

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

**June 17, 2008**

**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.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Board Members: President Gary Burke, Vice President Ginny McShane, Secretary Bruce MacKimmie, Director Douglas Mackintosh, Director Gregg Hosfeldt, Director Lane Lees, Director Chris Cilia, and Director J. B. Cockrell. Director John Draper was absent at Roll Call, but he arrived at 7:31 p.m.

Staff: Fire Chief Paul Cole and Cal Fire Chief John Ferreira.

Legal Counsel: Attorney Jean Savaree.

Admin. Secretary: Jean Headley.

**PUBLIC COMMENT**

Deborah Omar, a CAN, spoke regarding reports of slow response times to calls. She has concerns with the Cal Fire contract being extended before the company has been fully evaluated.

Nita Martin of El Granada and a community college educator agreed with the previous speaker and urged the Board to evaluate Cal Fire before granting a new contract.

Leonard Woren of Montara spoke regarding what he termed as archaic language on the last page of the agenda and suggested removing the second sentence under "Oral Communications Procedures."

Carol Wexler of Half Moon Bay also spoke regarding the Cal Fire contract not being extended. She feels it should be closely reviewed.

**REPORT BY FIREFIGHTER IAFF LOCAL 2881**

Battalion Chief Jim Nolan, 5<sup>th</sup> District Vice President of CDF Firefighters, IAFF Local 2881, the labor organization representing Cal Fire in the Bay Area, thanked the Board for

the opportunity to speak at this meeting. He provided background on Local 2881 and introduced Joe Santos, Chapter Director of the San Mateo/Santa Cruz Chapter of Local 2881, who is assigned to Station 40.

Captain Joe Santos summarized his two months at Station 40 and stated he is enjoying it.

President Burke commended Cal Fire for their professional responses in joining the Coastside Fire Protection District and for their work on the recent fires.

#### **CONSENT CALENDAR**

- A. Approval of Minutes of Coastside Fire Protection District Regular Meeting of March 18, 2008
- B. Approval of Minutes of Coastside Fire Protection District Regular Meeting of April 29, 2008
- C. Approval of Vendor Checks #10062 - #10754 in the amount of \$315,835.45, dated April 1 to April 30, 2008
- D. Approval of Vendor Checks #10755 - #10843 in the amount of \$155,070.24, dated May 1 to May 30, 2008
- E. Approval of Payroll Checks #44001651 - #44001659 in the amount of \$9,688.46, dated April 1 to April 30, 2008  
Direct Payroll Deposits #150001 - #150023 in the amount of \$63,118.96, dated April 11, 2008  
Direct Payroll Deposits #170001 - #170023 in the amount of \$70,521.78, dated April 28, 2008  
Direct Deposit of Federal, State and Hospital Tax in the amount of \$48,044.95, dated April 1 to April 30, 2008
- F. Approval of Payroll Checks #44001660 - #44001677 in the amount of \$10,447.56, dated May 1 to May 31, 2008  
Direct Payroll Deposits #190001 - #190022 in the amount of \$66,190.71, dated May 9, 2008  
Direct Payroll Deposits #210001 - #210027 in the amount of \$87,936.86, dated May 23, 2008  
Direct Deposit of Federal, State and Hospital Tax in the amount of \$50,197.03, dated May 1 to May 31, 2008

Director Mackintosh pulled Items B and D from the Consent Calendar, the Minutes of the April 29, 2008 Regular Meeting and Vendor Checks dated May 1 to May 30, 2008.

ON MOTION by Director Hosfeldt, seconded by Director McShane, the Board unanimously approved Items A, C, E and F of the Consent Calendar. Motion carried 9-0.

Regarding Item B, Director Mackintosh corrected the spelling of his name on page 4 and made an additional correction on page 5 that the Board, not Director Mackintosh, provided direction to Chief Cole.

ON MOTION by Director McShane, seconded by Director Cockrell, the Board unanimously approved Item B of the Consent Calendar, as amended. Motion carried 9-0.

Regarding Item D, Director Mackintosh pointed out before the approval of the check detail that some of the Board members' names are on the check detail. Following discussion with Attorney Savaree, Directors Lees and MacKimmie recused themselves from the vote and left the room.

ON MOTION by Director Cockrell, seconded by Director McShane, the Board voted to separate out and approve the payments to Directors Lees and MacKimmie in Item D. Motion carried 7-0.

Directors Lees and MacKimmie returned to the meeting.

ON MOTION by Director McShane, seconded by Director Cockrell, the Board voted unanimously to approve the remainder of Item D. Motion carried 9-0.

## **CONTINUING BUSINESS**

### **A. Strategic Planning Update**

President Burke provided background on this issue and indicated it may not be a good time to do long-term strategic planning because upcoming elections within the next few years will reduce the Board to five members. He summarized some of the Board's major accomplishments within the past year. He suggested that Board members bring some short-range goals to the July meeting.

Director Cilia stated he e-mailed his SWOT analysis to Chief Cole, who indicated he did not receive it. President Burke asked Director Cilia to bring it to the next Board meeting.

### **B. Financial Analyst Update**

Chief Paul Cole summarized the work being done by Hector Lwin, the financial analyst who is assisting with the budget as well as preparing for the upcoming audit. Chief Cole and the Finance Committee (President Burke and Vice President McShane) all indicated they are very pleased with his work.

### **C. Website Redesign Update**

Chief Paul Cole reported on meetings held with the website designer. He indicated the contract has been finalized and all the necessary documentation has been signed. He requested feedback from the Board via a questionnaire by Monday of next week as he is meeting with the team again next week to finalize the website design.

Leonard Woren of Montara expressed strong concern that a specific web browser is mentioned in the agreement and requested that the Board insist there not be any specific web browser and it has to work equally well with any common web browser.

D. Discuss Installation of Voice Mail for District Administration

Chief Paul Cole stated that this will be on the next agenda.

**NEW BUSINESS**

A. Adopt Resolution No. 2008-14 Resolution Approving a Contract Between The Board of Administration – California Public Employees’ Retirement System and the Board of Directors Coastside Fire Protection District

Chief Paul Cole introduced the Resolution, and recommended adoption of the Resolution as presented. Director Mackintosh had a few questions and Chief Cole responded.

ON MOTION by President Burke, seconded by Director MacKimmie, by the following Roll Call Vote, the Board voted unanimously to adopt Resolution No. 2008-14, Resolution Approving a Contract Between the Board of Administration – California Public Employees’ Retirement System and the Board of Directors Coastside Fire Protection District, as amended with correction of spelling errors:

Director Mackintosh	Aye
Director MacKimmie	Aye
Director McShane	Aye
Director Hosfeldt	Aye
Director Lees	Aye
Director Draper	Aye
Director Cilia	Aye
Director Cockrell	Aye
President Burke	Aye

Motion passed 9-0.

B. Adopt Resolution No. 2008-13 Resolution Authorizing Application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self-Insure Workers’ Compensation Liabilities

Chief Paul Cole introduced and briefly discussed the Resolution and recommended adoption of the Resolution. Some Board discussion occurred.

ON MOTION by Director Mackintosh, seconded by Director MacKimmie, by the following Roll Call vote, the Board voted unanimously to adopt Resolution 2008-13, Resolution Authorizing Application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self-Insure Workers' Compensation Liabilities:

Director Mackintosh	Aye
Director MacKimmie	Aye
Director McShane	Aye
Director Hosfeldt	Aye
Director Lees	Aye
Director Draper	Aye
Director Cilia	Aye
Director Cockrell	Aye
President Burke	Aye

Motion passed 9-0.

C. 2008 Weed Abatement Program – Review and Approve Agreement for Professional Services

Chief Paul Cole provided background, indicated that one company responded, and recommended accepting the bid from Daniel Sare. Chief Cole and Cal Fire Chief John Ferreira responded to questions and comments from the Board.

Leonard Woren of Montara reiterated his objections to the Weed Abatement Program as it currently exists. He urged the Board to rethink the entire program as well as Cal Fire's clearance policies.

ON MOTION by Director MacKimmie, seconded by Director Draper, the Board voted to accept the bid from Daniel Sare for \$125.00 per hour for weed abatement services, and extending the completion date to August 15, 2008. Motion carried 8-0-1, with Director Lees abstaining.

D. Review and Approve the 2008/2009 Cal Fire Contract Fiscal Sheets in the Amount of \$5,795,054

Vince Williams of Moss Beach congratulated the Board for implementing the contract with Cal Fire and the back-up ambulance service.

Cal Fire Chief John Ferreira introduced Retired San Luis Obispo Fire Chief Dan Turner, who extensively discussed personnel costs on the Cal Fire 2008/2009 fiscal sheets. Chiefs Ferreira, Cole, and Turner responded to numerous questions and comments from the Board.

ON MOTION by Director McShane, seconded by Director MacKimmie, by the following Roll Call Vote, the Board voted to approve 2008/2009 Schedule A of the Cal Fire Contract as reflected, \$5,795,054:

Director Mackintosh	Aye
Director MacKimmie	Aye
Director McShane	Aye
Director Hosfeldt	Aye
Director Lees	Aye
Director Draper	Aye
Director Cilia	No
Director Cockrell	Aye
President Burke	Aye

Motion passed 8-1, with Director Cilia dissenting.

E. (There was no Item E on the agenda)

F. Review and Approve Amendment to Cal Fire Contract No. 1CA66716

President Burke indicated he has been requested to pull this item from tonight's agenda and this will be placed on the agenda for the special Board meeting on June 25, 2008 at 6:00 p.m., which meeting is open to the public.

Steve Islander of Moss Beach expressed concern regarding no raises being given. Board discussion occurred and Chief Ferreira responded to Mr. Islander's concerns.

The Board took a brief recess at 9:15 p.m. and reconvened at 9:22 p.m.

G. Review and Approve Proposed State Health Care Promissory Note in the Amount of \$1,686,956

Cal Fire Chief John Ferreira provided background on this item and discussed the proposed promissory note. Some Board discussion occurred, and Chief Ferreira responded to questions.

ON MOTION by Director Lees, seconded by Director McShane, by the following Roll Call vote, the Board voted unanimously to approve the Coastside Fire Protection District/Cal Fire Promissory Note for the employee transition in the amount of \$1,686,956, with interest to be fixed yearly:

Director Mackintosh	Aye
Director MacKimmie	Aye
Director McShane	Aye

Director Hosfeldt	Aye
Director Lees	Aye
Director Draper	Aye
Director Cilia	No
Director Cockrell	Aye
President Burke	Aye

Motion passed 8-1, with Director Cilia dissenting.

H. Discuss and Take Action on Recommendation to Withdraw From the San Mateo County Pre-Hospital Emergency Services Group Joint Powers Authority (JPA)

Director Lees provided background on this issue and summarized the “Pros and Cons” list in the meeting packet. He strongly urged the District not to enter into a 10-year contract to avoid losing local control. Director MacKimmie agreed with Director Lees and urged the District to get out of the JPA.

Mr. John Odle, Executive Director of San Mateo County Pre-Hospital Emergency Medical Services Group, indicated the current RFP is calling for a 5-year contract, not 10 years, and he asked the Board to reconsider the contract before deciding to withdraw. He suggested perhaps a work group session with a Board committee. He responded to Board comments throughout his discussion.

Leonard Woren of Montara spoke in support of Director Lees’ arguments for withdrawing from JPA and said he is in favor of local control.

Director Cilia stated he feels it would be premature to make the decision to drop out of the JPA and urged the Board to remain in the JPA at least until the RFP process is over.

Director Mackintosh indicated he feels it would be premature to pull out of the JPA and would like to see what the alternatives and consequences are.

Director Hosfeldt indicated he feels it is too early to totally opt out of the JPA.

Director Draper agreed with Director Mackintosh that it is premature to withdraw from the JPA at this point.

President Burke indicated he has trouble understanding how being a member of the JPA benefits the District.

Director McShane stated that she trusts Directors Lees and MacKimmie, who have been so closely involved in this issue and she agrees with their position.

ON MOTION by Director Lees, seconded by Director McShane, by the following Roll Call vote, the Board voted to notify the Board of Supervisors, JPA, and the ambulance contract providers that are responding to the RFP that the District will not participate in the next JPA contract and will complete the current contract that expires in 2009:

Director Mackintosh	No
Director MacKimmie	Aye
Director McShane	Aye
Director Hosfeldt	No
Director Lees	Aye
Director Draper	No
Director Cilia	No
Director Cockrell	Aye
President Burke	Aye

Motion passed 5-4, with Directors Mackintosh, Hosfeldt, Draper and Cilia dissenting.

Director Mackintosh requested that the Board give direction to Staff to explore the consequences of this action.

- I. Discuss Recommendation to Cancel Resolution No. 95 – “Resolution to be Subject to Employee’s Medical & Hospital Care Act & Fixing Employee’s Contribution to an Amount Greater than Prescribed by Government Code (Cal PERS Health)”

Directors MacKimmie and Lees recused themselves and left the room.

Director Cockrell asked District Counsel if Directors MacKimmie and Lees are actually required to recuse themselves, and Attorney Jean Savaree stated they are able to participate if they wish to, as this is a prospective resolution. Directors MacKimmie and Lees returned to the room. After Attorney Savaree explained the choices, Directors MacKimmie and Lees chose to recuse themselves and left the room again.

President Burke provided background regarding Resolution 95 and the reasoning behind the recommendation to cancel the resolution.

ON MOTION by President Burke, seconded by Director McShane, the Board voted to cancel and rescind Resolution 95 - “Resolution to be Subject to Employee’s Medical & Hospital Care Act & Fixing Employee’s Contribution to an Amount Greater than Prescribed by Government Code (Cal PERS Health)”. Motion carried 7-0.



Directors MacKimmie and Lees rejoined the meeting.

J. Discuss and Approve Proposal that the District will not Provide Lifetime Health Care to Employees Hired After July 1, 2008

Director Lees discussed the reasoning behind this new policy.

ON MOTION by Director Lees, seconded by Director Cockrell, the Board voted that District Counsel prepare a resolution that Coastside Fire Protection District does not offer Lifetime Health Care to employees hired after July 1, 2008 and does not allow for the grandfathering of prior employees. Motion carried 7-2, with Directors Draper and Cilia dissenting.

K. Discuss Half Moon Bay Volunteer Program Expenditures and Reserves

Director MacKimmie indicated that he has requested information be given to the Board regarding the Volunteer Program expenditures and reserves.

L. Discuss and Approve including the Half Moon Bay Volunteer Program in the District Audit

President Burke suggested to Director Hosfeldt that the independent volunteer program be audited by the District's auditors. Director Hosfeldt stated he would discuss it with the Volunteer Program's Board.

M. Discuss and Approve Recommendation to Prohibit the Use of Alcohol on District Property

Director Lees indicated this was brought up because of organizations serving alcohol during fundraisers at District facilities. He requested that alcohol not be served on District property.

Director Lees made a motion, seconded by Director McShane, that no one is allowed to dispense or consume alcohol on District Property.

Following Board discussion, the motion and the second were withdrawn and District Counsel was directed to investigate insurance which may be available and bring this back on next month's agenda.

N. Discuss and Approve Sick Leave Policy 620 – Policy Pertaining to Use of Accumulated Sick Leave and Disability Retirement (Disability Retirement-620.6)

This item was postponed to the June 25, 2008 Special Board Meeting.

## **BOARD OF DIRECTORS AND CHIEFS' REPORTS**

- A. Finance Committee Report  
No report.
- B. Volunteer Liaison Report  
No report.
- C. California Independent Special Districts Association (San Mateo Co. Chapter)  
No report.
- D. ALS/JPA  
No report.
- E. Attorney's Report  
No report. President Burke commended Attorney Jean Savaree for her work in protecting the District.
- F. Fire Chief's Report  
Cal Fire Chief John Ferreira reported on the large fire in Half Moon Bay last week.


## **CORRESPONDENCE**

No discussion.

## **ADJOURNMENT**

Director MacKimmie 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 10:55 p.m.

Respectfully submitted,



Bruce MacKimmie, Secretary/Treasurer  
Coastside Fire Protection District

**BOARD ACTION TAKEN AND DIRECTION TO STAFF**

ON MOTION by Director Hosfeldt, seconded by Director McShane, the Board unanimously approved Items A, C, E and F of the Consent Calendar. Motion carried 9-0.

ON MOTION by Director McShane, seconded by Director Cockrell, the Board unanimously approved Item B of the Consent Calendar, as amended. Motion carried 9-0.

ON MOTION by Director Cockrell, seconded by Director McShane, the Board voted to separate out and approve the payments to Directors Lees and MacKimmie in Item D. Motion carried 7-0.

ON MOTION by Director McShane, seconded by Director Cockrell, the Board voted unanimously to approve the remainder of Item D. Motion carried 9-0.

Chief Paul Cole stated that installation of Voice Mail for District Administration will be on next month's agenda.

ON MOTION by President Burke, seconded by Director MacKimmie, by Roll Call Vote, the Board voted unanimously to adopt Resolution No. 2008-14, Resolution Approving a Contract Between the Board of Administration – California Public Employees' Retirement System and the Board of Directors Coastside Fire Protection District, as amended with correction of spelling errors. Motion passed 9-0.

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ON MOTION by Director McShane, seconded by Director MacKimmie, by Roll Call Vote, the Board voted to approve 2008/2009 Schedule A of the Cal Fire Contract as reflected, \$5,795,054. Motion passed 8-1, with Director Cilia dissenting.

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providers that are responding to the RFP that the District will not participate in the next JPA contract and will complete the current contract that expires in 2009. Motion passed 5-4, with Directors Mackintosh, Hosfeldt, Draper and Cilia dissenting. Director Mackintosh requested that the Board give direction to Staff to explore the consequences of this action.

ON MOTION by President Burke, seconded by Director McShane, the Board voted to cancel and rescind Resolution 95 - "Resolution to be Subject to Employee's Medical & Hospital Care Act & Fixing Employee's Contribution to an Amount Greater than Prescribed by Government Code (Cal PERS Health)". Motion carried 7-0. (Directors MacKimmie and Lees recused themselves)

ON MOTION by Director Lees, seconded by Director Cockrell, the Board voted that District Counsel prepare a resolution that Coastside Fire Protection District does not offer Lifetime Health Care to employees hired after July 1, 2008 and does not allow for the grandfathering of prior employees. Motion carried 7-2, with Directors Draper and Cilia dissenting.

Regarding alcohol being consumed on District facilities, District Counsel was directed to investigate insurance which may be available and bring this back on next month's agenda.

Director MacKimmie 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 10:55 p.m.