

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

MINUTES
July 14, 2010

ROLL CALL

Board Members Present: DeMonaco, Espinosa, Evinger, and Marquez.

Board Members Absent: Gray.

OPEN SESSION

President DeMonaco called the Open Session to order.

INVOCATION

Fire District Chaplain Rob DePartee.

FLAG SALUTE

President DeMonaco.

CHANGES TO THE AGENDA

None.

PRESENTATIONS/ANNOUNCEMENTS

Wildfire Awareness Day – Jim Powderly

Fire Inspector Jim Powderly provided a PowerPoint presentation, which provided an overview of the Wildfire Awareness Day. Leah Townsend from the Fire Safe Council was the event coordinator this year and assisted Jim Powderly with the presentation.

PUBLIC COMMUNICATIONS

William McDonald and John McDonald, student interns for Assemblyman Curt Hagman, introduced themselves and offered to answer any questions or comments for Assembly Hagman.

LIAISON REPORTS TO THE FIRE DISTRICT (County 4th District, City of Chino, City of Chino Hills, Fire Foundation, Fire Safe Council, School District)

Roman Nava, San Bernardino County 4th District, provided an update on the County's Budget and staff reassignments. He reported that a Pit Bull ordinance was passed that requires all Pit Bull dogs in the incorporated area of Chino and Montclair to be neutered or spayed. This ordinance will be effective August 13, 2010. He distributed a 2010 San Bernardino County Community Indicators Report to the Fire Chief and

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to the Board Members. He reported that former Chief of Staff is now County Administrative Officer (CAO), and the new Chief of Staff is Larry Enrique. He also reported that Supervisor Ovitt has been appointed to the Board of Retirement, and will be representing County Employees. Roman Nava thanked Fire Chief Benson for his years of service to the Fire District.

Tom Haughey, Chino Council Member, reported that unemployment statistics are at 12.3%. The City of Chino received 82 new business licenses in May. The industrial vacancy factor was 6.5% in the first quarter in 2010, which is the lowest in the region. Sam's Club is currently offering business loans up to \$25,000. The Farmers Market is open every Wednesday evening through August 25, 2010. Concerts on the Lawn are scheduled every Thursday evening, and will be playing until August 12, 2010. The Chino Relay for Life is scheduled for August 7-8, 2010. On July 3, 2010, the City of Chino hosted a July 4th Celebration at Ayala Park and it was very successful. There is one more Centennial event scheduled, which is the Christmas Youth Parade. There will be two City Council seats open for the November election. Candidate papers are currently available at the City.

Bill Kruger, Chino Hills Mayor, reported that Chino Hills was the only City in the County of San Bernardino that didn't have a net loss in property tax revenue according to the Assessor's office. He reported that the City was short 3.9 million dollars in the Budget. He added that the Associations at City Hall waived their raise for this year. He added that other cutbacks were necessary; however, there were no layoffs. The Sheriff's Department voted to accept their raises for the upcoming year. The Sheriff's Department will be working 12-hour days, instead of 10-hour days, with four less Deputies. The filing period for City Council Members opened on July 12, 2010. There are three seats City Council seats open for the November election. He thanked Fire District personnel for their participation on the Fourth of July at Big League Dreams. The City of Chino Hills has passed ordinances that will help businesses in the City of Chino Hills retain the businesses ability to succeed. The American Legion, Post 399, will be hosting a Marine Corps League detachment that meets the third Wednesday of every month at 7:00 p.m. At the Council meeting, two military banners were presented. The Volunteer of the Month was recognized. The contract to rehab Peyton Drive was awarded and the project is going well. National Night Out is scheduled for August 3, 2010. A third arena at McCoy Equestrian Center was approved. The City of Chino Hills is in the process of changing their logo.

Steve Heide, on behalf of the Fire Foundation, reported that the Foundation has retained the Chino Valley Medical Center and Majestic Realty as major sponsors for the Foundation.

CONSENT CALENDAR

1. Minutes

June 1, 2010 – Special Board Meeting.

June 2, 2010 – Special Board Meeting.

June 9, 2010 – Regular Board Meeting.

July 6, 2010 – Special Board Meeting.

2. Monthly District Report

Month of May 2010.

3. Monthly Financial Report

Month of June 2010.

4. Monthly Treasurer's Report

Month of May 2010.

5. Warrants

Expenses as audited, are within budget for warrants #18955 through #19180.

6. Board Meetings/Travel

CSDA Annual Conference
Newport Beach, CA
September 20-23, 2010

7. BID NO. 10-03, FIRE STATION 64 SPRINKLER PROJECT. Award Bid No. 10-03, Fire Station 64 Sprinkler Project, to Craig Fire Protection Co., the low bidder, in the amount of \$29,000. Approve additional contingent amount for project, not to exceed 10% of bid award, or \$2,900, for unforeseen additional costs which may arise during the course of the project. Bid amount plus contingency within Board approved budget.

8. BID NO. 11-01, BI-ANNUAL FIREFIGHTER UNIFORM REPLACEMENT. Galls, an Aramark Company, LLC, submitted the low bid of \$49,945.07, which is within budget, but 14% higher than current uniform pricing. It is recommended that the Board authorize the Fire Chief, or his designee, to negotiate exclusively with Galls to mitigate the proposed 14% price increase. It is further recommended that the Board authorize the Fire Chief to award Bid No. 11-01 to Galls at a price not to exceed \$49,945.07, or to reject all bids and re-issue a Request for Bid for this project, as deemed appropriate under the circumstances.

Vice President Espinosa requested to pull Consent Calendar item #5.

Director Marquez requested to pull Consent Calendar items #2 and #7.

RECOMMENDATION: Approve Consent Calendar items #1, #3, #4, #6, and #8 as presented.

Moved by Director Marquez, seconded by Vice President Espinosa, carried by a 4-0 voice vote, that the Board of Directors approve Consent Calendar Items #1, #3, #4, #6, and #8 as presented.

AYES: BOARD MEMBERS: DeMonaco, Espinosa, Evinger, and Marquez.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: Gray.

Director Marquez asked about the EMS responses in the Monthly District Report. He stated that there is a response in the City of Chino in Station 62's area, and it was listed as 16 minutes and 10 seconds. He asked that an explanation be added in the future to reports when there is a long response time.

Deputy Chief Summers stated that he will follow up on this issue.

Deputy Chief Turner stated that it could possibly be the Verizon connectivity in the Butterfield area, as there has been problems with transmitting.

Moved by Director Marquez, seconded by Vice President Espinosa, carried by a 4-0 voice vote, that the Board of Directors approve Consent Calendar Item #2 as presented.

AYES: BOARD MEMBERS: DeMonaco, Espinosa, Evinger, and Marquez.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: Gray.

Vice President Espinosa asked Finance Manager Heide about the Arrowhead Credit Union being taken over by the Feds, and asked if it would affect District personnel.

Finance Manager Heide reported that there will be no direct impact to the District.

Director Marquez asked about a charge that was for \$628.00 for Russell Tao's rescue dog. He stated that he understood that all of the rescue dog's expenses were to be paid by the task force in Orange County.

Finance Manager Heide stated that the District is in process of working with Orange County Fire Authority to seek reimbursement. He added that staff is working diligently in recovering expenses through FEMA.

President DeMonaco asked about the payroll deductions for Make A Child Smile. He asked approximately how much had been raised for the Make A Child Smile Program through payroll deductions.

Finance Manager Heide stated that a check has been cut for \$900 from the District on behalf of deductions, both from the Board of Directors and from staff. He added that checks will be cut on a quarterly basis and checks will be given to the Make A Child Smile Program.

Moved by Vice President Espinosa, seconded by Director Marquez, carried by a 4-0 voice vote, that the Board of Directors approve Consent Calendar Item #5 as presented.

AYES: BOARD MEMBERS: DeMonaco, Espinosa, Evinger, and Marquez.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: Gray.

Director Marquez discussed Bid No. 10-03, Fire Station 64 Sprinkler Project under Consent Calendar #7. He stated that other stations needed retrofitting, such as sprinkler heads, in addition to Station 64.

Finance Manager Heide reported that Station 66 is scheduled to receive retrofitting this fiscal year.

Director Marquez asked if Station 65 had any sprinklers. He would rather have sprinklers placed in that particular station since currently there are no sprinklers, and then put together one bid for the stations that need retrofitting.

President DeMonaco stated that he understood that Station 62 and Station 66 also had issues with sprinkler heads. He asked why everything wasn't rolled into one project.

Finance Manager Heide stated that because of the nature of the projects, the difference involved, and the timing, staff felt it was best to move forward with the other projects as separate projects.

Battalion Chief Parpan provided an update on each of the stations and sprinkler heads.

Moved by Vice President Espinosa, seconded by Director Evinger, carried by a 4-0 voice vote, that the Board of Directors approve Consent Calendar Item #7 as presented.

AYES: BOARD MEMBERS: DeMonaco, Espinosa, Evinger, and Marquez.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: Gray.

BOARD COMMITTEE REPORTS

Director Evinger reported that she attended a CSDA Board's Role in Fiscal and Financial Responsibility class. She also attended the Chino Hills State of the City, the Joint Special Board Meeting, a Human Resources Committee Meeting, a Special Board Meeting, and a Fire Safe Council Meeting.

Vice President Espinosa reported that he attended a Finance Committee Meeting and a Chino Hills Council Meeting.

OLD BUSINESS

None.

NEW BUSINESS

9. **CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) BOARD ELECTION.** Purpose is for the Board of Directors to confirm the Fire District's desire to participate in the current CSDA Board Election for 2010 and cast a vote for a candidate for Seat "B" in Region 5.

Clerk of the Board Heney reported that the Fire District has received an official voting ballot from CSDA for a current vacancy on the Board of Directors in Region 5. She also reported that CSDA's Board of Directors is made up of six regional divisions. Each regional division has three seats

represented and elected by the CSDA membership, and that Chino Valley Fire District is included in Region 5.

Clerk of the Board Heney stated that the Fire District is a current member of CSDA. The CSDA Board of Directors is the governing body responsible for all policy decisions effecting CSDA's member services and legislative programs. She also reported that an important function of the CSDA Board is directing CSDA's Legislative Advocacy in Sacramento. In addition, CSDA Board Members are involved in responding to pending legislation and other public policy documents that may impact the operation of special districts.

Clerk of the Board Heney stated that at the Regular Board Meeting held on April 14, 2010, the Fire District Board of Directors voted to nominate Fire District President John DeMonaco as a candidate for election to the CSDA Board of Directors. President John DeMonaco's nomination was accepted and he is listed as a candidate on the CSDA election ballot.

Clerk of the Board Heney stated that any independent special district, with current membership in CSDA, is eligible to cast a vote. The ballot is due to CSDA by 5:00 p.m. on Friday, August 6, 2010.

RECOMMENDATION: It is recommended that the Board of Directors confirm the Fire District's desire to participate in the current CSDA Board Election for 2010 and cast a vote for a candidate for Seat "B" in Region 5.

Moved by Director Marquez, seconded by Director Evinger, carried by a 4-0 voice vote, that the Board of Directors cast a vote for President John DeMonaco as a candidate for CSDA Board Seat "B" in Region 5.

AYES: BOARD MEMBERS: DeMonaco, Espinosa, Evinger, and Marquez.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: Gray.

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

Clerk of the Board Heney reported that 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. She also reported that the adoption of the proposed CSDA Bylaws requires a majority vote of a quorum of Regular CSDA Members, and that completed ballots must be received by CSDA before July 30, 2010, at 5:00 p.m.

Clerk of the Board Heney reported that the proposed changes to the bylaws include changes to redefine CSDA voting members and non-voting associate members and other updates. A copy of the Major Amendments Summary, which includes the proposed 2010 CSDA Bylaws updates, was provided to the Board Members for review. She reported that the current CSDA bylaws and the

proposed 2010 Bylaws in mark-up form may be viewed online at www.csda.net.

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 Marquez, seconded by Vice President Espinosa, carried by a 4-0 voice vote, that the Board of Directors cast a vote to adopt the proposed amendments to the CSDA Bylaws.

AYES: BOARD MEMBERS: DeMonaco, Espinosa, Evinger, and Marquez.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: Gray.

11. DISTRICT OF DISTINCTION DESIGNATION. Purpose is to review and discuss the use of District of Distinction designation.

Fire Chief Benson reported that the Board of Directors had previously discussed adding the District of Distinction logo to the District's letterhead. He provided a display of various options for adding the designation to the District's logo.

Director Marquez stated that he would like to see the logo on the District's letterhead. He recommended the larger District of Distinction logo.

Vice President Espinosa stated that he preferred the letterhead without the District of Distinction logo. He preferred only the lettering stating the designation at the bottom of the letterhead.

President DeMonaco stated that he agreed with Vice President Espinosa to use only the lettering and preferred the letterhead without the logo.

Director Evinger stated she preferred the letterhead without the District of Distinction logo and only the designation in lettering at the bottom of the letterhead.

The Board of Directors agreed to place only the lettering designation of the District of Distinction, with a larger font, on the District's letterhead and not use the logo for the District of Distinction.

RECOMMENDATION: It is recommended that the Board of Directors review and provide direction to staff.

12. SURPLUS PROPERTY POLICY. Purpose is for the Board of Directors to review and approve a surplus property policy.

Finance Manager Heide reported that the Board directed staff to draft a surplus property policy. He added that the Standard Operating Procedure (SOP) #103.01, Disposition of Surplus Property, has been drafted accordingly.

Finance Manager Heide reported that legal was asked to provide guidance regarding laws and

regulations in the area of surplus property disposition. He also reported that Government Code Section 1090 prohibits public officers and employees who are involved in the process of surplus property disposition from purchasing District declared surplus property. The draft SOP prohibits management personnel, Board members and their immediate family members, from purchasing surplus District property.

Finance Manager Heide reported that the Finance Committee has reviewed the policy and recommended changes which have been incorporated into the draft document.

President DeMonaco asked for clarification regarding when the Board declares a piece of equipment surplus. He asked if the Board designates how to dispose of the property, or does staff make that designation.

Finance Manager Heide stated that the policy could be revised to be more specific, that disposition would be designated by the Fire Chief. However, he added, that the Board could provide specific direction with respect to surplus as to the disposition method they would prefer.

After some discussion, President DeMonaco made a motion to modify recommendation to give the Fire Chief authority to select method of disposition with the exception of a donation, which should go to the Board.

President DeMonaco stated that he was in favor of sending the surplus to a commercial auction house, as approved by the Fire Chief.

RECOMMENDATION: It is recommended that the Board of Directors review and approve SOP #103.01, Disposition of Surplus Property.

Moved by President DeMonaco, seconded by Director Marquez, carried by a 4-0 voice vote, that the Board of Directors approve the surplus policy with the revision in the policy that states that the Fire Chief is authorized to select method of disposition for surplus property, with the exception of a donation, which must be approved by the Board.

AYES: BOARD MEMBERS: DeMonaco, Espinosa, Evinger, and Marquez.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: None.

ABSENT: BOARD MEMBERS: Gray.

13. FEE SCHEDULE RESOLUTION. Purpose is for the Board of Directors to review, approve and adopt Resolution 2010-08, proposed to provide fee schedule relief retroactive to July 1, 2009.

Finance Manager Heide reported that the District adopted Ordinance No. 2009-01, effective July 1, 2009, providing for updates to the District's fee schedule. He reported that one significant update to the fee schedule was the addition of a base service fee of \$220 for all permitted inspections, intended to cover costs associated with travel to and from the inspection site for multiple inspections, as well as administrative and clerical time in support of the inspection and permitting process. Additionally, with the '09-01 ordinance, the District discontinued a long standing sliding scale practice of charging full fee for the highest permitted fee, and then discounting each additional permit fee by 50%, for

businesses with multiple permits.

Finance Manager Heide reported that these updates to fees resulted in additional financial hardship for a number of District business and property owners during a very difficult economic period. He also reported that Resolution No. 2010-08 has been drafted to provide a measure of fiscal relief to these businesses and property owners. The proposed ordinance calls for the inspection base charge of \$220 to be waived for all District inspections billed on or after January 30, 2010, and also specifies that the practice of billing the highest permitted fee for a business with multiple permits, and 50% of each additional permit fee, be reinstated with the same effective date. The proposed effective date is driven by the fact that the District suspending billing after January 30, 2010, pending resolution of this issue.

Finance Manager Heide reported that in those cases where customers paid full fees for inspections after July 1, 2009, and would have benefitted from the fee schedule relief specified above, a provision in the resolution calls for a 60-day period during which those customers may apply to the District for a refund for the difference.

Finance Manager Heide reported that the proposed resolution will have the effect of rolling back fees to 2008-09 levels. He also reported that staff estimates that the fiscal impact of this change will be negligible in relation to the '09-10 budget, as budget adjustments were made at mid-year to account for lower than originally projected inspection revenues for '09-10. He added that legal counsel has reviewed and approved the form of the resolution, and Finance Committee has recommended moving the resolution forward for consideration by the full Board.

President DeMonaco had a concern about the fees being rolled back to the 2008-2009 levels.

Finance Manager Heide stated that the two specific items that are being recommended is that the base fee be eliminated and that the discounting be reinstated. He added that the fiscal impact of this change would be that the District's revenue levels will be substantially similar to 2008/2009 levels.

Fire Chief Benson provided clarification of the Fee Schedule Resolution and the implementation.

Fire Chief Benson stated that staff is currently working on the Fee Ordinance, and it will be presented to the Board of Directors at the August 11, 2010, meeting for a first reading. The document will include the entire fee structure for the District. The Fee Schedule Resolution is similar to an emergency temporary relief, since many businesses are currently struggling with paying fees. He added that this would be a benefit to businesses.

Director Marquez stated that he supported anything that the District could do to help the business community.

Vice President Espinosa also stated that he supported anything to help the business community.

RECOMMENDATION: It is recommended that the Board of Directors review, approve and adopt Resolution No. 2010-08.

Moved by Vice President Espinosa, seconded by Director Evinger, carried by a 3-1 voice vote, that the Board of Directors approve and adopt Resolution No. 2010-08.

AYES: BOARD MEMBERS: Espinosa, Evinger, and Marquez.

NOES: BOARD MEMBERS: None.

ABSTAIN: BOARD MEMBERS: DeMonaco.

ABSENT: BOARD MEMBERS: Gray.

BOARD COMMENTS

Director Marquez commended the Fire Safe Council on the presentation they provided to the Chino Hills City Council Meeting, and for the hard work in the community.

Vice President Espinosa also stated that he appreciated the work the Fire Safe Council has done in the community. He attended the Chino Hills Council Meeting and the Chino Centennial Freedom Festival.

Director Evinger also commended the Fire Safe Council and their dedication to the community. She also stated that the Wild Fire Awareness Fair was very well done, and she enjoyed it. She also attended the Chino Centennial Freedom Festival.

President DeMonaco congratulated Jim Powderly and the Fire Safe Council on the Wild Fire Awareness Fair. He also attended the Chino Hills Old Fashioned Fourth of July Picnic, and the City of Chino's Centennial Freedom Festival.

President DeMonaco reported that a Special Board Meeting is scheduled next week at which time interviews for the Interim Fire Chief position will be conducted.

CHIEF'S COMMENTS

The District received ten (10) responses to the Request for Proposal for general legal services. The proposals are being evaluated, and the results will be brought forward to the Board for a determination on the firms to be interviewed.

The Leadership Development Program is offering a training class at the end of July titled "How to Conduct a Development Conversation." The class is highly encouraged for supervising personnel, but is also open to all employees.

A Captain promotional exam is planned, with the testing anticipated for the week of September 13 – 16, 2010.

The District's new logo has been submitted for trademark consideration, and the application is under review with the Office of the Secretary of State.

The District's ERP Computer System procurement process continues on schedule. Staff anticipates inviting a finalist vendor in for a comprehensive Proof of Capabilities demonstration later this month, and expects to make a recommendation regarding a bid award to the Board in August.

Staff is working on annual updates to the District's Fee Schedule Ordinance, as well as a Cost Recovery Ordinance for non-resident emergency responses and certain fire responses, and anticipates bringing those forward to the August Board meeting.

The Training and Safety Section completed an 80-hour orientation class for the four new Firefighter/Paramedics, who began their shifts on July 27:

- Daniel Fry
- Andrew Simpson
- Robert Pope
- Bryan Turner

Chino Hills State of the City was held on June 24, 2010, at Los Serranos Country Club. Staff and Board Members attended.

A Joint Cities and Fire District Workshop was held June 29, 2010. The meeting was held at Chaffey College Community Building. Both the City of Chino and City of Chino Hills participated.

The Fire District will be participating in this year's Concerts in the Park in Chino and Chino Hills. The Fire District will have an information booth highlighting drowning prevention and fire safety.

The Fire District will be participating in this year's National Night Out in Chino and Chino Hills. National Night Out is designed to heighten crime and drug prevention awareness, strengthen neighborhood spirit and emergency services-community partnerships.

Upcoming Events

Vice President Espinosa and Director Evinger will be attending a reception and recognition for newly appointed CIM Warden Fakhoury on Friday, July 16, 2010, at the Hilton Ontario Airport.

The International Fire Chief's Conference is scheduled for August 24-28, 2010, in Chicago, Illinois. Several Board Members will be attending. Fire District staff will not be attending this year.

ADJOURNMENT

President DeMonaco adjourned the meeting at 7:38 p.m. to a Regular Board Meeting scheduled for Wednesday, August 11, 2010, 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 11th DAY OF AUGUST 2010.

Sandra Heney, Clerk of the Board

John DeMonaco, President