

**CHINO VALLEY INDEPENDENT FIRE DISTRICT**  
*Regular Meeting of the Board of Directors*

**MINUTES**  
*June 10, 2009*

President Marquez stated that this agenda was posted and noticed in accordance with the Ralph M. Brown Act identifying a teleconference location at 1776 Warm Springs Road, Suite 200, Las Vegas, Nevada 89119, where Director Revane would be participating by telephone. However, he stated that Director Revane was at the meeting tonight, and that a notice had been posted at the teleconference location with the phone number for the Fire District Clerk of the Board in the event a member of the public would like to join the meeting at any time.

**ROLL CALL**

Board Members Present: Marquez, DeMonaco, Espinosa, Gray and Revane.  
Board Members Absent: None.

**OPEN SESSION**

**ADJOURN TO CLOSED SESSION**

President Marquez read the Closed Session items and adjourned to Closed Session.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Title: Fire Chief, Paul Benson.

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** Government Code Section 54956.9(a): One existing case. Loring Winn Williams v. Chino Valley Independent Fire District. San Bernardino Superior Court Case No. CIVRS 801732.

**RE-OPEN TO OPEN SESSION**

President Marquez reconvened the meeting to Open Session.

There was nothing to report from Closed Session and no action was taken.

**INVOCATION**

Fire District Chaplain Rob DePartee.

**FLAG SALUTE**

Al McCombs, Chino Champion Newspaper.

**CHANGES TO THE AGENDA**

None.

**PRESENTATIONS/ANNOUNCEMENTS**

**Wild Fire Awareness Fair Overview**

Clerk of the Board Heney introduced Fire Inspector Jim Powderly.

Fire Inspector Jim Powderly provided a PowerPoint presentation with highlights of the Wild Fire Awareness Fair held on May 30, 2009.

**Employee Recognition – Fire Inspector Jim Powderly**

Deputy Chief Turner recognized Fire Inspector Jim Powderly for his commitment to the Carbon Canyon Fire Safe Council. He commended him for his role in the success of the first Wild Fire Awareness Fair. He then presented Inspector Powderly with an appreciation and recognition plaque.

President Marquez thanked Inspector Powderly for his commitment as liaison to the Fire Safe Council.

**PUBLIC HEARING**

**PROPERTIES DECLARED FOR WEED ABATEMENT.** Purpose is for the Public to comment on the declaring and noticing of property owner(s) for weed abatement.

President Marquez opened the Public Hearing.

Deputy Chief Turner provided an overview of the weed abatement timeline and reviewed plans for clearing weeds by the Fire District.

President Marquez requested any Public comment.

There was no Public comment.

President Marquez closed the Public Hearing.

**2009/2010 PRELIMINARY BUDGET.** Purpose is to present the 2009/2010 Preliminary Budget to the Board of Directors for adoption and provide an opportunity for Public input.

President Marquez opened the Public Hearing.

Finance Manager Heide presented a PowerPoint reviewing the proposed 2009/2010 Preliminary Budget, and provided an overview of the Budget development process.

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President Marquez requested any Public comment.

There was no Public comment.

President Marquez closed the Public Hearing.

President Marquez called for a motion to adopt the 2009/2010 Preliminary Budget.

RECOMMENDATION: It is recommended that the Board of Directors adopt the 2009/2010 Preliminary Budget.

**Moved by Director Espinosa, seconded by Director Gray, carried by a 5-0 voice vote, that the Board of Directors adopt the 2009/2010 Preliminary Budget.**

<b>AYES:</b>	<b>BOARD MEMBERS:</b>	<b>Marquez, DeMonaco, Espinosa, Gray and Revane</b>
<b>NOES:</b>	<b>BOARD MEMBERS:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>BOARD MEMBERS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>BOARD MEMBERS:</b>	<b>None</b>

### **PUBLIC COMMUNICATIONS**

None.

### **LIAISON REPORTS TO THE FIRE DISTRICT ( County 4<sup>th</sup> District, City of Chino, City of Chino Hills, Fire Foundation, Fire Safe Council, School District)**

Tom Haughey, Chino Council Member, reported that unemployment statistics within the City of Chino are at 11.1%. He added that the City of Chino has issued 43 new business licenses in May, and that the City hosted a New Business Reception on June 2, 2009, with 65 guests in attendance. He reported that the Chino State of the City was held on June 4, 2009. The shopping center located at Philadelphia and Central is being renovated. He also announced that a mental healthcare facility will not be built at the Chino Institute for Men (CIM) at this time. The number of planned mental health facilities to be constructed has been reduced from seven to two. He reported that the lighting ceremony for the historical Chino sign is being scheduled for June 11, 2009, at 8:30 p.m.

Bill Kruger, Chino Hills Mayor Pro Tem, reported that the City Council held a Budget Workshop and reported that the City of Chino Hills has a balanced budget. The Chino Hills City Council recognized Engineer Dave Flores as Firefighter of the Year at the City Council meeting. Also recognized at the Council meeting was the Volunteer of the Month and the Volunteer Radio Chart Team. The City of Chino Hills received an award, from Construction Management Association Americans, for Honorable Mention for the construction of the new Chino Hills Civic Center. The Memorandum of Understanding (MOU) between the City of Chino Hills, the San Bernardino Public Employees Association, and City Employees Association was approved. Several Resolutions were approved at the Council Meeting. One Resolution sent to the Governor opposes the closure of the State Park and another Resolution declares a severe fiscal hardship if local property tax funds are taken from the City of Chino Hills. He reported that the California Building Code was adopted, and that a new Walgreens

Pharmacy and CVS Pharmacy are being built at Peyton and Chino Hills Parkway. He added that the City of Chino Hills is participating with the Chino Valley Unified School District in an open forum regarding the closures of three elementary schools. The City of Chino Hills has offered to rent Los Serranos school to use as the City's facility. He announced that June 14, 2009, is Flag Day and that there is a flag retirement ceremony scheduled at the American Legion. The Concerts in the Park are scheduled to begin on June 17, 2009. The Cancer Relay for Life is scheduled for June 27-28, 2009, at Chino Hills High School. He added that the Chino Professional Firefighters Union will be providing dinner at this event.

Bob Bacin, Fire Safe Council Co-Chairman, thanked Inspector Jim Powderly for a great job with the planning of the Wild Fire Awareness Event. He thanked all those working together on the brush clearance on the roadways in Chino Hills. He also added that the Brush Program is going well.

### **CONSENT CALENDAR**

1. Minutes

May 13, 2009 – Regular Board Meeting.  
May 28, 2009 – Special Board Meeting

2. Monthly District Report

Month of April 2009.

3. Monthly Financial Report

Month of May 2009.

4. Monthly Treasurer's Report

Month of April 2009.

5. Warrants

Expenses as audited, are within budget for warrants #16242 through # 16479.

6. Board Meeting/Travel

CSDA 2009 Annual Conference  
Indian Wells, CA  
September 21-24, 2009

7. Expenditure Approval – Purchase of Wildland Fire Hose

Approve expenditure of unbudgeted funds in the amount of \$10,745 for purchase of wildland fire hose to ensure that each fire station has one complete exchange of wildland hose. Funds to be transferred from Station 4 construction project, which will not take place this fiscal year.

8. Expenditure Approval – Upgrades/Modifications to the HazMat Support Vehicle During Vehicle Construction.

Approve expenditure of \$12,540.49 in unbudgeted funds for outfitting of vehicle shelving, lighting, a special side stair access, and other upgrades proposed during final stage of construction of vehicle modifications. Funds to be transferred from Station 4 construction project, which will not take place this fiscal year.

9. Expenditure Approval – Pre-Construction Change Orders for Three Type I Engines

Approve expenditures of \$25,842 in unbudgeted funds for upgrades and modifications required for new Pierce fire engines currently on order, resulting from a pre-construction visit to Pierce Fire Apparatus Manufacturing. Funds to be transferred from Station 4 construction project, which will not take place this fiscal year.

RECOMMENDATION: Approve Consent Calendar items #1 through #9 as presented.

Vice President DeMonaco requested to pull Consent Items #7-9.

**Moved by Director Gray, seconded by Vice President DeMonaco, carried by a 5-0 voice vote, that the Board of Directors approve Consent Calendar items #1 through #6 as presented.**

**AYES: BOARD MEMBERS: Marquez, DeMonaco, Espinosa, Gray and Revane**  
**NOES: BOARD MEMBERS: None**  
**ABSTAIN: BOARD MEMBERS: None**  
**ABSENT: BOARD MEMBERS: None**

Vice President DeMonaco expressed his concern regarding Consent Calendar Items #7-9. He would like to see that money come out of another area rather than the budgeted money for the Station 4 project.

Finance Manager Heide stated that funds could be used for Consent Calendar Items #7-9 from Undesignated Reserve funds

**Moved by Vice President DeMonaco, seconded by Director Espinosa, carried by a 5-0 voice vote, that the Board of Directors approve Consent Calendar Items #7-9, and to use Undesignated Reserve funds for these expenditures.**

**AYES: BOARD MEMBERS: Marquez, DeMonaco, Espinosa, Gray and Revane**  
**NOES: BOARD MEMBERS: None**  
**ABSTAIN: BOARD MEMBERS: None**  
**ABSENT: BOARD MEMBERS: None**

## **BOARD COMMITTEE REPORTS**

President Marquez attended a Fire Safe Council meeting. He also attended the City of Chino Council Meeting for Director Espinosa.

Vice President DeMonaco attended two Finance Committee meetings, and two Chino Hills City Council meetings.

Director Revane reported that the CVPAC meeting was cancelled due to a lack of a quorum.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

10. **CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) CALL FOR NOMINATIONS FOR BOARD OF DIRECTOR SEAT.** Purpose is for the Board of Directors to review and discuss the CSDA call for nominations for a seat on the CSDA Board and determine Fire District participation.

Fire Chief Benson reported that CSDA is currently accepting nominations for a CSDA Director seat for Region 5. This seat is a three-year term expiring in 2012. He also reported that the Fire District is eligible to designate one person, such as a Fire District Board Member or managerial employee, for election as a Director of CSDA. CSDA Board Meetings are held six to eight times per year in Sacramento.

Fire Chief Benson reported that if the Fire District Board of Directors elects to submit a nomination, a copy of the Fire District's minute action or adopted resolution must be submitted to CSDA by July 15, 2009, at 5:00 p.m.

Fire Chief Benson reported that the CSDA Board of Directors is the governing body responsible for all policy decisions effecting CSDA's member services and legislative advocacy, education and resources. The Board represents the common interest of all California's special districts before the Legislature and the State Administration and are involved in responding to pending legislation.

Fire Chief Benson reported that CSDA's Board of Directors is made up of six regional divisions. Each regional division has three seats represented by the region. Directors are nominated and elected by region. Chino Valley Fire District is included in Region 5 as part of the County of San Bernardino. The represented counties in Region 5 are San Bernardino, Santa Barbara, Ventura, and Los Angeles.

Fire Chief Benson reported that all qualified nominees received by CSDA will be placed on the election ballot. The election ballots will be mailed out by July 28, 2009, with a return deadline date of September 16, 2009.

Director Gray asked if there was an incumbent for that seat. Fire Chief Benson stated there is an incumbent and it is the regular election cycle for that seat.

Director Espinosa encouraged the Board of Directors to submit a name from the Fire Board for nomination to the CSDA Board of Directors seat. He also suggested contact be made with other Fire Districts in District 5 to request support for the Fire District's nomination.

President Marquez nominated Vice President John DeMonaco to be placed on the CSDA Board Member election ballot.

RECOMMENDATION: It is recommended that the Board of Directors review the California Special Districts Association (CSDA) call for nominations for a seat on the CSDA Board and either vote to submit a nomination or decline to participate.

**Moved by President Marquez, seconded by Director Gray, carried by a 5-0 voice vote, that the Board of Directors nominate Vice President DeMonaco for the California Special Districts Association (CSDA) seat on the CSDA Board.**

**AYES: BOARD MEMBERS: Marquez, DeMonaco, Espinosa, Gray and Revane**

**NOES: BOARD MEMBERS: None**

**ABSTAIN: BOARD MEMBERS: None**

**ABSENT: BOARD MEMBERS: None**

11. CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) PROPOSED BYLAWS AMENDMENTS. Purpose of this report is for the Board of Directors to discuss casting a vote to adopt the proposed CSDA Bylaws amendments as presented.

Fire Chief Benson reported the Fire District has received an official mail ballot from CSDA requesting participation by the Fire District Board of Directors in the adoption of the proposed amendments to the CSDA Bylaws as submitted by the CSDA Elections and Bylaws Committee and the CSDA Board of Directors. He also reported that adoption of the proposed CSDA Bylaws require a majority vote of a quorum of Regular CSDA Members, and that completed ballots must be received by CSDA by July 31, 2009, at 5:00 p.m.

There was a consensus by the Board of Directors to adopt the proposed amendments to the CSDA Bylaws as presented.

RECOMMENDATION: It is recommended that the Board of Directors review the proposed amendments to the CSDA Bylaws and cast a vote to either adopt or oppose the proposed amendments.

**Moved by Director Gray, seconded by Director Revane, carried by a 5-0 voice vote, that the Board of Directors adopt the proposed amendments.**

**AYES: BOARD MEMBERS: Marquez, DeMonaco, Espinosa, Gray and Revane**

**NOES: BOARD MEMBERS: None**

**ABSTAIN: BOARD MEMBERS: None**

**ABSENT: BOARD MEMBERS: None**

12. INDUSTRIAL DISABILITY RETIREMENT STATUS OF LORING (WINN) WILLIAMS.

Purpose of this report is to evaluate and update the disability status of retiree Loring (Winn) Williams.

Human Resources Manager Nelson reported that Loring (Winn) Williams applied for an industrial disability retirement from Chino Valley Fire District in 2002. She also reported that the California Public Employees' Retirement System (CalPERS) requires that public safety employers determine whether the candidate for retirement qualifies for an industrial disability retirement. Based on the available information and medical status reports, the District made this determination on Loring (Winn) Williams' industrial disability retirement request via Resolution No. 2002-14.

Human Resources Manager Nelson reported that Loring (Winn) Williams has since communicated with CalPERS and with the District indicating that he is no longer disabled from the position of Fire Captain, and that medical evaluations have been completed in keeping with Government Code 21192. She also reported that the medical evaluations conclude that Loring (Winn) Williams is no longer disabled from the position of Fire Captain, and could perform the duties providing specific accommodations can be met.

Human Resources Manager Nelson reported that it is appropriate for the Board of Directors to acknowledge this change of status. She also reported that this will result in Loring (Winn) Williams' eligibility to submit to the Requalification process as defined in Personnel Rule 6.10.

**RECOMMENDATION:** It is recommended that the Board of Directors make a determination that Loring (Winn) Williams is no longer disabled for purposes of the California Public Employees' Retirement System, and is eligible to submit to the Requalification procedure pursuant to Personnel Rule 6.10.

**Moved by Vice President DeMonaco, seconded by President Marquez, carried by a 5-0 voice vote, that the Board of Directors make a determination that Loring (Winn) Williams is no longer disabled for purposes of the California Public Employees' Retirement System, and is eligible to submit to the Requalification procedure pursuant to Personnel Rule 6.10.**

**AYES: BOARD MEMBERS: Marquez, DeMonaco, Espinosa, Gray and Revane**

**NOES: BOARD MEMBERS: None**

**ABSTAIN: BOARD MEMBERS: None**

**ABSENT: BOARD MEMBERS: None**

### CHIEF'S COMMENTS

The Chino Valley Fire District launched a District-wide bookmark contest in early March to celebrate the 10-year anniversary of the Chino Valley Fire District's Risk Watch Program, and invited students from the Chino Valley Unified School District to design artwork geared toward fire and life safety. At the May 13, 2009, Fire Board Meeting, 13 winners of the bookmark contest were recognized. The bookmarks have been distributed to various schools, the cities of Chino and Chino Hills, libraries, the YMCA, and various other community locations. They have been well received and are doing a great job relaying safety messages to the community.

A Fire District newsletter is in final draft and the target for release is July 1, 2009.

The Carbon Canyon Fire Safe Council held a Wild Fire Awareness Fair on Saturday, May 30, 2009, at Station 64 and Western Hills Park. There were a variety of activities for adults and children, including a kid's clinic, door prizes and tours. Approximately 257 people participated in the door prize drawing. During the fair, approximately 30 tours of the Fire Safe Garden were given, 37 canyon passes were issued, 29 special needs evacuation forms were distributed, 40 kid's projects were conducted by the staff members from Chino Hills Home Depot, and 49 prizes were given away.

The Quest for Burn Survivors Relay Caravan was held on June 1, 2009. The caravan stopped at Fire District Administration this year.

The Chino State of the City Address was held on Thursday, June 4, 2009, at the Chaffey College Chino Community Center. Board Members and Fire District staff attended.

The new roof training prop at the training center is completed.

The Chino Hills City Council recognized Engineer Dave Flores as Firefighter of the Year at the City Council meeting held on Tuesday, June 9, 2009.

Several Board Members attended a Community Forum held by Supervisor Gary Ovitt on Monday, June 8, 2009, at the James S. Thalman Chino Hills Library. This provided an opportunity for residents to speak to their government officials about the problems facing the community such as: foreclosures, property taxes, unemployment, human services, and many other important programs.

### Upcoming Events

The City of Chino will be recognizing Engineer Dave Flores as Firefighter of the Year at the Council Meeting on Tuesday, June 16, 2009.

A Joint Workshop/Special Board meeting, with the City of Chino and the City of Chino Hills, is scheduled for June 17, 2009, at the Chino Hills Sheriff's Station in the Multi-purpose room.

The Chamber of Commerce Recognition & Installation Breakfast is scheduled for Wednesday, June 24, 2009, from 7:30-9:30 a.m. at Los Serranos Golf and Country Club.

BOARD COMMENTS

Director Revane reported that she attended the Chino State of the City Address, and Supervisor Ovitt's Community Forum. She also attended the recognition of the Firefighter of the Year, David Flores, at the City of Chino Hills Council meeting. She also participated in a Heart Association CPR Awareness event. At that event, FlexEd donated an AED to the Fire District.

Director Gray attended the Chino State of the City Address and the Wild Fire Awareness Fair. He reported that CIM's Warden Poulos has relocated to Sacramento, and there is now an interim Warden.

Director Espinosa apologized for his absences due to illness or vacation.

Vice President DeMonaco attended the Chino State of the City Address, Chino Hills State of the City Address, the Wild Fire Awareness Fair, Supervisor Ovitt's Community Forum, and the Quest for Burn Survivors Relay at Administration.

President Marquez discussed appointment to the CIW Citizen's Advisory. He asked if anyone on the Board would like to be nominated to sit on the CIW Citizen's Advisory Committee. Director Revane suggested that President Marquez be considered to fill this position. He added that a liaison assignment would be added to the Board Policies at an upcoming Fire Board meeting, so that it is an official liaison assignment. President Marquez accepted this liaison assignment.

President Marquez stated that he also attended the Chino State of the City Address, the Quest for Burn Survivors Relay, and Supervisor Ovitt's Community Forum. He also traveled to Sacramento to provide testimony for AB430. He added that this was Assemblyman Hagman's first opportunity to be in front of the Public Safety Committee for the Senate, and he did a great job.

ADJOURNMENT

President Marquez adjourned the meeting at 7:20 p.m. to a Regular Board Meeting scheduled for Wednesday, July 8, 2009, at 6:00 p.m. The meeting will be held at the District Headquarters Office located at 14011 City Center Drive, Chino Hills, CA

APPROVED AND ADOPTED THIS 22th DAY OF JUNE 2009.

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Sandra Heney, Clerk of the Board

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Ray Marquez, President