

**SAN RAMON VALLEY FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS MEETING
Minutes – August 25, 2009**

MISSION STATEMENT

In the spirit of our tradition, we strive for excellence, respectfully serving all with pride, honor and compassion.

Location: 1500 Bollinger Canyon Road
Administrative Building-Boardroom
San Ramon, CA 94583

Board Members Present: President Dickson, Directors: Linari, Lindsay, and Price

Absent: Director Sandy

Staff Present: Chief Price, Assistant Chief Collins, Assistant Chief Hart, Fire Marshal Jamison, Administrative Services Director Leete, Division Chief Krause, Technology Systems Manager Call, Special Ops Battalion Chief Picard, Communications Center Manager Pangelinan, District Counsel Ross, Battalion Chief Barton, Finance Supervisor Sasser, Union President Keel and District Clerk Brooks.

1. Call to Order

President Dickson called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

President Dickson led the Pledge of Allegiance.

3. Determination of Quorum and Confirmation of Agenda

There was a quorum.

District Counsel Ross requested one modification to the agenda, the addition of a matter that arose within 72 hours of this meeting to be added under the provision of Government Code Section 54954.2(b)(2). President Dickson asked what the matter was. District Counsel Ross stated that the agenda item would be to accept the resignation of District Director Sandy; and to direct staff regarding the notice and filling of vacancy. Director Price moved to add this item to the agenda under new business item 8.3. Director Lindsay seconded the motion. Motion carried.

4. Consent Calendar

Director Lindsay moved approval of the consent calendar items 4.1-4.9 (1). Director Linari seconded the motion. Motion carried.

5. Public Comment

Jan Conway, 325 David Drive, Alamo provided a brochure for the Board and staff to review dealing with special energy roofing (cool roof) products that the Board might want to consider when they build the new Station 32. The Board thanked Ms. Conway for the brochure.

6. Special Announcements/Presentations/General Business

6.1 Proclamation Patriots Day

President Dickson read the Proclamation for Patriots Day on September 11, 2009.

6.2 Introduction of and Administration of Employee Oath to New Employees:
Dispatchers David Hill and Benedict DuClos

Chief Price introduced David Hill and Benedict DuClos, two new District Dispatchers, and provided their background. District Clerk Brooks proceeded to administer the Employee Oath to the two new dispatchers. The Board welcomed Dispatchers Hill and DuClos to the District.

7. Old Business

7.1 Open Public Hearing as set forth in the annual exterior hazard abatement notices mailed between July 8, 2009 and August 11, 2009 stipulating August 25, 2009 at 7:00 p.m. as the date, time and place as provided for the purpose of receiving public comment to show cause why exterior hazard abatement orders should not be enforced.

President Dickson opened the Public Hearing. No one came forward. President Dickson then closed the Public Hearing.

7.2 Public Hearing – Terminal Pay Issues

President Dickson opened the Public Hearing.

Chief Price presented the background of this item stating that the Board directed staff to hire special retirement law Counsel and also to hire a compensation firm to research terminal pay for managers.

President Dickson welcomed everyone to the Public Hearing.

Art Hartinger (Meyers/Nave) – presented a power point presentation. The Board asked questions of Mr. Hartinger who stated that he is available for any questions that the Board might have after his presentation.

The Board thanked Mr. Hartinger for his presentation.

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Catherine Kaneko (Koff & Associates) – summarized the one page survey included in the Board packet, going through each item one by one. The Board asked questions of Ms. Kaneko.

The Board thanked Ms. Kaneko for her presentation.

Public Hearing Speakers:

Walter Welti (Danville resident) – Discussed management staff retiring at age 50, stating that is a very young age to retire, and also questioned the amount of auto allowances received by the management staff.

Ed Miller (Danville resident) – Discussed the fact that controlling members of the board are active firefighters and feels this is a conflict of interest, he also suggested that vacation time should be “use it or lose it” and questioned management staff being able to retire at age 50. Mr. Miller also reminded the Board that they are representing the taxpayers.

John Hutchins (Danville resident) - stated that he is overwhelmed by the numbers presented and feels that they are way out of proportion. Stated that this District has no risk, and we should not be compared to San Jose or Sacramento. He said he has worked for a fire district for 32 years. Mr. Hutchins stressed that the Board listen to what the taxpayers are saying.

Bart Hughes (Pleasanton resident) – suggested a two-tier system for retirement benefits and also stated that public employees make more money than private sector employees.

Kris Hunt (Contra Costa Taxpayers Association) – stated that the top four retirees in the state receiving over \$100,000 in pensions were from our Fire District, and she stated that this is outrageous and that the Board should move forward as expeditiously as possible to fix this problem.

Melinda Morse – stated that she had applied for a Board seat 12 years ago, with Director Lindsay being selected for the seat. Ms. Morse stated that she has been aware of this situation and is concerned about it and the effect it will have on our resources and the future of our children.

R.F. Holmes (Lafayette resident) – worked for the Army as well as Chevron for many years and discussed and suggested “use it or lose” it regarding unused sick leave and vacation time. Stated that he would like to see this issue assessed from the bottom up as far as what should be in an employee’s pension and what should not be part of a pension.

The Board thanked everyone for attending the meeting and for their comments.

President Dickson suggested this item be addressed by an Ad Hoc Committee of the Board solely for the purpose of dealing with this topic. Director Linari moved that this item be referred to an Ad Hoc Committee of the Board, and would then report back to the entire board in a timely manner. This Ad Hoc committee would consist of Board members Lindsay and Linari. District Counsel Ross suggested that this Public Hearing be continued to the September 24, 2009 board meeting at which time a status report of the Ad Hoc

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Committee would be brought back for the entire board to review. Director Lindsay seconded the motion. Motion carried.

The Board took a break at 8:50 p.m., and returned to open session at 9:05 p.m.

- 8.1 Consider adoption of Resolution No. 2009-06 which establishes with the Contra Costa County Recorders Office the assessment in property tax liens for properties abated by the District for the period after July 1, 2009.

Motion by Director Lindsay, seconded by Director Linari to adopt Resolution No. 2009-06. The motion was approved by roll call vote.

- 8.2 Consider adoption of Resolution No. 2009-07 to establish the appropriations limit for Fiscal Year 2009/10.

Administrative Services Director Leete provided the background of this item. Motion by Director Price, seconded by Director Lindsay to adopt Resolution No. 2009-07. Motion was approved by roll call vote.

- 8.3 Acceptance of Resignation of Director Sandy

District Counsel Ross stated that by communication dated August 22, 2009 Ken Sandy tendered his resignation as a District Director, an office which has 3+ years remaining on the term until 2012.

Under provisions of the Fire Protection District Act and Government Code Section 1780 the Board should first take action with respect to the resignation, accepting it, then instruct staff to give notice of the vacancy (which includes notice to the County Election Official) as to a time frame in which applications for filling the vacancy could be accepted.

Motion by Director Price, to accept the resignation of Director Ken Sandy, instructing staff to prepare, distribute and file a Notice of Vacancy which deals with a time for submittal of applications, and refer this item to the District Personnel Committee with a Director replacing Director Sandy to evaluate applications and then making a recommendation to the full District Board on filing the vacancy. Director Price stated her interest in being a member of the District Personnel Committee along with Director Lindsay. Director Lindsay seconded the motion. Motion carried.

9. Correspondence

No comment.

10. Monthly Activity Reports

- 10.1 Operations – Assistant Chief Collins
Assistant Chief Collins provided the monthly Operations report briefly highlighting some of the recent incidents in the District this past month.
- 10.2 Support Services – Assistant Chief Hart
Assistant Chief Hart provided the monthly Support Services report highlighting the groundbreaking for the annex building at Station 36 on August 24, 2009. Delivery of two new ambulances to the District is expected to be sometime in early December, 2009. Assistant Chief Hart also informed the Board of new District Aide Rich Fisher who is working 20 hours per week.
- 10.3 Training – Division Chief Krause
Division Chief Krause provided the monthly Training report highlighting recent night drill training, hose testing and ladder truck skills training.
- 10.4 Fire Prevention – Fire Marshal Jamison
Fire Marshal Jamison provided the monthly Fire Prevention report highlighting the upcoming Emergency Preparedness Fair which will take place on September 12, 2009, and that District counter plan checks will begin on September 1 from 8-12 p.m., Monday through Friday.
- 10.5 Administrative Services-Administrative Services Director Leete
Administrative Services Director Leete provided the monthly Administrative Services report highlighting that the Finance Department is working on the Comprehensive Annual Finance Report (CAFR).
- 10.6 Fire Chief – Chief Price
Chief Price informed the Board of several meetings he attended this past month including attending a Town of Danville Council meeting, and meetings with some of the local service organizations. Chief Price also attended the funeral service for former Board Member Lou Sylvia.

11. Good of the Order

Director Lindsay stated how wonderful the pipes and drums were at the funeral service for former Board Member Lou Sylvia. Director Lindsay also complimented Fire Marshal Jamison on her appointment as the IAFC representative to the International Building Code's General Committee; Director Lindsay also thanked Assistant Chief Collins for all hard work of his crews on some of the recent fires.

Chief Price informed the Board that Danville Councilmember Mike Shimansky is hospitalized with a life threatening bacterial infection which has resulted in the loss of his legs.

12. Closed Session

- 12.1 Conference with District Counsel – Potential Litigation
Possible exposure to litigation (three matters)
[Pursuant to Government Code §54956.9(b)(2) and 54954.5(c)]. Facts and circumstances that might result in litigation need not be disclosed. [Pursuant to Government Code § 54956.9(b) (3)(a)]
- 12.2 Conference with District Counsel – Existing Litigation
Etter v. Grayson, San Ramon Valley Fire Department, et. al,
Contra Costa Superior Court Case No, C 08-03143 [Pursuant to Government Code § 54956.9(a) and 54954.9(c)]
- 12.3 Conference with Real Property Negotiators
Negotiators: Assistant Chief Steve Hart/Chief Richard Price
Property Locations: A). APN: 209-240-015 & 209-240-019,
B). 6100 Camino Tassajara, Pleasanton, CA
[Authorized under Government Code §54956.8 and 54954.5(b).]
- 12.4 Conference with District Counsel-Potential Litigation
Workers Compensation Claim No. SRV0800032 dated 12/22/07; M. Sciortino vs.
San Ramon Valley Fire Protection District [Authorized under Government Code § 54956.9(b)]
- 12.5 Conference with District Counsel-Potential Litigation
Workers Compensation Claim No. SRV0900051 dated 12/11/08; B. Parrish vs. San
Ramon Valley Fire Protection District [Authorized under Government Code § 54956.9(b)]
- 12.6 Status of labor negotiations between the District and the San Ramon Valley
Firefighters Association under the provisions [Authorized under Government Code §54957.6 and 54954.5(f).]

13. Return to Open Session

Regular session ended:	9:40 p.m.
Closed session began:	9:45 p.m.
Closed session ended:	10:20 p.m.
Regular session reconvened:	10:30 p.m.

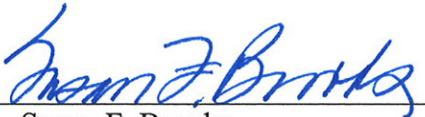
Upon return to open session, District Counsel Ross stated that he would be unable to attend the regularly scheduled October 21, 2009 Board meeting. The Board agreed to change the date of the October Board meeting to **Monday, October 19, 2009 at 7:00 p.m.**

Chief Price asked if the Personnel Committee would tonight chose a date for interviews for the vacant board seat. Personnel Committee members Lindsay and Price were both available on **Wednesday, October 7, 2009 from 9-5 p.m.** for Board interviews. The deadline for applications/qualifications to be forwarded to Chief Price is **Friday, September 25, 2009.**

Directors Lindsay and Linari volunteered to be on the Ad Hoc Committee dealing with Terminal Pay and selected the date of **Wednesday, September 9, 2009 from 2-4 p.m.** to meet regarding this issue.

14. Adjournment

The meeting adjourned at 10:35 p.m. to the next regular board meeting of Thursday, September 24, 2009 at 7:00 p.m.

Prepared by: 
Susan F. Brooks
District Clerk

Approved by: 
Nick Dickson
Board President