

SAN RAMON VALLEY FIRE PROTECTION DISTRICT

Board of Directors Regular Board Meeting

Wednesday, March 24, 2010 – 7:00 p.m.

*Roxanne Lindsay, President ~ Nick Dickson, Director
Thomas J. Linari, Director ~ Jennifer G. Price, Director ~ Matthew J. Stamey, Director*

~MISSION STATEMENT~

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

**Meeting location: S.R.V.F.P.D. Administrative Offices
1500 Bollinger Canyon Road, San Ramon, CA 94583**

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. DETERMINATION OF QUORUM AND CONFIRMATION OF AGENDA
4. PUBLIC COMMENT

Any person may address the District Board on any subject pertaining to District business, which is not listed on the agenda. This comment is provided by the Ralph M. Brown Open Meeting Act (Government Code § 54950 *et seq.*) and may be limited to three (3) minutes for any person addressing the Board. Please complete a "Request to Speak" form and submit it to the District Clerk.

5. CONSENT CALENDAR

Consent calendar items are considered routine and are acted upon by the Board with a single action. Members of the audience wishing to provide public input may request that the Board remove the item from the Consent Calendar. Comments may be limited to three (3) minutes.

- 5.1 Approve the salaries, payroll taxes and retirement contributions for the month of February, 2010 in the amount of \$3,111,131.66.
- 5.2 Approve the demand register for the period February 16, 2010 through March 12, 2010 in the amount of \$2,195,966.04.
- 5.3 Approve the minutes from the regular February 24, 2010 board meeting including District Counsel's closed session report.
- 5.4 Authorization for approval of Progress Payment No. 7 to Cal Bay Construction, Inc., in the amount of \$144,451.71 for Station No. 36 Annex Building.
- 5.5 Authorization for sale and/or disposition of District Surplus Vehicle, Ambulance #755.
- 5.6 Personnel Actions:
 1. Approve staff's recommendation to award a merit salary increase to Technology Systems Manager, Steve Call to Step 5, effective April 23, 2010.

2. Approve staff's recommendation to award a merit salary increase to Fire Prevention Specialist, Joyce Castro to Step 5, effective April 1, 2010.

6. SPECIAL ANNOUNCEMENTS/PRESENTATIONS/GENERAL BUSINESS

- 6.1 Recognition of Assistant Chief Collins/Chief Fire Officer Designation (CFO); and EMS Coordinator Andy Swartzell/Chief Medical Officer Designation (CMO)

7. OLD BUSINESS

- 7.1 Continuation – Memo from LAFCO Executive Director Regarding Independent Special District Selection Committee Meeting of April 19, 2010 - Special District Vacancy and Call for Nominations.
- 7.2 Discussion of and possible approval to execute a contract with Heathorn Service Company for the Heating and Air Conditioning Replacement Project at Station No. 31 in the amount of \$28,568.00.
- 7.3 Discussion of and possible approval to execute a contract with Western Machine Electric for a Mobile Generator in the amount of \$51,210.00.

8. NEW BUSINESS

- 8.1 Discussion regarding selection of alternate date for August, 2010 Board meeting.

9. CORRESPONDENCE FOR POSSIBLE BOARD ACTION AND/OR REVIEW

10. MONTHLY ACTIVITY REPORTS FOR FEBRUARY, 2010

- 10.1 Operations – Assistant Chief Collins
Incident Report responded to by type, i.e., fire, medical and the response time.
- 10.2 Support Services – Assistant Chief Hart
Support Services Report of monthly activities.
- 10.3 Fire Prevention – Fire Marshal Jamison
Fire Prevention Report of monthly activities.
- 10.4 Administrative Services - Administrative Services Director Leete
 - a. Monthly Finance Reports
 - b. Monthly Human Resources Activities/Reports
- 10.5 Fire Chief – Chief Price
Verbal report on monthly meetings, seminars, committee meetings, and other District related activities.
 - a. Status Update on District Accreditation
 - b. Attendance at Conference in Chicago, August, 2010
 - c. District Fire Line Newsletter

11. GOOD OF THE ORDER

12. CLOSED SESSION

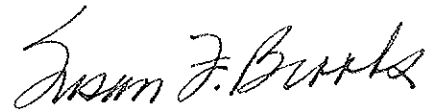
- 12.1 Conference with District Counsel – Potential Litigation
Possible exposure to litigation (two matters)
[Pursuant to Government Code §54956.9(b)(2) and 54954.5(c)]. Facts and circumstances that might result in litigation need not be disclosed. [Pursuant to Government Code § 54956.9(b) (3)(a)]
- 12.2 Conference with Real Property Negotiators
Negotiator: Chief Richard Price
Property Location: A). APN 223-020-018-6
- 12.3 Conference with District Counsel-Potential Litigation Workers Compensation
Claim No. SRV0800018 dated 9/15/07; Damon Pellegrini vs. San Ramon Valley Fire Protection District [Authorized under Government Code § 54956.9(b)]

13. RETURN TO OPEN SESSION

14. REPORT UPON RETURN FROM CLOSED SESSION (if applicable)

15. ADJOURNMENT TO THE NEXT REGULAR BOARD MEETING SCHEDULED FOR WEDNESDAY, APRIL 28, 2010 AT 7:00 P.M., AND THE BOARD BUDGET WORKSHOP SCHEDULED FOR MONDAY, MAY 10, 2010 AT 1:00 P.M., AT BISHOP RANCH CONFERENCE CENTER, 2623 CAMINO RAMON, SAN RAMON.

Prepared by:



Susan F. Brooks, District Clerk

Agenda posted on March 19, 2010 at the District's Administration Building and the San Ramon Valley Fire Protection District's website at www.firedepartment.org

The San Ramon Valley Fire Protection District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access, attend and/or participate in District board meetings due to a disability, including but not limited to American Sign Language interpreters, assistive listening devices, transportation to and from the meeting site or other accommodations, may be requested by calling (925) 838-6661 no later than 72 hours in advance of the scheduled meeting time. In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting, may be viewed at 1500 Bollinger Canyon Road, San Ramon, California or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact District Clerk Sue Brooks at (925) 838-6661.

**CONSENT
ITEMS**

SAN RAMON VALLEY FIRE PROTECTION DISTRICT

Administration
Phone: 925-838-6600
Fax: 925-838-6629
www.firedepartment.org

1500 Bollinger Canyon Road
San Ramon, California 94583

Fire Prevention
Phone: 925-838-6680
Fax: 925-838-6696

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Steven J. Hart, Assistant Fire Chief
Subject: Purchasing Authority per District Ordinance 20

Section 5.3 of District Ordinance requires that purchases in excess of \$25,000 have specific approval by the Board of Directors. Tonight's Consent Calendar contains one item requiring such authorization. This item is contained in the C.O.P. budget.

Consent Calendar Item 5.4:

\$144,451.71 to Cal Bay Construction, Inc., for Progress Payment No. 7 for the construction of Annex Storage Building No. 36.

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**1500 Bollinger Canyon Road
San Ramon, California 94583**

Fire Prevention

Phone: 925-838-6680

Fax: 925-838-6609

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Steven J. Hart, Assistant Fire Chief
Subject: Surplus Ambulance

Background:

The newly purchased ambulances are now in service. With that, it has been determined by staff that one of the old ambulances should be declared surplus. The remaining ambulance is being evaluated for use as a rehab unit.

Recommended Board Action:

Staff recommends the Board of Directors authorize staff to declare Vehicle #755 as surplus property and dispose of through public auction.

OLD BUSINESS



Lou Ann Texeira
Executive Officer

MEMBERS

Helen Allen
City Member
Federal Glover
County Member
Martin McNair
Public Member

Dwight Meadows
Special District Member

David A. Piepho
Special District Member

Rob Schroder
City Member

Gayle B. Uilkema
County Member

ALTERNATE MEMBERS

Sharon Burke
Public Member


George H. Schmidt
Special District Member

Mary N. Piepho
County Member

Don Tatzin
City Member

March 1, 2010

TO: Presiding Officer of Each Independent Special District in Contra Costa County

FROM: Lou Ann Texeira, LAFCO Executive Officer 

SUBJECT: **Independent Special District Selection Committee Meeting - April 19, 2010**

I am writing to remind you that the Independent Special District Selection Committee is scheduled to meet on **Monday, April 19, 2010** in conjunction with the quarterly meeting of the Contra Costa Special Districts Association. The Special Districts meeting will begin at 6:00 p.m., and the election will take place at approximately 7:00 p.m. The meeting will be held at the Pleasant Hill Community Center located at 320 Civic Drive in Pleasant Hill.

The purpose of this meeting is to select two special district members to LAFCO: one regular seat currently held by Dwight Meadows (Contra Costa Resource Conservation District), and the alternate seat currently held by George Schmidt (West County Wastewater District). Both incumbents will seek reappointment to LAFCO. The term of office for these seats is four years, until May 2014.

Please note that only the presiding officer, or another member of your governing board appointed by the board, can vote at this meeting. General Managers and legal counsel are not able to represent the District. (Government Code §56332)

To transact business it is necessary that a quorum (50% plus one) of independent special districts be present. I encourage you to attend or be represented. Voting will occur at the meeting on April 19.

On February 4, we wrote to all districts announcing the vacancies, calling for nominations, and requesting the name of your presiding officer or designee for the election. If your district has not already done so, please provide the LAFCO office with the name of your presiding officer; and, if you choose, any nomination. As detailed in the February 4 memo, candidates must be nominated by Special District Board resolution and must be a board member/trustee of an independent district. The nomination should include the name of the nominee and the district they serve. Each independent special district is entitled to nominate a maximum of one board member.

Please submit your information to the LAFCO office no later than **April 9, 2010**.

Please contact the LAFCO office if you have any questions or need further information.

c: Each Member of the Commission
General Manager of Each Independent Special District

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Fire Prevention

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Fax: 925-838-6609

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Steven J. Hart, Assistant Fire Chief
Subject: Heating and Air Conditioning Replacement Project for Station 31

Background:

The FY 2009/10 Budget authorized the replacement of four roof mounted air conditioning units and two heat pumps at Station 31 and Dispatch.

A Legal Notice ran from February 19 – 23, 2010, requesting proposals to be submitted for the specified project. A total of six bidders appeared for the pre-bid conference at Station 31 on February 26th. The low bidder for the project is Heathorn Service Company of San Leandro. The bid price is \$28,568.00.

Recommended Board Action:

Staff recommends the Board of Directors approve a contract with Heathorn Service Company to replace the air conditioning units and heat pumps for \$28,568.00.

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Fire Prevention

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Fax: 925-838-6609

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Steven J. Hart, Assistant Fire Chief
Subject: Approval to Purchase Mobile Generator

Background:

The FY 2009/10 budget contained \$50,000 for the purchase of a mobile generator. The mobile unit will be primarily utilized as a back-up generator for the fire stations. It will also be deployed for large scale emergencies, as well as District events where mobile power is required.

A Legal Notice ran from February 8 – 12, 2010, requesting proposals be submitted for the specified project. A total of 2 companies submitted bids for the mobile generator on February 18th. The low bidder for the project is Cresco Equipment rentals of Livermore; however, through due diligence, the Cresco bid was deemed not responsive. The remaining bidder is Western Machine Electric from Benicia. The bid price is \$51,210.00.

Recommended Board Action:

Staff recommends the Board of Directors approve a contract with Western Machine Electric for the mobile generator for \$51,210.00.

NEW BUSINESS


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Fire Prevention
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Fax: 925-838-6696

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Sue Brooks - District Clerk 
Subject: August, 2010 Board Meeting

Due to the fact that the accreditation hearings are being held in Chicago the week of August 23, 2010, staff is recommending that the regularly scheduled meeting of August 25th be changed. Discussion will take place at the board meeting to see if any of the dates listed below can be secured for the August Board meeting:

Tuesday, August 17, 2010

Wednesday, August 18, 2010

Thursday, August 19, 2010

CORRESPONDENCE

March 5, 2010

Chief Richard Price
San Ramon Valley Fire Protection District
1500 Bollinger Canyon Drive
San Ramon, CA 94583

Chief Price,

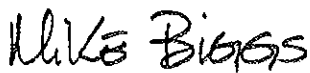
I would like to let you know about the great work members of your department did on the evening of March 2nd around 5:15 P.M. when I found myself needing emergency care for the first time in my life.

I was in the CVS pharmacy in the Market Place when I fainted. One of your engine companies was on scene within minutes and got the ball rolling helping me recover. I was not in a position to get their names but they were joined a short time later by Medics John Sinclear and Brian Medley who transported me to a local hospital. I am glad to say that everything turned OK for me.

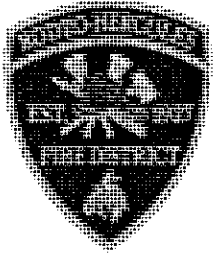
As a former police officer, industrial fire chief and current member of a corporate security department I have been to hundreds of medical aid calls over the years and am very familiar with the work emergency responders do. But I have to say I never appreciated how good a siren sounded or how comforting and helpful these professionals can be until that night. I guess it is a matter of perspective and from my point of view it could not have been any better.

With representatives like these Firefighters and Paramedics it is easy to understand why your department enjoys the excellent reputation it does. Please pass along my grateful thanks to the members of that Engine Company and Medics Sinclear and Medley-all of whom who took such good care of me that night for a job well done.

Sincerely,



Mike Biggs
564 Silver Lake Drive
Danville, CA 94526



RODEO - HERCULES FIRE PROTECTION DISTRICT

1680 REFUGIO VALLEY ROAD, HERCULES, CALIFORNIA 94547
(510) 799-4561 • FAX: (510) 799-0395

03 MAR 10 08:57

February 24, 2010

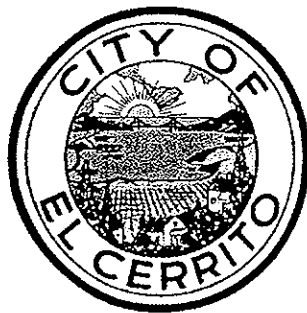
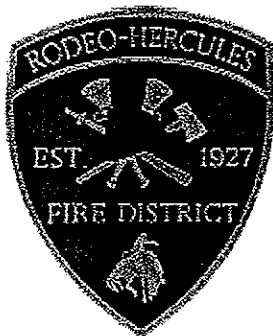
Chief Richard Price
San Ramon Valley Fire District
1500 Bollinger Canyon Rd.
San Ramon, CA 94583

Dear Chief Price:

On behalf of the Rodeo-Hercules Fire Protection District, the El Cerrito Fire Department and the Pinole Fire Department, thank you for providing proctors for the joint engineers testing held the week of February 22nd. Fourteen firefighters participated in the joint testing which will allow each agency to establish an Engineer's promotional list. Please extend our thank you to Captain Erik King. This type of quality testing could not be achieved without the assistance of our neighboring fire agencies. Once again, thank you for your time and professionalism.

Yours in Service

Ron Gesner
Interim Assistant Chief



the next time I will be seeing you is when I'm out of high school. Unless my dad hits another gas line, then maybe I will see you before then. Once again thank you very much for the interview. And hope to see you soon.

Peter Riley

Dear Chief Price,

Thank you so much for the interview I had last week with you. It was definitely a great experience for me. I found you very interesting, as well as your job. Also, thank you very much for helping me decide what I would like to be when I grow up, a firefighter. I was also

very impressed on how much you went through to becoming the San Ramon Valley Fire Chief. Also, thank you so much for the hat. I think it's very cool. I'm guessing that you

P.S. Sorry about the pen smearing!

Ross W. Smith
PO Box 700
Danville, California
94526

05 MAR 10 09:55

25 July 2010

Mrs. Roxanne Lindsay - President
San Ramon Fire Protection District
1500 Bollinger Canyon Road
San Ramon, CA 94583

Dear Roxanne, and members of the Board

Thank you for your considered letter of February. I have perhaps been unclear about my concern and objections posted to you in my January letter. Let me be more precise.

At the January 27, 2010 Board Meeting, I requested you remove from the consent agenda the matter of purchase of a large number of new fire vehicles. I based this request on the item 5 agenda statement:

“Consent calendar items are considered routine....Members of the audience wishing to provide public input may request that the Board remove the item from the the Consent Calendar”

Well I wished, and I requested, but to no avail, and in spite of the above statement by your good selves. This I characterize as arrogant, though other rougher terms might equally apply. This item was clearly not appropriate to a consent calendar, which is intended to cover non-controversial administrative matters. I had comments to make that I wished the Board to consider, and even openly debate, before a final vote.

Basically, an expenditure of \$1.6 million is hardly non-controversial to the public that must pay the bills. Today's fiscal circumstances suggest great constraint, and I and others are not seeing that from this Board. I hope the members will in future consider a broader input from a concerned citizenry, moderate their spending proclivities, and more clearly and openly address the requirements pushing such expenditures.

Regards,

Ross Smith

cc Richard Price, Chief ✓

Dear Richard -

Thank you so much for taking the time to interview my students. It was a very valuable experience for them and I really appreciate you taking time out of your day!

Sincerely,
Jacquie Fanelli, teacher
Charlotte Wood Middle School.

February 12, 2010

The Honorable Frank Sperling, President
And Members of the District Board of Directors
Moraga Orinda Fire District
33 Orinda Way
Orinda, CA 94563

Re: **Analysis of Board Options Relative to the Effect of Termination Pay on Pensions**

Dear President Wilson and Members of the District Board:

This letter analyzes the District's options relative to the effect of payments, including "termination pay," on the pension allowances payable to retiring employees of the Moraga Orinda Fire District ("the District"). The Board has expressed a concern regarding pension benefit calculations (i.e., annual allowances that increase member's pension beyond calculations based solely on base salary) caused, at least in part, by termination payouts. The Board would like a legal determination as to whether it has local discretion to change the outcomes, and if so, how this could be accomplished.

I. **Executive Summary**

This letter outlines the District's options to address its existing pension obligations. We do not provide any advice relative to the advisability of any possible changes to the District's current pension programs, and we do not address labor relations issues such as the duty to bargain with recognized labor unions.

Should the District choose to implement any plan design changes, we note that the options we describe include no impact on current employees.

In sum, the District has little discretion to change the plan design formulae in place with respect to current employees. Subject to bargaining obligations, the District may adopt a resolution, by majority vote, changing the pension benefit formula prospectively and changing the basis of the compensation calculation from "single highest year" to an average of three years prospectively. Such changes must apply across the board to all safety members and only to prospective employees (and not to current employees).

With respect to final compensation (an element contributing to a final pension allowance), the District is bound by pension law principles concerning what forms of pay must be counted toward a retiring member's final compensation. The California Supreme Court has interpreted the County Employees' Retirement Law of 1937 and ruled that most premiums and payouts which are paid during a member's final year must count toward pension, and the District has no discretion to change that outcome.

The District can, in various instances, reduce or eliminate cash payments employees receive in addition to base salary ("premiums"), and this would have the effect of reducing the amount of the final pension allowances. The District does not have any legal obligation to provide premiums and benefits, except that the District is legally obligated to honor contracts during their term for premiums and benefits it has entered into with individual employees and is legally obligated to provide premiums and benefits agreed to in the course of collective bargaining with its unions.

This memo is organized as follows: Section II describes the cash payments and other benefits District safety employees receive in addition to base salary which may be included in the computation of the employees' pension; Section III provides a legal analysis which explains the elements of final compensation upon which pensions are based under the County Employees' Retirement Law ("CERL"), and the significant case law interpreting the CERL relating to pensionable compensation issues; and Section IV provides an item-by-item analysis of the cash payments and benefits received by District safety employees, and analyzes the District's options regarding reduction or elimination of those payments and benefits to reduce pension allowances.

II. Factual Background

The District employs employees who fall within the following four groups: (1) rank and file firefighters who are represented by IAFF, Local 1230, who are currently covered by a collective bargaining agreement which expires as of January 1, 2011¹; (2) Battalion Chiefs who are currently covered by the Chief Officers Association collective bargaining agreement; (3) employees who are represented by United Clerical, Technical & Specialized Employees AFSCME, Local 2700, who are currently covered by a collective bargaining agreement²; and, (4) certain employees, including the Fire Chief, Fire Prevention Officer, Financial Manager, CQI Nurse, and Telecommunications Manager, who have employment contracts with the District which set forth their benefits.

¹ This IAFF Local 1230 bargaining unit is composed of the following classifications: Fire Captain, Fire Marshal, Fire Captain/Paramedic, Engineer, Engineer/Paramedic, Firefighter, and Firefighter/Paramedic.

² This bargaining unit is composed of the following classifications: Secretary, Administrative Secretary, and Personnel Technician.

This memo focuses on the benefits provided to Local 1230 members, Battalion Chiefs and the new Fire Chief.³ This memo will not address the benefits provided to groups 3 and certain employees in group 4 (described above).

By Resolution No. 02-09, the District authorized the retirement benefit of "3% at 50" service credit for safety members set forth in Government Code § 31664.1. The District further authorized that the formula be based on the single highest year of compensation pursuant to Government Code § 31462.1. That formula means that an eligible employee can receive a pension starting at age 50 equal to 3 percent of his/her highest 12 months' compensation multiplied by the number of years of service with the District.

A. Premiums and Benefits Provided in the MOUs and Contracts

As explained below, "compensation" which is the basis for computation of retirement benefits is not limited to annual salary but also includes other cash benefits received by the employee within his/her highest twelve months of compensation. Pursuant to the MOUs and employment contracts, District personnel are eligible to receive the following types of benefits and cash payments during a twelve-month period in addition to annual base salary:

Annual Vacation "Buy Back" -- Members of Local 1230 accrue vacation as follows: under 10 years of service -- maximum accrual is 336 hours; 11-20 years of service -- maximum accrual is 456 hours; for 30 years of service -- the maximum accrual is 792 hours. Battalion Chiefs accrue vacation as follows: under 5 years of service -- maximum accrual is 336 hours; 6-14 years of service -- maximum accrual is 432 hours; for 31 years and up of service -- the maximum accrual is 792 hours. The new Fire Chief was given a one-time credit of 80 hours of vacation leave and accrues vacation at the rate of 200 hours per year with a maximum accrual of 200 hours.

Battalion Chiefs may "sell back" up to a maximum of 198 unused vacation hours per calendar year. The new Fire Chief may "sell back" up to 160 hours of unused vacation once annually in December provided that no sell-back shall occur within 13 months of retirement. The new Fire Chief's contract provides that vacation may be sold back only once within any 12 month period and vacation sell-back shall not be considered compensation for retirement purposes. There is no vacation "sell back" provision for Local 1230 members.

Administrative Leave/Payout -- Battalion Chiefs are credited with 72 hours of paid personal leave and 84 additional hours of paid administrative leave based upon exemplary service to the District, which time is non-accruable, cannot be cashed out ("sold back"), and will be zeroed out effective June 30th of each year. The new Fire Chief was credited 80 hours of administrative leave upon commencement of employment and thereafter, on July 1 of each year, will receive 80 hours of administrative leave. The new Fire Chief's administrative leave may not be carried over from year to year and may not be sold back.

³ This memo is based on information contained in the most recent Memorandum of Understanding (MOU) between the District and IAFF, Local 1230, the most recent MOU between the District and the Chief Officers Association, and the new Fire Chief's contract.

Holiday compensation – Members of Local 1230 are entitled to 13 paid holidays. "56-hour" employees⁴ receive 12 hours overtime credit for each holiday, i.e., they receive 1.5 times their regular rate of pay for the 12 hours of each holiday regardless of whether they work on the holiday. Battalion Chiefs receive 8 hours of floating holiday for each holiday which accrues at the rate of 8.66 hours per month, with a maximum accumulation of 104 hours. Any unused floating holidays accrued during the final year of compensation may be cashed out by the Battalion Chiefs at the time of their separation. The new Fire Chief receives 11 paid holidays off from work taken in the same manner as administrative/clerical employees of the District.

Deferred Compensation – Battalion Chiefs receive \$50/month provided that the employee contributes certain minimum amounts to the deferred compensation plan. The new Fire Chief receives \$375/month provided that he maintains a minimum monthly contribution to the Deferred Compensation Plan of \$100/month.

Management Educational Incentive Pay – Fire management employees receive this incentive pay in increments of 2.5% of monthly base pay (not to exceed 5% of monthly base pay) if they possess certain certificates or educational degrees.

Fire Retirement Allotment - The new Fire Chief, Battalion Chiefs and members of Local 1230 receive a retirement cost of living allotment equal to 3.91% of their base salary. This allotment is included in employees' base salary, and therefore is included in the calculation of their pensions. The new Fire Chief must pay 100% of his retirement contribution.

Uniform Allowance – Members of Local 1230 receive an allowance of \$50/month. Battalion Chiefs receive an allowance of \$75/month.

Management Longevity Pay – Battalion Chiefs who have completed 10 years of service receive an additional 2.5% of their monthly base pay. If they have completed 20 years of service, they receive an additional 2.5% of their monthly base pay.

Sick Leave Incentive Plan Payout – Battalion Chiefs are eligible for a payout of unused sick leave accruals at separation, but only if they resign in good standing. *They are not eligible for payout of unused sick leave accruals at retirement.* To receive a payout of unused sick leave at resignation, the sick leave must be at least 70% of accruals earned in the preceding continuous period of employment. The payout of unused sick leave is based on a specific formula (e.g., if the employee has 5-7 years of service, he/she receives 40% of his/her unused sick leave paid). The new Fire Chief may not receive a payout for unused sick leave.

⁴ "56-hour employees" are employees who work 24-hour shifts and who average 56 hours of work per week. "40-hour employees" are those who average 40 hours of work per week and normally work 8 hours a day 5 days a week.

In addition, District personnel are eligible to receive the following cash payments and additional service credit at the time of separation from employment:

Vacation Payout at Separation or Retirement – As stated above, members of Local 1230 accrue vacation as follows: under 10 years of service – maximum accrual is 336 hours; 11-20 years of service – maximum accrual is 456 hours; for 30 years of service – the maximum accrual is 792 hours. Battalion Chiefs accrue vacation as follows: under 5 years of service – maximum accrual is 336 hours; 6-14 years of service – maximum accrual is 432 hours; for 31 years and up of service – the maximum accrual is 792 hours. The new Fire Chief was given a one-time credit of 80 hours of vacation leave and accrues vacation at the rate of 200 hours per year with a maximum accrual of 200 hours. At the time of separation from District service, employees shall be paid for any unused vacation at their current rate of pay (as required by Labor Code § 227.3).

Unused Sick Leave Credits Toward Retirement – 56-hour employees accrue sick leave credit at the rate of 12 hours per month. There is no "cap" on accrual of sick leave credit. At the time of retirement, an employee may apply any unused sick leave toward retirement (i.e., convert it to service credit, hour for hour, to increase the retirement benefit). There is no payout for unused sick leave at retirement.

III. Legal Issues Surrounding Pensions

A. Elements of Final Compensation Upon Which Pensions Are Based

District employees receive retirement benefits (pensions) under a retirement system established pursuant to the CERL, Government Code § 31450 *et seq.* Pensions are calculated based on the retiring employee's "final compensation." (Government Code § 31462) The "final compensation" for District employees is based on the single highest year's salary (including cash payments).⁵ For purposes of determining "final compensation," "compensation" is defined in Government Code § 31460, in relevant part, as follows: "remuneration paid in cash out of county or district funds, plus any amount deducted from a member's wages for participation in a deferred compensation plan ... but does not include the monetary value of board, lodging, fuel, laundry, or other advantages furnished to a member." "Compensation earnable" is defined in Government Code § 31461, in relevant part, as follows: "the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay."

In *Ventura County Deputy Sheriffs' Association v. Board of Retirement of Ventura County Employees' Retirement Association*, 16 Cal.4th 483 (1997) ("*Ventura I*"), the California Supreme Court interpreted the terms "compensation" and "compensation earnable" in Government Code §§ 31460 and

⁵ Government Code § 31462.1 provides that "final compensation" can be based on "the average annual compensation earnable by a member during any year elected by the member" – also known as the "single highest year compensation." The District Board adopted a resolution making this section applicable to the District. There is an alternative measuring period for pensionable compensation – i.e., the average annual compensation earnable by a member during any three years elected by the member (Government Code § 31462).

31461 and ruled that, with the exception of overtime pay, items of "compensation" paid in cash, even if not earned by all employees in the same grade or class, were required to be included in the "final compensation" on which an employee's pension was based. In that case, pursuant to a memorandum of understanding ("MOU") with the County Deputy Sheriffs' Association, the County paid employees, in cash, bilingual premium pay, a uniform maintenance allowance, educational incentive pay, additional compensation for scheduled meal periods for designated employees, pay in lieu of annual leave accrual, holiday pay, a motorcycle bonus, and a field training officer bonus. When the County refused to include the cash payments agreed to in the MOU in the employees' "final compensation" upon which their pensions were based, the Deputy Sheriffs' Association filed the lawsuit. The Court ruled that the correct interpretation of the statutory definitions of "compensation" and "compensation earnable" in CERL required that any cash payments made to employees for special skills, activities, and cash received in lieu of benefits should be included in the computation of pension benefits.

In light of the *Ventura I* ruling, it is now well-established that employees who receive pensions under a retirement system established pursuant to CERL, such as District employees, are entitled to have their pensions computed based not only on their annual base salary, but also on all cash payments they receive as premium pay for special skills, activities or cash received in lieu of benefits on an annual basis (such as one year of unused vacation).

After the *Ventura I* ruling was issued, two lawsuits were filed by retired employees who were members of the Contra Costa County Employees' Retirement Association ("CCCERA") claiming that CCCERA had improperly failed to include certain cash payments as part of their "compensation" on which their retirement benefits were calculated (*Paulson v. CCCERA* and *Walden v. CCCERA*). Among the class of employees covered by the lawsuits were employees of the Moraga Orinda Fire District ("District") who retired on or before September 30, 1997. In mid-1999, a settlement agreement was reached in both of those lawsuits implementing the *Ventura I* decision. That agreement set forth pay items which the parties agreed to accept as inclusions and exclusions from pensionable compensation, for compensation earned on or before September 30, 1997.

The settlement agreement specifically listed the pay items which the District agreed to accept as inclusions and exclusions from pensionable compensation. Of the 96 listed pay items, the District agreed to exclude only 22 pay items from pensionable compensation. Among the notable items that were *excluded* from pensionable compensation were (1) lump sum of accumulated unused vacation, paid upon termination, that was not earned in the final compensation period; and (2) sick leave payoff. However, the agreement provided that the lump sum of accumulated unused vacation, paid upon termination, that was earned in the final compensation period was includible in pensionable compensation. The agreement provided that any later court decisions that related to the scope of the *Ventura I* decision or the items of compensation to be included for pension purposes would have no effect on the terms of the agreement, but that the agreement would not limit the parties' rights to future modification or elimination of cash payments and benefits listed in the agreement.

Even though the settlement agreement expressly applied only to members who had retired as of September 30, 1997, in light of the threat of various lawsuits, the CCCERA Board decided to voluntarily apply the same terms to all members, regardless of active, retired or deferred status. Currently, CCCERA's policy is to include any annual cash payments for any accrued leaves and cash payments paid at termination for accrued time (such as vacation, holiday or sick leave) that represents time earned during the final compensation period in pensionable compensation.⁶ The District cannot unilaterally make a change in CCCERA's policies.⁷

After the settlement agreement was implemented, in 2003, in a case decided in connection with the original *Ventura* case, *In re Retirement Cases*, 110 Cal.App.4th 426 (2003) (*aka "Ventura II"*), a California court of appeal addressed the issue of whether cash-outs by employees of unused leave upon separation (i.e., "termination pay") should be included in the calculation of final compensation for retirement benefits. The court noted that, in *Ventura I*, the court held that, when an employee receives a cash payout at the end of any given year for unused compensatory time, sick leave, vacation or holiday pay, such cash payment is "compensation" within the meaning of Government Code § 31460. However, in *Ventura II*, the court held that the one-time cash-out of accrued leave at the time of separation from employment should not be included in "final compensation" for purposes of calculation of retirement benefits. The court reasoned that a one-time cash-out of accrued leave at separation occurs at separation of employment, and not during the period of employment itself, and therefore should be excluded under the statutory definition of "final compensation." The statute defines "final compensation" as "the average annual compensation earnable by a member during any year elected by a member or at the time he files an application for retirement, or, if he fails to elect, during the year *immediately preceding* his retirement" (Government Code § 31462.1), and therefore plainly excludes cash payouts made after service has been completed, at the time of retirement or separation. (*Id.* at p. 475). The court also relied on cases which interpreted the Public Employees' Retirement Law (PERL) which excluded termination pay from calculating retirement benefits, since, among other things, including termination pay would permit "spiking" of pension benefits. *Santa Monica Police Officers Assn. v. Board of Administration*, 69 Cal.App.3d 96, 100 (1977); *Hudson v. Board of Administration*, 59 Cal.App.4th 1310, 1323 (1997).

In 2004, in *Salus v. San Diego County Employees Retirement Assn.*, 117 Cal.App.4th 734 (2004), the court relied on *Ventura II* and held that the payouts of accrued sick leave benefits at time of retirement were not "final compensation" within the meaning of CERL and such payouts should not be included in the calculation of retirement benefits. The court noted that "final compensation" under CERL involves three

⁶ Recently, CCCERA's counsel advised CCCERA to adjust its policies and practices to ensure that they do not enable an overstatement of pensionable compensation by some members of the system. Counsel specifically noted that counting vacation payouts at termination as pensionable compensation is inconsistent with the rulings in the *Ventura II* and the *Salus* cases. (See CCCERA's website for counsel's analysis: www.cccera.org). As of the date of this letter, CCCERA is considering whether to adjust its policies and practices in light of the issues raised in their counsel's memo.

⁷ If the District wished to challenge the legality of CCCERA's policies, it could do so by bringing a declaratory relief lawsuit in state court seeking a judicial determination as to the legality of CCCERA's policies.

requirements: compensation in the form of cash, rather than in the form of in kind goods and services or time off; cash earned during a usual work period, as opposed to cash earned for overtime; and cash earned before retirement, rather than at or after retirement.

It should be noted that the concept of pension "spiking" is often misunderstood. Pension spiking is the purposeful manipulation of a member's final compensation in order to increase a retirement allowance beyond what the law allows. However, as explained in this letter, certain increases in an employee's pensionable earnings are not illegal. It is not illegal to have pensions computed based not only on an employee's annual base salary, but also on all cash payments the employee receives as premium pay for special skills, activities or cash received in lieu of benefits on an annual basis, such as unused vacation and administrative leave.

B. Legal Restrictions on Reducing Pensions – The Vested Rights Doctrine

1. Traditional Pensions

With regard to the right to receive a pension, a long line of cases confirm the proposition that "since a pension right is an 'integral portion of contemplated compensation,' it cannot be destroyed, once it has vested, without impairing a contractual obligation." In *Kern v. City of Long Beach*, 29 Cal.2d 848, 853 (1947), the Supreme Court confirmed that the right to a pension becomes vested upon acceptance of employment. Thus, for current District employees, their right to receive a pension becomes vested when they commenced District employment.

However, even if a benefit is vested, it may be modified subject to certain rules of modification. In *Allen v. City of Long Beach*, 45 Cal.2d 128, 130 (1955), the court discussed the rules for modification of vested pension benefits as follows:

An employee's vested contractual pension rights may be modified prior to retirement for the purpose of keeping a pension system flexible to permit adjustments in accord with changing conditions and at the same time maintain the integrity of the system. Such modifications must be reasonable, and it is for the courts to determine upon the facts of each case what constitutes a permissible change. To be sustained as reasonable, alterations of employees' pension rights must bear some material relation to the theory of a pension system and its successful operation, and changes in a pension plan which result in disadvantage to employees should be accompanied by comparable new advantages.

Thus, generally, even though an employees' right to receive pension benefits is a contractually vested right, the employer may modify the employees' pension benefits, but if the modification to the formula results in a disadvantage to the employees, it must be accompanied by a comparable new advantage. However, in practical terms, it may be difficult and impractical to provide a comparable new advantage to offset a reduction in a pension benefit.

CERL, Government Code § 31483, allows a district board to adopt an ordinance or resolution creating a two-tier retirement system providing newly hired employees a different retirement formula, such as 3% at 55. We believe this can be done so long as the District first meets its obligations to negotiate such changes with represented employee groups under the MMBA, and such changes apply across the board to all safety members and only to new hires. Government Code § 31483 provides that such changes to benefits may only be made for new hires (i.e., employees whose services commence after a given future date specified in the board's ordinance or resolution).

2. Other Post-Employment Benefits

In contrast to the law regarding the vesting of pension benefits, the issue of whether non-pension benefits are vested is more complicated because the law is relatively undeveloped. In *Butterworth v. Boyd*, 12 Cal.2d 140, 150 (1947), the California Supreme Court determined that public employees have no contractually vested right in any particular measure of compensation or benefits (not including pension benefits), and that these may be modified or reduced by the proper statutory authority.

There are three important cases that consider whether certain non-pension benefits may become vested: *California League of City Employee Associations v. Palos Verdes Library District*, 87 Cal.App.3d 135 (1978) ("*California League*") and *San Bernardino Public Employees v. City of Fontana*, 67 Cal.App.4th 1215 (1998) ("*Fontana*") and *San Diego Police Officers Association v. San Diego City Employees Retirement System*, 568 F.3d 725 (9th Cir. 2009).

In *California League*, plaintiff employee organization claimed that the library district had violated their vested contractual rights when, in 1975, the library district purported to eliminate three benefits by resolution, i.e., (1) a longevity salary increase equal to 2 percent of base pay; awarded at the end of the 9th, 12th, 15th and 18th years of service; (2) a fifth week of vacation for full-time professional employees after ten years of continuous service; and, (3) a 4-month fully paid sabbatical for librarians at the end of each 6 years of full-time service. These benefits were included in the library district's "Personnel Policies and Procedures" adopted by the district's board of trustees in 1966, and had been implemented as a matter of practice for a long period of time. During meet and confer sessions under the Meyers-Millias-Brown Act (MMBA), the library district offered the employees a 6 to 6.6 percent raise conditioned on the elimination of the three benefits in question. No memorandum of understanding between the parties was reached. Subsequently, the library district unilaterally adopted the 6 to 6.6 percent salary increase and eliminated the three benefits for all employees who had not yet completed the specific conditions precedent to qualify for the benefits.

The court held that the employees had a vested contractual right to the three benefits. The court reasoned that, in determining whether certain benefits are fundamental, the court must evaluate "the effect of it in human terms and the importance of it to the individual in the life situation." The court concluded that the benefits "were important to the employees, had been an inducement to remain employed with the district, and were a form of compensation which had been earned by remaining in employment." (*Id.* at p. 140) In response to the library district's argument that the benefits in question were adequately "offset" by the salary increase, the court ruled that the salary increase did not satisfy the principle that vested contractual rights may be modified if they bear some material relation to the theory of a pension system

and its successful operation, and changes in the pension plan which result in a disadvantage to employees should be accompanied by comparable new advantages. The court held that the library district had failed to prove the equivalency of the benefits and the salary increase. (*Id.* at 141)

Another court took a different view on the issue of whether longevity-based benefits are vested. In *San Bernardino Public Employees Association v. City of Fontana* ("*Fontana*"), the court disagreed with the *California League* reasoning and ruled that employees did not possess vested contractual rights to longevity pay or personal leave accrual benefits. In that case, the San Bernardino Public Employees Association (SBPEA) challenged various terms and conditions of employment under a MOU negotiated with the City. In 1995, the City and three bargaining units, all acting through and represented by SBPEA, entered into new MOUs. Before 1993, the MOUs for the three bargaining units all provided for longevity pay, leave accrual increases based on longevity, and paid retiree medical and dental insurance benefits. Those benefits had been agreed upon by the three bargaining units through the collective bargaining process. The 1990-1993 MOUs stated: "Unless specifically changed or modified by this Memorandum of Understanding, all prevailing benefits existing from previous agreements between the parties and approved by the City Council shall be maintained at current levels."

During negotiations for the 1995-1997 MOUs, the City proposed to reduce accrual of personal leave, longevity pay, and retiree insurance benefits ("longevity-based benefits"). The City warned that, if the membership rejected the proposal to reduce those benefits, the City would implement a 7 percent reduction in the City's contribution to PERS retirement. The SBPEA took the position that the longevity-based benefits were vested and could not be bargained away. However, the members of the three bargaining units ratified the MOUs that reduced the longevity-based benefits. The new MOUs reduced the personal leave accrual rate for employees having 10 or more years of service and changed longevity pay from a percentage of salary payable annually to a fixed amount payable only in the year of service the employee became eligible for the longevity pay. These provisions of the MOUs were strictly prospective. There was no change in any employee's previously accrued or used balances of personal leave, longevity pay or health benefits.

The court of appeal disagreed with *California League's* ruling that the longevity-based benefits were vested rights. The court reasoned that there can be no impairment of contract by a change effected with the consent of one of the contracting parties. The longevity-based benefits were provided for in collective bargaining agreements reached between the City and its bargaining groups. Those collective bargaining agreements were of fixed duration. Once the MOU's expired under their own terms, the employees had no legitimate expectation that the longevity-based benefits would continue unless they were renegotiated as part of a new bargaining agreement. The court noted that "It has long been held that public employees have no vested right in any particular measure of compensation or benefits, and that these may be modified or reduced by the proper statutory authority." (*Id.* at p.1225)

Recently, in *San Diego Police Officers Association v. San Diego City Employees Retirement System*, 568 F.3d 725 (9th Cir. 2009), the court decided, in line with the *Fontana* case, that San Diego's retiree health benefits were an employment term subject to change through negotiations, and not a contractually vested right. The court concluded that a contractual vested right is created only when the

legislative body has clearly expressed an intention to create a vested right. The court disapproved of the reasoning in the *California League* case and approved of the reasoning in the *Fontana* case. The court noted that certain benefits cannot become permanently and irrevocably vested as a matter of contract law when the benefits were earned on a year-to-year basis under previous MOUs that expired under their own terms. The court held that the retiree medical benefits at issue were considered a term of employment that could be negotiated through the collective bargaining process. As such, they were longevity-based benefits that continued only insofar as they were renegotiated as part of a new agreement and were not protectable contract rights.

In light of these cases, in our opinion, we believe that negotiated benefits such as longevity pay, management pay and leave accruals are not "vested." That is, upon expiration of an MOU which provides for such benefits, such benefits can be reduced or eliminated without providing an offsetting benefit to the employees so long as the District first complies with its obligations to negotiate with the affected unions about the proposed changes.

Nevertheless, if the District reduces or eliminates such pay for existing employees, it could face the risk of litigation by such employees who may claim that their rights to such benefits are vested. We believe that the District would be likely to prevail in such litigation so long as it has complied with its bargaining obligations under the MMBA before implementing the changes.

IV. Item-by-Item Analysis of District Options

One option which could have the effect of decreasing pension payouts is for the District to change its retirement formula from 3% at 50 to a different formula established by CERL, such as 3% at 55. The District must first negotiate these changes with affected employee bargaining units. It may then adopt a resolution (by majority vote) making this change prospectively for all new safety hires. However, such a change cannot be made for current employees, and must be made for all new safety hires, not just members of certain classifications or bargaining groups, pursuant to Government Code §§ 31483 and 31485.9. As explained above, any changes to such retirement benefits which the District wishes to make before the expiration of an existing MOU – even for new hires --cannot be made without express agreement by the union.

Another option is for the District to change its retirement formula from "single highest year" to the average of the three final years of compensation (using the formula in Government Code § 31462 instead of 31462.1). Since salaries usually increase over time, that would result in a lower amount of pensionable compensation. For example, if an employee's last three years of compensation were \$100,000, \$125,000, and \$150,000, the average of those amounts would be \$125,000 which is lower than the single highest year, \$150,000. The District can make this change by adopting a resolution, pursuant to Government Code § 31678.2(a). However, this change too would be subject to negotiation with the affected unions, pursuant to the MMBA. This change can only be made for new hires, not for current employees, pursuant to Government Code § 31483. Any changes to such retirement benefits which the District wishes to make before the expiration of an existing MOU – even for new hires -- cannot be made without express agreement by the union.

Set forth below is an analysis of each item of compensation currently paid in a member's final year of employment, along with our opinion as to whether the District can: (a) prohibit the item's inclusion in the calculation of "final compensation" for purposes of calculating pension benefits; and (b) otherwise change the benefit so that the effect on a pension is reduced or otherwise mitigated.

These opinions must be viewed in conjunction with the risks described above concerning "vested rights." For unrepresented employees who have employment contracts, any changes in his contractual benefits would be subject to contractual negotiations with them. For represented employees, such as Battalion Chiefs and members of Local 1230, any changes would be subject to the meet and confer obligation under the MMBA.

Finally, it should be noted that we do not include any policy analysis as to whether it is prudent to reduce or eliminate a particular benefit. For example, while there may be no legal requirement to pay a particular benefit or premium, it may nevertheless be appropriate from the standpoint of the comparable existing labor market and in order to recruit, attract and retain the highest qualified employees.

(a) **Annual Vacation "Buy Back" at Time of Retirement** – This payment item has the potential for creating the biggest increase in final compensation, and affecting increases in pension. As explained above, Battalion Chiefs may sell back up to a maximum of 198 vacation hours per calendar year. If these employees were to sell back these vacation hours in their single highest year of compensation, prior to retirement, that lump sum sell-back would be included in final compensation and affect an increase pension.⁸

- **Discretion to Prevent this Pay from Counting Toward Pension:** So long as payment for the unused vacation occurs prior to retirement (as required by *Ventura II*) and does not exceed the vacation that was earned in the final compensation period⁹, the District must allow this payment to count toward pension, according to *Ventura I*.
- **Discretion to Alter this Pay:** The District has the authority to reduce or eliminate vacation benefits, subject to contractual rights and collective bargaining rights described above. For example, the Board can stop allowing the Battalion Chiefs to sell back vacation each year, and can control the rate of accrual of vacation, etc. The District may also change its policy to require that Battalion Chiefs may

⁸ The new Fire Chief may "sell back" up to 160 hours of unused vacation once annually in December provided that no sell-back shall occur within 13 months of retirement. The new Fire Chief's contract provides that vacation may be sold back only once within any 12-month period and vacation sell-back shall not be considered compensation for retirement purposes.

⁹ As explained above, the number of vacation hours a District employee accrues increases with his/her years of service with the District. For example, a Battalion Chief with 16 years of service accrues 264 vacation hours per year. However, the Battalion Chief can only sell back up to 198 hours of those vacation hours in a calendar year, pursuant to the Battalion Chiefs' MOU.

only sell back vacation hours once in a 13-month period, to prohibit the possibility of "straddling" two calendar years of vacation payout. But the District is legally required to pay out any accrued unused vacation, pursuant to Labor Code § 227.3.

(b) **Administrative Leave/Payout** – Battalion Chiefs are credited with 72 hours of paid personal leave and 84 additional hours of paid administrative leave based upon exemplary service to the District, which time is non-accruable, cannot be sold back, and will be zeroed out effective June 30th of each year. The new Fire Chief was credited 80 hours of administrative leave upon commencement of employment and thereafter, on July 1 of each year, he will receive 80 hours of administrative leave. The new Fire Chief's administrative leave may not be carried over from year to year and may not be sold back.

- **Discretion to Prevent this Pay from Counting Toward Pension:** Since neither the Battalion Chiefs nor the new Fire Chief are permitted to sell back administrative leave, there is no payout of unused administrative leave to be included in final compensation.
- **Discretion to Alter this Pay:** The District has the authority to reduce or eliminate administrative leave, subject to contractual rights and collective bargaining rights.

(c) **Holiday compensation** – Members of Local 1230 are entitled to 13 paid holidays. "56-hour" employees receive 12 hours overtime credit for each holiday, i.e., they receive 1.5 times their regular rate of pay for the 12 hours of each holiday regardless of whether they work on the holiday. Battalion Chiefs receive 8 hours of floating holiday for each holiday which accrues at the rate of 8.66 hours per month, with a maximum accumulation of 104 hours. Any unused floating holidays accrued during the final year of compensation may be cashed out by the Battalion Chiefs at the time of their separation. The new Fire Chief receives 11 paid holidays off from work taken in the same manner as administrative/clerical employees of the District.

- **Discretion to Prevent this Pay from Counting Toward Pension:** None, based on current law.
- **Discretion to Alter this Pay:** The District must pay employees for hours worked, though it is not legally required to pay overtime pay for hours worked unless required by the Fair Labor Standards Act (FLSA). The District may reduce or eliminate this "overtime" payment if it is not legally required under the FLSA. In addition, the District has the discretion to modify or eliminate floating holidays, or stop allowing Fire management employees to sell back unused floating holidays at time of separation or retirement.

(d) **Deferred Compensation** -- Battalion Chiefs all receive \$50/month provided that the employee contributes certain minimum amounts to the deferred compensation plan. The new Fire Chief receives \$375/month provided that he maintains a minimum monthly contribution to the Deferred Compensation Plan of \$100/month.

- **Discretion to Include this Pay in Counting Toward Pension:** In *Ventura I*, the court ruled that CERL did not intend for a county's contributions to employees' deferred compensation to be "compensation" upon which pensions are computed. (See *Ventura I, supra*, 16 Cal.4th at p. 495) Accordingly, this pay should not be included in pensionable compensation. This issue is up to CCCERA, and is not within District control.
- **Discretion to Alter this Pay:** The District has the authority to reduce or eliminate this pay in its entirety, subject to contractual rights and collective bargaining rights. However, this pay should not be counted toward final compensation, in any event.¹⁰

(e) **Management Educational Incentive Pay** -- Battalion Chiefs receive this incentive pay in increments of 2.5% of monthly base pay (not to exceed 5% of monthly base pay) if they possess certain certificates or educational degrees.

- **Discretion to Prevent this Pay from Counting Toward Pension:** None, based on current law.
- **Discretion to Alter this Pay:** The District has the authority to reduce or eliminate this pay in its entirety, subject to contractual rights and collective bargaining rights.

(f) **Fire Retirement Allotment** - The new Fire Chief, Battalion Chiefs and members of Local 1230 all receive a retirement cost of living allotment equal to 3.91% of their base salary. This allotment is included in their base salary, and therefore is included in the calculation of their pensions.

- **Discretion to Prevent this Pay from Counting Toward Pension:** None, based on current law.
- **Discretion to Alter this Pay:** The District has the authority to reduce or eliminate this pay from base salary -- and therefore exclude it from pensionable compensation -- subject to contractual rights and collective bargaining rights.

¹⁰ We are currently attempting to confirm that CCCERA does not include this element toward final compensation.

(g) **Uniform Allowance** – Members of Local 1230 receive an allowance of \$50/month. Battalion Chiefs receive an allowance of \$75/month.

- **Discretion to Prevent this Pay from Counting Toward Pension:** None, based on current law.
- **Discretion to Alter this Pay:** The District has the authority to reduce or eliminate this pay in its entirety, subject to contractual rights and collective bargaining rights.

(h) **Management Longevity Pay** – Battalion Chiefs who have completed 10 years of service receive an additional 2.5% of their monthly base pay; if they have completed 20 years of service, they receive an additional 2.5% of their monthly base pay.

- **Discretion to Prevent this Pay from Counting Toward Pension:** None, based on current law.
- **Discretion to Alter this Pay:** The District has the authority to reduce or eliminate this pay in its entirety, subject to contractual rights and collective bargaining rights.

(i) **Sick Leave Payout** – Battalion Chiefs are eligible for a payout of unused sick leave accruals if they resign in good standing if they meet certain conditions. *But they are not eligible for this payout at retirement.* The new Fire Chief may not receive a payout for unused sick leave.

- **Discretion to Include this Pay in Counting Toward Pension:** Since the Battalion Chiefs' MOU expressly prohibits payout of sick leave at retirement, and this payment is only made upon resignation, this pay should not be counted towards final compensation.
- **Discretion to Alter this Pay:** The District has the authority to reduce or eliminate this pay in its entirety, subject to contractual rights and collective bargaining rights.

(j) **Unused Sick Leave Credits Toward Retirement** – 56-hour employees accrue sick leave credit of 12 hours per month. There is no "cap" on accrual of sick leave credit. At the time of retirement, an employee may apply any unused sick leave toward additional service time (i.e., convert it to service credit which results in an increased retirement benefit).

- **Discretion to Prevent Conversion of Unused Sick Leave to Service Credit Toward Pension:** CERL, Government Code § 31641.01 et seq., provides that counties may provide by ordinance that each employee shall be credited, at retirement, with service credit for accumulated sick leave. Such service credit increases pension benefits.¹¹ However, there is no statute providing the District

¹¹ The formula for determining a safety employee's pension benefits is determined by multiplying 3 times years of service credit times highest year compensation. One hour of unused sick leave equals one hour

with the authority to permit or terminate this benefit. Contra Costa County passed an ordinance providing this benefit. The District provides this benefit but has not passed a similar ordinance. In our opinion, due to lack of express statutory authority, the District does not have the authority to terminate this benefit in light of the fact that the County has passed an ordinance providing this benefit.

- **Discretion to Alter this Conversion:** The District has authority to reduce or eliminate sick leave benefits, subject to contractual rights and collective bargaining rights. For example, it may place a cap on the amount of sick leave employees may accrue. However, the District does not have the authority to terminate the ability to convert unused sick leave to service credit.

V. **Conclusions and Options**

Based on our review, the District has the following options with respect to modifying pension-related benefits.

(1) With respect to prospective employees, the District may decrease the pension formula, change to the "average of three years compensation" formula, and/or materially restructure the elements of compensation so long as such a change is made prospectively for all newly hired safety members, and is first negotiated with the affected unions. However, any changes to retirement benefits or formulas which the District wishes to make before the expiration of an existing collective bargaining agreement ("MOU") with a union cannot be made without express agreement by the union. The current MOU between the District and Local 1230 provides that a joint labor-management committee will be formed to review issues relating to the costs associated with both retirement benefits and retiree medical programs, and make findings and recommendations prior to the commencement of negotiations for the contract period commencing January 1, 2011. The District is contractually obligated to participate in this joint labor-management committee. After the MOU expires, when the District and the union negotiate a new contract, if the District and the union fail to reach an agreement regarding changes to the retirement benefits formula for new hires, an impasse may be declared.

(2) With respect to current employees, there are a number of considerations:

(a) With respect to "termination pay," based on the *Ventura II* and *Salus* cases, we believe that it is not legally permissible to include lump sum payouts made at termination in pensionable compensation. CCCERA's Board is currently reviewing its policy of permitting lump sum payouts to be included in pensionable compensation. We will inform the District if CCCERA makes any changes to its policy in this regard.

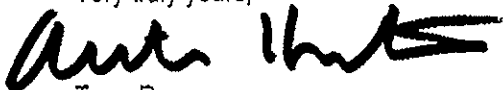
of service credit. 1,000 hours of unused sick leave divided by 2,000 hours (the average hours a 40-hour employee works in a year) equals ½ year of service credit. Thus, additional years of service credit will increase pension.

(b) With respect to other cash-outs and premiums earned during a member's final compensation period, those must be included in final compensation for pension purposes. However, the District could reduce or eliminate a variety of different payouts and this would have the effect of reducing a member's final compensation that counts toward pension. Any such changes must first be preceded by negotiation with the affected unions. In addition, as explained above, there is a risk of a vested rights claim, but we believe the risks to be relatively small if implemented correctly.

(c) With respect to the pension formula for current employees, this cannot be changed in light of CERL, Government Code § 31483.

Please feel free to contact either of us if you have questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Terry Roemer", with a stylized flourish at the end.

Terry Roemer
Arthur A. Hartinger



GOVERNOR ARNOLD SCHWARZENEGGER

February 18, 2010

Mr. Richard Price
Fire Chief
Sam Ramon Valley Fire protection District
1500 Bollinger Canyon Road
San Ramon, California 94583

Dear Mr. Price,

Thank you for writing to recommend Christina Jamison for an appointment in my Administration. I appreciate your interest in helping me identify capable individuals to serve the people of California.

I am honored by the response from people eager to dedicate their time, talent and energy to my Administration. Please know that Christina Jamison will receive full consideration for an appointment.

Again, thank you for your letter and personal commitment to the well-being of our great state.

Sincerely,

A handwritten signature in black ink that reads "Arnold Schwarzenegger".

Arnold Schwarzenegger





CSDA

DATE: February 26, 2010
TO: CSDA Voting Member Presidents and General Managers
FROM: CSDA Elections and Bylaws Committee
**SUBJECT: CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS
SEAT B**

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2010-2013 term.

The leadership of CSDA is elected from its six geographical regions. Each of the six regions has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA regular member located within the geographic region that they seek to represent. (See attached Region Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration.

Commitment: Serving on the Board requires one's interest in the issues confronting special districts statewide. A board member is expected to attend all board meetings held every other month, usually on the second Friday of the month, at CSDA's office in Sacramento. Besides serving on the Board, each Board Member is expected to participate on at least one committee, which usually meets 3-4 times a year in Sacramento. CSDA reimburses directors for their related expenses for Board and Committee meetings as outlined in Board Policy. In addition, all Board Members are expected to attend CSDA's two annual events: Special Districts Legislative Days (held in the spring) and the Annual Conference (held in the fall) as part of their obligation to the CSDA membership; expenses for these two events are not reimbursed by CSDA, even if a board meeting or committee meeting is held in conjunction with the event.

Nomination Procedures: Any regular member Independent Special District is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of Directors. **A copy of the member district's resolution or minute action must accompany the nomination. The**

deadline for receiving nominations is May 28, 2010. Nominations and supporting documentation may be mailed or faxed.

Nominees will receive a Candidate's Packet in the mail. The packet will include campaign guidelines.

CSDA will mail ballots on June 11. The ballots must be received by CSDA no later than 5:00 p.m. August 6 and must be the original ballot (no faxes or e-mails). The successful candidates will be notified no later than August 10. All selected Board Members will be introduced at the Annual Conference in Newport Beach, CA in September.

Expiring Terms

(See enclosed map for regional breakdown)

Region 1	Seat B	Alan Schoenstein, McCloud Community Services District
Region 2	Seat B	Ginger Root, Eastside Rural County Fire Protection District*
Region 3	Seat B	Sherry Sterrett, Pleasant Hill Recreation & Park District*
Region 4	Seat B	Sandy Young, Stallion Springs Community Services District*
Region 5	Seat B	John Fox, Goleta Sanitary District*
Region 6	Seat B	Arlene Schafer, Costa Mesa Sanitary District*

(* = Incumbent is running for reelection)

If you have any questions, please contact Diana Zavala at 877-924-CSDA or dianaz@csda.net.

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION
BOARD OF DIRECTORS

NOMINATION FORM

PLEASE BE SURE THE CANDIDATE'S PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE

Name of Candidate: _____

District: _____

Mailing
Address: _____

Region: _____ (see attached map)

Telephone: _____

Fax: _____

E-mail: _____

Nominated by (optional): _____

Return this **form and a Board resolution/minute action** supporting
the candidate by fax or mail to:

CSDA
Attn: Diana Zavala
1112 I Street, Suite 200
Sacramento, CA 95814
(916) 442-7887/(916) 442-7889 fax

DEADLINE FOR RECEIVING NOMINATIONS – May 28, 2010



CSDA Regions



Board of Directors by Region

Region 1

Mark Bryant, *Garberville Sanitary District*
 Phil Schoefer, *Western Shasta RCD*
 Alan Schoenstein, *McCloud CSD*

Region 2

Noelle Mattock, *El Dorado Hills CSD*
 Ginger Root, *Tuxedo Country Club FPD*
 Pete Kampa, *Tuolumne Utilities District*

Region 3

Stanley Caldwell, *Mt. View Sanitary District*
 James Kohnen, *Alameda County Mosquito AD*
 Sherry Sterrett, *Pleasant Hill RPD*

Region 4

Adrienne (Ann) Mathews, *Kern County Water Agency*
 Tim Unruh, *Kern County Cemetery District No. 1*
 Sandy Young, *Stallion Springs CSD*

Region 5

Jim Acosta, *Saticoy Sanitary District*
 Jack Curtis, *Ojai Valley Sanitary District*
 John Fox, *Goleta Sanitary District*

Region 6

Dewey Ausmus, *North County Cemetery District*
 Jo MacKenzie, *Vista Irrigation District*
 Arlene Schafer, *Costa Mesa Sanitary District*

CUSTOMER SATISFACTION CARD

It is the goal of the San Ramon Valley Fire Protection District to provide the highest level of emergency and non-emergency services to the community in an effort to protect life, the environment and property. One important measure of our success is your opinion on how you were treated by our Fire District Personnel.

Please take a few moments to answer the following questions.

Date and time of visit: 3/5/10 10:15
 Department: Fire Submittal

	Exceeded	Average	Dissatisfied
Were you treated courteously:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Professionalism:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Timely Response:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall Satisfaction:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional Comments HELP DESK WAS VERY (REBECCA)
HELPFUL IN ASSISTING ME WITH PLAN
SUBMITALS & ANSWERING QUESTIONS. I WISH
OTHER JURISDICTIONS WOULD BE AS HELPFUL

Please provide your contact information if you would like a response

Name: _____

Address: _____

City: _____

State: _____

Telephone Number: _____

San Ramon Valley Fire Protection District
 Attn: Fire Chief
 1500 Bollinger Canyon Road
 San Ramon, CA 94583



SAN RAMON VALLEY FIRE PROTECTION DISTRICT

CUSTOMER SATISFACTION CARD



*Did you receive excellent customer service
 from the San Ramon Valley
 Fire Protection District?*

*We would like your feedback on what
 we are doing right and where we need more work.
 Please complete the questionnaire on the
 reverse side of this form.*

OPERATIONS

SAN RAMON VALLEY FIRE PROTECTION DISTRICT

Administration
Phone: 925-838-6600
Fax: 925-838-6629
www.firedepartment.org

1500 Bollinger Canyon Road
San Ramon, California 94583

Fire Prevention
Phone: 925-838-6680
Fax: 925-838-6696

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Bryan Collins – Assistant Chief, Operations
Subject: Monthly Activity Report

Attached is the Operations report for the month of February, 2010.

Response Time Report - Incident Summary by Incident Type

Date Range: 02/01/2010 to 02/28/2010

Incident Type	# of Incidents	# of Responses	# Responses Used	Avg Response Time	Total Loss	Total Value
Fire	3	4	2	6:05	\$6,000.00	\$440,000.00
Rupture/Explosion	1	7	1	4:27		
EMS/Rescue	358	697	294	5:13		
Hazardous Condition	11	16	2	7:35		
Service Call	37	51	9	6:00		
Good Intent	74	109	15	5:53		
False Call	54	75	30	5:35		
Totals	538	959	353		\$6,000.00	\$440,000.00

Note: 353 responses from 538 total incidents were used in determining this response time summary. This report does not include the following: mutual aid given, auto aid given, other aid given, cancelled en route, non-emergency responses, responses outside the urban limit line and incomplete incident reports.

SUPPORT SERVICES

SAN RAMON VALLEY FIRE PROTECTION DISTRICT

Administration
Phone: 925-838-6600
Fax: 925-838-6629
www.firedepartment.org

1500 Bollinger Canyon Road
San Ramon, California 94583

Fire Prevention
Phone: 925-838-6680
Fax: 925-838-6696

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Steven J. Hart – Assistant Chief, Support Services
Subject: Monthly Activity Report

Attached is the Support Services report for the month of February, 2010.

<p style="text-align: center;">Support Services February, 2010</p>
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Facilities

1. Station 36 Annex: More rain delays – electrical service accomplished.
2. Station 36 Annex: Lot Line Adjustment submitted to County.
3. Station 32: Entitlement in development, Environmental review initiated.
4. FY 2010/11 Budget preparation in progress.

Fleet

1. Annual Pump Testing in progress at LPTC.
2. Annual Engine / Truck services in progress.
3. Type 1 & Type 3 Engine, Sales contract completed.
4. Commencing preventative maintenance and 2010 Smog on Staff vehicles.

Communication Center

1. Two conditional job offers were sent to fill Dispatch vacancies.
2. New controller and battery were installed for the Communications UPS.
3. Enhancements were made to the CAD call taking screen.
4. EMD Training for the Communications Center on the Aspirin Diagnostic and Interfacility Transfers.

Information & Technology

1. Configured CAD database and interface servers.
2. Upgraded primary CAD database server.
3. Upgraded CAD interface server.
4. Installed replacement workstation in Dispatch.

Current Projects

1. Coordinated bids for various budgeted projects.
2. Working through Fiscal Year 09/10 budgeted projects.
3. Station 39: Bathroom Remodel. Completed.
4. Change security code on Station / Admin keypad entrances and gates.
5. Trailer Mounted Diesel Generator RFP – Legal Notice posted with RFP due date of Feb 18. Lowest bidder determined; going thru due diligence.
6. Station 31: HVAC Replacement. Legal Notice posted with RFP due March 5. Pre-Bid Conference held at Station.

**FIRE PREVENTION
DIVISION**

SAN RAMON VALLEY FIRE PROTECTION DISTRICT

Administration
Phone: 925-838-6600
Fax: 925-838-6629
www.firedepartment.org

1500 Bollinger Canyon Road
San Ramon, California 94583

Fire Prevention
Phone: 925-838-6680
Fax: 925-838-6696

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Christina Jamison – Fire Marshal
Subject: Monthly Activity Reports

Attached are the Fire Prevention Reports for the month of February, 2010.

<p style="text-align: center;">Fire Prevention Monthly Summary February, 2010</p>

What Went Well:

Rotarians at Work Day – Senior Smoke Detector Program

On Saturday, April 24, five local Rotary Clubs will be assisting older adults in our community to ensure operational smoke detectors in their home. Rotarians signed up participants at the Safeway in Blackhawk on March 20 and will also be available for seniors to sign up at Lunardi's in Danville on Saturday, March 27.

Fee Study

Fire Inspector Bartusch is taking the lead conducting a fee study for both Fire Prevention operating fees and development impact fees. The District is working with Revenue and Cost Specialist, LLC to perform a comprehensive report and recommendation.

Review of District Citation Program

Code Compliance Officer Wendel is in the process of evaluating the benefits of an administrative citation program in an effort to improve compliance and provide better efficiency of staff time and resources.

"She's All That" Conference presented by the Soroptimist of San Ramon Valley

On February 7, staff participated in this career expo conference which is designed to empower young women to reach their goals. Soroptimist is an international non-profit organization of professional women working to improve the lives of women and girls, locally and throughout the world.

Charlotte Wood Career Day

Staff participated in the career day program for students 6th through 8th grade and discussed employment opportunities in the fire service.

Baskin Robbins 31Cent Scoop Night

This annual event will be held in partnership with the San Ramon Valley Firefighters. Participants will volunteer their time on April 28 at three locations within the District. As part of this event, Baskin Robbins will donate \$100,000 to the National Fallen Firefighters Foundation. District volunteers will also be fundraising for our local chapter of the MDA.

Fire Investigation

No fire investigations conducted during the month of February.

Plan Reviews Completed

See attachment for plan reviews completed in February.

Potential Issues:

The Division continues to work with property owners in the Blackhawk area to restore fire flow and fire sprinkler protection in a business occupancy.

Committee Meetings and Training Attended

- Evitt, Stevens-SRVFPD Safety Committee
- Castro-Nor Cal Public Education Committee
- Vanek-State Fire Marshal, License Care Committee
- Bartusch-Wellness Fitness Program Committee
- Jamison-ICC East Bay Chapter

Upcoming Public Education Classes and Events Scheduled

CERT Class #29	SRVFPD Admin Building	March 17-April 28 Wednesday Evening
Ready Person	SRVFPD Admin Building	March 25
New Parent	SRVFPD Admin Building	April 17
Wildfire Preparedness	SRVFPD Admin Building	April 19
Rotarians at Work Day - Senior Smoke Detector Program	District wide	April 24 0900-1200
Baskin Robbins 31 Cent Scoop Night	Locations within the District: San Ramon Baskin Robbins, 2005 Crow Canyon Place Blackhawk Baskin Robbins, 9000 Crow Canyon, Danville Downtown Danville Baskin Robbins, 301 Hartz	April 28 1700-2200

Plan Review Address	Type	Result	Reviewer
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Week of 2/1/2010-2/5/2010			
405 Railroad Ave. Dan.	Tenant Improvement	Approved	JB
11000 Crow Canyon Rd. Suite B Dan.	Tenant Improvement	Approved	IH
411 Hartz Ave Suite R Dan.	Tenant Improvement		
132 Victoria Pl. Dan.	Group B Offices	Approved	IH
12004 Harcourt Way SR	Photovoltaic System	Approved	IH
	Sprinkler Underground	Approved	IH

Week of 2/8/2010-2/12/2010			
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20503 San Ramon Valley Blvd. SR	Sprinkler Underground	Approved	IH
20709 San Ramon Valley Blvd. SR	Sprinkler Underground	Approved	IH
2600 Camino Ramon SR	Sprinkler TI	Required	IH
3486 Blackhawk Plaza Cir. Suite D4 Dan.	Fire Alarm System TI	Approved	IH
2603 Camino Ramon #200 SR	Tenant Improvement		
	Group B Offices	Approved	IH
2603 Camino Ramon #200 SR		Resubmittal	
2603 Camino Ramon #200 SR	Sprinkler TI	Required	IH
		Resubmittal	
2603 Camino Ramon #200 SR	Fire Alarm System TI	Required	IH
		Resubmittal	
2455 San Ramon Valley Blvd. SR	Sprinkler TI	Required	IH
3464 Blackhawk Plaza Cir. Dan.	Fire Alarm System TI	Approved	IH
2455 San Ramon Valley Blvd. SR	Sprinkler TI	Approved	IH
11000 Crow Canyon Rd. Suite G. Dan.	Sprinkler TI	Approved	IH

Week of 2/15/2010-2/19/2010			
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21314 San Ramon Valley Blvd. Suite D SR	Tenant Improvement	Approved	RE
3151 Crow Canyon Pl. Suite C SR	Hood & Duct Extinguishing System	Approved	RE
3160 Crow Canyon Rd. #330 SR	Tenant Improvement		
	Group B Offices	Approved	IH
6001 Bollinger Canyon Rd. Bldg. V	Tenant Improvement		
	Group B Offices	Approved	IH
		Resubmittal	
145 Montair Ct. Dan.	R-3 Occupancy	Required	IH
3162 Danville Blvd. Suite C1 & C2 Alamo	Sprinkler TI	Approved	IH
39 Beta Ct. SR	Refrigeration Equipment	Approved	IH

Week of 2/22/2010-2/26/2010			
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345 Railroad Ave. Suite B	Tenant Improvement	Approved	IH
673 San Ramon Valley Blvd.	Tenant Improvement		
	Group B Offices	Approved	IH
12647 Alcosta Blvd. Suite DD-Shell File	Tenant Improvement		
	Group B Offices	Approved	IH

12647 Alcosta Blvd. Suite DD-Shell File	Sprinkler TI	Approved	IH
12647 Alcosta Blvd. Suite DD-Shell File	Fire Alarm System TI	Approved	IH
38 Beta Ct. Suite A5-A6	Spray Booth System	Approved	IH
	Above Ground Flammable		
	or Combustible Liquid	Resubmittal	
2440 Camino Ramon #300	Storage Tank	Required	IH
	Alternative Materials &	Resubmittal	
2440 Camino Ramon #300	Methods of Const.	Required	IH
		Resubmittal	
989 San Ramon Valley Blvd.	Fire Alarm Systems	Required	IH
2600 Camino Ramon	Sprinkler TI	Approved	IH

ADMINISTRATIVE SERVICES

SAN RAMON VALLEY FIRE PROTECTION DISTRICT

Administration
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Fax: 925-838-6629
www.firedepartment.org

1500 Bollinger Canyon Road
San Ramon, California 94583

Fire Prevention
Phone: 925-838-6680
Fax: 925-838-6696

MEMORANDUM

Date: March 24, 2010
To: Board of Directors
From: Robert Leete – Administrative Services Director
Subject: Monthly Activity Reports

Attached are the Administrative Services Department reports for the month of February, 2010.

Administrative Services Department
February, 2010

Finance:

Financials

- Balance Sheet (February 28, 2010)
- Revenue/Expense History
- Statement of Expenditures
- Revenues: Budget v Actual
- Expenses: Budget v Actual
- General Fund Expenditures
- General Fund Revenues
- Capital & Equipment/Vehicle Fund
- Total Overtime
- Staffing/Overtime Analysis

Meetings/Activities:

Finance:

- Distributed budget preparation worksheets to District managers
- Presented credit card policy at Captain's meetings
- Continued accounting technician cross-training
- Assisted with accreditation site visit planning
- Reviewed copy machine maintenance options
- Researched options regarding property tax audit
- Attended California Society Municipal Finance Officers Annual Conference in Los Angeles

Human Resources:

- Assemble GASB 45 Data for CalPERS Report
- Extended Employment Offers – Dispatcher (2)
- Assembling Data for Performance Appraisal System Implementation

Employee Illness/Injury Report for February 2010

Reportable Injuries – February 2010:

1. February 9, 2010. An Engineer sustained a shoulder strain during a workout and aggravated the injury moving equipment onto an apparatus. Lost Time: 133.5 hours.
2. February 16, 2010. A Firefighter/Paramedic contracted pneumonia. Lost Time: 72 hours to date.

Note: As of February 28, 2010, there were five (5) employees absent from their regular work assignment. Lost time related to prior month/year injuries totaled 609.9 hours.

SAN RAMON VALLEY FIRE PROTECTION DISTRICT
 CAPITAL PROJECTS FUND AND EQUIPMENT/VEHICLES FUND EXPENDITURES
 FISCAL YEAR 2009 - 2010
 JULY 1, 2009 - FEBRUARY 28, 2010

FISCAL YEAR COMPLETED - 67%								
DESCRIPTION	GL CODE	2006/2007 ACTUAL	2007/2008 ACTUAL	2008/2009 UNAUDITED	2009/2010 BUDGET	EXPENDITURES TO DATE	REMAINING BAL. TO DATE	PERCENT EXPENDED
DESIGN/CONSTRUCTION	6105/6110	\$243,154	\$3,650,874	\$5,223,568	\$3,075,000	\$1,037,670	\$2,037,330	34%
VARIOUS IMPROVEMENTS	6120	\$188,794	\$44,994	\$86,887	\$516,300	\$150,808	\$365,492	29%
TOTAL CAPITAL PROJECTS (FUND 300)		\$431,948	\$3,695,868	\$5,310,455	\$3,591,300	\$1,188,478	\$2,402,822	33%
OFFICE EQUIP. & FURNISHINGS	6210	\$6,096	\$52,571	\$12,710	\$18,100	\$11,905	\$6,195	66%
MEDICAL/LAB EQUIPMENT	6220	\$91,490	\$148,962	\$0	\$8,000	\$11,397	-\$3,397	1.424625
RADIO/ELECTRONIC EQUIPMENT	6230	\$87,768	\$0	\$229,498	\$417,000	\$213,113	\$203,887	51%
TOOLS & SUNDRY EQUIPMENT	6240	\$255,016	\$226,541	\$38,496	\$273,000	\$132,857	\$140,143	49%
AUTO & TRUCKS	6250	\$3,296,551	-\$1,129	\$46,305	\$3,828,500	\$448,427	\$3,380,073	12%
TOTAL EQUIPMENT/VEHICLES (FUND 600)		\$3,736,920	\$426,945	\$327,009	\$4,544,600	\$817,699	\$3,726,901	18%
BOND REDEMPTION - 2003 Refunding COP & 2006 COP	5310	\$1,098,808	\$1,329,961	\$1,328,704	\$1,330,979	\$1,330,978	\$1	100%
VEHICLE LEASE #1	5310	\$75,921	\$75,921	\$0	\$0	\$0	\$0	0
VEHICLE LEASE #2	5310	\$329,497	\$329,498	\$329,497	\$329,498	\$329,498	\$0	100%
VEHICLE LEASE #3	5310	\$756,033	\$756,033	\$756,033	\$756,032	\$0	\$756,032	0%
TOTAL DEBT SERVICE (FUND 200)		\$2,260,259	\$2,491,413	\$2,414,234	\$2,416,509	\$1,660,476	\$756,033	69%
SERVICES & SUPPLIES	5000	\$15,329	\$30,641	\$22,243	\$60,000	\$38,400	\$21,600	64%
TOTAL AGENCY FUND (FUND 700)		\$15,329	\$30,641	\$22,243	\$60,000	\$38,400	\$21,600	64%
TOTAL - CAPITAL, EQUIP, DEBT & AGENCY		\$6,444,456	\$6,644,867	\$8,073,941	\$10,612,409	\$3,705,053	\$6,907,356	34.9%

**SAN RAMON VALLEY FIRE PROTECTION DISTRICT
COMBINED BALANCE SHEET OF ALL FUND TYPES
February 28, 2010**

	GOVERNMENTAL FUND TYPES				AGENCY CERT PROGRAM Fund - 700	ACCOUNT		GROUPS	
	General Fund - 100	Debt Service Fund - 200	Capital Projects Fund - 300	Equipment/ Vehicles Fund - 600		Fixed Assets Fund - 800	Long-Term Debt Fund - 900	Totals	
								(Memo Only)	(Memo Only)
ASSETS									
Cash - Union Bank of California	\$ (245,993)	\$ -	\$ -	\$ -	\$ 41,047	\$ -	\$ -	\$ -	\$ (204,946)
Cash - Union Bank of California-Prem. @ 0.10%	2,213,662								2,213,662
Cash - UBC - Workers' Compensation	(5,858)								(5,858)
Cash - Comerica-Flex Spending	5,485								5,485
Petty Cash	400								400
Investments - LAIF @ 0.60%	32,264,447				2,802				32,267,049
Cash with Fiscal Agent (Note #1)		1,329,619							1,329,619
Accounts Receivable	87,162								87,162
Prepaid Expenses/Deposits	1,000								1,000
Land									
Buildings & Improvements/Construction-In-Progress									
Equipment					7,105,802				7,105,802
Accumulated Depreciation					24,333,163				24,333,163
Amount to be Provided for General					23,709,300				23,709,300
Long Term Debt					(24,427,499)				(24,427,499)
Total Assets	\$ 34,320,305	\$ 1,329,619	\$ -	\$ -	\$ 43,649	\$ -	\$ 30,720,766	\$ 20,789,458	\$ 20,789,458
LIABILITIES									
Accounts Payable	\$ 210	\$ -	\$ -	\$ -	\$ 4,160	\$ -	\$ -	\$ -	\$ 4,370
Accrued Expenses	2,937,832								2,937,832
Deposits Payable	1,112								1,112
Long Term Debt:									
(1) Certificates of Participation								15,065,000	15,065,000
(2) Vehicle Lease								2,728,224	2,728,224
Claims Payable	5,485							1,145,444	1,150,929
Compensated Absences								1,850,790	1,850,790
Total Liabilities	\$ 2,944,639	\$ -	\$ -	\$ -	\$ 4,160	\$ -	\$ -	\$ 20,789,458	\$ 23,738,257
FUND EQUITY									
Investment in General Fixed Assets							30,720,766		30,720,766
Reserved for Debt Service									1,329,619
Designated for Workers' Compensation	1,000,000								1,000,000
Designated for Dry Spell (Cash Flow)	23,008,427								23,008,427
Undesignated	7,367,239				39,489				7,406,728
Total Fund Balance	\$ 31,375,666	\$ 1,329,619	\$ -	\$ -	\$ 39,489	\$ -	\$ 30,720,766	\$ 20,789,458	\$ 53,465,540
Total Liabilities and Fund Equity	\$ 34,320,305	\$ 1,329,619	\$ -	\$ -	\$ 43,649	\$ -	\$ 30,720,766	\$ 20,789,458	\$ 87,203,797

Note 1-US Bank Reserve Fund (COP 2003) Market Value \$730,113, Interest Rate 0.30% (Money Market Fund)
 Lease Fund (COP 2003) Market Value \$5, Interest Rate 0.40% (Money Market Fund)
 Reserve Fund (COP 2006) Market Value \$599,488, Interest Rate 0.30% (Money Market Fund)
 Lease Fund (COP 2006) Market Value \$13, Interest Rate 0.31% (Money Market Fund)

**SAN RAMON VALLEY FIRE PROTECTION DISTRICT
REVENUE/EXPENDITURE HISTORY**

Month	2005-06		2006-07		2007-08		2008-09		2009-10	
	Revenue	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue	Expenditures
July	198,493	3,700,845	220,615	4,259,268	206,857	4,051,393	409,494	4,731,355	247,304	4,758,259
August	201,004	2,970,815	296,654	3,274,027	309,023	3,934,582	215,934	4,086,942	222,953	3,806,559
September	4,859,809	3,607,619	486,663	3,487,349	561,478	3,731,470	367,546	4,339,978	296,640	4,728,793
October	1,558,737	3,202,398	542,471	3,557,605	1,640,500	4,066,860	2,483,697	4,137,431	1,955,619	3,664,748
November	176,335	3,236,093	1,689,992	3,549,374	312,547	3,648,147	165,281	4,058,659	228,442	3,778,804
December	22,459,669	3,290,276	24,981,792	3,622,509	24,595,524	3,757,596	27,327,550	4,162,810	26,486,066	4,293,444
January	180,566	3,069,591	408,114	3,286,521	3,484,808	4,039,456	437,643	4,026,715	2,231,614	3,813,140
February	190,286	3,464,287	272,420	3,519,689	154,599	4,573,322	234,858	4,284,220	253,553	3,865,360
March	9,890,976	3,173,650	619,867	3,487,574	219,862	4,638,451	358,150	4,551,611		
April	16,133,414	3,283,125	18,178,615	3,680,317	18,767,904	3,751,889	19,725,844	4,110,947		
May	399,640	3,379,036	232,490	3,457,733	197,558	4,210,272	315,047	3,773,572		
June	4,152,484	3,589,770	5,437,965	3,697,713	3,677,543	4,615,870	3,892,839	8,012,065		

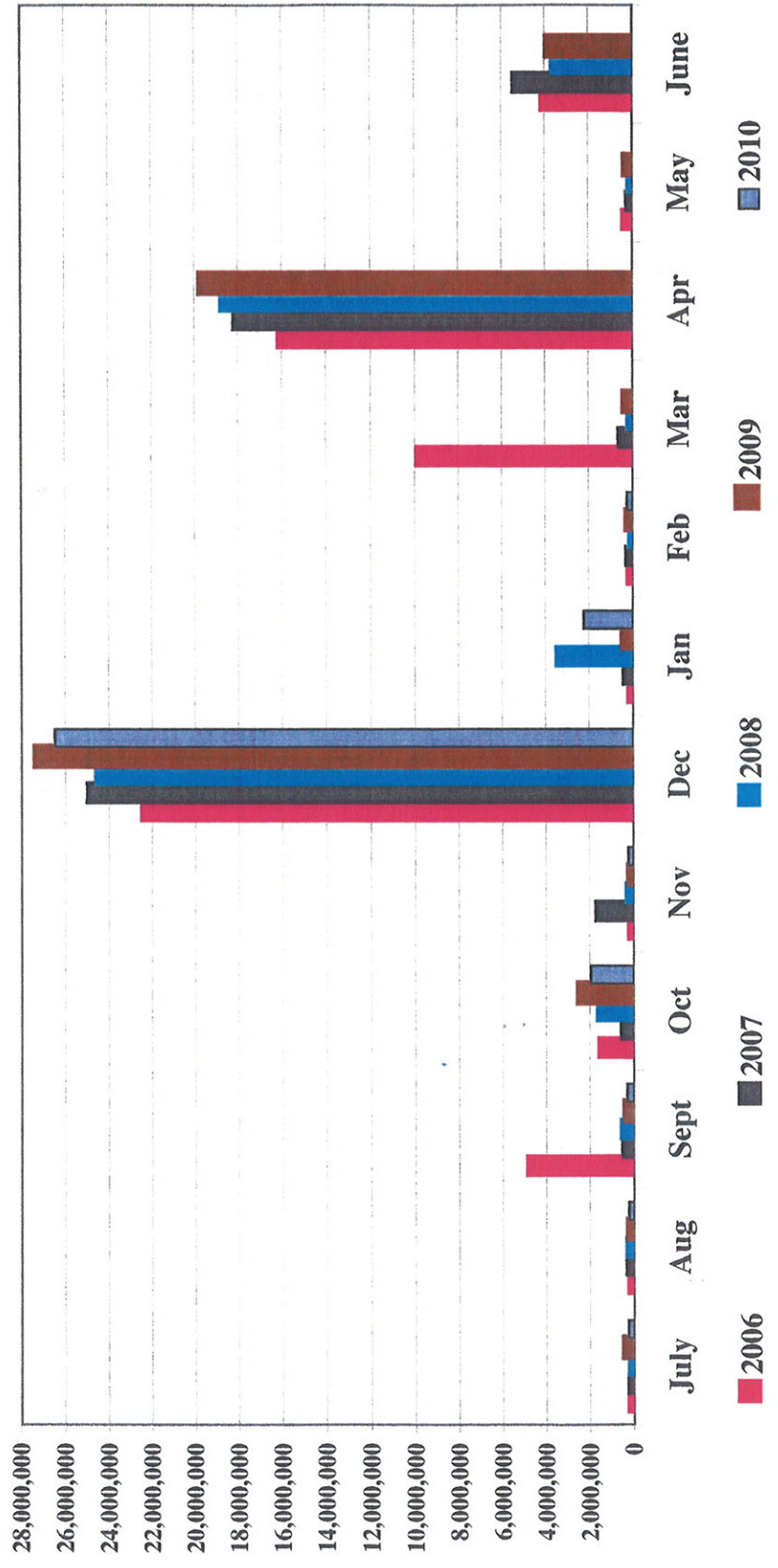
SAN RAMON VALLEY FIRE PROTECTION DISTRICT
GENERAL FUND EXPENDITURES
FISCAL YEAR 2009/2010
JULY 1, 2009 - FEBRUARY 28, 2010

FISCAL YEAR COMPLETED - 67%								
DESCRIPTION	GL CODE	2006-2007 ACTUAL	2007-2008 ACTUAL	2008-2009 UNAUDITED	2009-2010 BUDGET	EXPENDITURES TO DATE	REMAINING BAL. TO DATE	PERCENT EXPENDED
PERMANENT SALARIES	5110	\$19,566,915	\$20,695,453	\$21,913,062	\$22,485,815	\$14,742,644	\$7,743,171	65.56%
TEMPORARY SALARIES	5115	\$146,100	\$331,684	\$280,606	\$240,572	\$160,873	\$9,699	66.87%
PERMANENT OVERTIME	5120	\$2,748,451	\$5,011,294	\$5,126,576	\$4,071,766	\$3,104,804	\$966,962	76.25%
FEDERAL INSURANCE COMPENSATION	5140	\$303,468	\$367,385	\$384,599	\$325,815	\$255,496	\$70,319	78.42%
RETIREMENT CONTRIBUTIONS	5150	\$10,846,542	\$11,992,084	\$12,613,117	\$12,869,952	\$7,813,035	\$5,056,917	60.71%
EMPLOYEE GROUP INSURANCE	5160	\$3,208,278	\$3,309,643	\$3,537,064	\$4,206,895	\$2,482,619	\$1,724,272	59.01%
RETIREE HEALTH INSURANCE	5170	\$1,108,056	\$1,214,235	\$4,633,235	\$1,400,000	\$801,928	\$598,076	57.28%
UNEMPLOYMENT INSURANCE	5180	\$0	\$10,350	\$1,814	\$5,000	\$14,183	(\$9,183)	283.66%
WORKERS' COMPENSATION INS.	5190	\$299,980	\$427,860	\$601,711	\$600,000	\$329,840	\$270,160	54.97%
TOTAL SALARIES AND BENEFITS	5100	\$38,227,789	\$43,359,988	\$49,091,784	\$46,205,815	\$29,705,422	\$16,500,393	64.29%
OFFICE SUPPLIES	5202	\$52,883	\$42,987	\$44,889	\$48,250	\$27,428	\$20,822	56.85%
POSTAGE	5204	\$11,686	\$15,134	\$9,856	\$10,950	\$5,563	\$5,387	50.80%
TELECOMMUNICATIONS	5206	\$204,034	\$212,153	\$207,367	\$233,800	\$117,874	\$115,926	50.42%
UTILITIES	5208	\$252,334	\$246,082	\$296,585	\$252,000	\$193,512	\$58,488	76.79%
SMALL TOOLS/EQUIPMENT	5210	\$257,018	\$269,106	\$163,210	\$139,250	\$87,182	\$52,068	62.61%
MISCELLANEOUS SUPPLIES	5212	\$121,700	\$156,182	\$152,082	\$110,570	\$89,299	\$21,271	80.76%
MEDICAL SUPPLIES	5213	\$147,583	\$131,141	\$119,740	\$130,000	\$74,694	\$55,306	57.46%
FIREFIGHTING SUPPLIES	5214	\$173,075	\$155,547	\$131,770	\$97,000	\$103,380	(\$6,380)	106.58%
PHARMACEUTICAL SUPPLIES	5216	\$39,335	\$29,890	\$28,855	\$45,000	\$27,195	\$17,805	60.43%
COMPUTER SUPPLIES	5218	\$133,249	\$118,144	\$57,476	\$56,250	\$17,531	\$38,719	31.17%
RADIO EQUIPMENT & SUPPLIES	5219	\$104,414	\$121,670	\$89,623	\$50,000	\$32,935	\$17,065	65.87%
FILM PROCESSING/SUPPLIES	5220	\$1,168	\$1,697	\$7,115	\$900	\$0	\$900	0.00%
FOOD SUPPLIES	5222	\$15,786	\$22,182	\$24,542	\$27,346	\$14,542	\$12,804	52.85%
SAFETY CLOTHING/SUPPLIES	5224	\$115,508	\$267,904	\$167,266	\$142,250	\$77,177	\$65,073	54.25%
NON-SAFETY CLOTHING/SUPPLIES	5226	\$59,040	\$61,562	\$67,281	\$86,810	\$28,312	\$58,498	32.61%
HOUSEHOLD SUPPLIES	5228	\$46,328	\$48,555	\$65,113	\$40,000	\$29,140	\$10,860	72.85%
CENTRAL GARAGE - REPAIRS	5230	\$112,758	\$133,351	\$104,065	\$120,000	\$67,552	\$52,448	56.29%
CENTRAL GARAGE - MAINTENANCE	5231	\$12,717	\$17,004	\$12,509	\$36,500	\$9,984	\$26,516	27.35%
CENTRAL GARAGE - GAS, DIESEL & OIL	5232	\$162,458	\$178,570	\$169,675	\$173,700	\$109,884	\$63,816	63.26%
CENTRAL GARAGE - TIRES	5234	\$20,340	\$21,220	\$16,670	\$22,000	\$25,186	(\$3,186)	114.48%
CENTRAL GARAGE - MANDATED INSP.	5235	\$9,800	\$5,857	\$6,568	\$10,000	\$5,952	\$4,048	59.52%
MAINT./REPAIRS - EQUIPMENT	5236	\$102,011	\$142,399	\$135,552	\$129,250	\$58,431	\$70,819	45.21%
MAINT./REPAIRS - RADIO & ELECTRONIC	5238	\$329,920	\$551,378	\$285,978	\$347,270	\$205,650	\$141,620	59.22%
MAINT./REPAIRS - BUILDINGS	5240	\$221,347	\$413,688	\$257,526	\$173,900	\$174,676	(\$776)	100.45%
MAINT./REPAIRS - GROUNDS	5242	\$51,561	\$58,335	\$61,873	\$53,500	\$30,968	\$22,532	57.88%
RENTS & LEASES-EQUIP./PROPERTY	5246	\$77,118	\$92,234	\$56,753	\$75,500	\$44,585	\$30,915	59.05%
PROFESSIONAL/SPECIALIZED SERVICES	5250	\$675,430	\$809,091	\$960,219	\$817,240	\$376,030	\$441,210	46.01%
RECRUITING COSTS	5251	\$60,281	\$78,806	\$109,023	\$95,670	\$34,750	\$60,920	36.32%
LEGAL SERVICES	5252	\$118,100	\$163,378	\$192,639	\$180,000	\$153,930	\$26,070	85.52%
MEDICAL SERVICES	5254	\$70,549	\$73,941	\$83,483	\$95,350	\$32,138	\$63,212	33.71%
DATA PROCESSING SERVICES	5256	\$258	\$221	\$78	\$500	\$70	\$430	14.00%
COMMUNICATIONS SERVICES	5258	\$1,669	\$3,399	\$4,017	\$4,200	\$1,780	\$2,420	42.38%
DOCUMENT MANAGEMENT SERVICES	5260	\$2,177	\$1,477	\$17,222	\$5,000	\$300	\$4,700	6.00%
ELECTION SERVICES	5262	\$49,267	\$0	\$119,616	\$0	\$0	\$0	
INSURANCE SERVICES	5264	\$574,876	\$536,487	\$502,508	\$515,000	\$474,681	\$40,319	92.17%
PUBLICATION OF LEGAL NOTICES	5270	\$964	\$1,349	\$2,248	\$3,500	\$647	\$2,853	18.49%
SPECIALIZED PRINTING	5272	\$20,263	\$66,752	\$90,040	\$78,330	\$22,630	\$55,700	28.89%
MEMBERSHIPS	5274	\$35,734	\$44,639	\$54,857	\$56,520	\$46,079	\$10,441	81.53%
EDUCATIONAL COURSES/SUPPLIES	5276	\$119,452	\$151,734	\$126,996	\$218,220	\$101,095	\$117,125	46.33%
EDUCATIONAL ASSISTANCE PROGRAM	5277	\$25,326	\$27,515	\$30,389	\$26,800	\$16,558	\$10,242	61.78%
PUBLIC EDUCATIONAL SUPPLIES	5278	\$17,502	\$24,931	\$18,788	\$17,345	\$17,216	\$129	99.26%
BOOKS & PERIODICALS	5280	\$17,740	\$27,333	\$16,425	\$32,530	\$7,105	\$25,425	21.84%
RECOGNITION SUPPLIES	5282	\$28,844	\$26,545	\$8,110	\$15,500	\$3,576	\$11,924	23.07%
MEETINGS/TRAVEL EXPENSES	5284	\$74,517	\$109,492	\$108,014	\$158,885	\$56,558	\$102,307	35.60%
OTHER	5286	\$0	\$0	\$0	\$363,955	\$0	\$363,955	0.00%
DISCOUNTS	5299	(\$191)	(\$77)	(\$90)	\$0	\$0	\$0	0.00%
GRANT PASS-THROUGH	5920	\$56,677	\$0	\$0	\$0	\$0	\$0	0.00%
TOTAL SERVICES AND SUPPLIES	5200	\$4,784,606	\$5,660,984	\$5,184,521	\$5,296,521	\$3,003,685	\$2,292,836	56.71%
TOTAL G/F OPERATING EXPENDITURES		\$43,012,396	\$49,020,972	\$54,276,305	\$51,502,336	\$32,709,107	\$18,793,229	63.51%

**SAN RAMON VALLEY FIRE PROTECTION DISTRICT
REVENUES (ALL FUNDS)
FISCAL YEAR 2009/2010
JULY 1, 2009 - FEBRUARY 28, 2010**

GL CODE	DESCRIPTION	2006/2007 AUDITED REVENUE	2007/2008 AUDITED REVENUE	2008/2009 UNAUDITED REVENUE	2009/2010 ESTIMATED REVENUE	2009/2010 REALIZED REVENUE
4100	TAXES					
4110	PROPERTY TAXES - CURRENT SECURED	\$44,440,740	\$48,301,244	\$49,793,169	\$51,275,860	\$27,874,403
4120	PROPERTY TAXES - SUPPLEMENTAL	\$3,135,904	\$1,277,576	\$978,218	\$100,000	\$105,601
4130	PROPERTY TAXES - UTILITIES (Unitary)	\$608,146	\$679,868	\$710,831	\$732,532	\$418,297
4140	PROPERTY TAXES - CURRENT UNSECURED	\$1,388,523	\$1,483,621	\$1,593,394	\$1,501,301	\$1,622,620
4145	HOMEOWNERS PROPERTY TAX RELIEF	\$503,469	\$502,776	\$514,864	\$260,895	\$0
4150	LESS TAXES RETURNED TO COUNTY	(\$1,232,437)	(\$1,558,586)	(\$1,558,586)	(\$1,605,344)	\$0
4160	LESS COUNTY TAX ADMINISTRATION	(\$346,164)	(\$462,517)	(\$558,980)	(\$575,490)	(\$138)
4170	PROPERTY TAXES - PRIOR SECURED	-\$13,609	(\$411,770)	(\$6,574)	(\$10,000)	(\$339,632)
4180	PROPERTY TAXES - PRIOR SUPPLEMENTAL	(\$6,744)	(\$117,662)	(\$151,465)	(\$5,000)	(\$3,442)
4190	PROPERTY TAXES - PRIOR UNSECURED	\$43,743	\$34,661	\$21,142	\$25,000	\$9,567
		\$48,521,551	\$49,729,211	\$51,335,992	\$51,699,754	\$29,687,276
4200	INTERGOVERNMENTAL REVENUE					
4220	MEASURE "H"	\$182,227	\$19,787	\$19,787	\$91,087	\$0
4230	SB-90 MANDATED COSTS	\$59,251	\$0	\$18,509	\$5,000	\$14,847
4240	MISCELLANEOUS STATE AID/GRANTS	\$487,320	\$759,633	\$1,163,261	\$350,000	\$309,198
4250	OTHER INTERGOVERNMENTAL REVENUE	\$2,734	\$28,354	\$168,377	\$32,000	\$42,000
		\$731,532	\$807,774	\$1,369,954	\$478,087	\$366,045
4300	CHARGES FOR SERVICE					
4310	INSPECTION FEES	\$24,674	\$35,492	\$32,721	\$30,000	\$30,399
4315	PLAN REVIEW	\$193,564	\$186,762	\$140,363	\$162,843	\$69,977
4320	WEED ABATEMENT CHARGES	\$5,893	\$6,682	\$8,130	\$4,500	\$8,162
4330	AMBULANCE SERVICES	\$1,896,017	\$1,924,266	\$2,314,570	\$2,351,610	\$1,588,955
4340	CPR CLASSES	\$2,625	\$1,450	\$1,899	\$1,500	\$1,500
4350	REPORTS/PHOTOCOPIES	\$1,618	\$1,426	\$2,143	\$1,500	\$996
4360	MISCELLANEOUS CURRENT SERVICES	\$4,250	\$1,373	\$0	\$0	\$0
		\$2,128,641	\$2,157,453	\$2,499,826	\$2,551,953	\$1,699,989
4400	USE OF MONEY & PROPERTY					
4410	INVESTMENT EARNINGS	\$1,789,342	\$1,723,008	\$638,353	\$508,400	\$103,118
		\$1,789,342	\$1,723,008	\$638,353	\$508,400	\$103,118
4500	RENTS, ROYALTIES AND COMMISSIONS					
4510	RENT ON REAL ESTATE	\$132,366	\$139,557	\$157,865	\$147,800	\$90,772
		\$132,366	\$139,557	\$157,865	\$147,800	\$90,772
4600	OTHER REVENUE					
4610	DONATIONS/CONTRIBUTIONS	\$2,095	\$726	\$470	\$0	\$1,500
4620	SALE OF PROPERTY	\$460	\$0	\$0	\$0	\$0
4630	INDEMNIFYING PROCEEDS	\$19,425	\$0	\$0	\$0	\$0
4640	MISCELLANEOUS REVENUE		\$43,923	\$25,424	\$0	\$30,822
		\$21,980	\$44,649	\$25,894	\$0	\$32,322
4900	OTHER FINANCING SOURCES					
4910	DEBT PROCEEDS - OTHER FINANCING SOURCES				\$6,763,500	\$0
		\$0	\$0	\$0	\$6,763,500	\$0
	REVENUE TOTAL	\$53,325,412	\$54,601,652	\$56,027,884	\$62,149,494	\$31,979,522

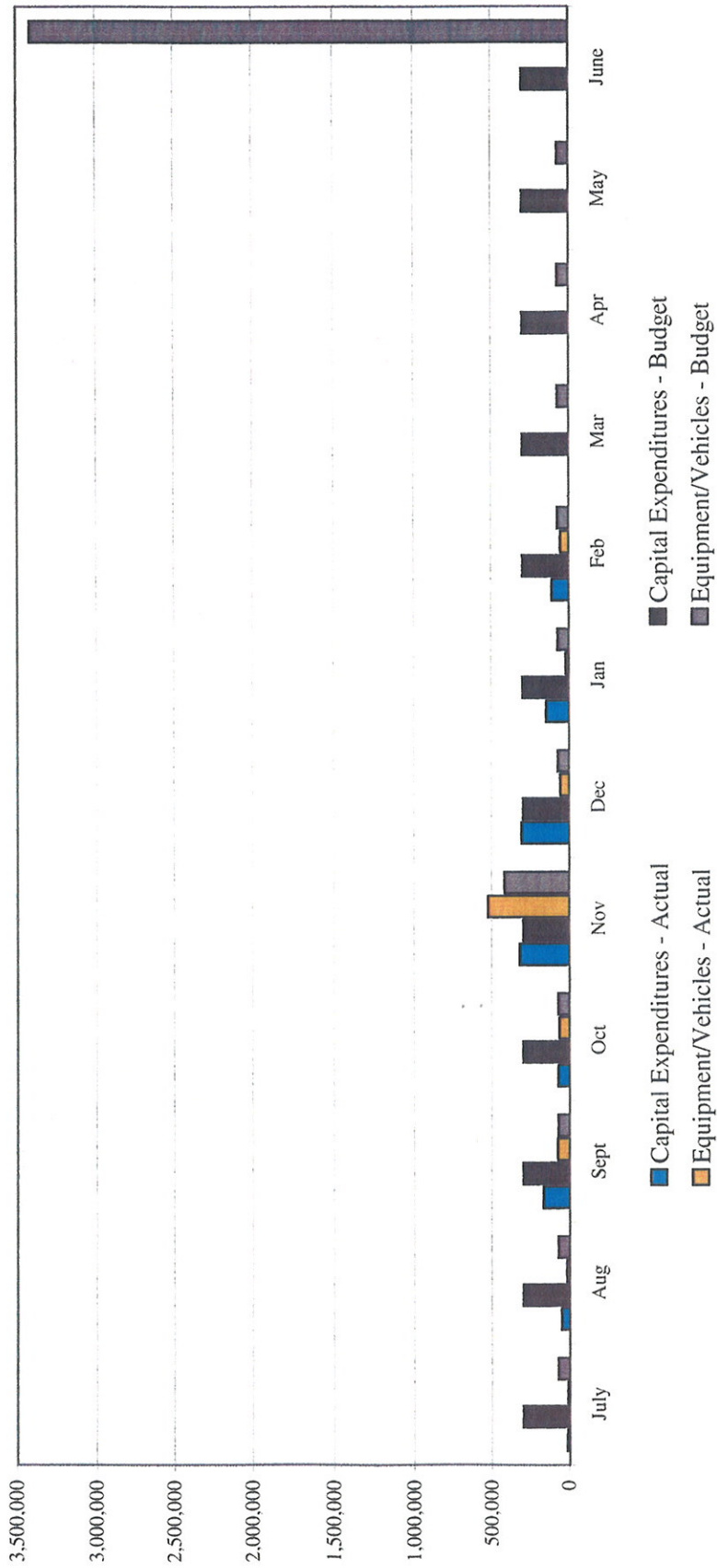
GENERAL FUND REVENUE
FISCAL YEARS 2006 - 2010



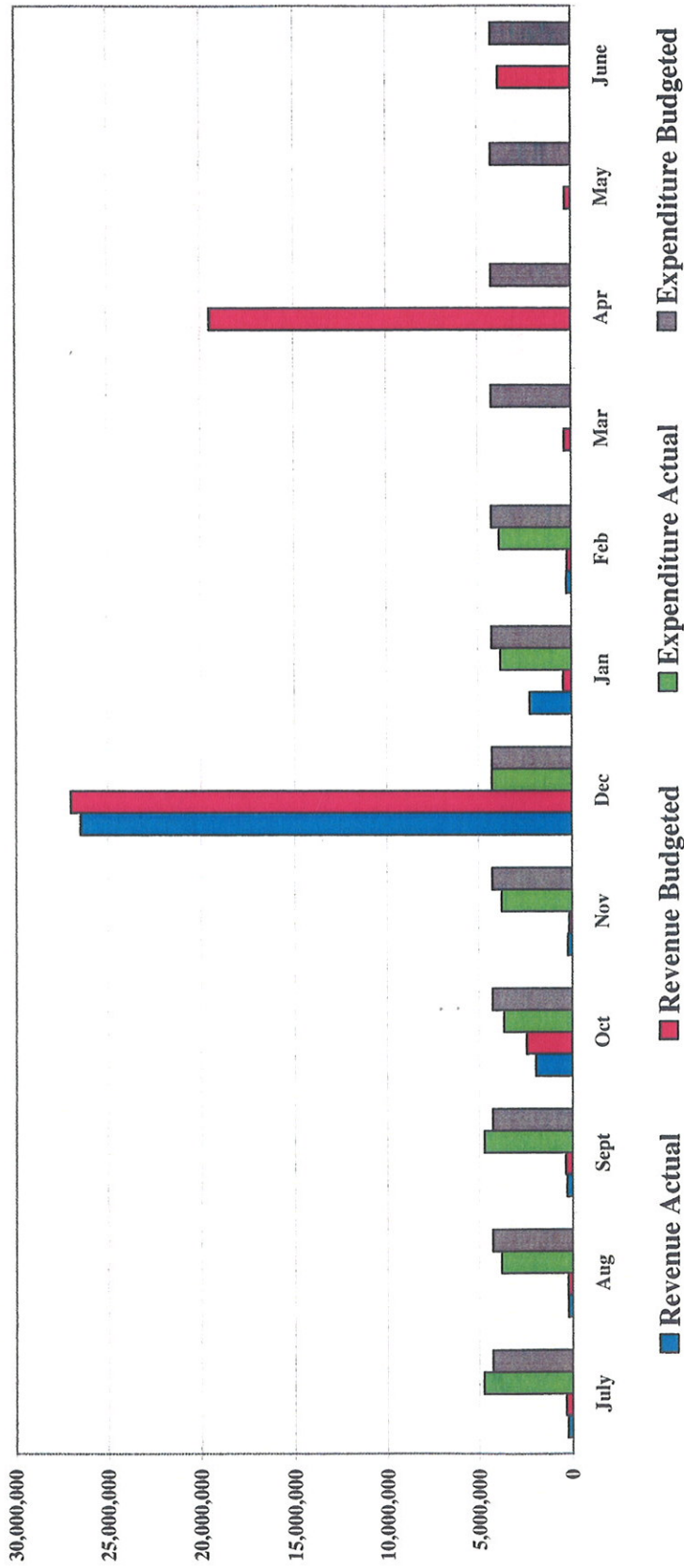
CAPITAL & EQUIPMENT/VEHICLES FUNDS

COMPARISON OF ACTUAL TO BUDGET

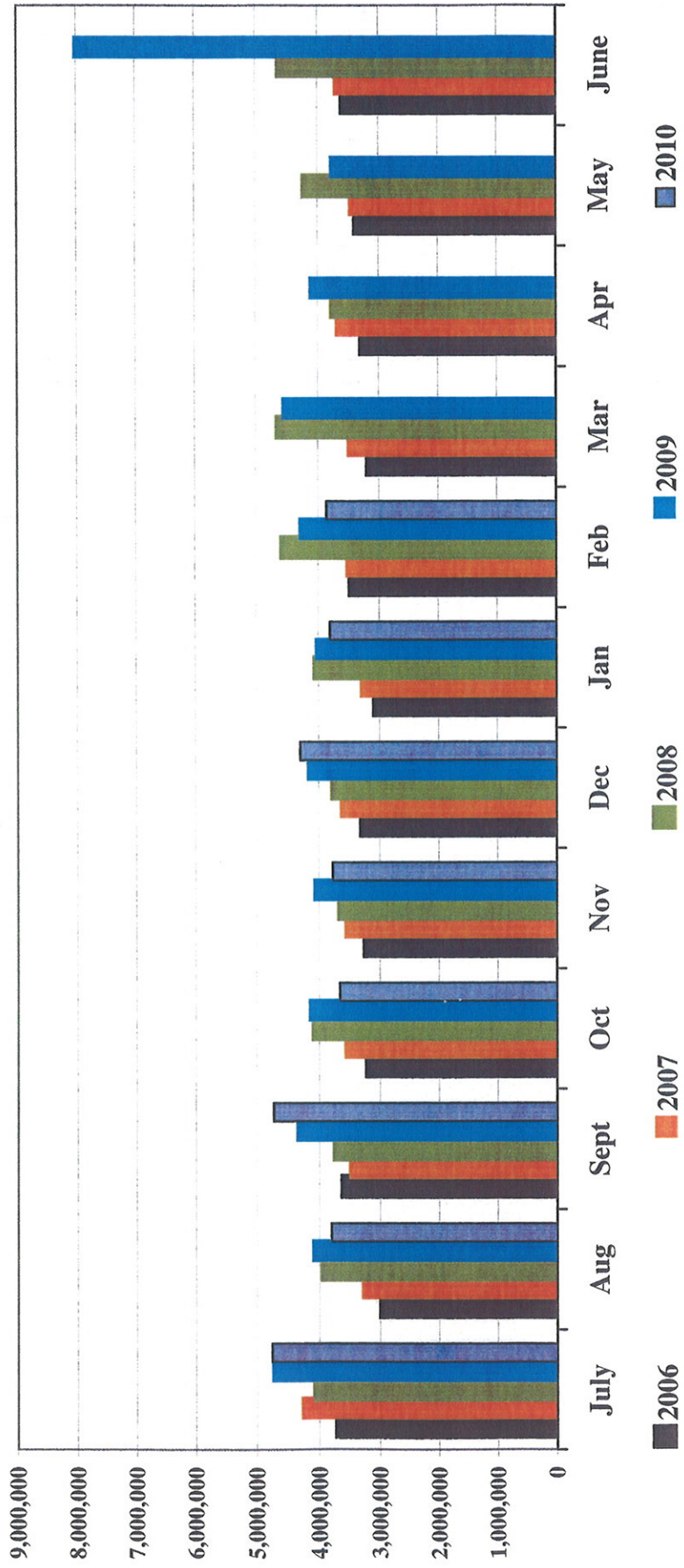
FISCAL YEAR 2009-2010



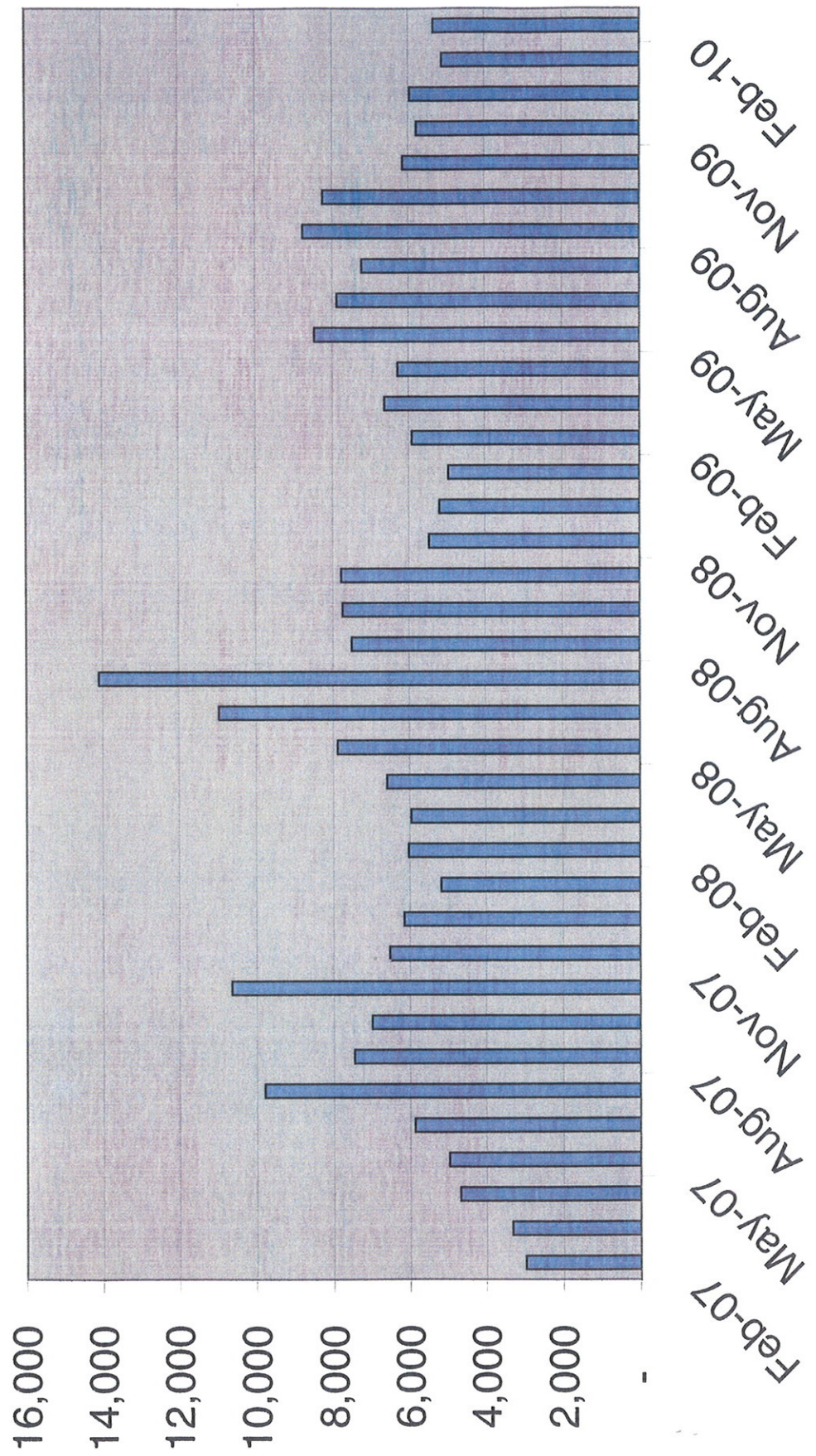
GENERAL FUND
 COMPARISON OF ACTUAL TO BUDGETED
 FISCAL YEAR 2009-10



**GENERAL FUND EXPENDITURES
FISCAL YEARS 2006 - 2010**



Total Overtime Hours by Month February 2007 - February 2010



San Ramon Valley Fire Protection District - O/T and Comp Time Reporting System

2/1/2010 Through 2/28/2010

WORK CODE: 1 STAFFING

ASSIGNMENT	Time Worked	Time Paid
101 HOLD OVER FOR CALL	8.62	10.00
103 MISC. STAFFING COVE	4098.00	4098.00
107 LATE/STA. MOVE COVE	8.51	11.00
Total All Assignments This Work Type:	4,115.13	4,119.00

WORK CODE: 2 TRAINING

ASSIGNMENT	Time Worked	Time Paid
201 OPERATIONS TRAINING	274.00	274.00
209 RESCUE TRAINING	466.75	467.00
210 HAZ-MAT TRAINING	188.08	188.25
214 PARAMEDIC - CONT ED	48.50	48.50
Total All Assignments This Work Type:	977.33	977.75

WORK CODE: 3 ASSIGNMENTS

ASSIGNMENT	Time Worked	Time Paid
301 MEETINGS/PROJECT DE	105.15	105.50
302 OFC WORK/REPORT WR	16.00	16.00
310 MISC. MAINTENANCE	29.50	29.50
315 RECRUITMENT INTERN	26.50	26.50
317 RECRUITMENT EXTER	23.50	23.50
320 PUBLIC EVENTS	7.00	7.00
340 PROJECT WORK	32.17	32.25
Total All Assignments This Work Type:	239.82	240.25

UNITED FIRE ASSOCIATION - SUMMER REPORT

2/1/2010 Through 2/28/2010

Report Grand Total:	<u>5,332.28</u>	<u>5,337.00</u>
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San Ramon Valley Fire Protection District - O/T and Comp Time Reporting System

2/1/2010 Through 2/28/2010

WORK CODE:		Time Paid
1	STAFFING	4,119.00
2	TRAINING	977.75
3	ASSIGNMENTS	240.25
Report Grand Total:		5,337.00

FEBRUARY 2010 Staffing/Overtime Analysis

	Staffing OT \$	Staffing OT Hrs	Staffing OT FTE	Paid FTE	Total Effective FTE	See Note 1
ACTUAL FEBRUARY RESULTS	\$ 211,825	3,590.75	14.80	130.00	144.80	12.25%
PROJECTED FEBRUARY						
HIRING IN PLACE OF OVERTIME	\$ 259,799	3,590.75				
NET SAVINGS						
OVERTIME IN PLACE OF HIRING	\$ 47,973					

Note 1: This figure represents the percentage of time necessary to backfill regularly staffed positions for the month. This amount will routinely include the following components:

- The variance of regular, full-time paid employees either above or below the optimal 129 FTEs based upon the 10% hiring model
- Vacation Leave
- Sick Leave
- Disability Leave
- Various (jury duty, station moves, medic coverage, etc.)

Current 10% Hiring Model = 129 FTEs