

**COASTSIDE FIRE PROTECTION DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS**

February 25, 2009

**LOCATION:
1191 Main Street
Half Moon Bay, CA 94019**

ACTION MINUTES

OPEN SESSION

President Gary Burke called to order the regular meeting of the Board of Directors of the Coastside Fire Protection District at 7:30 p.m.

PRESENT AT ROLL CALL

Board Members: President Gary Burke, Vice President Ginny McShane, Secretary Bruce MacKimmie, Director Doug Mackintosh, Director Gregg Hosfeldt, Director Lane Lees, Director John Draper, Director Chris Cilia, and Director J. B. Cockrell.

Staff: Division Chief Paul Cole.

Cal Fire: Fire Chief John Ferreira.

Legal Counsel: Attorney Jean Savaree.

Admin. Secretary: Jean Headley.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

None.

REPORT BY FIREFIGHTER IAFF LOCAL 2881

Fire Chief John Ferreira introduced several members of Local 2881 in the audience.

CONSENT CALENDAR

- A. Approval of Minutes of January 28, 2009 Board Meeting
- B. Approval of Vendor Checks #11447 - #11494 in the amount of \$1,229,343.55, dated January 1 to January 31, 2009
- C. Approval of Payroll Checks #10027 - #10045 in the amount of \$10,047.93, dated November 1 to November 30, 2008
Direct Deposit of Federal, State and Hospital Tax in the amount of \$6,441.80, dated November 1 to November 30, 2008
- D. Approval of Payroll Checks #10046 - #10063 in the amount of \$9,334.64, dated December 1 to December 31, 2008
Direct Deposit of Federal, State and Hospital Tax in the amount of \$3,772.70, dated December 1 to December 30, 2008

- E. Approval of Payroll Checks #10064 - #10068 in the amount of \$5,917.14, dated January 1 to January 31, 2009
Direct Deposit of Federal, State and Hospital Tax in the amount of \$2,484.12, dated January 1 to January 31, 2009

ON MOTION by Director Hosfeldt, seconded by Secretary MacKimmie, the Board unanimously approved Items A through E of the Consent Calendar as submitted. Motion carried 9-0.

FIRE CHIEF'S REPORT – FURLOUGH UPDATE (taken out of order)

CalFire Chief John Ferreira updated the Board on the State of California Executive Order regarding two days of mandatory furlough for State employees. Chief Ferreira discussed the difficulty of complying with the Executive Order while at the same time not breaching the contractual obligation to provide adequate staffing. Board discussion occurred.

All Board members are in support of the February 11, 2009 letter from Board President Gary Burke to Chief John E. Ferreira Re: Staffing Per CalFire Contract, 1CA66716, a copy of which letter is attached to these Minutes.

CONTINUING BUSINESS

- A. Motion to Adopt Amended Fire Code Ordinance
- 1) Public Hearing
President Burke opened the public hearing. Hearing no public comment, President Burke closed the public hearing.
 - 2) Adopt Ordinance 2009-01; An Ordinance Adopting Amendments to the California Fire Code 2007 Edition and Prescribing Regulations Governing Conditions Hazardous to Life, Property and the Environment from Fire, Panic, Explosion, Hazardous Materials and Hazardous Uses and Establishing a Bureau of Fire Prevention and Providing Officers Therefor:
Some Board discussion occurred regarding how the Ordinance applies to Open Space.

ON MOTION by Director Draper, seconded by Director Hosfeldt, by the following Roll Call Vote, the Board voted unanimously to adopt Ordinance 2009-01; An Ordinance Adopting Amendments to the California Fire Code 2007 Edition and Prescribing Regulations Governing Conditions Hazardous to Life, Property and the Environment from Fire, Panic, Explosion, Hazardous Materials and Hazardous Uses and Establishing a Bureau of Fire Prevention and Providing Officers Therefor:

Director Cockrell	Yes
Director Cilia	Yes

Director Draper	Yes
Director Lees	Yes
Director Hosfeldt	Yes
Vice President McShane	Yes
Secretary MacKimmie	Yes
Director Mackintosh	Yes
President Burke	Yes

Motion passed 9-0.

B. Community Facilities District #21 (120 Ferdinand Unit A, 505 Avenue Alhambra Unit B, 509 Avenue Alhambra Unit C)

- 1) Public Hearing
President Burke opened the public hearing. Hearing no public comment, President Burke closed the public hearing.
- 2) Motion to Adopt Resolution No. 2009-04; Resolution of Formation

ON MOTION by Director Cockrell, seconded by Director Lees, by the following Roll Call Vote, the Board voted unanimously to adopt Resolution No. 2009-04; Resolution of Formation:

Director Cockrell	Yes
Director Cilia	Yes
Director Draper	Yes
Director Lees	Yes
Director Hosfeldt	Yes
Vice President McShane	Yes
Secretary MacKimmie	Yes
Director Mackintosh	Yes
President Burke	Yes

Motion passed 9-0.

- 3) Motion to Adopt Resolution No. 2009-05; Resolution Calling for Special Election

ON MOTION by Director Lees, seconded by Director Hosfeldt, by the following Roll Call Vote, the Board voted unanimously to adopt Resolution No. 2009-05; Resolution Calling for Special Election:

Director Cockrell	Yes
Director Cilia	Yes
Director Draper	Yes

Director Lees	Yes
Director Hosfeldt	Yes
Vice President McShane	Yes
Secretary MacKimmie	Yes
Director Mackintosh	Yes
President Burke	Yes

Motion passed 9-0.

C. Review Public Agency Retirement Services (PARS) – Post Retirement Health Care Fund Contracts and Provide Direction to Staff:

Secretary MacKimmie and Director Lees recused themselves due to conflict of interest and left the room.

Chief Paul Cole referred to the contract documents and the flow chart on the wallboard. He indicated Staff is awaiting direction from the Board. Board discussion occurred regarding what steps need to be taken in order to go forward on this issue.

Direction to Staff was to prepare a Resolution for the next Board meeting.

Secretary MacKimmie and Director Lees returned to the meeting.

D. Review Progress toward achieving CSDA District of Distinction Certification
President Burke reported that three Directors (Vice President McShane and Directors Hosfeldt and Mackintosh) attended last week's workshop. All three reported the workshop was a positive experience.

Director Mackintosh requested Staff to investigate grant programs.

E. Sub-Committee Report on Board Policies and Procedures Amendments
Director Cockrell reported this is still a work in progress.

F. Review and Discuss Board of Directors 2008/09 Goals
President Burke summarized the September 22, 2008 Staff Report and commented on the status of the goals listed.

G. Discuss the Establishing of a Board Treasurer Position
Chief Paul Cole reported that Hector Lwin contacted one potential candidate, but that individual was not interested.

H. Update on Half Moon Bay Volunteer Audit
Chief Cole reported that Hector Lwin will handle this and Director Hosfeldt will be the Board liaison.

Staff was requested to schedule a Finance Committee meeting before the next regularly scheduled Board meeting.

NEW BUSINESS

- A. Review the Joint Powers Agreement Establishing the San Mateo County Pre-Hospital Emergency Medical Services Group and provide direction to ALS JPA Representatives

Director Lees thanked Attorney Jean Savaree for the extensive work she performed on this matter. He discussed some of the aspects of the agreement, and Board discussion occurred.

Vice President McShane thanked Secretary MacKimmie and Director Lees for all the work they put into this agreement.

Board discussion occurred, and a straw vote was 9-0 in favor of re-entering into the agreement.

BOARD OF DIRECTORS AND CHIEFS' REPORTS

- A. Finance Committee Report
President Burke indicated the Finance Committee did not meet. Chief Cole discussed the financial statements. Board discussion occurred.
- B. Volunteer Liaison Report
Director Hosfeldt reported on the continuing training of volunteers. He also announced the Crab Feed scheduled for May 2, 2009 at IDES Hall.
- C. Land and Structures Committee Report
Secretary MacKimmie reported that he and Chief Cole met with the Harbor District to discuss a potential property trade. Chief Cole indicated that the committee's search for a property in the northern district to accommodate two stations at one location was unsuccessful.
- D. Vegetation Management Committee Report
Nothing additional to report.
- E. California Independent Special Districts Association (San Mateo Co. Chapter)
No report.
- F. Governance Class Report
This was already discussed earlier in the meeting.

G. ALS/JPA
Already discussed earlier in the meeting.

H. Attorney's Report
No report.

I. Fire Chief's Report
Chief John Ferreira reported on the recent graduation ceremony for three Coastside firefighters. He stated two additional firefighters have commenced training, and discussed two positions waiting to be filled.

Chief Ferreira discussed Exhibit E of the CalFire agreement, reported on the progress of the Devil's Slide Tunnel Project, and talked about the impact of the February 16th bike race.

Chief Paul Cole provided additional information on training related to the Devil's Slide Tunnel Project as well as cliff training. He praised Captain Lord for his training expertise.

President Burke inquired if there is any kind of mechanism to provide employee awards for outstanding service. Staff was asked to look into this.

CORRESPONDENCE

Chief Paul Cole reported on the potential action in regard to a citizen's request for a sprinkler system in lieu of a fire hydrant.

ADJOURNMENT

Director Draper made a motion to adjourn the meeting, and Director Cockrell seconded the motion. The motion passed unanimously 9-0 and the meeting was adjourned at 9:08 p.m.

Respectfully submitted,



Bruce MacKimmie, Secretary/Treasurer
Coastside Fire Protection District

Note: Audio and video tapes of meetings are available for inspection during regular business hours.

BOARD ACTION TAKEN AND DIRECTION TO STAFF

ON MOTION by Director Hosfeldt, seconded by Secretary MacKimmie, the Board unanimously approved Items A through E of the Consent Calendar as submitted. Motion carried 9-0.

ON MOTION by Director Draper, seconded by Director Hosfeldt, by Roll Call Vote, the Board voted unanimously to adopt Ordinance 2009-01; An Ordinance Adopting Amendments to the California Fire Code 2007 Edition and Prescribing Regulations Governing Conditions Hazardous to Life, Property and the Environment from Fire, Panic, Explosion, Hazardous Materials and Hazardous Uses and Establishing a Bureau of Fire Prevention and Providing Officers Therefor. Motion passed 9-0.

ON MOTION by Director Cockrell, seconded by Director Lees, by Roll Call Vote, the Board voted unanimously to adopt Resolution No. 2009-04; Resolution of Formation. Motion passed 9-0.

ON MOTION by Director Lees, seconded by Director Hosfeldt, by Roll Call Vote, the Board voted unanimously to adopt Resolution No. 2009-05; Resolution Calling for Special Election. Motion passed 9-0.

Regarding PARS, Staff was requested to prepare a Resolution for the next Board meeting.

Following the discussion regarding CSDA District of Distinction Certification, Director Mackintosh requested Staff to investigate grant programs.

Staff was requested to schedule a Finance Committee meeting before the next regularly scheduled Board meeting.

President Burke inquired if there is any kind of mechanism to provide employee awards for outstanding service. Staff was asked to look into this.



COASTSIDE FIRE PROTECTION DISTRICT

1191 MAIN STREET ■ HALF MOON BAY, CA 94019

TELEPHONE (650) 726-5213

FAX (650) 726-0132

February 11, 2009

Chief John E. Ferreira
CalFire
6059 Highway 9
Felton, CA 95018

Re: Staffing Per CalFire Contract, 1CA66716

Dear Chief Ferreira:

I am contacting you at this time regarding the State's announced plans to furlough State employees due to the current lack of an adopted State budget. It is my understanding that CalFire will be subject to the Governor's furlough plan.

The purpose of this letter is to advise you that Coastside objects to any furlough plan which would cause a reduction in the level of service contracted for by Coastside Fire Protection District (Coastside).

CalFire does not have authority to implement a unilateral change in the level of service provided per its contract with Coastside. Exhibit E, Description of Other Services, Local Governance and Retained Authority, provides in part:

The Coastside Fire Protection District Board of Directors will continue as an elected body and retain jurisdictional authority for establishing policies that determine the operational and administrative services provided by the district ...

- The District will establish and approve the type, range, and level of service provided within the District.
- The District will determine the level of funding for emergency and community services.
- The District will approve the personal services (Schedule "A") and operations (Schedule "C") budgets...

CAL FIRE General Responsibilities

- CAL FIRE will provide services to the District to fulfill the operational and administrative policies and direction of the Board...

Any change to the contracted for level of services during the term of the contract could only be implemented pursuant to Exhibit C, General Terms and Conditions, Paragraph 2, Amendment, which provides:

This agreement may be amended by mutual consent of LOCAL AGENCY and STATE. No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties. (Emphasis added).

Coastside has set the level of service at an agreed upon price for the term of the contract. That level of service and price must be maintained despite the Governor's plan to implement a mandatory furlough program. Coastside objects to any reduction in coverage or hours of operation occasioned by a proposed furlough of employees assigned to staff the Coastside contract and would view such action to be a breach of the terms and conditions of its contract. This applies equally to the suppression personnel and the administrative staff who are responsible for a five day a week operation at the District's headquarters.

Coastside, along with all other agencies who contract with CalFire, are in a unique position which must be acknowledged and honored by the State. We have set a level of service as provided for in our contracts. The State must respect that decision and abide by the terms of our contracts. If CalFire does not, it places these contracts in jeopardy at a time when this and all other revenue is critical to continued State operations.

To that end, it is counterproductive to impose a furlough program on Coastside and other agencies with which CalFire contracts. When furloughs occur CalFire will incur overtime costs which the State must bear. If the purpose of the furloughs is to save money for the State that goal will not be met once additional overtime is paid to backfill for furloughed employees.

We look forward to a continued positive working relationship with CalFire and would appreciate receipt of a written response confirming that no reduction in service or hours of operation will be imposed on Coastside by CalFire.

Sincerely,


Gary Burke, President
Coastside Fire Protection District Board

Enclosures

Cc: Chief Paul Cole
District Board