



Aptos/La Selva Fire Protection District

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FINAL Minutes

Aptos/La Selva Fire Protection District

REGULAR BOARD MEETING

Minutes of September 10th, 2009

MEETING CALLED TO ORDER AT 7:00 PM BY PRESIDENT HURLEY

1.0 ROLL CALL

DIRECTORS PRESENT: HURLEY, JOHNSTON, SPISAK, WEATHERFORD, RAMOS

DIRECTORS ABSENT: NONE

INTRODUCTIONS: FIRE CHIEF TOM CROSSER
BOARD SECRETARY FRED MALMLUND
MR. TREVOR DIRKSEN
DIVISION CHIEF/FM JIM DIAS

2.0 PLEDGE OF ALLEGIANCE

3.0 COMMUNICATIONS FROM/TO BOARD MEMBERS & PUBLIC

3.1 ORAL COMMUNICATIONS: None

3.2 WRITTEN COMMUNICATIONS: Written communications consisted of a thank you letter for a recent medical response, a letter of from Board President Hurley to Fred Keeley, SC County Treasurer nominating Director Weatherford as an alternate to the County Treasury Oversight Commission, a LAFCO report on the role of LAFCO oversight in Special Districts, A letter from CalPERS regarding economic impact on employer rates and modifications, graphs compiled by Business Manager Fred Malmlund showing projected PERS expense, and information on Prop 1A's effect on the District.

4.0 CONSENT AGENDA

4.1 MOTION TO ACCEPT & FILE THE MINUTES OF THE REGULAR MEETING OF AUGUST 13, 2009

4.2 MOTION TO APPROVE CLAIMS DISBURSEMENTS OF AUGUST 8, 2009 THROUGH SEPTEMBER 4, 2009

On motion by Director Ramos, seconded by Director Johnston, that consent agenda items 4.1 and 4.2 be approved as submitted, was approved by the following vote:

Ayes: Johnston, Hurley, Spisak, Weatherford, Ramos
Noes: None
Abstain: None
Absent: None

4.3 PUBLIC COMMENT ON CONSENT AGENDA ITEMS? None

5.0 ITEMS REMOVED FROM CONSENT AGENDA: None

6.0 UNFINISHED BUSINESS

6.1 MOTION TO ACCEPT & FILE THE “ACTUARIAL VALUATION OF POSTRETIREMENT WELFARE BENEFITS UNDER GASB 43/45”

Business Manager Malmlund reported that the district’s actuaries have completed the June 30, 2009 valuation of postretirement benefits. The report shows that the liability for postretirement benefits totals \$1.4M. While there is not legal requirement to fund this liability, not funding it would result in degradation of the district’s creditworthiness and eventually result in technical insolvency. The report showed that in FY 2009-10 the postretirement benefits funding requirement was \$89,500 with \$55,400 in current year benefits paid out of the current year operating budget. The net of \$34,100 needs to be contributed to the fund this year. This should result in a budget savings of \$51,100 in FY 2009-10 compared to the preliminary budget amount of \$85,200.

On motion by Director Ramos, seconded by Director Weatherford, that agenda item 6.1 be accepted and filed as submitted, was approved by the following vote:

Ayes: Johnston, Hurley, Spisak, Weatherford, Ramos
Noes: None
Abstain: None
Absent: None

7.0 NEW BUSINESS

7.1 FIRST READING OF ORDINANCE 1-09 “AN ORDINANCE AMENDING CHAPTER 54 OF ORDINANCE 1-07”, THE FIRE ALARM SECTION, AND MOTION TO APPROVE

RESOLUTION 9-09 “INTENT TO AMEND CHAPTER 54 OF APTOS/LA SELVA ORDINANCE 1-07”

DC Dias reported that this ordinance cleans up a number of inaccuracies and ambiguities that exist in the current fire code. He explained that once this resolution is approved, the proposed ordinance will be published and comments will be solicited in a public hearing at the October 8 board meeting. If the board approves and adopts the ordinance, then it will take effect on November 9, 2009.

On motion by Director Ramos, seconded by Director Weatherford, that Resolution 9-09 be approved and that a public hearing be set for October 8, 2009 at 7:00 PM, was approved by the following vote:

Ayes: Johnston, Hurley, Spisak, Weatherford, Ramos
Noes: None
Abstain: None
Absent: None

On motion by Director Ramos, seconded by Director Weatherford, that the first reading of Ordinance 1-09 be suspended due to time, was approved by the following vote:

Ayes: Johnston, Hurley, Spisak, Weatherford, Ramos
Noes: None
Abstain: None
Absent: None

7.2 FIRST READING OF ORDINANCE 2-09 “AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE REMEDIES ORDINANCE” AND MOTION TO APPROVE RESOLUTION 10-09 “INTENT TO ADOPT ORDINANCE 2-09”

DC Dias reported that this ordinance establishes an administrative remedy for enforcing code violations. The process utilizes persons that are familiar with the law as administrative hearing officers. He explained that once this resolution is approved, the proposed ordinance will be published and comments will be solicited in a public hearing at the October 8 board meeting. If the board approves and adopts the ordinance, then it will take effect on November 9, 2009.

On motion by Director Ramos, seconded by Director Johnston, that Resolution 10-09 be approved and that a public hearing be set for October 8, 2009 at 7:00 PM, was approved by the following vote:

Ayes: Johnston, Hurley, Spisak, Weatherford, Ramos
Noes: None
Abstain: None
Absent: None

On motion by Director Ramos, seconded by Director Johnston, that the first reading of Ordinance 2-09 be suspended due to time, was approved by the following vote:

Ayes: Johnston, Hurley, Spisak, Weatherford, Ramos
Noes: None
Abstain: None
Absent: None

7.3 FIRST READING OF ORDINANCE 3-09 “AN ORDINANCE ESTABLISHING ADMINISTRATIVE FINES AND VIOLATIONS FOR POSSESSION, USE, STORAGE, SALE AND OR DISPLAY OF FIREWORKS” AND MOTION TO APPROVE RESOLUTION 11-09 “INTENT TO ADOPT ORDINANCE 3-09”

DC Dias reported that this ordinance addresses the illegal use of fireworks in the district. It provides for the disposal, cost recovery, administrative processes, and fines related to illegal fireworks use in the district. He explained that once this resolution is approved, the proposed ordinance will be published and comments will be solicited in a public hearing at the October 8 board meeting. If the board approves and adopts the ordinance, then it will take effect on November 9, 2009.

On motion by Director Ramos, seconded by Director Weatherford, that Resolution 11-09 be approved and that a public hearing be set for October 8, 2009 at 7:00 PM, was approved by the following vote:

Ayes: Johnston, Hurley, Spisak, Weatherford, Ramos
Noes: None
Abstain: None
Absent: None

On motion by Director Ramos, seconded by Director Weatherford, that the first reading of Ordinance 3-09 be suspended due to time, was approved by the following vote:

Ayes: Johnston, Hurley, Spisak, Weatherford, Ramos
Noes: None
Abstain: None
Absent: None

8.0 STANDING REPORTS

8.1 BOARD OVERSIGHT INQUIRY: None.

8.2 FIRE CHIEF’S REPORT:

A/LSFPD BOARD MEETING AGENDA

September 10, 2009

The new Type 3 engine and 3511 have been utilized on a number of fire and rescue calls this past month, including three strike teams for major incidents like the Lockheed Fire, Gloria Fire in Monterey County and the Oak Glenn Fire in San Bernardino County.

The conversion to mobile and portable radios (to comply with federal mandate regarding narrow banding) is nearly complete. Several grant programs are being pursued for funding of the external equipment upgrades needed.

8.3 REPORT FROM FIREFIGHTERS' LOCAL 3535 PRESIDENT TREVOR DIRKSEN

Mr. Dirksen stated that the district is currently experiencing budget constraints and it appears these constraints will become more severe in the future. An important question to address, at the present, is whether or not staff positions should be backfilled or not when and if retirements occur. Future retirements in administration will create opportunities to consider changes to the district's organization chart. This issue could be evaluated now and contingency plans could be put in place. The union has voted unanimously that a management study should be conducted and the union is once again requesting that such a study be performed. That study should evaluate possible organizational changes, succession planning, and employee career development.

The union will conduct the annual pancake breakfast on Sunday October 4 from 7:30 to 11:30 and everyone is invited to attend or assist.

9.0 ADJOURN MEETING: 8:27 PM

Secretary to the Board

President of the Board