

Aptos/La Selva Fire Protection District

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MINUTES

Aptos/La Selva Fire Protection District

Regular Board Meeting

Thursday, September 13, 2018 – 7:00 PM

Administration Office
6934 Soquel Drive
Aptos, California 95003

Welcome to the Aptos/ La Selva Fire Protection District Board meeting. The President of the Board of Directors will invite your comments regarding any item listed on our open session agenda. The President may request that comments be limited to three (3) minutes for any item NOT listed on the agenda. The Brown Act prohibits the Fire Board from taking any action not listed on the agenda. Agenda material including late additions to the agenda is available on the District's website www.aptosfire.com and at the District's Administrative Office during business hours.

1.0 ROLL CALL ABENDSCHAN, FOSTER, HURLEY, LUCCHESI, SPISAK

1.1 INTRODUCTIONS: FIRE CHIEF AARON LOWE
BOARD SECRETARY TRACY NEW

President Foster called the meeting to order at 7:00 p.m., and asked everyone in attendance to join him in saluting the flag. In attendance were Directors Abendschan, Hurley, Lucchesi and Spisak, as well as Legal Counsel, Alan Smith, Director of Business Services, Tracy New, and Chief Lowe.

2.0 PLEDGE OF ALLEGIANCE

2.1 PROCLAMATION OF FIRE PREVENTION WEEK OCTOBER 7-13, 2018

There was no mention of this or discussion.

3.0 COMMUNICATIONS FROM/TO BOARD MEMBERS & PUBLIC

3.1 ORAL COMMUNICATIONS:

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This time is set-aside for members of the public to address the board on any item NOT on the agenda, which is within the subject matter jurisdiction of the board. No action or discussion shall be taken on any item presented except that any board member may respond to statements made or questions asked, or may ask questions for clarification. All matters of an administrative nature will be referred to staff. All matters relating to the board will be noted in the minutes and may be scheduled for discussion at a future meeting or referred to staff for clarification and report. Any board member may place matters brought up under oral communications on a future agenda.

Becky Steinbruner addressed the Board, and thanked Chief Lowe and Chief Dirksen for meeting to discuss her concerns regarding traffic circulation in the Village, as well as response times; made mention of some upcoming traffic issues occurring October 1, 2018 involving Aptos Village Way, Trout Gulch, Aptos Creek Road, Bernal and Valencia.

3.2 WRITTEN COMMUNICATIONS

President Foster made mention of the correspondence in the Board Packet.

4.0 CONSENT AGENDA

- 4.1 MOTION TO ACCEPT AND FILE THE MINUTES OF THE SPECIAL MEETING OF AUGUST 27, 2018 (Recommended by Board Secretary New).
- 4.2 MOTION TO APPROVE CLAIMS DISBURSEMENTS OF AUGUST 1, 2018 THROUGH AUGUST 31, 2018 (Recommended by Director of Business Services New).
- 4.3 MOTION TO ACCEPT AND FILE THE EZ ONE GENERAL LEDGER REPORTS FOR THE PRIOR MONTH-END (Recommended by Director of Business Services New).
- 4.4 MOTION TO AUTHORIZE PAYMENT TO HI-TECH EVS INC FOR REPAIR OF FIRE APPARATUS IN THE AMOUNT OF \$29,249.19 (Recommended by Director of Business Services New).
- 4.5 MOTION TO AUTHORIZE PAYMENT TO JACKSON LEWIS P.C. IN THE AMOUNT OF \$24,382.28 FOR LEGAL SERVICES (Recommended by Director of Business Services New).
- 4.6 PUBLIC COMMENT ON CONSENT AGENDA ITEMS?

There was no public comment.

5.0 ITEMS REMOVED FROM CONSENT AGENDA

There were none.

Director Abendschan made a motion to approve the Consent Agenda. The motion was seconded by Director Hurley.

The motion passed with 5-Ayes.

6.0 UNFINISHED BUSINESS

- 6.1 ACCEPT AND FILE TERRACON PROPERTY CONDITION REPORT (Recommended by Director of Business Services New).

Director of Business Services, Tracy New gave an overview of what was contained in the inspection reports. Discussion ensued, to include whether there were monies in the budget for repairs, and opinions regarding what work should be done immediately and what could wait. Ms. Steinbruner inquired of the Board what they saw as the most pressing item(s), with President Foster and Directors Abendschan and Hurley advising that they saw no serious or significant issues, that informed decisions would be made and an action plan devised.

Director Abendschan made a motion to accept and file the Terracon Property Condition Report. The motion was seconded by Director Lucchesi.

The motion passed with 5-Ayes.

7.0 NEW BUSINESS

- 7.1 MOTION TO APPROVE RESOLUTION 10-18 "FY 2018-19 FINAL BUDGET" (Recommended by Fire Chief Lowe).

Chief Lowe advised that staff recommended the Board approve Resolution 9-18, the Fiscal Year 2018-2019 Budget; advised that in June the Board adopted the Fiscal Year 2018/2019 Preliminary Budget, and then went over the list of assumptions and planned projects or program costs, in addition to recurring operating expenditures, that are contained in the Final Budget; Discussion ensued regarding the difference between legal fees and professional fees, the fact that there are two Board seats opening, and three parties are vying for those seats, the cost of overtime and the increase being due to injuries, suggestion(s) were made regarding scheduling for injuries or someone out on 4850 time, and the monies for training and development in the Budget and the fact that more firefighters are taking advantage of the Fresno Training Symposium. Russ Borelli inquired if overtime is put into the training budget, and he was advised by Ms. New that the training program budget includes overtime. Ms. Steinbruner inquired about the high overtime, the Assistance by Hire and OES, and the CalPERS expenses.

Director Hurley made a motion to approve Resolution 10-18, Fiscal Year 2018/2019 Budget. The motion was seconded by Director Spisak.

The motion passed with 5-Ayes.

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- 7.2 MOTION TO ACCEPT & FILE THE CALPERS SAFETY CLASSIC, SAFETY PEPRA, MISCELLANEOUS CLASSIC, AND MISCELLANEOUS PEPRA FY2019-20 PENSION PLAN VALUATION REPORTS (Recommended by Director of Business Services New).

Ms. New gave an overview of the reports; and, recommended that a meeting to discuss alternate amortization schedules be agendized.

Ms. Steinbruner inquired about the increase for 2019/2020; and, inquired if a merger would affect the payments.

Director Abenschan made a motion to accept and file the CalPERS Safety Classic, Safety PEPRA, Miscellaneous Classic, and Miscellaneous PEPRA FY 2019/2020 Pension Plan Valuation Reports, and that a meeting be set for next month to start discussion on options for amortization. The motion was seconded by Director Lucchesi.

The motion passed with 5-Ayes.

- 7.3 MOTION TO 1. ACCEPT AND FILE THE MID-COUNTY FIRE AGENCIES CONSOLIDATION FEASIBILITY STUDY AND; 2. DISCUSS AND AUTHORIZE THE FIRE CHIEF TO SIGN AN MOU AS PRESENTED IN THE STAFF REPORT (Recommended by Fire Chief Lowe).

Chief Lowe advised that it is Staff's recommendation to accept the ESCI Mid-County Fire Agencies Consolidation Feasibility Study as presented and to enter into an agreement (MOU) with Central Fire Protection District for the provision of management-level administrative services, including, but not limited to the following functions: Financing (budgeting, payroll, purchasing and accounting), Human Resources Management (employee relations, salary and benefits administration and risk management), and Complex Administrative support to the Aptos La Selva Fire Chief and management staff; provided a very in-depth overview of the recommendations in the report; and, advised that the implementation of the Memorandum of Understanding would result in a workforce reduction in the Aptos La Selva Fire Protection District by one full time employee – the Director of Business Services position would be eliminated; advised that the Central Fire administrative positions would be tasked with performing the functions mentioned above; advised that subject to and following the Board's approval of the MOU, the respective Fire Chiefs will be authorized to enter into an agreement for the provision of management-level administrative services for the Aptos La Selva Fire Protection District by Central Fire Protection District; advised that the initial term of said MOU would be through June 30, 2019, and generate an estimated \$24,030 in annual savings to Aptos La Selva Fire Protection District; advised that the target date to initiate the components of the MOU is October 1, 2018, subject to the successful implementation and viability of this proposal, along with the shared Fire Inspector position and Division Chief/Battalion Chief Coverage Plan; and, advised that further recommendations for functional and operational collaboration as described in the Aptos La Selva Fire Protection District Master Plan and the LAFCO Study will be brought forward for the respective Board's consideration in the months ahead.

Director Hurley advised that he believed the sharing of services is a good business decision and that it makes sense for the future; advised that he believes that LAFCO has taken a position that they can approve

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a consolidation; advised that he believes the Study is short sighted, and that the public doesn't have the slightest idea about what is going on; advised that the residents in the southern portion of the Aptos/La Selva District are paying the same taxes but they may end up having weaker coverage; advised that there is a tremendous amount of suspicion; suggested that the presentation of the Study was not "rolled out well" and gives the impression that Central is pushing the implementation of the Study. President Foster advised that a lot of time went into the Study; suggested that the Study includes recommendations to improve service(s) currently provided; suggested that so far there is a good track record working with Central, and the two Districts are trying to do what is best for the public; advised that there is no take over on either side; and reiterated that the idea is to find the best possible solution(s) for the communities involved. Director Lucchesi advised that he believed the shared services was a good business decision for the future; advised that response times are an issue, and suggested that by putting the two Districts together there aren't more engines or services being provided; advised that the fire service doesn't save money – "there is better service for the dollars put out"; advised that sharing administrative services is a good business decision; and, advised that he didn't believe total consolidation was where all this is headed. Chief Lowe advised that the things that need to be addressed first are the organizational chart, the planning for community risk reduction and service delivery. President Foster advised that shared services is a good business decision; and, advised that he wants some action, as he didn't want to see the Study just sit on the shelf. Craig Chatterton addressed the Board, and inquired about where the \$165,000 was going if they reduced the Aptos staff by one full time person; inquired if someone else was going to be hired at Central to help with the increased work load; suggested that adding more work to the staff at Central would cause burnout; suggested that there is a significant pay gap between the two Districts; inquired how he could say that he didn't want this change; mentioned that he didn't see that service will improve by having Central staff handle the work being done by the Aptos Director of Business Services; and, said if it is a cost neutral, then why not take the \$165,000 and hire another firefighter to improve service. Becky Steinbruner advised that she believed such a significant move should be put to the constituents; inquired about rapid response being put in the rural areas; inquired if CMG would no longer be doing plan checks for the Districts; and, inquired about whether AVL's will be utilized. John Scanlon addressed the Board, advising that the Study recommended a more efficient use of resources, and stated that he believed that made good business sense. Chief Hall from Central Fire advised that the agreement would provide for a 60/40 split of costs, and that no new employees would be hired. Discussions ensued regarding savings. John Hibble addressed the Board, advising that he believed that the shared services made sense and was a good business decision. Karen Hibble suggested that any time you can reduce expenses, it's a good idea and she thanked the Board for their services. Pat Sharp addressed the Board, advising that there are pitfalls with mergers; advised that a merger would provide better services to the community – that two agencies can provided better service than just one; advised that it will take time to iron out the wrinkles. Ms. New advised that it isn't a \$24,000 savings to the District, it is a \$3,000 savings to eliminate her position. Director Abendschan advised that Aptos should be taking over Central; advised that Central needs to replace two stations and they have surplus people; and, advised he "couldn't wrap his head around a merger". Director Spisak advised that he felt the Study was "jammed down our throats"; advised that there were meetings that Board members weren't included in; advised that he felt LAFCO has their own agenda; and, advised that shared services does make good business sense.

Director Luchessi made a motion to Accept and File the Mid-County Fire Agencies Consolidation Feasibility Study and to Discuss and Authorize the Fire Chief to Sign an MOU as Presented in the Staff Report. The motion was seconded by Director Abendschan.

The motion passed with 4-Ayes; Director Spisak voted No.

8.0 STANDING REPORTS

8.1 BOARD OVERSIGHT INQUIRY: Any Board Member may request that staff report on the status of operational or administrative activities or programs.

There was no discussion.

Chief Lowe advised that September 12, 2018, he met with DigitalNest to determine if improving the Aptos La Selva Fire Protection District website is feasible for their organization, and advised that their initial bid was about \$3 to \$5,000.

8.2 DISCUSSION OF DISTRICT-WIDE EXTERNAL COMMUNICATIONS TO THE COMMUNITY (Recommended by Vice President Foster).

Director Hurley suggested sending a letter to every homeowner in the District to let them know about the Study and the changes being made/proposed; and, suggested an article being put in the *Aptos Times*. Becky Steinbruner suggested putting something in the *Aptos Life*, as it is mailed to the residents in the District; inquired if there will be any candidate forums for the three that are running for the vacant Board seats; suggested that the October 7, 2018 Open House would be a good place to get information about the Study out to the public; and, suggested that the Chief reach out to the larger homeowner associations in the District. Chief Lowe advised that he had been engaging with the Chamber of Commerce, the Capitola/Aptos Rotary – he did a presentation on this date for them; advised that Aptos High had contacted him regarding career development; and, advised that he had been approached by the Rio Del Mar HOA. John Hibble suggested the District educate the public regarding the Consolidation Study. Brett Darbrow made mention of a regional approach to fire protection services.

8.3 FIRE CHIEF'S REPORT – By Fire Chief Lowe, regarding various operational and administrative matters.

Chief Lowe advised that two Aptos La Selva Fire Protection District members (Firefighter Matt Garcia and Firefighter/Paramedic Tom Gigliotti) completed the ride in the Firefighter Cancer Awareness Bicycle Tour from San Francisco to Los Angeles.

8.4 REPORT FROM FIREFIGHTERS' LOCAL 3535

Ryan Peters, President of Local 3535, addressed the Board advising that the District's Open House is scheduled for October 7, 2018; advised that he is still writing for the *Aptos Times* and would be willing to collaborate on a message to the public regarding the Mid-County Fire Agencies Consolidation Feasibility Study; mentioned training being done with Central Fire Protection District staff; advised that he has met with Dan Jordan of Local 3605 regarding Labor's position concerning the Consolidation Study; and, thanked Chief Lowe for his labor relations skills.

8.5 REPORT FROM CHIEF OFFICERS' ASSOCIATION

Chief Cullen advised that he will be taking over for Trevor Dirkesen; and, advised that staff appreciates Chief Lowe's communication skills.

8.6 ACCEPT AND FILE DIVISION CHIEF OF TRAINING REPORT

Chief Skrabak advised that staff had gone to Minnesota to do the final inspection of the new engine, which should arrive at the District the end of September/beginning of October, and will then be set up with equipment; advised that the District had just received an invoice for the chassis for the new Water Tender; advised that 3512 has been repaired; and advised that 3536, the Type 3, broke down on the way to Northern California, and it is currently at International in Salinas to determine the cause of the mechanical issues.

9.0 CLOSED SESSION

9.1 ORAL COMMUNICATIONS REGARDING CLOSED SESSION

This is the time for members of the public to speak to the Board on items on the Closed Session agenda. The Board will not address any comments. Public comments on Closed Session agenda items will be accepted by the Committee at this time. The Committee will then recess into Closed Session to discuss items on the closed session agenda.

9.2 CONFERENCE WITH LABOR NEGOTIATOR
(§54957.6) Agency Representative: Cepideh
Roufougar Unrepresented Employee: Director of
Business Services

9.3 CONFERENCE WITH LABOR NEGOTIATOR
(§54957.6) Agency Representative: Cepideh
Roufougar Unrepresented Employee:
Administrative Assistant

9.4 CONFERENCE WITH LABOR NEGOTIATOR
(§54957.6) Agency Representative: Cepideh
Roufougar Unrepresented Employee:
Administrative Assistant

9.5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Fire Chief

Becky Steinbruner inquired about a Fire Marshal report this month; inquired whether legal counsel was in the building to attend the Closed Session; and asked what the Closed Session items were about.

President Foster moved the meeting to Closed Session at 9:16 p.m.

10.0 RETURN TO OPEN SESSION

10.1 REPORT FROM CLOSED SESSION

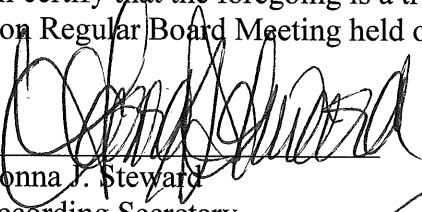
Any final action by the Board in closed session will be reported at this time.

Chair Foster moved the meeting to Open Session at 10:45 p.m., and advised that the Board met with Legal Counsel Smith and Roufougar, and took no action.

11.0 ADJOURN MEETING


The meeting was adjourned at 10:46 p.m.

This will certify that the foregoing is a true copy of discussions during the Aptos LaSelva Fire Protection Regular Board Meeting held on September 13, 2018, as prepared by me.



Donna J. Steward
Recording Secretary

Dated: 9/14, 2018

ATTEST: 

Board President

Accommodating People with Disabilities The Aptos/La Selva Fire Protection District does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. The District meetings are held in an accessible facility. If you wish to attend this meeting and you will require special assistance in order to participate, please contact the Administration Office at 831-685-6690 at least 72 hours in advance of the meeting to make arrangements. For TDD service the California State Relay Service 1-800-735-2929 will provide a link between the caller and the administrative staff.