Medical Director*
David Lilienstein *Emergency Dept. Physicians (CC Receiving Hospital)*
Michael Lyons *Private Provider Field Paramedic*
Denise Pangelinan *Communications Center Managers' Assoc.*
Karin Schnaider *District III*
Allan Tobias *District IV*
Jason Vorhauer *Contra Costa Office of the Sheriff*

Members Absent Representing

Executive Committee:

Vice Chair: Kacey Hansen Trauma Center (CC Contract)

Joseph Drago *Air Medical Transportation Provider*
John Duggan *Ambulance Providers (CC Contract)*
Mark Forrette *District II*
Joseph Gorton *Public Managers' Association*
Ara Gregorian *California Highway Patrol*
Elaina Petrucci *Gunn American Heart Association*
Jennifer Lucas *American Red Cross*
Cameron Metzger *EMS Training Institution*
David Samuelson *Emergency Nurses Assoc. East Bay*

STAFF PRESENT

Marshall Bennett *Contra Costa County EMS*
Ben Keizer *Contra Costa County EMS*
Rachel Morris *Contra Costa County EMS*

OTHERS PRESENT

Chad Newland *American Medical Response*
Scott Newlin *American Medical Response*
JoAnne Pineda *American Heart Association*
Jill Ray *District II*
Hannah Robbins *Alameda-Contra Costa Medical Association*
Rebecca Rozen *Hospital Council of Northern and Central California*

Committee Chair King called the meeting to order at 4:08 p.m.

1.	<i>Introduction of Members and Guests</i>
2.	<i>Approval of Minutes from June 10, 2020</i> A quorum was not achieved at this meeting; minutes could not be approved for the previous meeting. <i>Update (Dec 2020) – a quorum was achieved at this meeting retrospectively; June minutes approved at December 2020 meeting.</i>
3.	<i>Comments from the Public</i> No Comments
4.	<i>Chair's Report</i> Chair King asked for an update on wildfire activity. See item 6.
5.	<i>Members' Reports</i> No Reports
6.	<i>Fire Chiefs' Report – Chief Terry Carey, Contra Costa County Fire Protection District (CCCFPD)</i> - Fire Executive Chiefs and County Chiefs met. Member Carey gave a brief overview of the current wildfire situation. Much of the activity can be attributed to lightning strikes. Locally, the Deer Zone fire in the Marsh Creek area is active. Significant resources are at the SCU, LNU, and CZU complex fires. Member Carey took a strike team to the LNU complex fire in August and the team was able to save a lot of structures. The main goal of the team was protection of citizens. Other strike teams and air resources helped the effort. At base camps, a good job is being done keeping COVID-19 out of camps, but not as much once outside of camps. Statewide numbers of resources being used are staggering and resources are being stretched to the limit.

	Law enforcement has a good presence at the fires, and it is a statewide effort.
7.	<i>EMCC Legislative Update</i> No Update
8.	<i>Update on 2020-2022 Membership Term Appointments</i> EMCC Staff Support person Rachel Morris provided an update on the membership appointments for the new 2020-2022 membership term. The current membership term (2018-2020) ends on September 30, 2020, and the new term begins October 1, 2020. Membership of the EMCC consists of twenty-four (24) members and two (2) ex officio (non-voting) members. Current responses include 20 confirmed seat nominations, one (1) seat pending clarification on selecting one representative rather than two (2) representatives, and three (3) seats with no response to date. Appointments and Reappointments will be submitted to the Board of Supervisors for approval prior to the December EMCC meeting.
9.	<i>Quarterly Update on Alliance Ambulance Services – Chief Terry Carey, Contra Costa County Fire Protection District (CCCFPD)</i> - COVID-19 update – Covid numbers are down to 4-5 percent. Call volume on the ambulance side has started to increase, which is indicative that people may not be as afraid to visit hospitals now. - Discussion on dispatch and COVID-19 screening questions. Sometimes there is a delay in information being placed in call notes, or sometimes callers not being forthcoming on their answers, making it tough for crews arriving on scene. Recommendation to work with supervisors on specific incidents.
10.	<i>EMS Interim Director's Report – David Goldstein, MD, Contra Costa EMS Agency Interim Director</i> - The EMS Agency is moving into Fourth Quarter Training. A lot of focus is being spent on making the overall process smoother for people receiving the training. - The County and EMS Agency are currently in the middle of a recruitment process for a new EMS Director. There were approximately 30 applicants. Nine (9) applicants were selected for first round interviews, and four (4) applicants have moved on to the second round of interviews which are currently being scheduled. The expectation is to know the selected candidate in a few weeks, ideally by October 1, 2020. - Senai Kidane, MD is the new EMS Medical Director as of September 1, 2020. Dr. Kidane joined the EMS Agency as Assistant Medical Director in the Spring. Dr. Kidane comes to the Agency with a lot of experience.
11.	<i>EMS Medical Director's Report – Senai Kidane, MD, Contra Costa EMS Agency Medical Director</i> - The EMS Agency is preparing to complete the annual Fourth Quarter Training. There are two (2) Train-the-Trainers scheduled for September. - The County is planning to start a Buprenorphine trial by the end of September 2020. There are four (4) criteria: 1 is to designate CCRMC as the destination for bridge program. 2 is leave at scene Narcan, which has been in place for several months. Medics can leave Narcan at the scene where people may need it. It has been used to resuscitate people (2 cases). 3 is that for all patients who would be candidates for outpatient Buprenorphine treatment, they are receiving outreach. 4 is medics are administering Narcan with oversight from doctors. East County is doing a trial, but the goal is to generalize in all of AMR's operating areas. Dr. Gene Hern, AMR Medical Director, is leading the trial.
12.	<i>Proposed agenda item(s) for December 9, 2020</i> - No items proposed.
13.	<i>Adjournment at 4:40 pm</i>



EMERGENCY MEDICAL CARE COMMITTEE CONTRA COSTA COUNTY

Meeting Minutes

December 9, 2020

Members Present Representing

Executive Committee:

Chair: Jon King Police Chiefs' Association
Ellen Leng Alameda-Contra Costa Medical Association
James Lambert Hospital Council Bay Area Division

Rea Anne Arcangel American Heart Association
Marshall Bennett EMS Agency Director
Archie Bowles District II
Terence Carey Contra Costa Fire Chiefs' Association
Jack Clapp Public Provider Field Paramedic
Joseph Drago Air Medical Transportation Provider
Joseph Gorton Public Managers' Association
Senai Kidane EMS Agency Medical Director
David Lilienstein Emergency Dept. Physicians (CC Receiving Hospital)
Cameron Metzger EMS Training Institution
Denise Pangelinan Communications Center Managers' Assoc.
CJ Price Emergency Nurses Association
Karin Schnaider District III
Jim Selover Ambulance Providers (CC Contract)
Allan Tobias District IV
Jason Vorhauer Contra Costa Office of the Sheriff

Members Absent Representing

Executive Committee:

Vice Chair: Kacey Hansen Trauma Center (CC Contract)

Michael Lyons Private Provider Field Paramedic

STAFF PRESENT

Aaron Doyle Contra Costa County EMS
Ben Keizer Contra Costa County EMS
Geoff Martin Contra Costa County EMS
Rachel Morris Contra Costa County EMS

OTHERS PRESENT

Gayle Israel BOS District II
Kevin Janes El Cerrito/Kensington Fire
Chad Newland American Medical Response
Brandon Niven American Medical Response
Rebecca Rozen Hospital Council of Northern and Central California
Lisa Vajgrt-Smith Contra Costa Emergency Preparedness
Troy Vincent American Medical Response

Committee Chair King called the meeting to order at 4:05 p.m.

1.	<i>Introduction of Members and Guests</i>
2.	<i>Approval of Minutes from June 10, 2020</i> Member Tobias motioned to approve the Minutes from June 10, 2020. Member Vorhauer seconded; none opposed. Motion passed. June 2020 minutes are approved. September 2020 minutes will be added to the March 2021 meeting agenda for review and approval.
3.	<i>Comments from the Public</i> No Comments
4.	<i>Chair's Report</i> - Chair King welcomed Marshall Bennett as the new EMS Director and is looking forward to working together. - King addressed the mandatory advisory board training that all appointed members of county advisory bodies must complete to comply with county policies. All EMCC members are required to complete Brown Act & Better Government Ordinance training, and Ethics for Local Government Officials training. EMCC staff support Rachel Morris will reach out to members who still need to complete the training.
5.	<i>Members' Reports</i> Member Metzger is the EMT Program Director at Mt. Diablo Adult Education and asked for feedback from employers on what they would like to see from an EMT Program, and what the starting pay is for an EMT in their organization.
6.	<i>Fire Chiefs' Report – Chief Terry Carey, Contra Costa County Fire Protection District (CCCFPD)</i> - Fire Executive Chiefs and County Chiefs met. Member Carey was asked to bring two items forward: 1. There is an awareness/concern from the fire chiefs of the potential impact to transporting agencies regarding talk that hospitals will soon be at full capacity. When hospitals experience increased wall times, it also causes increased wall times for ambulances. 2.

	Conclusion of fire season was presented at the Board of Supervisors, even though fires are still occurring.
7.	<i>Health Care Coalition Biannual Report to EMCC – Lisa Vajgrt-Smith, Contra Costa Emergency Preparedness Coordinator</i> Health Services staff Lisa Vajgrt-Smith provided the biannual report of Contra Costa Med-Health Preparedness Coalition (HPP Emergency Preparedness) activities. Report highlights include the Healthcare Coalition's efforts around COVID-19; an overview of the HPP Surge Estimator Tool; report on the HCC Hazard Vulnerability Assessment; discussion on COVID-19 HPP Supplemental Funds; focus items for 2021; and Contra Costa Medical Reserve Corps (MRC) activities. Member Tobias asked of the MRC would be used to administer the COVID-19 vaccine, and Vajgrt-Smith answered that the MRC would be available if asked to assist.
8.	<i>EMCC Legislative Update</i> No Update
9.	<i>Staff Report: EMCC Annual (Draft) Report Action: Review/Approve for Submission to the Board of Supervisors</i> The 2020 EMCC Annual Report draft was motioned to be approved. There was no discussion. Member Leng moved for the report to be accepted; seconded by Member Tobias; none opposed. Motion passed. Annual EMCC draft report approved and will be submitted to the Board of Supervisors in January as a consent item.
10.	<i>Quarterly Update on Alliance Ambulance Services – Chief Terry Carey, Contra Costa County Fire Protection District (CCCFPD)</i> - There is an ongoing concern of extended wall times related to talk that hospitals will soon be at full capacity. When hospitals experience increased wall times, it also causes increased wall times for ambulances. - Transports are still below where they have been historically. Currently we are in flu season and typically numbers would be increasing. Compliance numbers for all four zones that the Alliance is required to report to the LEMSA are continuing to trend 95-97% and above, which is above the 90% requirement. Full employment is being maintained during the COVID-19 pandemic. - The Alliance contract with the County has been extended for five years through 2025. Contra Costa Fire also came to an agreement with AMR to extend that contract for five years.
11.	<i>EMS Medical Director's Report – Senai Kidane, MD, Contra Costa EMS Agency Medical Director</i> - To mitigate the effects of COVID-19, the LEMSA adopted two LOSOPS over the summer: 1. Gave medics and EMTs the ability to do nasal swab testing for COVID-19, and 2. Gave medics and EMTs the ability to give flu vaccines. - The County's Buprenorphine trial is in progress. The trial is currently in East County only, but the goal is to generalize in all of AMR's operating areas in early February.
12.	<i>EMS Director's Report – Marshall Bennett, Contra Costa EMS Agency Director</i> - Member Bennett updated the structure of the EMCC Annual Report to break out focused objectives for the next year in one section, and expected reports, updates, and continued support items in another section. - The LEMSA is working with Chair King to create a taskforce with law agencies on combative patients/calls. - The LEMSA is working with King on outreach regarding the ambulance ordinance. The goal is to cultivate stakeholder engagement for evaluation and feedback to bring back to the EMCC, and ultimately move forward finalization of the Ordinance to the Board of Supervisors for approval.
12.	<i>Proposed agenda item(s) for March 10, 2021</i> - Review and approval of meeting minutes from September 9, 2020 meeting.
13.	<i>Adjournment at 4:55 pm</i>

EMCC Attendance 2020-2022

Seats	EMCC Members	12/9/2020	3/10/2021	6/9/2021	9/8/2021	12/8/2021	3/9/2022	6/8/2022	9/14/2022
B 1 Alameda Contra Costa Medical Association	Ellen Leng	Present							
B 2 American Heart Associaton	Rae Anne Arcangel	Present							
B 3 American Red Cross	Vacant	Vacant							
B 4 California Highway Patrol	Vacant	Vacant							
B 5 Communications Center Managers' Association	Denise Pangelinan	Present							
B 6 Contra Costa Fire Chiefs' Association	Terence Carey	Present							
B 7 Contra Costa Police Chiefs' Association	Jon King	Present							
B 8 Emergency Nurses Association	CJ Price	Present							
B 9 Hospital Council, Bay Area Division	James Lambert	Present							
B 10 Public Managers' Association	Joseph Gorton	Present							
B 11 Trauma Center (Contra Costa Contract)	Kacey Hansen	Absent							
B 12 Contra Costa Office of the Sheriff	Jason Vorhauer	Present							
B 13 Contra Costa Health Services - Behavioral Health	Vacant	Vacant							
C 1 Ambulance Providers (Contra Costa 9-1-1 Service Contract)	Jim Selover	Present							
Air Medical Transportation Provider (Contra Costa Authorized)	Joseph Drago	Present							
C 3 EMS Training Institution	Cameron Metzger	Present							
C 4 Private Provider Field Paramedic	Michael Lyons	Absent							
C 5 Public Provider Field Paramedic	Jack Clapp	Present							
C 6 Emergency Department Physicians	David Lilienstein	Present							
District I (Gioia)	Vacant	Vacant							
District II (Andersen)	Archie Bowles	Present							
District III (Burgis)	Karin Schnaider	Present							
District IV (Mitchoff)	Allan Tobias	Present							
District V (Glover)	Vacant	Vacant							
E 1 Ex Officio	Marshall Bennett	Present							
E 2 Ex Officio	Senai Kidane	Present							
	Quorum								

Advisory Body + Brown Act done

Meeting Attendance Requirements per the Bylaws:

- A. EMCC members shall attend EMCC meetings.
- B. A member who cannot attend a meeting must notify the Chair and may have one excused absence in a twelve month period.
- C. Whenever a member does not attend two regularly scheduled meetings, within a rolling twelve month period, complete their Brown Act requirements or fails to meet the criteria for sitting on the advisory body the EMS Agency shall notify the nominating agency/organization of the absences and request appropriate action.
- D. Members must complete the required Ethics and Brown Act training provided by the County within three months of appointment and submit the "Training Certification for Member of County Advisory Body" form to EMS staff prior to participating at any meeting.
- E. Members who do not complete the Ethics and Brown Act training within 3 months may not further participate until the requirement is fulfilled.
- F. Ethics and Brown Act training is recommended to be completed every two years while serving on a County Advisory Committee.

Office of the County Counsel

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Date: December 8, 2020

To: County Boards, Commissions and Committees, and their
Administrative Officers and Secretaries

From: Sharon L. Anderson, County Counsel

By: Mary Ann McNett Mason, Chief Assistant County Counsel

M. A. M.

Subject: Summary of Recent Changes to Open Meeting Laws

This memorandum summarizes significant changes to the state open meeting law, the Ralph M. Brown Act,¹ ("the Brown Act") and discusses revised procedures for implementation of that law that will apply in 2021.

A. New Rules for Board Members' Use of Social Media

Since its inception, to ensure transparency for the public the Brown Act has limited how board members may communicate with one another outside of lawfully noticed public meetings. The Brown Act prohibits a majority of the board² members from using a series of outside communications of any kind, whether directly or indirectly or through intermediaries, to discuss, deliberate, or take action on any matter that is within the board's jurisdiction.³ Such a series of outside communications by a board majority is commonly known as an unlawful "serial meeting." This prohibition has now been revised to acknowledge and address the pervasive use of social media by officials and the public.

1. Individual Board Member's Use of Social Media Permitted.

Effective January 1, 2021, the Brown Act expressly affirms that a board member may use social media to communicate their positions to constituents and the public without causing a serial meeting of the board. The amended law clarifies that most of a board member's communications with the public on social media are permissible. A board member may engage in separate conversations or communications about agency business on any internet-based social media platform that is open and accessible to the public, for the following purposes:

1) To answer questions

¹ Gov. Code, §§ 54950 et. seq.

² "Board" refers to all types of legislative bodies, including commissions, committees, and municipal advisory councils.

³ Gov. Code, § 54952.2 (b) (1).

- 2) To provide information to the public
- 3) To solicit information from the public regarding a matter in the board's jurisdiction.⁴

These permitted social media communications may include use of digital icons (emoji).

2. Response or Reaction by Second Board Member Prohibited.

Effective January 1, 2021, the Brown Act will expressly prohibit board members from replying or reacting to anything another member of the board posts or shares on social media regarding agency business.⁵ This means that a board member may not post any sort of reply to the first board member's post about agency business, even if the reply is just a "smiley face" emoji. Similarly, a board member may not "like" or "dislike" or otherwise react to the first board member's post. This rule prohibits a second board member from responding or reacting, even when a board majority is not involved in the social media communication.

The new rules apply to all internet-based social media platforms that are open and accessible to the public.⁶ For example, they apply to Facebook, Instagram, and Twitter, to comment sections on blogs and news articles, and to chatrooms. It is recommended that board members begin following these rules immediately, rather than waiting until January 1.

B. Threats of Litigation Must Be Included in Agenda Packet

A recent case from the First Appellate District, *Fowler v. City of Lafayette*, (2020) 46 Cal.App.5th 360 held that public agencies must make a written record of a verbal threat of litigation and if that threat is to be discussed in a closed session, the agency must include that record in the agenda packet for the meeting at which the closed session will occur.⁷ If the threat of litigation was made in writing, the letter or other communication containing the threat also must be included in the agenda packet for the meeting at which a closed session to discuss the threat will occur. The court reasoned that the Brown Act requires inclusion of threats of litigation in the agenda packet to ensure transparency by making the threat easily available for public inspection.

Should your board, office or department receive a threat of litigation please advise the County Counsel's Office immediately. This office will help you to ensure that proper steps are taken to record and report the threat of litigation.

⁴ Ch. 89, Stats., 2020, adding Gov. Code, § 54952.2 (b) (3).

⁵ Id.

⁶ Id. at § 54952.2 (b) (3) (B) (ii-iii.)

⁷ *Fowler*, 46 Cal.App.5th 360 at 369-370.

C. A Return to Live Meetings

One of many actions the Governor took to address the pandemic was issuance of Executive Order 29-20. This order expressly waived all Brown Act requirements for the physical presence of board members, the clerk, or the public as a condition of participation in, or to establish a quorum for a public meeting. The order permits boards to hold public meetings entirely via teleconference or electronically, e.g. by Zoom, and to take public comment through these means. The order provides that it applies only during the period in which state or local officials have imposed or recommended social distancing measures. Currently, Executive Order 29-20 remains effective. We will notify you when the order is rescinded and boards must again hold live meetings and permit live public comment. We cannot predict when this will occur but believe that it is likely to be at some point in 2021.

MAM/am

cc: Members, Board of Supervisors
County Administrator
Department Heads and Fire Chiefs
Clerk of the Board
County Public Information Officer
Chiefs of Staff
Executive Director, Housing Authority
Executive Director, LAFCO