

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

November 28, 2012

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

ACTION MINUTES

1. OPEN SESSION

President Mackintosh called to order the regular meeting of the Board of Directors of the Coastside Fire Protection District at 7:35 p.m.

2. PRESENT AT ROLL CALL

Directors Present: President Doug Mackintosh, Vice President Mike Alifano, Secretary Ginny McShane, Director Gary Burke, and Director Gary Riddell.
Cal Fire: Fire Chief John Ferreira.
Legal Counsel: Attorney Greg Rubens.
District Consultants: Dan Belville and Susan George.
Admin. Secretary: Jean Headley.

Assistant Chief Paul Cole was on vacation.

3. PLEDGE OF ALLEGIANCE

4. CEREMONIAL

Recognition of Unit Chief John Ferreira Retirement

President Mackintosh congratulated Chief Ferreira on his Cal Fire service and congratulated him on his retirement.

J. B. Cockrell read aloud a plaque that he presented to Chief Ferreira from the Coastside.

Director Burke read aloud a portion of the Resolution from the County of Santa Clara Board of Supervisors to Chief Ferreira. Director Burke praised Chief Ferreira for his service and professionalism throughout the transition to Cal Fire.

Secretary McShane thanked Chief Ferreira for his work both in Point Montara and Half Moon Bay and commended him for his strength during stressful situations.

Vice President Alifano congratulated Chief Ferreira on his years of service and expressed his admiration for the community activities he has been involved in and commended him for his professionalism.

Chief Ferreira stated his appreciation for the recognition being given to him and praised the firefighters and officers of the District. He indicated how much he has learned because of the uniqueness of this District.

The Board took a short recess at 7:49 p.m. to have cake in celebration of Chief Ferreira's retirement. The Board reconvened at 8:00 p.m.

4A. ANNOUNCEMENT

Attorney Greg Rubens announced that just prior to tonight's meeting he received the three Certifications from the County of San Mateo regarding the recall petition. He gave the parameters for the date of the recall election and the election of replacement candidates.

President Mackintosh called a one-item special Board meeting regarding this item for 7:00 p.m. on Monday, December 3, 2012.

5. PUBLIC COMMENT

The Board received public comments from members of the audience.

6. CONSENT CALENDAR

- A. Approval of Minutes of October 18, 2012 Special Board Meeting
- B. Approval of Minutes of October 24, 2012 Regular Board Meeting
- C. Approval of Vendor Checks #14574-14637 in the amount of \$48,637.35, dated October 1 to October 31, 2012
- D. Approval of Payroll Checks #20513-20519 in the amount of \$689.00, dated October 1 to October 31, 2012
Direct Deposit of Federal, State and Hospital Taxes in the amount of \$107.61 dated October 1 to October 31, 2012

ON MOTION by Director Burke, seconded by Secretary McShane, the Board unanimously approved Items A, B, C, and D of the Consent Calendar as submitted. Motion passed 5-0.

7. CONTINUING BUSINESS

A. Discuss FAQ for District Website

Vice President Alifano provided background on this issue. He indicated that he would like Dan Belville to work on this with the committee and made a motion, seconded by Director Riddell, to add the Frequently Asked Questions issue to Dan Belville's list of tasks. Board discussion occurred, and Attorney Rubens stated that since this item is on the agenda as a Discussion item, it should be agendized for a future meeting.

8. NEW BUSINESS

A. Presentation of Financial Statements and Independent Auditors Report for the Fiscal Year Ended June 30, 2012

C.P.A. David J. Farnsworth of Blomberg & Griffin presented the Analysis of Financial Audit for the Fiscal Year Ended June 30, 2012. He recommended that the District have an actuarial report performed this fiscal year. Board discussion occurred, and Mr. Farnsworth responded to questions and comments from the Board.

Director Burke complimented Chiefs Ferreira and Cole as well as office staff Michele Ortiz and Jan Cochran for their work on the financial statements.

There was discussion regarding a review or audit being conducted of the volunteer firefighters, and direction to Staff was that Mr. Farnsworth will get back to Chief Cole regarding a review of the volunteer financial reports.

B. Discussion, Direction and Instruction to staff to initiate discussion re: Extension of Current Cal Fire Contract

Board discussion occurred.

Chief Ferreira also provided comments.

The Board heard public comments from the audience.

ON MOTION by Vice President Alifano, seconded by President Mackintosh, the Board voted to give direction to legal staff to discuss contract options with Cal Fire and report back to the Board. Motion passed 4-0-1, with Director Riddell abstaining.

- C. Review and Discuss request from Cameron Palmer (HMB Beautification Committee) to refund Pumpkin Festival Fees in the amount of \$3,767.84

No action was taken as Mr. Palmer was not present.

- D. Discuss stop moving ahead with proposed Standalone District until after the likely election in early 2013

Secretary McShane introduced this item. The Board heard public comments from the audience. Board discussion occurred.

- E. Consideration of an Amendment to the Contract Between California Public Employees' Retirement System and the District to add a Second Tier Retirement Formula of 2% @ 50. Action: (1) Adoption of Resolution No. 2012-28 Authorizing an Amendment to the Contract Between the Board of Administration California Public Employees' Retirement System and the Board of Directors of the Coastside Fire Protection District, and (2) Adoption of Ordinance (Ordinance No. 2012-02) Authorizing an Amendment to the Contract Between the Board of Directors of the Coastside Fire Protection District and the Board of Administration of the California Public Employees' Retirement System

Attorney Rubens introduced this item and indicated that the possible actions are adoption of the Resolution and the Ordinance.

District Consultant Susan George provided comments, and Board discussion occurred. Ms. George responded to questions and comments from the Board.

District Consultant Dan Belville also provided comments to the Board.

Attorney Rubens provided comments about the adoption of the Resolution and the Ordinance and the possible subsequent reversal of same. Extensive Board discussion occurred.

Vice President Alifano made a motion, seconded by Director Riddell, that the Board adopt Resolution 2012-28 Authorizing an Amendment to the Contract Between the Board of Administration California Public Employees' Retirement System and the Board of Directors of the Coastside Fire Protection District. Following extensive discussion between the Board, Attorney Rubens, and Susan George, the motion and second were withdrawn.

Director Riddell made a motion to Adopt Resolution 2012-28; however, the motion died for lack of a second.

F. Review and Discuss FLSA, Holiday Pay, and Overtime Costs for Standalone Department (from October 24, 2012 agenda)

District Consultant Susan George provided comments on this issue and summarized the Staff Report.

Board discussion occurred, and Ms. George responded to questions and comments from the Board.

G. Motion to Adopt Resolution No. 2012-27, Resolution of Intention to Form Community Facilities District No. 23 (169 Princeton Avenue, Half Moon Bay)

Cal Fire Chief John Ferreira summarized the Petition and introduced the Resolution.

ON MOTION by Director Burke, seconded by Secretary McShane, by the following Roll Call Vote, the Board unanimously adopted Resolution No. 2012-27, Resolution of Intention to Form Community Facilities District No. 23:

Secretary McShane	Aye
Director Riddell	Aye
Vice President Alifano	Aye
Director Burke	Aye
President Mackintosh	Aye

Motion passed 5-0.

H. Discuss where is Director Alifano's film of our meetings on our website

Secretary McShane introduced this issue. Vice President Alifano stated that his tapings of the meetings can be obtained through the District office staff.

I. Review and Discuss the Fire Marshal status in CFPD

Director Burke provided background, and Cal Fire Chief John Ferreira summarized the Staff Report dated November 19, 2012.

Board discussion occurred.

The Board took a brief recess at 10:03 p.m. and reconvened at 10:08 p.m.

Chief Ferreira continued his response to comments from the Board.

J. Review and Discuss Health Care Costs for CFPD Firefighters

Director Burke provided background on this issue and asked for confirmation that when Cal Fire leaves the District there will be no long-term obligations for lifetime health care for Cal Fire employees. Chief Ferreira confirmed that statement and provided additional comments.

Board discussion occurred.

Secretary McShane left the meeting at 10:28 p.m.

ON MOTION by Vice President Alifano, seconded by Director Burke, the Board voted to extend tonight's meeting to 11:00 p.m. Motion passed 4-0.

K. Review, Discuss and take action on attorney-client privilege for consultant's invoices

Director Burke discussed the issue of the attorneys' invoices that were redacted. Extensive discussion occurred between Attorney Rubens and the Board.

The Board heard public comment from a member of the audience.

ON MOTION by Director Burke, seconded by President Mackintosh, the Board voted to waive the attorney-client privilege, retroactively and in the future, on all invoices from our legal counsel and consultants involved in the establishment of a standalone department and make the information available to the Board and the public. Motion passed 4-0.

President Mackintosh suspended the regular meeting at 10:45 p.m., to be continued at 7:00 p.m. on Monday, December 3, 2012, after the Special Board Meeting.

Respectfully submitted,



Ginny McShane, Secretary
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

President Mackintosh called a one-item special Board meeting for 7:00 p.m. on Monday, December 3, 2012, regarding the date for the recall election.

ON MOTION by Director Burke, seconded by Secretary McShane, the Board unanimously approved Items A, B, C, and D of the Consent Calendar as submitted. Motion passed 5-0.

Attorney Rubens stated that since the FAQ item is on the agenda as a Discussion item, it should be agendaized for a future meeting.

Direction to Staff was that Mr. Farnsworth will get back to Chief Cole regarding a review of the volunteer financial reports.

ON MOTION by Vice President Alifano, seconded by President Mackintosh, the Board voted to give direction to legal staff to discuss contract options with Cal Fire and report back to the Board. Motion passed 4-0-1, with Director Riddell abstaining.

ON MOTION by Director Burke, seconded by Secretary McShane, by Roll Call Vote, the Board unanimously adopted Resolution No. 2012-27, Resolution of Intention to Form Community Facilities District No. 23. Motion passed 5-0.

ON MOTION by Vice President Alifano, seconded by Director Burke, the Board voted to extend tonight's meeting to 11:00 p.m. Motion passed 4-0.

ON MOTION by Director Burke, seconded by President Mackintosh, the Board voted to waive the attorney-client privilege, retroactively and in the future, on all invoices from our legal counsel and consultants involved in the establishment of a standalone department and make the information available to the Board and the public. Motion passed 4-0.

President Mackintosh suspended the regular meeting at 10:45 p.m., to be continued at 7:00 p.m. on Monday, December 3, 2012, after the Special Board Meeting.