

**BIG BEAR FIRE AUTHORITY
MINUTES FOR THE MEETING OF
October 4, 2016**

A Regular Meeting of the Big Bear Fire Authority was called to order by Chairman Terry at 6:00 p.m., Tuesday, October 4, 2016, at 39707 Big Bear Boulevard, Big Bear Lake, California.

Moment of Silence: Observed

Pledge of Allegiance: Led by Chairman Terry

Board Members Present: Chairman Paul Terry
Vice Chairman Randall Putz
Director David Caretto
Director John Green
Director Bill Jahn
Director Karyn Oxandaboure
Director Larry Walsh
Director Al Ziegler

Board Members Excused: Director Rick Herrick
Director Bob Jackowski

Board Members Absent: None

Others Present: Jeff Willis, Fire Chief
Mike Maltby, Assistant Chief
Shirley Holt, Senior Finance Officer
Dawn Marschinke, Board Secretary

ANNOUNCEMENTS

The Fire Authority's Administrative Office will be closed as follows:

- Friday, November 11, 2016 in observance of Veteran's Day and will re-open on Monday, November 14, 2016 at 8:00 a.m.
- Thursday and Friday, November 24 and 25, 2016 in observance of Thanksgiving and will re-open on Monday, November 28, 2016 at 8:00 a.m.

PRESENTATIONS

Chief Willis recognized the promotion of Brandon Willis from Firefighter/Paramedic to Engineer/Paramedic.

DIRECTORS' GENERAL ANNOUNCEMENTS – Comments shall pertain to items not on the posted agenda and are limited to three minutes per Authority Member.

Director Green thanked the Fire Department for being in the Old Miner's Day Parade. Chairman Terry commented that if it wasn't for the Fire Department, there would not have been a parade.

GENERAL PUBLIC COMMENT – Public comment is permitted only on items not on the posted agenda that are within the subject matter jurisdiction of the Authority. Please note that State law prohibits the Fire Authority from taking any action on items not listed on the agenda. There is a three-minute maximum time limit when addressing the Board during this time period.

CHIEF'S REPORT

None.

FINANCE OFFICER'S REPORT

Senior Finance Officer Holt discussed the 2015-2016 financial audit that was completed on September 16, 2016. The audit results thus far have indicated there were no issues with cash, payroll, capital assets or grants. Accounts payable and revenue and receivables were still under review at exit time. The auditing firm will make a presentation at the December Board meeting with final audit results.

Ms. Holt stated that before reporting year-end financials, she needs the Big Bear City Community Services District – Fire (CSD) year-end financials and the Fire Authority's audited financials.

Regarding the ongoing actuarial studies, Ms. Holt reported that she has received an update from legal counsel who indicated that they have been in communication with California Public Employees' Retirement System (CalPERS). CalPERS is still working on reciprocity and value information. They are scheduled to provide that information by week's end. This will then be provided to San Bernardino County Employee Retirement Association (SBCERA). This is the information that SBCERA has been waiting for to complete their work. Once SBCERA information is provided to staff, they will need time to complete their work.

CONSENT CALENDAR

Motion by Director Caretto, seconded by Director Jahn to approve the Consent Calendar as follows:

FA1. Approval of Meeting Minutes from the August 23, 2016 Regular Meeting of the Big Bear Fire Authority

Approved.

FA2. Review of Monthly Activity Reports for August 2016, for Big Bear Fire Department

Received and filed.

FA3. Resolution Amending the Conflict of Interest Code Pursuant to the Political Reform Act of 1974

Board consideration of adopting Resolution No. BBFA2016-008 amending the Conflict of Interest Code pursuant to the Political Reform Act of 1974.

RESOLUTION NO. BBFA2016-008

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BIG BEAR FIRE AUTHORITY ADOPTING AN
AMENDED CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF
1974

Approved.

FA4. Fire Authority Meeting Calendar for 2017

Board consideration of approving the proposed 2017 Meeting Calendar, which includes the adjournments of the Regular Meeting of April 4 to April 25, 2017; October 3 to October 24, 2017 and December 5 to December 12, 2017.

The question was asked if all meetings of agencies represented on the calendar were approved dates.

Board Secretary Marschinke responded.

A request was made for the calendar to be produced in last year's format with larger squares.

Approved.

FA5. Memorandum of Understanding Establishing a Three-Party Agreement for Fire Chief Services

Board consideration of approving a Memorandum of Understanding establishing a three-party agreement for Fire Chief Services between Big Bear Fire Authority, Big Bear Lake Fire Protection District and Big Bear City Community Services District. This agreement identifies responsibilities and authorities of the Fire Chief as it relates to collateral responsibilities and authorities extended to these agencies.

Approved.

FA6. Administrative Committee Direction

Board consideration of authorizing the Fire Chief to set the agenda for the Administrative Committee on an as-needed basis, or based on input from the Administrative Committee Chairperson to the Fire Chief.

This item was removed from the Consent Calendar for separate discussion.

FA7. Approval of Fire Authority Staffing, Job Description and Updated Classification and Wage Table for Paid Call Equipment Operator

Board consideration of approving the Job Description, and updated Classification and Wage Table for Paid Call Equipment Operator, allowing the Authority to hire personnel to operate specialized equipment or vehicles when needed.

Approved.

The balance of the Consent Calendar was approved by the following vote:

AYES:	Green, Jahn, Oxandaboure, Putz, Walsh, Ziegler, Caretto, Terry
NOES:	None
ABSENT:	Herrick, Jackowski
ABSTAIN:	None

ITEMS REMOVED FROM THE CONSENT CALENDAR

FA6. Administrative Committee Direction

Board consideration of authorizing the Fire Chief to set the agenda for the Administrative Committee on an as-needed basis, or based on input from the Administrative Committee Chairperson to the Fire Chief.

Item FA6 was pulled from the consent calendar. Discussion ensued to clarify the recommendation made by Chairman Terry.

The origin of this item came about as a result of the September 8, 2016 Administrative Committee meeting. Chairman Terry called this Committee meeting to discuss a question about the availability of financial reports. Chief Willis was notified about the meeting through Ms. Marschinke.

The Committee did not have clarity on when an Administrative Committee could or should be called. The discussion surrounded a Committee meeting being called solely at the direction of the full Board, or by the Chairman or the Fire Chief.

If this item is approved as written, it needs to be clear that either the Fire Chief or the Chairman through the Fire Chief, has the ability to call the meeting. There is nothing that specifies how the full Board would make an assignment to the Committee. The Fire Authority Bylaws do not establish how an Administrative Committee meeting can occur.

Prior to this discussion, if there is an item that the full Board decides it wants the Committee to discuss, the Board refers it to the Committee for placement on the Agenda. Otherwise, the Fire Chief would determine the agenda. If the any Board member had an item or concern, they would contact the Chief or the Chairman who would work closely through the Fire Chief to put the item on the agenda.

The Board stated their desire to create a policy that would clearly define when meetings are called, how the agenda is set and to what degree the Chief and the Chairman have the ability to set topics relative to what the Board may or may not have directed.

Motion by Vice Chairman Putz; seconded by Director Jahn to create a policy that clarifies the mechanics of how an Administrative Committee meeting can be called.

The motion was amended by Vice Chairman Putz, and seconded by Director Jahn for the Administrative Committee to create a policy that clarifies the mechanics of how an

Administrative Committee meeting can be called and bring it back to the full Board for further discussion.

Other opportunities for clarity within the policy were discussed as follows: 1) should a personnel issue be addressed by the Committee, or referred to a closed session of the Board; 2) should a regularly scheduled meeting be rescheduled if the Fire Chief is not available; 3) should there be regularly scheduled Committee meetings, or scheduled as-needed; 4) should a regularly scheduled Committee meeting be canceled if there is not a need for one; 5) should the Fire Chief have the authority and discretion to assign specific personnel to represent him if he is not available for a Committee meeting.

Director Jahn called for the question.

AYES: Jahn, Oxandaboure, Putz, Walsh, Ziegler, Caretto, Green, Terry
NOES: None
ABSENT: Herrick, Jackowski
ABSTAIN: None

PUBLIC HEARING

Any person may appear and be heard in support or opposition to the proposals at the time of the meeting. If you challenge the action in court, you may be limited to raising only those issues which you or someone else raised at the public meeting described in the notice or in written correspondence delivered to the Fire Authority at or before the public meeting.

None.

NEW BUSINESS

FA8. Second First Reading of Proposed Ordinance Establishing Penalties and Administrative Citations for Violations of the Fire Code

Board consideration, discussion and possible action regarding introducing and waiving first reading of Ordinance establishing penalties and Administrative Citations for violations of the Fire Code. A change was made to the ordinance at the first reading. It has been determined that the change is not necessary, therefore a second first reading is required.

Motion by Director Walsh; seconded by Vice Chairman Putz to approve reading of the title.

Said Motion was approved by the following vote:

AYES: Jahn, Oxandaboure, Putz, Walsh, Ziegler, Caretto, Green, Terry
NOES: None
ABSENT: Herrick, Jackowski
ABSTAIN: None

Clarification was provided to the Board regarding Section 9.E as to why the change was not made to the original document as directed by the Board at the August 23, 2016 meeting. It was explained that the Department's legal counsel strongly advised against the change. Section 9.E reads:

The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust their administrative remedies.

Assistant Chief Maltby explained that this ordinance only applies to infractions and these are handled through an administrative citation and potentially the Appeals Board. It will remain a civil action until such time that the Appeals Board makes the determination that the recipient has exhausted all administrative remedies. When the recipient's administrative remedies are exhausted they could choose to have the violation heard by the Superior court.

Director Jahn left the meeting at 6:40 p.m. and returned at 6:42 p.m.

Motion by Director Caretto; seconded by Vice Chairman Putz to introduce the ordinance.

Chief Willis explained that this has been reviewed multiple times by the Department's attorneys. If the Board chooses, this can go back to the attorneys for review again. This will likely come back with the recommendation that this ordinance is correct as written.

Ms. Marschinke was questioned on the cost to publish the Public Hearing in the newspaper again. She responded with the approximate cost of \$330.

At the request of Board members, Assistant Chief Maltby attempted to clarify the applicability and the terminology in ordinance. After the ensuing discussion, it was requested that Chief Maltby get a clarifying statement from the Department's attorney explaining the difference between a "misdemeanor criminal citation" and an "administrative citation issued for infractions."

Assistant Chief Maltby will get the legal clarification to the Board.

Said Motion was approved by the following vote:

AYES: Jahn, Oxandaboure, Putz, Walsh, Ziegler, Caretto, Green, Terry
NOES: None
ABSENT: Herrick, Jackowski
ABSTAIN: None

FA9. Accept the Proposal from Matrix Consulting Group for Master Planning Services

Board consideration of accepting the proposal from Matrix Consulting Group and allow staff to engage in contracting with this firm for professional services for master planning.

Ms. Holt explained the process that occurred in selecting staff's recommended vendor from the three Request for Proposals received in response to the Department's public request for proposal to develop a Master Plan. She and Chief Willis reviewed proposals independently and came back together to discuss their preferences.

Both Ms. Holt and Chief Willis decided against the low bid proposal from CPS because it did not address fire service statistics. The other two proposals were very similar. Matrix came in at \$48,000 and Emergency Services Consulting International (ESCI) came in at \$46,508. The Matrix scope of work provided more detail and starts off the process examining relevant statistics. ESCI's first step is more operational, such as looking at vision and mission, which the Department has already begun to address.

Both Ms. Holt and Chief Willis agreed to recommend accepting the proposal from Matrix. Ms. Holt stated that her intention is to ask Matrix to come in at the same price of ESCI which is \$46,508.

Discussion began with the question of the timetable for delivery.

Ms. Holt stated that Matrix is prepared to start immediately and will need department statistics within 60 days. Their interviews, analysis and reporting will span five months. The financial data they need is fairly easy to provide according to Ms. Holt. Chief Willis stated that the operational data is also available.

The question was asked if the \$48,000 bid was all-inclusive. Ms. Holt responded that it included a small amount for travel, but in her experience, that number can creep up. The Board agreed that the Request for Proposal should not be left open-ended for travel related expenses. A "do not exceed clause" should be added to the contract.

It was stressed that the strategic plan should have high-level alignment with the Department's mission and goals and request was made for an explanation on how Matrix' Master Plan will relate to a strategic plan.

Chief Willis explained that the Master Plan leads into the strategic plan. The Master Plan will give a broad perspective of what the organization is doing today and what may be needed in the future. The strategic plan is the next natural progression about what can be accomplished over the next five years within the context of the master plan. The master plan will provide an understanding of the dollars necessary to achieve the different levels of service the Department may want. Ms. Holt added that for a strategic plan to work well, it needs to be fact based, looking at things like: need, money and other resources before establishing the strategic plan.

This is an analysis that will provide suggestions for the Department to use in figuring out what it is going to do about the situation identified in the Plan. With that information in hand, the Department has the opportunity to develop a strategic plan, deciding what risks the Department is willing to take and what it is willing to spend financially.

Matrix can help with the next step of what to do with the information provided as a result of the Master Plan, at an additional cost if desired, but they are not being hired to create the strategic plan.

It was pointed out that the Master Plan is light on financial plans to pay for the items that may come up as a result of the Plan. The funding of the Plan and of the retirement programs will be another decision point for the Board.

Motion by Director Jahn; seconded by Vice Chairman Putz to approve staff's recommendation.

The motion was amended by Director Jahn, and seconded by Vice Chairman Putz to approve staff's recommendation with the stipulation that the contract be written with a clause not to exceed the agreed upon cost of the contract.

Director Jahn called for the question.

Said Motion was approved by the following vote:

AYES: Oxandaboure, Putz, Walsh, Ziegler, Caretto, Green, Jahn, Terry
NOES: None

ABSENT: Herrick, Jackowski
ABSTAIN: None

Director Jahn left the meeting at 7:17 p.m. and returned at 7:19 p.m.

FA10. Approval of Financial Reporting Schedule

Board consideration approving the financial reporting schedule for draft monthly financials, cash disbursements, final monthly financials, balance sheet and other funds and draft budgets.

Ms. Holt explained that the financial reports for the three agencies for the prior two years have been reported separately to the Board of each agency at their scheduled public meetings. With the consolidation of the financial operations of the three agencies, the budgets and financial statements are now in a single format and produced on the same timeline. Also, due to the timing of the Board meetings, it was not practical nor always possible to present month-end or quarterly information in a timely fashion, or at the same time for each Board.

Ms. Holt presented a proposed financial reporting schedule that was discussed with the Administrative Committee on September 8, 2016. This schedule will provide more timely reporting to the Board. The timing for future reports is as follows for all agencies:

- Monthly email (After the 15th of the following month) to include Draft Monthly Financials and Monthly Cash Disbursements
- Every Fire Authority Board Meeting to include Final Monthly Financials, Year-to-Date
- Quarterly Fire Authority Board Meeting to include the Balance Sheet and other Funds
- Annually Fire Authority Board Meeting to include Draft Budgets

Motion by Director Caretto; seconded by Director Green to approve staff's recommendation.

Said Motion was approved by the following vote:

AYES: Putz, Walsh, Ziegler, Caretto, Green, Jahn, Oxandaboure, Terry
NOES: None
ABSENT: Herrick, Jackowski
ABSTAIN: None

COMMITTEE REPORTS

- Fire Authority Administrative Committee meeting held on September 8, 2016 represented by Board Chairman Terry, Vice Chairman Putz, Director Walsh and Director Herrick

Received and filed.

- Fire Authority Administrative Committee meeting held on September 20, 2016 represented by Board Chairman Terry, Vice Chairman Putz, Director Walsh and Director Herrick

Received and filed.

DIRECTORS' CLOSING COMMENTS

Director Ziegler commented that he enjoyed riding in the old fire engine in the Old Miner's Day Parade and looks forward to doing it again. He said that it was primarily the Fire Department in the parade with very few others. He stated that the organizers either need to expand it or eliminate it. It is embarrassing that it has become almost nothing.

Director Walsh stated that a lot has been said about Directors looking at the Fire Authority from the 35,000-foot level and not looking into the minutia of daily operations. He looks back at the Board's stated objective to save money. The Department has pared back a lot of positions and has not filled them. Looking from 35,000 feet, the Department still has firefighter positions that have not been replaced, yet at the same time there have been new positions created at the top. The organization sometimes makes him think of a mushroom.

Director Putz said that he is looking forward to getting through the Fire Authority status report and the strategic planning and financial options procedure to follow. It is some of the most important work the Board can do. He believes it will be an important part of setting the direction for the ensuing decades.

Director Jahn thanked the labor groups for their participation in the MOU negotiations. The labor groups had a number of questions and Ms. Holt spent many hours answering the questions that dealt with the budgets. Once Labor understood where the budget stood, it made the negotiations go much smoother. He also thanked Chief Willis and Directors Caretto, Green and Walsh for their participation in the process. In addition, he looks forward to starting work on the specific plan addressing where the Department is going and how it is going to get there.

Director Oxandaboure stated that she agreed with Director Jahn's comments.

Director Caretto echoed Vice Chairman Putz's and Director Jahn's comments, and also thanked Directors Green and Walsh for their participation in the successful negotiation process. He stated that he hopes that the completion of the analysis of the organization and retirement plans, as well as the development of the strategic plan will get the Department to the place where everyone is satisfied with the result.

Chairman Terry agreed with the previous three comments made regarding the Master Plan. He also thanked everyone on the negotiating team, including the firemen and staff for their efforts in the labor negotiations. There was a lot of work involved.

ADJOURNMENT

There being no further business to come before the Fire Authority at this session, Chairman Terry adjourned the meeting at 7:26 p.m.



Dawn E. Marschinke, Board Secretary

Approved at the meeting of December 13, 2016