



# EAST CONTRA COSTA FIRE PROTECTION DISTRICT

## Board of Directors Regular Meeting

**Monday December 2, 2013 – 6:30 P.M.**

Meeting Location: 3231 Main Street, Oakley

### BOARD OF DIRECTORS

Kevin Bouillon  
Greg Cooper  
Robert Kenny

Joel Bryant-President  
Ronald Johansen-Vice President  
Jonathan Michaelson

Cheryl Morgan  
Stephen Smith  
Joe Young

## AGENDA

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### PUBLIC COMMENTS

At this time the public may address the District Board on subject matters pertaining to District business listed on the Consent Calendar, Closed Session, Future Agenda Items, or items *not* listed on the agenda. Remarks may be limited to 3-minutes subject to the discretion of the Board President and with the concurrence of the Board of Directors. Please complete and submit a "Public Comment Speaker Card" with the District Clerk.

### CONSENT CALENDAR

Consent Calendar items are considered routine in nature and will be enacted by the Board in one motion. If discussion or public comment is required, any Board Member may request the item be removed from the Consent Calendar and considered separately.

**C.1** Approve minutes from November 4, 2013 Regular Board of Directors Meeting.

### PUBLIC HEARINGS

Members of the public wishing to address the Board on a listed item shall complete and submit a "Public Comment Speaker Card" with the District Clerk.

### DISCUSSION ITEMS

**D.1** Selection of District Board officers: President, Vice President for the 2014 Calendar Year

### WORKSHOP

**W.1** Proposed Parcel Tax June 3, 2014

## INFORMATIONAL STAFF REPORTS

1 Receive Operational Update for November 2013

## DIRECTORS' COMMENTS

## INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS

This portion of the agenda shall provide an opportunity for Board Members to report on activities, committee or event attendance pertaining to District business or to request a future item to be placed on the agenda.

## ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:

1. Conference With Labor Negotiator Pursuant to Government Code Section 54957.6: Agency designated representatives: Fire Chief  
Employee Organizations: International Association of Fire Fighters, Local 1230, AFSCME Local 2700, East County Fire Fighters Association (Reserves), Unrepresented Management.
2. Conference With Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9: East Contra Costa County Firefighters Association v. East Contra Costa Fire Protection District. Unfair Practice Charge No. SF-CE-1020-M
3. Conference With Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9: Contra Costa County Deputy Sheriff's Association, et al v. Contra Costa County Employees Retirement Association, et al, Contra Costa Sup. Ct. No. N12-1870
4. Conference With Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9: City of Brentwood, et al v. Robert Campbell, Contra Costa Sup. Ct. No. MSN 11-1029.

## REPORT ON THE CLOSED SESSIONS

**ADJOURN TO THE NEXT REGULAR BOARD MEETING SCHEDULED: January 6, 2014**

All items appearing on the agenda are subject to action by the Board.

### POSTING STATEMENT

A copy of this agenda was posted **November 29, 2013 at the East Contra Costa Fire Protection District Administrative Office, 134 Oak Street, Brentwood, CA 94513.** Pursuant to CA Government Code §54957.5, disclosable public records and writings related to an agenda item distributed to all or a majority of the Board of Directors including such records and writing distributed less than 72 hours prior to this meeting is available for public inspection at the East Contra Costa Fire Protection District Administrative Office, 134 Oak Street, Brentwood, CA 94513.

NOTICE In compliance with the Americans with Disabilities Act, any individuals requesting special accommodation to attend and/or participate in District Board meetings may contact the District Administrative Office at (925) 634-3400. Notification 48 hours prior to the meeting will enable the District to make reasonable accommodations.



# EAST CONTRA COSTA FIRE PROTECTION DISTRICT

## Meeting Minutes

Board of Directors Regular Meeting

**Monday November 4, 2013 – 6:30 P.M.**

Meeting Location: 3231 Main Street, Oakley

### BOARD OF DIRECTORS

Kevin Bouillon  
Greg Cooper  
Robert Kenny

Joel Bryant-President  
Ronald Johansen-Vice President  
Jonathan Michaelson

Cheryl Morgan  
Stephen Smith  
Joe Young

**CALL TO ORDER - (6:34 P.M.)**

**PLEDGE OF ALLEGIANCE – (6:35 P.M.)**

**ROLL CALL - (6:35 P.M.)** Directors Present: Bouillon, Bryant, Cooper, Kenny, Michaelson, Smith, Young  
Directors Absent: Johansen, Morgan

**PUBLIC COMMENT – (6:35 P.M.)**

*There was one (1) Public Speaker. – Mark Whitlock*

### CONSENT CALENDAR

- C.1** Approve minutes from October 7, 2013 Regular Board of Directors Meeting.
- C.2** Approve Board of Directors meeting Schedule for 2014.

**Motion by: Director Smith to approve Consent Calendar Item C.1 & C.2**

**Second by: Director Michaelson**

**Vote: Motion carried 7:0**

### PUBLIC HEARINGS

**NONE**

## **DISCUSSION ITEMS**

### **D.1 Discuss Cost Recovery Billing for Certain District Services – (6:38 P.M.)**

A PowerPoint presentation was given to the Board of Director from vendor – FireRecovery

*There were two (2) Public Speakers. – Mark Whitlock  
David Graves*

### **D.2 Discuss District's Ability to Form Community Facilities Districts in New Subdivisions – (7:13 P.M.)**

*There were two (2) Public Speakers. – Mark Whitlock  
Robert Ruddick*

### **D.3 Receive Operational Update for October 2013 – (7:47 P.M.)**

*There were one (1) Public Speakers. – Mark Whitlock*

## **INFORMATIONAL STAFF REPORTS**

**NONE**

## **DIRECTORS' COMMENTS– (7:53 P.M.)**

**NONE**

## **INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS– (7:53 P.M.)**

## **ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS: – (7:54 P.M.)**

1. Conference With Labor Negotiator Pursuant to Government Code Section 54957.6:  
Agency designated representatives: Board President and Vice President  
Employee Organizations: International Association of Fire Fighters, Local 1230, AFSCME  
Local 2700, East County Fire Fighters Association (Reserves), Unrepresented Management.
2. Conference With Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9: City of Brentwood, et al v. Robert Campbell, Contra Costa Sup. Ct. No. MSN 11-1029.
3. Conference With Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9: Mid-Century Insurance Company v. Peter Garza, David Garza, PG&E Corporation, East Contra Costa Fire Protection District, et al, Contra Costa Sup. Ct. No. C13-02094

4. Public Employee Performance Evaluation And Associated Negotiations Pursuant to Government Code Sections 54957(b)(1), 54957.6: Fire Chief  
Agency designated representative: Board President

**SESSIONS RECONVENE TO OPEN SESSION – (10:55 P.M.)**

**REPORT ON THE CLOSED – (10:55 P.M.)**

Report from closed session: Item 1 – Provided direction to Staff

Report from closed session: Item 2 – No Action

Report from closed session: Item 3 – No Action

Report from closed session: Item 4 – Employee Performance Evaluation has been completed. The Evaluation is Outstanding.

**ADJOURN TO THE NEXT REGULAR BOARD MEETING SCHEDULED: December 2, 2013 – (11:03 P.M.)**

**Motion by: Director Bryant to approve adjourn to the next Regular Board Meeting scheduled: December 2, 2013**  
**Motion carried: 7:0**

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT  
BOARD OF DIRECTOR'S AGENDA ITEM NO. D-1**

**Meeting Date:** December 2, 2013

**Subject/Title:** Selection of District Board Officers: President, Vice President for the 2014 Calendar Year.

**Submitted by:** Hugh Henderson, Fire Chief

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**RECOMMENDATION FOR ACTION**

Request for Board Member nominations and/or volunteers to serve as President and Vice President of the Board for the 2014 Calendar Year

Adopt a Resolution appointing Directors to serve as President and Vice President of the East Contra Costa Fire Protection District Board of Directors for the 2014 Calendar Year.

**PREVIOUS ACTION**

On February 3, 2010, the Board of Directors adopted Board of Directors Policy 1-3.5 providing for selection of President and Vice President each December for a one year term commencing each January.

At the December 2, 2012, Board meeting, the Directors continued the selection process to the January 7, 2013 meeting to allow for the new directors to be part of the selection process.

At the January 7, 2013, Board meeting, the Directors continued the selection process to the April 1, 2013 meeting to allow President Romick to complete his term on the Board and for the new directors to get a better understanding of the District.

On April 1, 2013, the Board adopted Resolution 2013 – 05 appointing Director Joel Bryant as President and Director Ronald Johansen as Vice President for the remainder of calendar year 2013.

**SUBJECT BACKGROUND**

Fire Protection District Law, California Health and Safety Code §13853, identifies officers of a fire district board and requires election of officers within 60 days of appointment or election of directors to the board. The officers of a district board are president, vice president and secretary or clerk.

Duties of the President include but are not limited to serving as presiding officer of the Board and representative for the Board in public policy matters. The Vice President shall exercise duties of the President in the President's absence and assist the President in representing the Board and determining issues of Board interest. The Fire Chief or his designee serves as Clerk of the Board.

At this time it is appropriate to request nominations and/or volunteers for the appointment of offices of President and Vice President for a Calendar Year commencing January 2014.

Attachments: Resolution

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS  
STATE OF CALIFORNIA**

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**RESOLUTION NO. 2013-**

**APPOINTING DIRECTOR \_\_\_\_\_ AS PRESIDENT AND DIRECTOR  
\_\_\_\_\_ AS VICE PRESIDENT FOR THE 2014 CALENDAR YEAR**

**WHEREAS**, Fire Protection District Law, California Health and Safety Code §13853 (“Code”), identifies officers of a fire district board and requires election of officers within 60 days of appointment or election of directors to the board; and

**WHEREAS**, the Code further identifies the officers of a district board as president, vice president and secretary or clerk; and

**WHEREAS**, on February 3, 2010, the Board of Directors adopted Board of Directors Policy 1-3.5 providing for selection of President and Vice President each December for a one year term commencing each January, and naming the Fire Chief or his designee as Clerk of the Board; and

**WHEREAS**, the Board postponed the selection of officers for 2013 at its December 2, 2012 meeting; and

**WHEREAS**, on April 1, 2013, the Board adopted Resolution 2013 – 05 appointing Director Joel Bryant as President and Director Ronald Johansen as Vice President for the remainder of calendar year 2013; and

**NOW, THEREFORE BE IT RESOLVED** that the East Contra Costa Fire Protection District Board of Directors does hereby:

1. Appoint Director \_\_\_\_\_ to the office of President of the Board of Directors for calendar year 2014.
2. Appoint Director \_\_\_\_\_ to the office of Vice President of the Board of Directors for calendar year 2014.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 2<sup>nd</sup> day of December, 2013 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Joel Bryant  
President, Board of Directors

ATTEST:

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Hugh Henderson  
Clerk of the Board



**EAST CONTRA COSTA FIRE PROTECTION DISTRICT  
BOARD OF DIRECTOR'S AGENDA ITEM NO. W-1**

**Meeting Date:** December 2, 2013

**Subject/Title:** Workshop- Proposed Parcel Tax June 3, 2014

**Submitted by:** Hugh Henderson, Fire Chief

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**RECOMMENDATION FOR ACTION**

Conduct a workshop regarding the proposed parcel tax for June 2014 and provide direction to both Staff and Board Committees

**PREVIOUS ACTION**

At the September 9, 2013 Board of Directors meeting, the Board directed staff to start preparing a parcel tax for the June 3, 2014 ballot. The Board's direction was for the parcel tax to maintain the District's current service level of five stations with three personnel on each engine company.

**SUBJECT BACKGROUND**

Since the September Board of Directors meeting, the outreach-public education committee, finance committee, and staff have all been working to prepare for the proposed parcel tax. Below are areas that the committee and staff have been working on and are looking for Board input to help finalize recommendations:

*Outreach-Public Education Committee:*

- Frequently asked questions for District's website
- PowerPoint for community meetings to be reviewed by the Board at its January 6, 2014 meeting.
- Additional engine based public education
- Increased awareness of the District.

Staff is preparing to conduct seven community meetings within the month of January, as listed below. The purpose of the community meetings is to get community input regarding the proposed parcel tax which can be brought back to the Board at its February 3, 2014 meeting. Staff is still confirming the locations for meetings on the following proposed dates.

1. Thursday, January 9, 2014
2. Wednesday, January 15, 2014
3. Thursday, January 16, 2014
4. Wednesday, January 22, 2014
5. Thursday, January 23, 2014
6. Wednesday, January 29, 2014
7. Thursday, January 30, 2014.

### Finance Committee:

The Finance Committee has reviewed the District's current budget and staffing model of five stations with three personnel on each engine company which is being covered in part by the FEMA SAFER grant until November 2014. The Committee has also focused on current and future retirement costs and has met twice with a representative of the Retirement Board to obtain further clarification on costs. The committee is also analyzing the District's availability and use of Equipment and Capital Replacement Funds.

As the Finance Committee continues to work on the dollar amount for the proposed parcel tax, the committee seeks input from the full Board on items such as:

- Duration of proposed parcel tax
- If an inflationary factor/CPI is going to be used
- Factors to be used in estimating increases in the number of parcels
- Any waivers to the proposed parcel tax, such as CFD's
- Any changes in compensation

### District timeline for proposed parcel tax:

#### December

- Outreach Committee to finalize community meetings agenda and PowerPoint presentation
- Finalize community meeting schedule
- Advertise community meetings in local newspapers
- Finance committee to continue working on proposed dollar amount for parcel tax
- Staff to draft ordinance and ballot language

#### January

- January 6, 2014 Board meeting: presentation of community meeting PowerPoint
- Conduct seven community meetings throughout the District
- Prepare overview/responses of community meetings to forward to the Board

## February

- February 3, 2014 Board meeting: receive overview/responses from community meetings and call for special meeting on February 24
- Review draft ordinance
- February 24, 2013 Board special meeting: public hearing to call for the election.

## March

- File the proposed parcel tax with County elections office
- Create and file ballot argument if necessary
- Create and file rebuttal argument if necessary
- Hold second round of community meetings regarding proposed parcel tax

## April/May

- Continue public education regarding the proposed parcel tax

## June

- June 3, 2014: Election Day