



# Big Bear Fire Authority

**BIG BEAR FIRE AUTHORITY  
MEETING AGENDA  
OCTOBER 4, 2016**

**ORDER OF BUSINESS:**

Regular Session - 6:00 p.m. - Hofert Hall,  
39707 Big Bear Blvd., Big Bear Lake, CA 92315

---

**BOARD OF DIRECTORS**

**CHAIRMAN PAUL TERRY  
VICE CHAIRMAN RANDALL PUTZ  
DIRECTOR DAVID CARETTO  
DIRECTOR JOHN GREEN  
DIRECTOR RICK HERRICK  
DIRECTOR BOB JACKOWSKI  
DIRECTOR BILL JAHN  
DIRECTOR KARYN OXANDABOURE  
DIRECTOR LARRY WALSH  
DIRECTOR AL ZIEGLER**

**STAFF**

**FIRE CHIEF JEFF WILLIS  
AUTHORITY COUNSEL JEFF FERRE  
FIRE MARSHAL – ASSISTANT CHIEF MIKE MALTBY  
TREASURER-AUDITOR/CONTROLLER SHIRLEY HOLT  
BOARD SECRETARY DAWN MARSCHINKE**

---

**OPEN SESSION**

**CALL TO ORDER**

**MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Please Note: The Chair may, at his or her discretion, take items out of order at the meeting in order to facilitate the business of the Board and/or for the convenience of the public.**

**ANNOUNCEMENTS & UPCOMING EVENTS**

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**

- Recognition of promotion for the following personnel:
  - Brandon Willis, from Firefighter/Paramedic to Engineer

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

**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****CONSENT CALENDAR**

- FA1. Approval of Meeting Minutes from the August 23, 2016 Regular Meeting of the Big Bear Fire Authority**
- FA2. Review of Monthly Activity Reports for August 2016, for Big Bear Fire Department**
- FA3. Resolution Amending the Conflict of Interest Code Pursuant to the Political Reform Act of 1974**

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

**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.

**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.

**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.

**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.

**ITEMS REMOVED FROM THE CONSENT CALENDAR****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.*

**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.

**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.

**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.

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

**DIRECTORS' CLOSING COMMENTS**

**ADJOURN**

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Dated this 29th day of September, 2016.

*Dawn E. Marschinke*

---

Dawn Marschinke, Board Secretary

*The Big Bear Fire Authority wishes to make all of its public meetings accessible to the public. If you need special assistance to participate in this meeting, please contact Board Secretary Dawn Marschinke at 909/866-7566. Notification 48 hours prior to the meeting will enable the Fire Authority to make reasonable arrangements to ensure accessibility to this meeting.*





# BIG BEAR FIRE AUTHORITY AGENDA REPORT

**MEETING DATE:** October 4, 2016

**TO:** Honorable Chairman and Members of the Fire Authority Board

**FROM:** Shirley Holt, Senior Finance Officer *SH*

**SUBJECT:** SENIOR FINANCE OFFICER'S REPORT

---

## FINANCIAL REPORTING

This is the first full year of operating experience for each agency since the transition of financial work to Big Bear Fire Authority (Authority). Staff is waiting for final audit numbers before reporting year-end. Big Bear City Community Services District Fire Department year-end financials are also pending at this time.

Under New Business is a staff report discussing a suggested financial reporting schedule going forward.

## Audit

The FY 2015-16 Financial audit was completed September 14 – 16, 2016 for the Authority and Big Bear Lake Fire Protection District (FPD).

Exit notes from the audit indicated no issues with: Cash, Payroll, Capital Assets or Grants. They were still reviewing Accounts Payable and Revenue/Receivables at time of exit.

The auditors were pleased with the organization of Authority and FPD records, the Department's Springbrook accounting software and availability of staff and information during their site visit.

Lance, Sole and Lunghard (LSL) is the Authority's auditing firm and will return in December to report the final audit to the Authority Board.

**BIG BEAR FIRE AUTHORITY  
MINUTES FOR THE MEETING OF  
August 23, 2016**

---

A Regular Meeting of the Big Bear Fire Authority was called to order by Chairman Terry at 6:00 p.m., Tuesday, August 23, 2016, at 39707 Big Bear Boulevard, Big Bear Lake, California.

**PUBLIC FORMUM FOR CLOSED SESSION**

None.

At the hour of 5:30, p.m., Board adjourned Closed Session.

The Board had the opportunity to view the Department's newly acquired ambulance and water tender prior to the start of Open Session.

At the hour of 6:00 p.m., Chairman Terry called Open Session to order.

Moment of Silence:	Observed
Pledge of Allegiance:	Led by Director Green
Board Members Present:	Chairman Paul Terry Vice Chairman Randall Putz Director David Caretto Director John Green Director Rick Herrick Director Bob Jackowski Director Bill Jahn Director Larry Walsh Director Al Ziegler
Board Members Excused:	Director Karyn Oxandaboure
Board Members Absent:	None
Others Present:	Jeff Willis, Fire Chief Mike Maltby, Assistant Chief Shirley Holt, Senior Finance Officer Dawn Marschinke, Fire Board Secretary

**RESULTS OF CLOSED SESSION:**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION - pursuant to Government  
Code Section 54957

Title of Position: Fire Chief

No reportable action.

**ANNOUNCEMENT**

The Fire Authority's Administrative Office will be closed Monday, September 5, 2016 in observance of Labor Day and will re-open on Tuesday, September 6, 2016 at 8:00 a.m.

**DIRECTORS' GENERAL ANNOUNCEMENTS**

Directors Caretto, Jahn, Jackowski, Herrick, Ziegler, Vice Chairman Putz and Chairman Terry all personally congratulated the firefighters that were promoted.

Chairman Terry, Vice Chairman Putz and Director Ziegler also stated that they had the opportunity to see the training that the firefighters go through and how much there is to learn to be well-trained and prepared.

Director Jackowski commented that he is looking forward to riding in the Department's fire truck during the upcoming Old Miner's Day parade.

**PUBLIC COMMUNICATIONS**

None.

**CHIEF'S REPORT**

Chief Willis provided a report on the status of the three-party shared services agreement for Fire Chief Services.

Assistant Chief Maltby provided an update on the status of the Department's online policy management solution, Lexipol; 4<sup>th</sup> of July staffing; the new ARV-282 response vehicle; Community Risk Reduction progress; Self-Inspection program for businesses; and Originating Agency Identification (ORI) number update.

Director Jackowski left the meeting at the hour of 6:18 p.m. and returned at 6:20 p.m.

**FINANCE OFFICER'S REPORT**

Sr. Finance Office Holt provided an update on progress of projects within the Finance Department's purview including: quarterly reports and year-end financials to be reported

in October; financial audit scheduled for September 14-16; Department website update; Suppression online calendar; and Telestaff electronic shift scheduler implementation for use with payroll.

Director Caretto instructed Ms. Holt to ensure that both the physical and mailing address for the Fire Department is listed on the Department's website.

### **CONSENT CALENDAR**

Discussion ensued.

Director Caretto stated that Item FA7, Section 4B references the bidding process of San Diego County. He asked Ms. Holt to confirm as correct, or change as appropriate.

Ms. Holt responded.

Regarding Item FA6, Director Herrick asked if all sizes of assets are included in the policy.

Ms. Holt responded.

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

**FA1. Approval of Meeting Minutes from the June 7, 2016 Regular Meeting of the Big Bear Fire Authority**

Approved.

**FA2. Review of Monthly Activity Reports for June and July 2016, for Big Bear Fire Department**

Board consideration of receiving and filing the report.

Received and filed.

**FA3. Review of Insurance Services Office (ISO) Evaluation Report for Big Bear Fire Department that establishes the community's Public Protection Classification.**

Received and filed.

**FA4. Ambulance Subscription Fee Increase.**

Board consideration of approving an increase to the Ambulance Subscription Program fee.

Approved.

**FA5. Resolution Approving the Carryover of Appropriations from Fiscal Year 2015/16 to Fiscal Year 2016/17.**

Board consideration of adopting Resolution No. BBFA2016-007 approving the carryover of appropriations from Fiscal Year 2015/16 to Fiscal Year 2016/17.

Approved the following Resolution entitled:

RESOLUTION NO. BBFA2016-007

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIG BEAR FIRE AUTHORITY, A CALIFORNIA JOINT POWERS AUTHORITY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING CHANGES TO THE BIG BEAR FIRE AUTHORITY APPROVED BUDGET FOR FISCAL YEAR 2016/17 TO CARRYOVER APPROPRIATIONS FROM THE BIG BEAR FIRE AUTHORITY APPROVED BUDGET FOR FISCAL YEAR 2015/16

**FA6. Administrative Instruction – Fixed Asset Impairment**

Board consideration of approving Administrative Instruction for Fixed Asset Impairment.

Approved.

**FA7. Administrative Instruction – Purchasing Policy**

Board consideration of approving the rescission of three financial policies and approving a new Administrative Instruction - Purchasing and Public Contracting Policy that replaces them.

Approved.

The Consent Calendar was approved by the following vote:

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

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

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.*

**FA8. 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.

Motion by Vice Chairman Walsh, seconded by Director Green to read the title and waive first reading of Ordinance of the Ordinance.

Said Motion was approved by the following vote:

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

**ORDINANCE NO. BBFA2016-XXX**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE BIG BEAR  
FIRE AUTHORITY, A CALIFORNIA JOINT POWERS AUTHORITY,  
ESTABLISHING PENALTIES AND ADMINISTRATIVE CITATIONS FOR  
VIOLATIONS OF THE FIRE CODE**

Motion by Vice Chairman Putz, seconded by Director Jackowski to approve the Ordinance for second reading at the October 4, 2016 Board meeting.

Director Walsh asked for the following changes to be made to the Ordinance prior to bringing it back for the second reading:

- Page 7, section 9E, change "...and a failure to exhaust their administrative remedies." to "...and exhaustion of their administrative remedies."

At the hour of 6:44 p.m., Chairman Terry opened the public hearing for public comment.

Hearing no public comment, at the hour of 6:45 p.m., Chairman Terry closed the Public Hearing.

Director Walsh referred to Page 5, Paragraph 4.B.1, and asked for an explanation on how the 10% interest is compounded, monthly or annually.

Staff responded.

Director Walsh asked for changes to the following items:

- Page 1, second Whereas, change "City" to "City of Big Bear Lake"
- Page 8, section 11B, remove second sentence

Director Walsh asked for a clarification on the statement that a misdemeanor citation would not go through the appeals process but would go straight through the courts.

Staff responded.

Director Jahn called for the question.

Motion by Vice Chairman Putz, seconded by Director Jackowski to amend the motion to approve the Ordinance for the October 4, 2016 Board meeting with the following modifications:

- Page 1, second Whereas, change "City" to "City of Big Bear Lake"
- Page 5, paragraph 4.B.1, add "monthly" as the time basis for interest accrual
- Page 7, paragraph 9E, change "...and a failure to exhaust their administrative remedies." to "...and exhaustion of their administrative remedies."
- Page 8, section 11B, remove second sentence

Said Motion was approved by the following vote:

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

### **DISCUSSION/ACTION ITEMS**

**FA9. Request for Proposal (RFP) to develop Fire Protection Master Plan for the Fire Authority.**

Board consideration of authorizing the Board Secretary to advertise, receive and publicly open bids to develop a Fire Protection Master Plan for the Fire Authority's jurisdiction.

Discussion ensued.

This will give staff and Directors a better understanding of the community's and Department's needs. This is important to move forward in a strategic direction. The Master Plan will provide ways of accomplishing goals, but it is not expected to be a concrete plan. There must be an understanding of the Department's response capability now, and in five years from now, before financing aspects can be considered. It is likely that another consultant would be hired to determine how to fund the desired level of services. From the time a vendor is selected, at the October 4, 2016 Board meeting, it is expected to take six months before the Master Plan is completed.

Motion by Director Green; seconded by Vice Chairman Putz to approve Administrative Committee's recommendation to advertise, receive and publicly open bids to develop a Fire Protection Master Plan for the Fire Authority's jurisdiction.

Said Motion was approved by the following vote:

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



### **COMMITTEE REPORTS**

Chairman Terry asked the Board if it is the expectation of the Board that Administrative Committee reports are to be received and filed, or do they want a report from an individual on the Administrative Committee.

Director Caretto commented that a written set of notes is fine.

Director Herrick stated that he would like to see a written list of the Chief's goals and how they are being accomplished.

Director Green recommended these goals be added to the Chief's report and reported with a percentage of completion.

- Fire Authority Administrative Committee meeting held on May 26, 2016 represented by Board Chairman Terry, Vice Chairman Putz, Director Walsh and Director Herrick.

Received and filed.

- Fire Authority Administrative Committee meeting held on August 11, 2016 represented by Board Chairman Terry and Director Walsh. Vice Chairman Putz and Director Herrick were absent.

Received and filed.

### **DIRECTORS' CLOSING COMMENTS**

Director Walsh was appreciative of the increased font size in the training data incorporated in the June monthly activity report from the Department, but July's font was still hard to read.

Director Herrick thanked firefighters for their work with all the recent fires.

Director Green commented that he was amazed that with all the terrible fires at the same time, that the Department has the ability to send people to fight them, and is thankful that they are not in Big Bear.

Vice Chairman Putz stated that he was in agreement with the comments Director Herrick made regarding the Chief's goals. How they tie into the strategic planning process should be discussed.

Director Jahn congratulated Chief Willis on the acquisition of the new ambulance and water tender, and for staying in budget.

Director Caretto thanked Chief Willis and Ms. Holt for all their work on the salary negotiations with the labor negotiators. There were a lot of requests for information that they had to fulfill. They deserve the Board's gratitude for moving the process along.

Chairman Terry asked Staff to continue to notify the Board when there are firefighter training sessions. They are worthwhile to attend and he encouraged anyone to attend who has not already.

### **ADJOURNMENT**

There being no further business to come before the Fire Authority at this session, Chairman Terry adjourned the meeting at 7:14 p.m.

  
Dawn E. Marschinke  
Dawn E. Marschinke, Board Secretary

**INTEROFFICE MEMO****Big Bear Fire Authority**

**DATE:** September 26, 2016

**TO:** Chairman and Members of the Fire Authority Board

**FROM:** Jeff Willis, Fire Chief *JW*

**PREPARED BY:** Dawn Marschinke, Administrative Clerk *DM*

**SUBJECT:** **FIRE DEPARTMENT MONTHLY ACTIVITY – AUGUST 2016**

**1. SERVICE DELIVERY**

		<b>Current Month</b>	<b>Calendar Year to Date</b>
1.1	Fire Calls, Hazardous Conditions, Service Calls	120	1,914
1.2	Rescue/Medical Calls	217	3,851
1.3	Training Class Summary (hours)	438	4,563
1.4	DRC Reviews	1	24
1.5	Plan Check/Fire Letter	16	153
1.6	Shake Shingle Roof Replacement	3	21
1.7	Chipping Requests (Beginning 06/01/16)	258	585

**2. COMMUNITY RELATIONS**

- 2.1 August 4 – Fire Truck 281 and Assistant Fire Marshal Bruinsma attended a birthday party at Big Bear Sheriff's Station for an autistic boy, as a wish for the boy from his mom.
- 2.2 August 9 – The Department has recently become a member of Big Bear Chamber of Commerce. Sr. Finance Officer Holt and Administrative Assistant Marschinke attended the Snow Summit Chamber Mixer representing the Department.
- 2.3 August 12 – Members of Big Bear Fire Department attended Root Beer Float Appreciation Day sponsored by Cole Vocational Services at North Pole Fudge Co. (see attached photo).

- 2.4 August 19 – Chief Willis, Assistant Chief Maltby and Assistant Fire Marshal Bruinsma attended the retirement party for Captain Tom Bradford from the Big Bear Sheriff's Office. The Department presented him with a bio-hazard survival bag.
- 2.5 August 30 – Chief Willis attended an Open House at the Alpenhorn Bed Breakfast in Big Bear Lake.

### **3. OPERATIONS**

- 3.1 Chief Willis and/or Assistant Chief Maltby and/or Senior Finance Director Holt attended the following meetings during the reporting month:
  - Big Bear City Community Services District Board Meeting – August 1
  - Meet and Confer with Labor – August 8
  - Big Bear Fire Authority Administrative Committee Meeting – August 11
  - Meet and Confer with Labor – August 12
  - Big Bear City Community Services District Board Meeting – August 15
  - Mountain Mutual Aid Meeting – August 9
  - Big Bear Lake City Council Meeting – August 22
  - Big Bear Fire Authority Board Meeting – August 23
  - Big Bear Lake Fire Protection District Board Meeting – August 23
  - Mountain Mutual Aid Executive Board Meeting – August 23
  - County Chief's Meeting Big Bear Lake – August 25
  - Big Bear Lake Fire Protection District Board Meeting – August 29
- 3.2 Battalion Chief Parham attended the following meetings/training during the reporting month:
  - CONFIRE Operations Support Meeting – August 2
  - ICEMA Data Committee Meeting – August 2
  - TXA Trial Study Conference Call – August 2  
Monthly conference call for drug trial study participants of a blood clotting drug.
  - EMS Officers Meeting – August 10

### **4. HEALTH AND SAFETY**

- 4.1 August – Chief Willis attended Board meetings of the Bear Valley Community Health Care District, Big Bear Business Improvement District and Big Bear Chamber of Commerce to present the plan of a land exchange between the US Forest Service and San Bernardino County Land Exchange for a proposed Industrial Recycling Storage Park.
- 4.2 August – The following press release was issued by Administrative Assistant Marschinke: Defensible Space Saves Lives – Prepare yourself, your family, your property (see attached South Coast Magazine article).

- 4.3 August 2 – Assistant Fire Marshal Bruinsma and Firefighter Paramedic Seward gave a presentation on basic first aid to the Latter Day Saints Girls Camp.
- 4.4 August 9 – Assistant Chief Maltby gave a presentation to Big Bear Valley Mountain Mutual Aid on the functions and progress of Fire Hazard Abatement within the Fire Department. Chief Willis followed with a presentation regarding the development of an Industrial Recycling and Storage Park.
- 4.5 August 19 – Assistant Fire Marshal Bruinsma picked up the water tender acquired by the Department through the Federal Excess Property program and will be housed at the Baldwin Lake Station to assist with the water needs of that community during a fire incident.
- 4.6 August 22 – Assistant Fire Marshal Bruinsma attended CERT training at the Big Bear Senior Center.
- 4.7 August 22 – Assistant Fire Marshal Bruinsma was interviewed at KBHR Radio for a public service announcement on fire safety.

## **5. PERSONNEL**

- 5.1 August – Congratulations go out to those who were promoted in August. Firefighter Bidwell was promoted to Engineer and Apprentice Firefighter/Paramedic Covarrubio was promoted to fulltime Firefighter/Paramedic.
- 5.2 August – The following individuals successfully completed the testing process for Fire Captain, are now eligible for future promotion and to work as “Acting Captain”: Engineer Dykesten, Engineer Hollenbaugh and Engineer Lambert. Congratulations to them all.
- 5.3 August 17 – A Last Alarm retirement ceremony was held at Station 281 for Engineer Ausmus after 16 years with the Department. Chief Willis, fellow firefighters, administrative staff and Fire Authority Board Chairman Terry and Directors Caretto and Walsh all had the opportunity to honor him and wish him well.
- 5.4 August 8 & 12 – The Ad Hoc Committee held ongoing meetings with Labor for Meet & Confer negotiations.
- 5.5 August 19 – Battalion Chief Parham hosted a Paramedic Skills Assessment Lab at Paradise Training Facility for any Apprentice/EMT who wanted to test for the ability to be promoted to paramedic in the future.
- 5.6 August 25 – Congratulations to Apprentice Firefighter/EMT Cole and Apprentice Firefighter/EMT Medeck who successfully passed the Paramedic Skills Lab.

## **6. ADMINISTRATIVE STAFF TRAINING/CONFERENCES/SEMINARS**

- 6.1 August 11 – Assistant Chief Maltby attended an Arson Investigators training event in San Bernardino, put on by the San Bernardino Arson Task Force.
- 6.2 August 18 – Assistant Fire Marshal Bruinsma and HR/PR Coordinator Gustason attended a Worker’s Compensation Symposium in La Palma, put on by California Joint Powers Insurance Agency.
- 6.3 August 25 – Assistant Fire Marshal Bruinsma attended AWR-232: Mass Fatalities Planning & Response for Rural Communities put on by San Bernardino Office of Emergency Services.

## **7. STRIKE TEAMS & DUTY COVERAGE FOR FIRE RESPONSE**

- 7.1 August 1 – Captain Jayne, Engineer McDaniel and Firefighter/Paramedic Nielsen covered Station 284 while CALFIRE personnel were assigned to wildfires.
- 7.2 August 5-7 – Battalion Chief Harold was on Strike Team assignment at the Soberanes Fire in Los Padres National Forest.
- 7.3 August 7-16 – Battalion Chief Harold was on Strike Team assignment at the Pilot Fire in San Bernardino National Forest.
- 7.4 August 7-16 – Firefighter/Paramedic Fluke and PCF’s Hardy and Dmytriw were on Strike Team assignment at the Pilot Fire in San Bernardino National Forest.
- 7.5 August 7-10 – Captain Curtis and Firefighter/Paramedic Crane were on Strike Team assignment at the Rock Creek Fire in Okanogan-Wenatchee National Forest.
- 7.6 August 10-15 – Captain Curtis and Firefighter/Paramedic Crane were on Strike Team assignment at the Horseshoe Fire in Inyo National Forest.
- 7.7 August 7-10 – Paid Call Battalion Chief Smith was Overhead on the Fire Management Team at the Cedar Fire in Sequoia National Forest.
- 7.8 August 16-21 – Firefighter/Paramedic Fluke and PCF Dmytriw were on Strike Team assignment at the Blue Cut Fire in San Bernardino National Forest.
- 7.9 August 17-21 – Battalion Chief Harold was on Strike Team assignment at the Blue Cut Fire in San Bernardino National Forest.
- 7.10 August 17-22 – Captains Arden and Mandolini and Firefighter/Paramedic Schlosser were on Strike Team assignment at the Blue Cut Fire in San Bernardino National Forest.

- 7.11 August 23-31 – Engineer/Paramedic LaVoire and Firefighter/Paramedic Schlosser were on Strike Team assignment at the Cedar Fire in Sequoia National Forest.

## **8. MISCELLANEOUS**

- 8.1 August – The Department received a plaque from the Big Bear Group of the Sierra Club for its participation in the Xeriscape Garden Tour in July (see plaque image attached).
- 8.2 August – The Department received a plaque from the Big Bear Lake Antique Car Club for its participation and sponsorship of the Big Bear Fun Run held in August. Station 281 provided judges to pick the “Best Flame” winning vehicle (see plaque image attached).
- 8.3 August 16 – Chief Willis attended a General Manager’s networking lunch meeting.
- 8.4 August 24 – Board Secretary Marschinke attended a Board Secretary networking lunch meeting.
- 8.5 August 25 – San Bernardino County Fire Chiefs’ Association monthly meeting was hosted by Big Bear Fire Department at the View Haus at the top of Snow Summit Resort. Annually, this is a special meeting for the Fire Chiefs who also invite their administrative staff. Snow Summit Resort continues to treat the Department well at this event with a discounted lunch, amazing views, Scenic Sky Chair rides, great food and incredible service, convincing the County Chiefs to come back year after year.

## **9. CORRESPONDENCE**

- 9.1 August – A letter was sent to the Department on behalf of REACH/Oceanside. They send their thanks to the Department’s crew that assisted them in a difficult transport. The on-duty crew receiving this recognition is Firefighter/Paramedic Nielsen and Apprentice Firefighter/EMT Collin Ortega (see attached).
- 9.2 August 1 – An email was received from a woman thanking the crew that assisted her with a medical issue (see attached).
- 9.3 August 22 – A letter of thanks was sent to Chief Willis and the Department thanking both for the excellent training his son, Firefighter/Paramedic Fluke has received (see attached).
- 9.4 August 24 – An email was received from a new homeowner in Big Bear City who has noticed many properties and businesses have been cleaned-up. He expresses his appreciation to whomever is responsible (see attached).
- 9.5 August 29 – Thank you letters and certificates of appreciation were sent to the Department on behalf of the Board of Supervisors of San Bernardino County and the

San Bernardino County Elections Office for allowing them to use Stations 282 and 283 as polling places for the Presidential Primary Election held in June (see attached).

- 9.6 August 30 – Big Bear Pilots Association sent a letter thanking Assistant Fire Marshal Bruinsma for his assistance at the Big Bear Airport Pilots Association's Youth Aviation Adventure (see attached).



% of Losses	Count	Est. Prop Loss	Est. Content Loss	Total Est. Loss	% of Losses
<b>1 Fire</b>					
Cooking fire, confined to container (113)	1	\$0.00	\$0.00	\$0.00	0.00%
Forest, woods or wildland fire (141)	2	\$0.00	\$0.00	\$0.00	0.00%
Outside rubbish, trash or waste fire (151)	2	\$0.00	\$0.00	\$0.00	0.00%
Outside equipment fire (162)	1	\$0.00	\$0.00	\$0.00	0.00%
<b>Incident Count</b>	<b>5</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>100.00%</b>

<b>3 Rescue &amp; Emergency Medical Service Incident</b>	<b>Count</b>
Medical assist, assist EMS crew (311)	2
EMS call, excluding vehicle accident with injury (321)	154
Motor vehicle accident with injuries (322)	12
Motor vehicle accident with no injuries. (324)	4
Extrication of victim(s) from vehicle (352)	1
Interfacility Transfers	44
<b>Incident Count</b>	<b>217</b>

<b>5 Service Call</b>	<b>Count</b>
Service Call, other (500)	1
Smoke or odor removal (531)	1
Public service assistance, other (550)	3
Public service (553)	3
Assist invalid (554)	11
Unauthorized burning (561)	18
<b>Incident Count</b>	<b>37</b>

<b>7 False Alarm &amp; False Call</b>	<b>Count</b>
False alarm or false call, other (700)	25
Smoke detector activation due to malfunction (733)	2
CO detector activation due to malfunction (736)	1
Smoke detector activation, no fire - unintentional (743)	1
<b>Incident Count</b>	<b>29</b>

<b>4 Hazardous Condition (No Fire)</b>	<b>Count</b>
Gas leak (natural gas or LP)	7
<b>Incident Count</b>	<b>1</b>

<b>6 Good Intent Call</b>	<b>Count</b>
Dispatched and cancelled en route (611)	31
Alarm: Dispatched & Cancelled Enroute (611A)	3
No incident found on arrival at dispatch address (622)	5
Authorized controlled burning (631)	2
EMS call, party transported by non-fire agency (661)	1
<b>Incident Count</b>	<b>42</b>

<b>9 Special Incident Type</b>	<b>Count</b>
Citizen complaint (911)	1
<b>Incident Count</b>	<b>1</b>

<b>Not Recorded</b>	<b>Count</b>
Not Recorded	5
<b>Incident Count</b>	<b>5</b>
<b>Total Incident Count</b>	<b>337</b>



**BIG BEAR FIRE DEPARTMENT  
TRAINING REPORT SUMMARY  
AUGUST 1 - AUGUST 31, 2016**

<b>Assignment Name</b>	<b>Duration (hours)</b>
Company Training Total	331
EMS Total Hours	22
Facility Training Total Hours	28
Officer Training Total Hours	41
Driver Training Total	16
<b>TOTAL TRAINING HOURS</b>	<b>438</b>



# Root Beer Float Appreciation Day August 12, 2016





**WYATT'S** Saloon & Café  
The Place Where The Good Folks Gather

**JOIN US FOR**

★ **WEDNESDAYS** ★  
Country Dancing with DJ Joe Vonesh  
& the Bear Valley Country Dancers  
Doors open @ 4:00 pm • Dancing starts @ 7:00 pm

★ **FRIDAYS** ★  
Honky Tonk Fridays with Live Music!

★ **WYATT'S on SATURDAYS** ★  
Live Music and Family Fun

**99\*585\*3000**  
"Finest value in Big Bear"

**Wednesday**  
**'S FARMER'S MARKET**

★ **JULY 23** ★  
**5th Annual**  
**Spirits of the West Brewsfest**  
*Celebrating the National Day of the Cowboy!*

★ Beer and Spirits Sampling, Live Music,  
Action Gunfighters, Kids Activities,  
Arts & Crafts Vendors,  
A Day of Western Family Fun!

★ **Big Bear Lake Convention Center**  
(off Division Drive & Big Bear Hwy.)

BEARVENTS.COM ★

# Defensible Space Saves Lives

Prepare yourself, your family, your property



**Big Bear Fire Department,** along with State and Federal wildland fire agency partners, has

seen a dramatic increase in the severity, risks to life, property and the environment, as well as costs associated with wildland fires over the past decade as a result of the current drought conditions and the fuel load on land within the Big Bear Valley. Big Bear Fire Department urges residents to take personal responsibility for protecting themselves, their family and their property against the threat of wildfire by creating defensible space around their homes.

"Expected precipitation from El Niño did not materialize for Big Bear, and in fact, the season produced below average precipitation. Therefore, the Big Bear community will continue to experience exceedingly dry conditions." In the event of a major wildfire, firefighting resources will be stretched. "Many residents have built their homes and landscaped without fully understanding the impact that a wildfire could have on them," according to

Fire Chief Jeff Willis.

A defensible home is a home that has the greatest potential for surviving a wildfire and is in compliance with local ordinance clearance requirements, or has been through the Fire Department's Fuel Modification Programs and has been constructed in accordance with the latest building standards.

Embers from a wildfire will find the weak link in a home's fire protection scheme, gaining the upper hand because of a small, overlooked, or seemingly insignificant factor. There are measures that can be taken to safeguard buildings from wildfire and are spelled out in a guide produced by Big Bear Fire Department Ready! Set! Go! This guide provides tips and tools on retrofitting structures with fire-resistive features to create the necessary defensible space and is available for download on the Department's website, BigBearFire.org. Through advanced planning and preparation, residents and homeowners can be ready for the next wildfire.

**For other fire and life safety topics, please contact the Big Bear Fire Department at [www.bigbearfire.org](http://www.bigbearfire.org) or (909) 866-7566.**



## About Big Bear Fire Department:

Big Bear Fire Authority was formed under a Joint Powers Agreement in 2012 combining Big Bear Lake Fire Protection District and Big Bear City Fire Department, now commonly known as Big Bear Fire Department. Since its inception, the Big Bear Fire Department is committed to providing Big Bear

Valley with professional fire, medical and emergency services "Protecting Lives and





The Big Bear Group Of  
The Sierra Club  
Presents



**Big Bear  
Fire Department**



With This Plaque  
In Appreciation Of  
Your Sponsorship  
Xeriscape Garden

Tour 2016



Big Bear Lake Antique Car Club



Special Thanks to Our Sponsor  
Big Bear Fire Departments

---



To: Duty Chief  
Big Bear Fire Department

B. Nielsen  
C. Ortega

From: Stacy Thompson RN, BSN, CEN, PHN  
Flight Nurse-REACH 16-Oceanside

23 June 2016

Dear Sir,

I wanted to take a moment to convey our appreciation to the crews that we worked with today while picking up a patient at Bear Valley ED. We were dispatched to pick up a patient from the ED, but due to weight restrictions we were required to take off with the patient from the airport. Once we arrived to the ED, my partner and I realized that we had forgotten to load our gurney back into our helicopter, and consequently our pilot left without it. Needless to say, this was not ideal, but completely our fault. Concurrently, Mercy Air was landing at the ED for another transport. The initial fire crew that was there to transport us was utilized by Mercy Air. Their flexibility was awesome and expedited their transport. I apologize that I do not know which number unit they were. They were very helpful and very flexible with the change of situation. Within minutes, unit 282 arrived to transport myself, my partner and our patient. Just after 282's arrival, we were notified that our pilot was going to burn fuel and pick us up at the hospital after all. We relayed the information to the crew on 282 and cleared them. Instead of them leaving, they asked what they could do to help and assisted us in packaging our patient. They helped us load our gear and stayed until we lifted.

My partner and I so greatly appreciated the crew's willingness to assist us, and the attitude with which we were treated. The situation itself was a bit chaotic with multiple airships and switching units, and throughout your firefighters were adaptable, helpful and respectful. My partner and I are very grateful for everything both crews did to help us out this morning. I felt compelled that you should be made aware, and we would greatly appreciate it if you could forward our gratitude to them.

Sincerely,

Stacy Thompson RN, BSN, CEN, PHN  
Flight Nurse-REACH 16

## Dawn Marschinke

---

**From:** Sarah Siep <ssiep@CITYBIGBEARLAKE.com>  
**Sent:** Monday, August 01, 2016 7:27 AM  
**To:** Dawn Marschinke  
**Subject:** FW: Paramedics

Good Morning Dawn,

Below is an email we received regarding service of the medics over the weekend. Thought you'd like to share with Chief Willis.

Thanks!

*Sarah Siep  
Senior Administrative Analyst  
City of Big Bear Lake*

**From:**  
**Sent:** Saturday, July 30, 2016 12:33 AM  
**To:** City Clerk <cityclerk@citybigbearlake.com>  
**Subject:** Paramedics

On Tuesday night, I had a medical issue in which I needed an ambulance. The truck and the box came. The were very professional and knowledgeable with me and my treatments. I would like to thank them all for their service!



## Dawn Marschinke

---

**From:** Sue Mcllwain  
**Sent:** Monday, August 22, 2016 7:42 AM  
**To:** Dawn Marschinke  
**Subject:** FW: Big Bear Fire Department: Thank You Chief Willis

Please make sure Chief sees this email.

Thanks

Sue

-----Original Message-----

**From:** Big Bear Fire Department [mailto:[smcilwain@bigbearfire.org](mailto:smcilwain@bigbearfire.org)]  
**Sent:** Friday, August 19, 2016 10:45 AM  
**To:** Sue Mcllwain <[smcilwain@bigbearfire.org](mailto:smcilwain@bigbearfire.org)>  
**Subject:** Big Bear Fire Department: Thank You Chief Willis

This is an enquiry email via <http://www.bigbearfire.com/> from:

Chief Willis, My son Justin was sent out on the Pilot fire with the water tender, before the Fun Run. I had hoped to have been able to share the weekend with Justin, but I understand the urgency and need for him to respond. He is now on the Bluecut fire, again doing what he has been trained to do. Sir I have really never worried about my son until these past two weeks. And when I mentioned this to Justin, he told me NOT to worry as You and the Dept have trained Him well! I extend my Thanks to You and the Dept for Justin's training, I know he will be an outstanding engineer when a position opens. Please extend a well done to all your firefighters!! And Thank You

## Dawn Marschinke

---

**From:**  
**Sent:** Wednesday, August 24, 2016 1:43 PM  
**To:** Dawn Marschinke  
**Subject:** Clean city

Hello,

I am a new homeowner(9 months) and part time resident in Big Bear City. I was in town last weekend and showing a friend around town and noticed that so many properties and businesses had been recently cleaned up . I really appreciate the work of whomever is responsible for heading the task force that has motivated the homeowners and business owners of our town to make our town look so appealing . What ever method was used it seems to have worked. Please pass on my appreciation to the people who have helped make a noticeable difference .

Thank you,



## Elections Office of the Registrar of Voters

Michael J. Scarpello  
Registrar of Voters

August 29, 2016

FIRE STATION (SUGARLOAF)  
P.O. BOX 558  
BIG BEAR CITY CA 92314

Dear Dawn Marschinke:

On behalf of the Board of Supervisors and the San Bernardino County Elections Office, we want to thank you for allowing the use of your facility as a Polling Place for the Presidential Primary Election held on June 7, 2016.

In collaboration with state and local government officials, local businesses, community organizations, the Elections Office always works to provide a safe, convenient, and accessible polling place location to voters in San Bernardino County. Your assistance in this effort was critical in helping us succeed in this election. It is truly gratifying to know that voters in San Bernardino County can rely on organizations like yours.

For your efforts, we are honored to present your facility with a *Certificate of Appreciation*.

Sincerely,

A handwritten signature in black ink, appearing to read "James Ramos".

James Ramos  
Board of Supervisors Chair  
Third District Supervisor  
County of San Bernardino

A handwritten signature in black ink, appearing to read "Michael Scarpello".

Michael J. Scarpello  
Registrar of Voters  
Elections Office  
County of San Bernardino

### BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD  
Vice Chairman, First District

JANICE RUTHERFORD  
Second District

JAMES RAMOS  
Chairman, Third District

CURT HAGMAN  
Fourth District

JOSIE GONZALES  
Fifth District

GREGORY C. DEVEREAUX  
Chief Executive Officer



# Certificate of Appreciation

*Presented to*

FIRE STATION (SUGARLOAF)

For your commitment and willingness to serve as a Polling Place in the  
Presidential Primary Election held on June 7, 2016

A handwritten signature in black ink, appearing to read "James Ramos".

James Ramos, Board of Supervisors Chairman  
Third District Supervisor, County of San Bernardino

A handwritten signature in black ink, appearing to read "Michael J. Scarpello".

Michael J. Scarpello, Registrar of Voters  
Elections Office, County of San Bernardino





## Elections Office of the Registrar of Voters

Michael J. Scarpello  
Registrar of Voters

August 29, 2016

FIRE STATION (BIG BEAR CITY)  
P.O. BOX 558  
BIG BEAR CITY CA 92314

Dear Dawn Marschinke:

On behalf of the Board of Supervisors and the San Bernardino County Elections Office, we want to thank you for allowing the use of your facility as a Polling Place for the Presidential Primary Election held on June 7, 2016.

In collaboration with state and local government officials, local businesses, community organizations, the Elections Office always works to provide a safe, convenient, and accessible polling place location to voters in San Bernardino County. Your assistance in this effort was critical in helping us succeed in this election. It is truly gratifying to know that voters in San Bernardino County can rely on organizations like yours.

For your efforts, we are honored to present your facility with a *Certificate of Appreciation*.

Sincerely,

A handwritten signature in black ink, appearing to read "James Ramos".

James Ramos  
Board of Supervisors Chair  
Third District Supervisor  
County of San Bernardino

A handwritten signature in black ink, appearing to read "Michael J. Scarpello".

Michael J. Scarpello  
Registrar of Voters  
Elections Office  
County of San Bernardino

### BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD  
Vice Chairman, First District

JANICE RUTHERFORD  
Second District

JAMES RAMOS  
Chairman, Third District

CURT HAGMAN  
Fourth District

JOSIE GONZALES  
Fifth District

GREGORY C. DEVEREAUX  
Chief Executive Officer



# Certificate of Appreciation

*Presented to*

**FIRE STATION (BIG BEAR CITY)**

For your commitment and willingness to serve as a Polling Place in the  
Presidential Primary Election held on June 7, 2016

A handwritten signature in black ink, appearing to read "James Ramos".

James Ramos, Board of Supervisors Chairman  
Third District Supervisor, County of San Bernardino

A handwritten signature in black ink, appearing to read "Michael J. Scarpello".

Michael J. Scarpello, Registrar of Voters  
Elections Office, County of San Bernardino





To: Nick Bruinsma

From: Dick Foat – YAA Chairperson, Big Bear Pilots Association

Subject: Youth Aviation Adventure

The Big Bear Airport Pilots Association's fourth Youth Aviation Adventure was a great success. The participants numbered about 100, their parents and scout leaders numbered about 35-40 and the volunteers numbered 50 including BBAPA members as well as and helicopter crews. We fed close to 200 people a fine lunch of hot dogs, chili, nacho chips, cheese and a beverage. The big success...the kids came in large numbers, the smile on their faces, the comments from them, their parents, the scout leaders and from our own volunteers indicated that we achieved our objective. That objective was to have fun and learn about aviation.

That objective was reached because of the efforts of many people like you. The kids really do look up to firefighters and Helicopter crews. Both of these teaching stations brought interest, smiles, questions and gratitude from the participants and their parents and leaders. I include myself in that lot. Thanks for arranging for coverage for both helicopters and firefighters.

Thanks again,

Dick– Big Bear Pilot's Association, YAA Chairperson,



# BIG BEAR FIRE AUTHORITY AGENDA REPORT

Item No. FA3

**MEETING DATE:** October 4, 2016

**TO:** Honorable Chairman and Members of the Big Bear Fire Authority

**FROM:** Jeff Willis, Fire Chief *[Signature]*

**PREPARED BY:** Dawn Marschinke, Administrative Assistant - Chief

**SUBJECT:** **RESOLUTION BBFA2016-XXX ADOPTING AN AMENDED  
CONFLICT OF INTEREST CODE PURSUANT TO  
GOVERNMENT CODE SECTION 87306**

---

## **BACKGROUND**

A conflict of interest code designates those employees, members, officers and consultants who make or participate in the making of governmental decisions which may affect their financial interest, who must disclose those interest in financial disclosure statement, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. In October of each even-numbered year, each agency must submit to the County Board of Supervisors a notice indicating whether or not an amendment is necessary. If amendments to an agency's conflict of interest code are necessary, the amended code is due to the Board of Supervisors by January 1, 2017. An agency's amended code is not effective until it has been approved by the Board of Supervisors.

## **DISCUSSION**

Based on a legal review of the Fire Authority's Code, it has been determined the Conflict of Interest Code requires amendment.

The Authority's proposed amendment declares an 87200 filer, adds new positions that must be designated, revised titles, deletes a position that is not required to file, and includes clarifying language as provided by the Fair Political Practices Commission.

## **RECOMMENDATION**

Staff recommends the Fire Authority Board approve Resolution BBFA2016-XXX adopting an amended Conflict of Interest Code pursuant to Government Code Section 87306.

Attachments: Notice of Intention to Amend Conflict of Interest Code  
Big Bear Fire Authority Conflict of Interest Code – Redlined Legislative Version  
Resolution BBFA2016-XXX Amending Conflict of Interest Code  
Big Bear Fire Authority Conflict of Interest Code – Final Version





## **BIG BEAR FIRE AUTHORITY NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE**

NOTICE IS HEREBY GIVEN that the Board of Directors of the **Big Bear Fire Authority** intends to amend its Conflict of Interest Code pursuant to Government Code Section 87306.

A conflict of interest code designates those employees, members, officers and consultants who make or participate in the making of governmental decisions which may affect their financial interests, who must disclose those interests in financial disclosure statements, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests. The Authority's proposed amendment declares an 87200 filer, adds new positions that must be designated, revises titles, deletes a position that is not required to file, and includes clarifying language as provided by the Fair Political Practices Commission.

The proposed amended Conflict of Interest Code will be considered by the Board of Directors on October 4, 2016, at 6:00 p.m. at Big Bear Lake Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed amended Code. Any comments or inquiries should be directed to the attention of Dawn Marschinke, Administrative Assistant/Board Secretary, 41090 Big Bear Boulevard, Big Bear Lake, CA 92315; (909) 866-7566. Written comments must be submitted no later than October 4, 2016, at 6:00 p.m.

The proposed amended Code may also be reviewed at, and copies obtained from, the Administrative Assistant/Board Secretary.

*Dawn E. Marschinke*

Dawn E. Marschinke  
Board Secretary

**LEGISLATIVE VERSION**  
**(SHOWS CHANGES MADE)**

**CONFLICT OF INTEREST CODE**

**OF THE**

**BIG BEAR FIRE AUTHORITY**

## **BIG BEAR FIRE AUTHORITY** **CONFLICT OF INTEREST CODE**

(Amended ~~December 17, 2014~~October 4, 2016)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This [incorporation page](#), ~~r~~[Regulation 18730](#) and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the **Big Bear Fire Authority** (the "**Authority**").

All officials and designated positions [required to submit a statement of economic interests](#) shall file their statements ~~of economic interests~~ with the **Administrative Assistant/Board Secretary** as the **Authority's** Filing Officer/Official. The **Administrative Assistant/Board Secretary** shall make and retain a copy of all statements filed by Members of the Board of Directors and the Fire Chief, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Bernardino. The **Administrative Assistant/Board Secretary** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## BIG BEAR FIRE AUTHORITY

(Amended ~~December 17, 2014~~ October 4, 2016)

### PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority officials who manage public investments, as defined by 2 Cal. Code of Regs. § ~~18701(b)~~18700.3, are NOT subject to the Authority's Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments:<sup>1</sup>

Members of the Board of Directors

Treasurer

Senior Finance Officer

---

<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

**DESIGNATED POSITIONS**

**GOVERNED BY THE CONFLICT OF INTEREST CODE**

DESIGNATED POSITIONS'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

<del>Accounting Technician</del> (no filing required)	4
Administrative Assistant	4
Administrative Assistant – Fire Chief	4
Administrative Specialist – Fire	5, 7
Assistant Fire Chief/ <del>Fire Marshal</del>	4
<del>Assistant Fire Marshal</del> (created from modification of Inspector)	<u>5, 6</u>
Battalion Chief	5
Captain	5
Fire Chief	1, 2
Fire Fuels Program Coordinator	5, 6, 7
<del>Fire Prevention Inspector</del>	<del>5, 6</del>
General Counsel	1, 2
<del>Information Technologies Manager</del>	<u>5</u>
<del>Senior Finance Officer</del> (87200)	4
Consultants and New Positions <sup>2</sup>	

<sup>2</sup> Individuals providing services as a Consultant defined in Regulation ~~18701-18700.3~~ or in a new position created since this Code was last approved that makes or participates in making

LAW OFFICES OF  
BEST BEST & KRIEGER  
LLP

---

decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Fire Chief may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The Fire Chief's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict-of-Interest Code. (Gov. Code Sec. 81008.)

App. A-3-

BBK – ~~October 2014~~ August 2016

## PART “B”

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> ~~Such economic interests~~ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in or own real property within the jurisdiction of the Authority.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Authority.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position’s department, unit or division.

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit or other organization, if the source is of the type to receive grants or other monies from or through the Authority or its subdivisions.

---

<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

**RESOLUTION NO. BBFA2016 -XXX**

**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**

**WHEREAS**, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the “Act”), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Big Bear Fire Authority (the “Authority”) and requires all public agencies to adopt and promulgate a Conflict of Interest Code (“Code”); and

**WHEREAS**, the Board of Directors adopted a Conflict of Interest Code (the “Code”) on December 17, 2014, in compliance with the Act; and

**WHEREAS**, subsequent changed circumstances within the Authority have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Authority’s Code; and

**WHEREAS**, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the Authority being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

**WHEREAS**, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Conflict of Interest Code was provided each designated position and publicly posted for review at the offices of the Authority; and

**WHEREAS**, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Directors on October 4, 2016, at which all present were given an opportunity to be heard on the proposed amended Conflict of Interest Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Big Bear Fire Authority that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Administrative Assistant/Board Secretary, and available to the public for inspection and copying during regular business hours;



**BE IT FURTHER RESOLVED** that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Bernardino for approval and said Code shall become effective immediately after the Board of Supervisors approves the proposed amended Conflict of Interest Code as submitted.

**PASSED, APPROVED, AND ADOPTED** this 4th day of October, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Paul Terry  
Chairman, Board of Directors  
Big Bear Fire Authority

ATTEST:

---

Dawn E. Marschinke  
Board Secretary  
Big Bear Fire Authority

STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF BIG BEAR LAKE                )

I, Dawn E. Marschinke, Secretary of the Big Bear Fire Authority Board, do hereby certify that the whole number of members of the said Board is ten; that the foregoing resolution, being Resolution No. BBFA2016-XXX was duly passed and adopted by said Board, approved and signed by the Chairman of said Board, and attested by the Secretary of said Board, all at a meeting of the said Board held on the 4<sup>th</sup> day of October, 2016 and that the same was so passed and adopted by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Witness my hand and the official seal of said Authority this 4th day of October, 2016.

---

Dawn E. Marschinke  
Board Secretary  
Big Bear Fire Authority

**CONFLICT OF INTEREST CODE**

**OF THE**

**BIG BEAR FIRE AUTHORITY**

## **BIG BEAR FIRE AUTHORITY** **CONFLICT OF INTEREST CODE**

(Amended October 4, 2016)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the **Big Bear Fire Authority** (the "**Authority**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Administrative Assistant/Board Secretary** as the **Authority's** Filing Officer/Official. The **Administrative Assistant/Board Secretary** shall make and retain a copy of all statements filed by Members of the Board of Directors and the Fire Chief, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Bernardino. The **Administrative Assistant/Board Secretary** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## BIG BEAR FIRE AUTHORITY

(Amended October 4, 2016)

### PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to the Authority's Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments:<sup>1</sup>

Members of the Board of Directors

Treasurer

Senior Finance Officer

---

<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

**DESIGNATED POSITIONS**

**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Assistant	4
Administrative Assistant – Fire Chief	4
Administrative Captain – Assistant Fire Marshal	5, 6
Administrative Specialist – Fire	5, 7
Assistant Fire Chief/Fire Marshal	4
Battalion Chief	5
Captain	5
Fire Chief	1, 2
Fire Fuels Program Coordinator	5, 6, 7
General Counsel	1, 2
Information Technologies Manager	5
Consultants and New Positions <sup>2</sup>	

---

<sup>2</sup> Individuals providing services as a Consultant defined in Regulation 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Fire Chief may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The Fire Chief's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict-of-Interest Code. (Gov. Code Sec. 81008.)

## PART “B”

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in or own real property within the jurisdiction of the Authority.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Authority.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position’s department, unit or division.

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, or income from a nonprofit or other organization, if the source is of the type to receive grants or other monies from or through the Authority or its subdivisions.

---

<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)



# BIG BEAR FIRE AUTHORITY AGENDA REPORT

**Item No. FA4**

**MEETING DATE:** October 4, 2016

**TO:** Honorable Chairman and Members of the Big Bear Fire Authority

**FROM:** Jeff Willis, Fire Chief *JW*

**PREPARED BY:** Dawn Marschinke, Administrative Assistant - Chief *DEM*

**SUBJECT:** **FIRE AUTHORITY MEETING CALENDAR FOR 2017**

---

## **BACKGROUND**

Staff has reviewed the upcoming 2017 Meeting Calendar for regular Fire Authority meetings as set forth in Fire Authority Bylaws and Policies (Bylaws). In an attempt to foresee potential scheduling conflicts with other agency board meetings, staff has reviewed the recently approved City of Big Bear Lake City Council (City Council) 2016 meeting schedule, and the proposed Big Bear City Community Services District and Big Bear Lake Fire Protection District 2017 meeting schedules.

## **DISCUSSION**

The Fire Authority Meeting Calendar which is stipulated in the Bylaws was presented to the Administrative Committee for review on September 8, 2016. Recommended Administrative Committee dates are also placed on the calendar. Items to consider in adopting the new calendar are:

- City Council is dark: February 28 – April 23, 2017; July 11 – August 27; and September 26 – October 22, 2017
- Hofert Hall is unavailable on the regular meeting date of December 5, 2017

## **COMMITTEE RECOMMENDATION**

The Administrative Committee recommends the Board accept staff recommendation to approve the proposed 2017 Meeting Calendar for the Fire Authority, which meets the first Tuesday of even months and includes adjournments of the regular meetings of: April 4 to April 25, 2017; October 3 to October 24, 2017; and December 5 to December 12, 2017, and recommends acknowledgement of the Administrative Committee meeting dates.

Attachment: Proposed 2017 Meeting Calendar



# MEETING CALENDAR

**2017** Fire Authority

Fire Protection Dist.

CSD

City Council

FA Admin Comm.

Holiday

January 2017						
S	M	T	W	T	F	S
	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2017						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2017						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2017						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July 2017						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August 2017						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2017						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2017						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2017						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



# BIG BEAR FIRE AUTHORITY AGENDA REPORT

Item No. FA5

**MEETING DATE:** October 4, 2016

**TO:** Honorable Chairman and Members of the Big Bear Fire Authority

**FROM:** Jeff Willis, Fire Chief *JW*

**SUBJECT:** **MEMORANDUM OF UNDERSTANDING ESTABLISHING A  
THREE-PARTY AGREEMENT FOR FIRE CHIEF SERVICES**

---

## **BACKGROUND**

On March 14, 2012, Big Bear Lake Fire Protection District and Big Bear City Community Services District entered into a shared services agreement for shared Fire Chief Services, sharing of other personnel and equipment. At that time, the agreement was a two-party agreement, as Big Bear Fire Authority was not yet created.

## **DISCUSSION**

On June 25, 2016, the Fire Chief became an employee of Big Bear Fire Authority. The attached Memorandum of Understanding (MOU) was created to specifically identify the responsibilities and authority of the Fire Chief of Big Bear Fire Authority as it relates to collateral Fire Chief duties, responsibilities, and authorities extended to Big Bear Lake Fire Protection District and Big Bear City Community Services District. The MOU was created by Jeff Ferre, General Counsel of Big Bear Fire Authority, Stephen Deitsch, General Counsel of Big Bear Lake Fire Protection District and Steve DeBaun, General Counsel of Big Bear City Community Services District.

## **Fiscal Impact**

None.

## **RECOMMENDATION**

Approve Memorandum of Understanding establishing a three-party agreement for Fire Chief services.

Attachment: Three-Party Transitional MOU for Fire Chief

**MEMORANDUM OF UNDERSTANDING  
BIG BEAR FIRE AUTHORITY  
BIG BEAR CITY COMMUNITY SERVICES DISTRICT  
BIG BEAR LAKE FIRE PROTECTION DISTRICT**

This MEMORANDUM OF UNDERSTANDING (“MOU”) is dated this \_\_\_\_ day of \_\_\_\_\_, 2016, and is entered into by and between the Big Bear Fire Authority (“Authority”), the Big Bear City Community Services District (“CSD”) and the Big Bear Lake Fire Protection District (“FPD”). The Authority, CSD and FPD may be referred to herein individually as “Party” or collectively as “Parties”.

**RECITALS**

WHEREAS, the CSD and the FPD entered into that certain Joint Exercise Of Powers Agreement dated June 21, 2012 (“JPA Agreement”) which created the Authority. The JPA Agreement also provides the framework for the full consolidation of all personnel and equipment of the CSD and the FPD. The JPA Agreement further provides that said consolidation shall be accomplished through the Authority and that the Authority will thereby provide all fire and medical services within the service areas of CSD and FPD; and

WHEREAS, Section 4.9 of the JPA Agreement provides that the CSD and the FPD will continue to be bound by the terms and conditions of that certain Shared Services Agreement, dated March 14, 2012. The Shared Services Agreement was entered into prior to the JPA Agreement and provides that the CSD and the FPD desire to contract for the services of a Joint Fire Chief, as defined therein. The Shared Services Agreement also provides for combining and sharing personnel and equipment for the future consolidation of fire and medical services of the CSD and the FPD. That consolidation is now being implemented by way of the JPA Agreement; and

WHEREAS, Section 3.1 of the Shared Services Agreement provides that the CSD shall provide to the FPD an employee of the CSD who shall perform Fire Chief Services, as defined therein, in the FPD’s service area. That individual was identified as Joint Fire Chief Jeff Willis. Section 3.1 further provides that should Joint Fire Chief Jeff Willis retire from the CSD, that Section 3 shall terminate unless the FPD and the CSD agree upon a new Joint Fire Chief by amending the Shared Services Agreement or by another “signed writing;” and

WHEREAS, Joint Fire Chief Jeff Willis has retired from the CSD and has entered into an employment agreement with the Authority to serve in that same position. As a result, the Parties desire to enter into this MOU which shall constitute the “signed writing” to document that Joint Fire Chief Jeff Willis is hereby designated as the Joint Fire Chief who will provide the Fire Chief Services to the FPD and the CSD; and

WHEREAS, as of the date of this MOU, the consolidation contemplated under the JPA Agreement is underway but not yet completed in regard to matters such as, but not necessarily limited to, the transition of CSD and FPD personnel to the Authority; and

WHEREAS, Section 5 of the JPA Agreement authorizes the Authority's Board of Directors to employ a fire chief; and

WHEREAS, the CSD requires the services of a fire chief to oversee its fire and medical services personnel and to perform other services required of a fire chief by virtue of CSD Ordinance No. 241. The FPD requires the services of a fire chief to oversee its fire and medical services personnel and to perform other services required of a fire chief; and

WHEREAS, the Parties now wish to provide terms to govern the employment and contracting for Jeff Willis to be the Joint Fire Chief as contemplated under the JPA Agreement and the Shared Services Agreement ("Fire Chief").

## **AGREEMENT**

NOW THEREFORE, for and in consideration of the mutual covenants and conditions hereinafter stated, the Parties agree as follows:

1. **Recitals.** The recitals above are true and correct, and are hereby incorporated into the terms of this MOU as though fully set forth herein.

2. **Term.** The term of this MOU shall commence as of the date the Parties have fully executed this MOU and continue until termination or until abrogated by a subsequent agreement by the Parties. It is the intent of the Parties that at the point when said consolidation is complete, there may not be the need for the Fire Chief to continue to provide Fire Chief Services to the CSD and/or the FPD and in that event, this MOU may be terminated by the Party that no longer has the need for a designated Fire Chief.

3. **Fire Chief.**

3.1 **Employment.**

(a) The Authority shall employ a Fire Chief to perform Fire Chief Services in the Authority's jurisdictional area. The Authority has designated Jeff Willis to provide the Fire Chief Services under this MOU, which designation may change by action of the Authority. This MOU providing for the employment of a Fire Chief by the Authority shall be deemed to be a "signed writing" as set forth in Subsection 3.1(a) of the Shared Services Agreement.

(b) The general duties and requirements for the Fire Chief are described in Exhibit "A" incorporated herein by this reference. Exhibit "A" may be amended, replaced, or supplemented from time to time by mutual agreement of the Parties.

3.2 **Authority of the Fire Chief.** The Fire Chief shall have the authority and responsibility to serve as the supervisor of any administrative services, operations, fire prevention, and medical personnel engaging in service to the Authority, whether those employees are employed by the CSD, the FPD or the Authority, and including those services that are required to be performed by a fire chief by virtue of CSD Ordinance No 241 and any policy of

the FPD. The Fire Chief's supervisory authority includes, but is not limited to, the authority to take disciplinary actions against such personnel.

3.3 Scope of Services. The Fire Chief shall perform services for the Authority as set forth below ("Fire Chief Services"):

(a) The Fire Chief shall provide general administration and oversight of the Authority, including, but not limited to, budget administration, personnel management and supervision, use of apparatus and equipment, and similar related activities, all in accordance with the requirements and expectations of California law, written Authority policies and/or procedures, the Big Bear Lake Municipal Code, the applicable CSD Ordinance, any other applicable federal, state, or local codes or statutes, and the usual and customary duties of a Fire Chief.

(b) During the term of this MOU, the Fire Chief shall evaluate the potential for more comprehensive shared fire and medical aid services. The Fire Chief shall not allow his authority or position as Fire Chief to unfairly prejudice the CSD, the FPD, and/or the Authority as applicable based on the relationships between the Parties.

(c) The Authority's Board of Directors shall supervise the Fire Chief on all matters.

3.4 Litigation Support. The Authority shall make the Fire Chief and any Authority employees available to testify in any litigation or administrative proceeding brought regarding Fire Chief Services performed under this MOU.

(a) Should the CSD and/or the FPD request that the Fire Chief or Authority employees testify in any litigation or administrative hearing, during operation of this MOU or following the termination of this MOU, the CSD and/or the FPD shall compensate the Authority for its costs and expenses for the Fire Chief or Authority employees preparing for, traveling to, and testifying in such matters, including payment of compensation at the Fire Chief's or employees' hourly rate of compensation, unless such litigation or administrative matter is brought by the Authority or is based solely on allegations of the Authority's negligent performance or wrongdoing.

(b) Should the Authority request that the CSD's and/or the FPD's employees testify in any litigation or administrative hearing relating to the Fire Chief Services performed pursuant to this MOU, during operation of this MOU or following the termination of this MOU, the Authority shall compensate the CSD and/or the FPD, as applicable, for employees' costs and expenses in preparing for, traveling to, and testifying in such matters, including payment of compensation at the employee's hourly rate of compensation, unless such litigation or administrative matter is brought by the CSD and/or the FPD, as applicable, or is based solely on allegations of the CSD's and/or the FPD's negligent performance or wrongdoing.

3.5 Controlling Agreement. Unless otherwise specifically set forth herein, in the event of a conflict between the provisions of this MOU on the one hand, and the provisions of the JPA Agreement and Shared Services Agreement on the other hand, the provisions of the JPA Agreement and Shared Services Agreement shall be controlling.

4. **General Terms.**

4.1 **Termination.** At any time and without cause, either Party may terminate this MOU, in whole or in part, by giving at least thirty (90) days advance written notice of the effective date of termination.

4.2 **Notices.** All notices to be given hereunder shall be in writing and may be made either by personal delivery or by registered or certified mail, postage prepaid, return receipt requested. Mailed notices shall be addressed to the Parties at the addresses listed below, but each Party may change the address by written notice to the other Party. Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated as of two (2) days after mailing.

To the CSD:

Big Bear City Community Services District  
P.O. Box 558  
Big Bear City, CA 92314  
Attention: President, Board of Directors

To the Authority:

Big Bear Fire Authority  
P.O. Box 2830  
Big Bear Lake, CA 92315  
Attention: Chair, Board of Directors

To the FPD

P.O. Box 2830  
Big Bear Lake, CA 92315  
Attention: President, Board of Directors

4.3 **Insurance.** Each Party shall provide and maintain insurance in the form and amounts prescribed below or provide a statement to the other Parties, upon request, that the entity is self-insured up to the amounts specified below:

(a) Commercial General Liability Insurance, occurrence form, with a limit of not less than ONE MILLION DOLLARS (\$1,000,000) each occurrence. If such insurance contains a general aggregate limit, it shall apply separately to this Agreement or be no less than two (2) times the occurrence limit.

(b) Automobile Liability Insurance for all vehicles and equipment owned or operated by each Party, occurrence form, with a limit of not less than ONE MILLION DOLLARS (\$1,000,000) each occurrence.

(c) Workers' Compensation in at least the minimum statutory limits. With respect to Workers' Compensation coverage, the Parties shall provide Workers' Compensation Coverage for its employees, for all injuries sustained in the normal course and scope of the performance of the services rendered pursuant to this MOU.

4.4 Attorney Fees and Costs. If either Party commences an action against the other Party, either legal, administrative or otherwise, to enforce the terms of this MOU, the prevailing Party in such action shall be entitled to recover from the losing party reasonable attorney fees, expert witness and consulting fees, and litigation costs.

4.5 Severability. If any term or portion of this MOU is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this MOU shall continue in full force and effect.

4.6 Waiver. No failure on the part of any Party to exercise any right or remedy hereunder shall operate as a waiver of any other right or remedy that any Party may have hereunder, nor does waiver of a breach or default under this MOU constitute a continuing waiver of a subsequent breach of the same or any other provision of this MOU.

4.7 Amendment. No modification, waiver, mutual termination, or amendment of this MOU is effective unless made in writing and signed by all Parties, unless otherwise expressly permitted herein.

4.8 Governing Law. This MOU, regardless of where executed, shall be governed and construed under the laws of the state of California. Venue for any action regarding this MOU shall be in the Superior Court of the County of San Bernardino.

4.9 Authority to Enter into MOU. Each Party warrants that the individuals who have signed this MOU have the legal power, right, and authority to make this MOU and bind each respective Party.

**[SIGNATURES ON FOLLOWING PAGE]**

**SIGNATURE PAGE  
TO  
MEMORANDUM OF UNDERSTANDING  
BIG BEAR FIRE AUTHORITY  
BIG BEAR CITY COMMUNITY SERVICES DISTRICT  
BIG BEAR FIRE PROTECTION DISTRICT**

IN WITNESS WHEREOF, the Parties have executed this MEMORANDUM OF UNDERSTANDING as of the date first indicated above.

BIG BEAR FIRE AUTHORITY

By: \_\_\_\_\_  
Paul Terry, Chairman of the Board of Directors

BIG BEAR CITY COMMUNITY SERVICES DISTRICT

By: \_\_\_\_\_  
Paul Terry, President of the Board of Directors

BIG BEAR LAKE FIRE PROTECTION DISTRICT

By: \_\_\_\_\_  
Rick Herrick, President of the Board of Directors



## EXHIBIT "A"

### BIG BEAR FIRE AUTHORITY

#### FIRE CHIEF Job Description

**FLSA CATEGORY:** Exempt-Executive  
**CONFIDENTIAL:** Yes  
**REPORTS TO:** Board of Directors  
**APPROVED BY:** Board of Directors  
**APPROVED DATE:**

#### SUMMARY

Under general direction of Big Bear Fire Authority (Authority) Board of Directors (Board), plans, directs and coordinates the Authority's ambulance transport, fire suppression, prevention, investigation, inspection, disaster and emergency preparedness and other service functions; oversees the ambulance operating area extending beyond the Authority's direct protection area. Oversees new development within the Authority's direct protection area; administers the Authority, Big Bear Lake Fire Protection District (Fire District) and the Big Bear City Community Services District Safety (CSD Safety) budget to include revenue and expenses for general property tax, developer impact fees, community facilities district fees, special parcel assessments, patient transport revenue, cost recovery, capital reserves and expenditures; establishes and maintains relationships with the public and community; performs related duties as required. In coordination with the City of Big Bear Lake (City), Fire District, CSD Safety, administers public education and communication programs. Along with Human Resources, oversees the fire department employees of the Authority, the City, the Fire District, and CSD Safety with regard to personnel, risk management, and Worker's Compensation issues.

#### ESSENTIAL FUNCTIONS

- Develops and implements, both proactively and reactively, policies, rules and regulations pertaining to patient transport, fire suppression, inspection, prevention, emergency and related services; ensures that policies are administered equitably and efficiently. Works cooperatively regarding community development, land use, and development policies. Works cooperatively with Human Resources on personnel and Worker's Compensation policies, including issues related to employee memorandums of understanding, personnel policies, rules and regulations, and related matters.
- Plans, directs, and coordinates the staff engaged in preventing and suppressing fires, saving lives and property, enforcement of fire ordinances, laws, and codes; may direct firefighting operations during major alarms; ensures that activities are conducted in accordance with related ordinances, laws, codes, department policy, rules and regulations.

- Plans, directs, and coordinates staff, in conjunction with other public safety staff, in managing the access and overall safety of the Authority's direct protection area, including issues within the sphere of influence to that of the National Forest. Works with the City, County of San Bernardino, National Forest Service, and volunteer/non-profit organizations in developing land use policy and approaches that allow for suitable development, while respecting the natural terrain and ability to provide property protection and fire response.
- Plans and coordinates the jurisdiction's Fire Safety Division through the Administrative Battalion Chief/Fire Marshal; directs the enforcement of federal, state, and local laws, codes and ordinances covering construction and safety in coordination with the Building and Safety officials for new building construction.
- Administers annual budgets of the Authority, CSD Safety, and Fire District; conducts or directs the conduct of special studies, and preparation and presentation of reports regarding emergency medical, fire and other emergency services. Manages special district financing that has been established, or could be established, including annexations, community facility district levies, developer impact levies, parcel tax levies, patient transport revenues and cost recovery fees for service.
- Advises, and otherwise provides assistance to the Board(s), local officials and the public, regarding fire, emergency medical, and/or other emergency service issues. In conjunction with other department chiefs, shift supervisors, and human resources, will authorize the selection of employees; plans and organizes work; develops and establishes work methods and standards; directs maintenance of jurisdictions records and reports; directs staff training and development; reviews and evaluates employee performance; reviews, recommends and executes disciplinary action as needed, including investigations.
- Represents the jurisdiction, or delegates such authority, in relations with local community members, City, CSD, county, state, and federal agencies, and other professional organizations, including but not limited to Con-Fire Dispatch, ICEMA, EMCC, County Chiefs, Cal-Chiefs, and California Fire Districts. Cooperates with other local and regional jurisdictions on programs and services that are of regional benefit.
- Recognizes the service relationship between the Fire District, CSD Board, the City of Big Bear Lake City Council (City Council), and the Authority Board. Works cooperatively as part of the executive management team and contributes to solving issues facing the community.

## **KNOWLEDGE/ABILITIES**

Knowledge of: modern municipal fire administration and organization; methods, techniques and equipment used in modern firefighting; laws affecting fire prevention; laws regarding patient treatment and transportation; principles and practices of supervision; operating principles and practices involving law enforcement and prevention.

Ability to: plan, organize and coordinate jurisdiction activities; assume command at emergencies and provide leadership; prepare and present reports; communicate effectively both orally, in writing, and modern computer equipment with the executive team, labor groups, City Council, CSD Board, community members, and/or groups; deal constructively with conflict and develop effective resolutions; establish and maintain cooperative working relationships; apply effective human relations skills when dealing with others.

### **LICENSE/INSURANCE ELIGIBILITY**

- Possession of a valid California Class C Driver License
- Ability to meet eligibility standards for motor vehicle insurance coverage established by the Authority's insurance carrier

### **EDUCATION/TRAINING/EXPERIENCE**

Knowledge of the principles, systems, procedures, practices, and methods employed in fire prevention and investigation; knowledge of fire fighting methods, equipment, and apparatus; knowledge of fire engineering principles, systems, and equipment used in detecting and suppressing fires; knowledge of departmental policies and procedures; knowledge of Human Resources rules and regulations regarding performance appraisal, administrative investigation, and discipline.

Must possess the ability to carry out the duties and responsibilities of this job and deal effectively with employees, property owners, and the general public. The individual should be able to exercise sound judgment, be able to plan, be well organized, have good verbal and written communication skills, work well under pressure, and be proactive, flexible, and cooperative. The individual should also be accurate, timely, and discreet. The individual should be able to provide administrative and professional leadership and direction for staff. The individual should have the ability to establish and maintain effective working relationships with the staff, the suppression team, and the board(s) of directors.

Seven years of related full-time paid experience; or a Bachelor's degree from a recognized four-year college or university, and/or California State Fire Marshal Chief Officer Certification and three years related full-time experience; or equivalent combination of education training and/or experience. Knowledge of computer environments including word processing, spread sheets, and databases.

### **PHYSICAL DEMANDS**

The physical demands are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The physical demands are: sitting, standing, walking, stooping and bending; dexterity and coordination to handle files, single pieces of paper, and use of a personal computer; dexterity and coordination to handle fire equipment,

apparatus and large and small tools; occasional lifting of objects weighing up to 100pounds; ability to reach for items above the head and below the feet; climb up and down ladders; enter confined spaces and other areas; corrected visual acuity sufficient to read gauges and observe conditions at emergency sites in a variety of lighting conditions, including bright light, low light, and low visibility conditions. During major incidents, walks on uneven or slippery surfaces and moves from place to place at emergency sites.

## **WORK ENVIRONMENT**

The work environment characteristics are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The essential job functions are as follows: works in both outdoor and indoor environments; works under significant risk conditions such as fire, injury, death, and exposure to hazardous materials; occasional work in confined areas; works under stressful situations during emergency incidents including internal/external political/administrative demands; and is on-call at all times in the event of an emergency.

While performing the duties of this job: the employee works at elevations of 6,700+ feet and is exposed to outside weather conditions involving snow and extreme cold in winter months; exposed to moving mechanical parts; required to meet department's grooming standards; may be exposed to: wet and/or humid conditions, high, precarious places, fumes or airborne particles, toxic or caustic chemicals, blood borne pathogens and other communicable diseases, extreme heat, risk of electrical shock, explosives, vibration, and noise levels in the work environment that are usually loud.



# BIG BEAR FIRE AUTHORITY AGENDA REPORT

Item No. FA6

**MEETING DATE:** October 4, 2016

**TO:** Members of the Big Bear Fire Authority

**FROM:** Paul Terry, Chairman of the Board

**PREPARED BY:** Dawn Marschinke, Board Secretary *DEM*

**SUBJECT:** **ADMINISTRATIVE COMMITTEE DIRECTION**

---

## **BACKGROUND**

On February 4, 2016, the Fire Authority Board authorized a standing Administrative Committee to be formed to assist staff in the development of consolidation strategies and associated costs that will then be brought before the full Board for discussion and possible action. The Big Bear Fire Authority Bylaws and Policies defines the procedures for establishing standing committees, but does not define frequency of meetings nor how items are brought to the Administrative Committee for discussion.

Since its formation, the Administrative Committee agenda has generally been set by the Fire Chief based on the needs of the Department. The Committee typically has a standing meeting on the second Thursday of each month. If the Chief deems that there is not sufficient content to hold the meeting, the meeting is canceled.

## **DISCUSSION**

A Special meeting of the Administrative Committee, called by Committee Chairman Terry was held on September 20, 2016. At that meeting, the question arose as to whether the Committee should operate at the direction of the full Board, or as needed, based on input from the Committee or the Fire Chief.

## **RECOMMENDATION**

The Chairman recommends that the Administrative Committee operate with the Fire Chief setting the agenda for the Committee on an as-needed basis, or upon request from the Committee Chairperson to the Fire Chief.



# BIG BEAR FIRE AUTHORITY AGENDA REPORT

Item No. FA7

**MEETING DATE:** October 4, 2016

**TO:** Honorable Chairman and Members of the Big Bear Fire Authority

**FROM:** Jeff Willis, Fire Chief *JW*

**PREPARED BY:** Mike Maltby, Assistant Chief *MM*  
Jamie Gustason, Human Resources/Payroll Coordinator

**SUBJECT:** **BOARD APPROVAL OF FIRE AUTHORITY STAFFING, JOB DESCRIPTION, AND UPDATED CLASSIFICATION AND WAGE TABLE FOR PAID CALL EQUIPMENT OPERATOR**

---

## **BACKGROUND**

The Fire Authority was established in 2012 with the goal of emerging as the organization to provide fire protection and emergency services to the Big Bear Valley. Since that time, the Authority has worked to establish autonomy and reduce reliance on the parent agencies with the goal of becoming its own independent and self-supported agency.

## **DISCUSSION**

Prior to the establishment of the Fire Authority, the Big Bear Lake and Big Bear City Fire Departments would at times enlist the services of the parent agency's public works departments to provide assistance when needed for the operation of specialized equipment or vehicles. Staff is seeking to develop a job classification that would allow the Authority to hire, within the paid-call job classification, personnel capable of operating these specialized equipment and vehicles when needed.

Staff is asking for approval of the Job Description (Exhibit A) and updated Classification and Wage Table (Exhibit B) for the addition of the Paid Call Equipment Operator position. The budget will not be changed since the Paid Call Equipment Operator will fall within the existing Paid Call budget. Effective January 1 of each year, the required California minimum wage increase is reflected in the attached Classification and Wage Table. For the Paid Call Equipment Operator, 2016 current minimum wage is reflected on Step 2.

## **FINANCIAL IMPACT**

None.

## **STAFF RECOMMENDATION**

Staff recommends the Fire Authority Board approve the Job Description and updated Classification and Wage Table for Paid Call Equipment Operator.

Attachments: Exhibit (A) Paid Call Equipment Operator Job Description  
Exhibit (B) Updated Classification and Wage Table

EXHIBIT A

**BIG BEAR FIRE AUTHORITY**

**PAID CALL EQUIPMENT OPERATOR**

**Job Description**

**FLSA CATEGORY:** Nonexempt  
**REPORTS TO:** Fire Captain  
**APPROVED BY:** Board of Directors  
**APPROVED DATE:**

**SUMMARY**

Under direction of a Fire Captain, Chief Officer, or designee, responds when requested, to emergency and non-emergency incidents for the purpose of performing specific semi-skilled and skilled work in the operation of light, medium, and heavy equipment and/or vehicles. This is a non-safety position with no firefighting or emergency medical response responsibility.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

- Safely operates light, medium, and heavy equipment and/or vehicles as assigned.
- Performs required manual labor such as the loading and unloading of equipment and vehicles, manipulation of fire hose and the use other hand tools related to the assigned task.
- Will learn and use the Incident Command System and fire ground operation protocols.
- Will be given instruction on proper firefighting and emergency response protocols as necessary to carry out assigned duties.
- Interprets job-related information conveyed orally and in writing.
- Communicates information orally and in writing.
- Performs other duties as assigned.

**SUPERVISORY RESPONSIBILITIES**

None.

**MINIMUM QUALIFICATION REQUIREMENTS**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required.

- Minimum 18 years of age.
- Ability to acquire and maintain appropriate licensing where required by assignment.
- Work shifts, weekends, and holidays.
- Establish and maintain effective working relationships with others.

Initials\_\_\_\_\_

**Ability to:**

- Read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals written in English.
- Communicate information orally and in writing.
- Add, subtract, multiply, and divide in various units of measure, using whole numbers, common fractions, and decimals.
- Compute rate, ratio, and percent.
- Apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
- Learn and adhere to applicable terms and conditions of employment including safety and health rules and regulations, Department rules and regulations, policies, and procedures.

**EDUCATION/TRAINING/EXPERIENCE**

- High school diploma or General Equivalency Diploma (GED).

**CERTIFICATES/LICENSES**

- Possess and maintain appropriate licensing where required by assignment.
- Ability to meet eligibility standards for motor vehicle insurance coverage established by the Department's insurance carrier.

**PHYSICAL DEMANDS**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to:

- Use wrists.
- Use hands to finger, handle, or feel.
- Stand, walk, reach with hands and arms, climb or balance, and talk or hear.
- Occasionally required to sit, stoop, kneel, crouch or crawl, and smell.
- Occasionally lift and/or move more than 100 pounds.
- Specific vision abilities required by this job include close, distance, and peripheral vision and ability to adjust focus through use of corrective lenses as necessary.

**WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee



encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job:

- The employee works at elevations of 6,700+ feet and is regularly exposed to outside weather conditions involving snow and extreme cold in winter months.
- The employee is frequently exposed to moving mechanical parts.
- The employee is required to be closely shaven to permit respiratory protection equipment to form a tight seal and meet Department grooming standards.

The employee is occasionally exposed to:

- Wet and/or humid conditions.
- High, precarious places.
- Fumes or airborne particles.
- Toxic or caustic chemicals.
- Extreme heat.
- Risk of electrical shock.
- Explosives.
- Vibration.
- Noise levels in the work environment which are usually loud.



**BIG BEAR FIRE AUTHORITY**  
**Classification and Wage Table**  
**FY 2016-2017**

JOB CLASSIFICATION	July 1, 2016 to June 30, 2017 Step Plan										Annual Range	
	1	2	3	4	5	6	7	8	9	10		
Fire Chief												Contract \$174,500
Fire Marshal-Assistant Chief	57.45	58.32	59.19	60.08	60.98	62.20	63.29	64.40	65.52	66.69		\$ 119,504 to \$ 138,709
Apprentice Fire Fighter/EMT	11.00	12.00	12.75	13.50	14.50	15.50	16.50	17.50				\$ 32,032 to \$ 50,960
Apprentice Fire Fighter/Paramedic	13.00	14.00	15.00	16.00	17.00	18.00	19.00	20.00				\$ 37,856 to \$ 58,240
Paid Call Battalion Chief	51.58											n/a to n/a
Paid Call: Fire Fighter/Equipment Operator	9.00	10.00	10.50	11.00	12.00	13.00	14.00	15.00				\$ 26,208 to \$ 43,680
Administrative Assistant	22.61	23.18	23.75	24.35	24.96	25.58	26.22	26.88	27.55	28.24		\$ 47,029 to \$ 58,733
Administrative Clerk	20.48	20.99	21.52	22.05	22.61	23.17	23.75	24.34	24.95	25.58		\$ 42,598 to \$ 53,200
Senior Finance Officer	52.35	53.66	55.00	56.38	57.78	59.23	60.71	62.23	63.78	65.38		\$ 108,888 to \$ 135,986
Information Technologies Manager	22.00	22.55	23.11	23.69	24.28	24.89	25.51	26.15	26.80	27.47		\$ 45,760 to \$ 57,148
Term - Grant Funded	16.97	17.39	17.83	18.27	18.73	19.20	19.68	20.17	20.68	21.19		\$ 35,298 to \$ 44,082



# BIG BEAR FIRE AUTHORITY AGENDA REPORT

Item No. FA8

**MEETING DATE:** October 4, 2016

**TO:** Honorable Chairman and Members of the Big Bear Fire Authority

**FROM:** Jeff Willis, Fire Chief *JW*

**PREPARED BY:** Mike Maltby, Assistant Chief *MM*

**SUBJECT:** **ORDINANCE ESTABLISHING ADMINISTRATIVE CITATIONS  
FOR VIOLATIONS OF THE FIRE CODE**

---

## **BACKGROUND**

On June 13, 2014, the Fire Authority Board approved Ordinance BBFA2014-001, adopting the 2013 California Fire Code with local amendments. Prior to the adoption of the Fire Authority Fire Code, Big Bear Lake Fire Protection District and Big Bear City Fire Departments adopted Fire Codes independently. These independent Fire Code adoptions were supported by City and County Municipal Codes and Administrative Citation Ordinances, which defined penalties for Fire Code violations. This item was presented for first reading at the August 23, 2016 Board meeting, at which time changes were recommended.

## **DISCUSSION**

Currently, the Fire Authority's only ability to enforce the Fire Code and Fire Authority Ordinance are through voluntary compliance or recordation of a code violation against the title of a property. Typically, enforcement of violations of the Fire Code result in a Notice of Violation that consists of education, specific remedies and a timeframe for compliance. In most cases, this type of corrective action is sufficient; however, there are situations where stronger enforcement actions are necessary.

The proposed Administrative Citation Ordinance would allow authorized Fire Department staff to issue administrative citations for violations of the Fire Code, and establishes that failure to comply with the provisions of the Fire Code may be criminally charged as a misdemeanor violation.

The ordinance includes procedures for appeals of citations to the Appeals Board as established within the Fire Authority Fire Code Ordinance and is consistent with the Administrative Citation Ordinance previously established by the City of Big Bear Lake.

Based on communication with legal counsel and the Administrative Committee after the August 23<sup>rd</sup> Board meeting, it is deemed necessary to bring back the proposed ordinance for a first reading. The Board had instructed staff to make a substantive change to the ordinance at the August 23<sup>rd</sup> Board meeting. Upon review of the requested change by legal counsel, staff was

advised not to make the requested change. When changes are approved and afterwards rescinded, the best course of action is to do a second first reading of the unaltered ordinance.

**RECOMMENDATION**

Reintroduce ordinance and waive first reading of the ordinance establishing penalties and Administrative Citations for violations of the Fire Code. Public hearing and second reading will occur at the next regularly scheduled Board meeting in December.

Attachment: Proposed Ordinance

**ORDINANCE NO. BBFA2016-XXX**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE BIG BEAR FIRE AUTHORITY, A CALIFORNIA JOINT POWERS AUTHORITY, ESTABLISHING PENALTIES AND ADMINISTRATIVE CITATIONS FOR VIOLATIONS OF THE FIRE CODE**

WHEREAS, the Big Bear Fire Authority (“Authority”) exists pursuant to the laws of the state of California and that certain Joint Powers Agreement entered into by and between the Big Bear City Community Services District and the Big Bear Lake Fire Protection District, a subsidiary fire protection district of the City of Big Bear Lake; and

WHEREAS, Health and Safety Code section 13869.7 authorizes the Authority to adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code, subject to the ratification of the City of Big Bear Lake and San Bernardino County; and

WHEREAS, the Authority has adopted a more stringent version of the California Fire Code (“Fire Code”) in compliance with section 13869.7 and the Authority is authorized by such adoption to enforce the Fire Code; and

WHEREAS, the Authority desires to encourage compliance with the Fire Code; and

WHEREAS, Government Code section 53069.4 authorizes the Authority to issue administrative citations to enforce its ordinances; and

WHEREAS, currently, there is no comprehensive and uniform procedure for the issuance and appeal of administrative citations for Fire Code violations; and

WHEREAS, the purpose of this Ordinance is to provide a comprehensive and uniform procedure for the issuance and appeal of administrative citations in the enforcement of the Fire Code; and

**NOW THEREFORE**, the Board of Directors of the Big Bear Fire Authority does ordain as follows:

Section 1. Penalties and Applicability

- A. No person shall violate or fail to comply with any provision or requirement of the Fire Code as adopted and amended by the Authority, or any Authority Ordinance. Any person who shall violate or fail to comply with any provision or requirement of the Fire Code or any Authority Ordinance, or a condition of any permit issued pursuant to the Fire Code or any Authority Ordinance, shall be guilty of a misdemeanor unless (1) such a violation or failure is designated as an infraction or is subsequently prosecuted as an infraction, in which case such person shall be guilty of an infraction; or (2) such a violation or failure is prosecuted as a civil

administrative action pursuant to this Ordinance. Any person, business, organization, corporation, or other entity that fails to pay an administrative fine or to comply with an Administrative Order is guilty of a misdemeanor as provided in this Ordinance.

- B. This Ordinance provides for administrative citations which are in addition to all other legal remedies, criminal or civil, which may be pursued by the Authority to address any violation of the Fire Code or other laws, including misdemeanor prosecution as provided for herein.
- C. Use of this Ordinance shall be at the sole discretion of the Authority and Enforcement Officers.

### Section 2. Definitions

- A. “Continuing Violation” shall mean an ongoing violation of the Fire Code that persists in excess of one day.
- B. “Enforcement Officer” shall mean that person or persons specifically designated by the Fire Code or the Fire Chief to enforce any provisions of the Fire Code or other laws.
- C. “Fire Code” shall mean the California Fire Code and related laws as amended by the Authority in its Ordinance No. BBFA2014-001.
- D. “Appeals Board” shall mean the Appeals Board established by section 108.1 of the California Fire Code and related laws as amended by the Authority in its Ordinance No. BBFA2014-001.
- E. “Individual Violation” shall mean an isolated violation of the Fire Code that exists or persists for less than one full day.
- F. “Responsible Person” shall mean any person who is the owner or occupant of real property, owner, or authorized agent of any business, company, or entity, or the parent or legal guardian of any person under the age of eighteen (18) years, who causes or maintains a violation of the Fire Code or other laws.

### Section 3. Administrative Citation

- A. Whenever an Enforcement Officer charged with the enforcement of any provision of the Fire Code determines that a violation of a provision of the Fire Code or other applicable laws has occurred, the Enforcement Officer shall have the authority to issue an administrative citation to any person responsible for the violation.
- B. Authority to Issue and Administrative Citation

- (1) Continuing Violation that does not create an immediate danger to public health and safety

Where the violation is a Continuing Violation that does not create an immediate danger to public health and safety, the citation shall set forth a reasonable period of time, which shall not be less than fifteen (15) days, for the person responsible for the continuing violation to correct or otherwise remedy the violation prior to the imposition of the administrative fine.

- (2) Continuing Violation that creates an immediate danger to public health and safety

Where a violation is a Continuing Violation that constitutes an immediate danger to the public health and safety, the property owner shall be provided notice to correct the violation within a maximum of two (2) hours from when the verbal or written notice was received. Depending upon the severity of the violation, if the violation is not corrected within the two-hour time period, the Authority shall have the option to initiate abatement procedures or impose the administrative citation provisions laid out herein.

- (3) Individual Violation that does not create an immediate danger to public health and safety

Where a violation is an Individual Violation that does not create an immediate danger to public health and safety, a written notice to correct the violation shall be issued for the first offense. For second and subsequent violations of the same code provision, the person responsible for the violation shall not have an opportunity to correct or otherwise remedy the violation prior to the administrative fine being imposed. Each person, firm, or corporation shall be guilty of a separate offense for each day and every day during any portion of which any violation is committed.

- (4) Individual Violation that creates an immediate danger to the public health and safety

Where a violation is an Individual Violation that constitutes an immediate danger to the public health and safety, the property owner shall be provided notice to correct the violation within a maximum of two (2) hours from when the verbal or written notice was received. Depending upon the severity of the violation, if the violation is not corrected within the two-hour time period, the Authority shall have the option to initiate abatement procedures or impose the administrative citation provisions laid out herein.



- C. Each administrative citation shall contain the following information:
- (1) The date of the violation;
  - (2) The address or a definite description of the location where the violation occurred;
  - (3) The section of the Fire Code or other law violated and a description of the violation;
  - (4) The amount of the fine for the Fire Code or other law violation;
  - (5) A description of the fine payment process, including a description of the time and the place to which the fine shall be paid;
  - (6) An order prohibiting the continuation or repeated occurrence of the violation described in the administrative citation;
  - (7) A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a Request for Hearing form to contest the administrative citation may be obtained; and
  - (8) The name and signature of the citing Enforcement Officer.
- D. Each provision of the Fire Code or other law that is violated constitutes a separate violation. Each day such a violation continues shall be regarded as a new and separate violation.

#### Section 4. Amount and Payment of Fines

- A. Pursuant to the authority granted in Section 53069.4 of the California Government Code, the amount of administrative fines for Fire Code or other violations imposed pursuant to this Ordinance shall be assessed in the amounts specified:
- (1) A fine not exceeding one hundred dollars (\$100.00) for a first violation;
  - (2) A fine not exceeding two hundred dollars (\$200.00) for a second violation of the same code provision within one (1) year from the date of the first violation, except that for second violations of a building and safety code the fine shall be five hundred dollars (\$500.00).
  - (3) A fine not exceeding one thousand dollars (\$1,000.00) for a third or more violation(s) of the same code provision within one (1) year from the date of

the first violation, except that for third violations of a building and safety code the fine shall be two thousand dollars (\$2,000.00).

- (4) For a violation of the Fire Code specified by the Fire Code or other applicable law to be punishable as a misdemeanor, or which is punished as a misdemeanor under Section 1.A of this Ordinance, for which no fine is specifically provided, the amount of the administrative fine shall be one thousand dollars (\$1,000) for each violation.

B. Payment of the Fine

- (1) The fine shall be paid to the Authority within thirty (30) days from the date of the administrative citation. A late payment charge of twenty-five dollars (\$25.00) and interest at the legal rate of ten percent (10%) shall be imposed on a monthly basis for any administrative citation amount remaining unpaid to the Authority.
- (2) Any administrative citation fine paid pursuant to this Ordinance shall be refunded, if it is determined, after a hearing, that the person charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the administrative citation.
- (3) Payment of a fine under this Ordinance shall not excuse or discharge any continuation or repeated occurrence of the Fire Code or other law violation that is subject of the administrative citation.

Section 5. Appeal Hearing Upon Request

- A. Any recipient of an administrative citation may contest that there was a violation of the Fire Code or other law, or that he or she is the responsible party, by completing a Request for Hearing form and returning it to the Authority within fifteen (15) calendar days from the date of the administrative citation, together with an advance deposit of the fine or notice that a request for an Advance Deposit Hardship Waiver has been filed.
- B. A Request for Hearing form may be obtained from the place specified on the administrative citation.
- C. Any appeal not timely filed shall be rejected. Failure of any person to file an appeal in accordance with the provisions of this Section 5 shall constitute a waiver of that person's rights to administrative determination of the merits of the citation and the amount of the fine.

Section 6. Advance Deposit Hardship Waiver

- A. Any person who intends to request a hearing to contest that there was a violation of the Fire Code, or other law, or that he or she is the Responsible Person, and who is financially unable to make the advance deposit of the fine as required in this Ordinance may file a request for an Advance Deposit Hardship Waiver at the time of filing the hearing request.
- B. The requirement of depositing the full amount of the fine as described in section 5(A) shall be stayed until the Senior Finance Officer makes a determination on the Advance Deposit Hardship Waiver request.
- C. The Senior Finance Officer may waive the requirement of an advance deposit only if the requesting party submits to the Senior Finance Officer a sworn declaration, together with any supporting documents or materials, demonstrating to the satisfaction of the Senior Finance Officer the person's actual financial inability to deposit with the Authority, the full amount of the fine in advance of the hearing.
- D. The Senior Finance Officer shall issue and mail a written decision to the person who applied for the Advance Deposit Hardship Waiver. The written decision shall list the reasons for his or her decision. The written decision of the Senior Finance Officer shall be final.
- E. If the Senior Finance Officer determines not to grant the advance deposit hardship waiver, the person shall remit the deposit to the Authority within ten (10) calendar days of the date of the written decision.

#### Section 7. Dismissal of Citation

- A. At any time before the hearing, if the Enforcement Officer determines that there was no violation as charged in the administrative citation or that the citation should be dismissed in the interest of justice, the Enforcement Officer may dismiss the administrative citation, cancel the requested hearing, and refund any advance deposit paid pursuant to this Ordinance.

#### Section 8. Appeals Board

- A. The Appeals Board established in Section 108.1 of the Fire Code shall serve as the appropriate body for the administrative citation hearing. The employment, performance, evaluation, compensation, and benefits of the Appeals Board, if any, shall not be directly or indirectly conditioned upon the amount of administrative citation fines upheld by the Appeals Board.

#### Section 9. Hearing Procedure

- A. No hearing to contest an administrative citation or other administrative decision governed by this Ordinance before the Appeals Board shall be held unless and until

a timely written request for a hearing has been submitted in accordance with Section 5, and the fine has either been deposited in advance or waived in accordance with Section 6.

- B. A hearing before the Appeals Board shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed in accordance with the provisions of this Ordinance. The person requesting the hearing shall be notified of the time and place for the hearing at least ten (10) days prior to the date of the hearing.
- C. The Appeals Board shall only consider evidence that is relevant to whether the violation(s) occurred or administrative citation should be upheld, or whether the responsible person has caused or maintained the violation of the Fire Code or other law on the date(s) specified in the administrative citation.
- D. The Responsible Person contesting the administrative citation shall be given the opportunity to testify and present witnesses and evidence concerning the administrative citation.
- E. 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.
- F. The administrative citation and any additional documents submitted by the Enforcement Officer shall constitute prima facie evidence of the respective facts contained in those documents.
- G. If the Enforcement Officer submits any additional documents concerning the administrative citation to the Appeals Board for consideration at the hearing, then a copy of the additional documents shall also be mailed to the person requesting the hearing prior to the date of the hearing.
- H. No other discovery is permitted. Formal rules of evidence shall not apply.
- I. The Appeals Board may continue the hearing and request additional information from the Enforcement Officer or the recipient of the administrative citation prior to issuing a written decision.

#### Section 10. Appeals Board's Decision

- A. After considering all of the testimony and evidence submitted at the hearing, the Appeals Board shall issue a written decision to uphold or dismiss the administrative citation and shall list in the decision the reasons for that decision. The decision of the Appeals Board shall be final.

- B. If the Appeals Board determines that the administrative citation should be upheld, then the fine amount on deposit with the Authority shall be retained by the Authority.
- C. If the Appeals Board determines that the administrative citation should be upheld and the fine has not been deposited pursuant to an Advance Deposit Hardship Waiver, the Appeals Board shall set forth in the decision a payment schedule for the fine.
- D. If the Appeals Board determines that the administrative citation should be dismissed and the fine was deposited with the Authority, the Authority shall refund the amount of the deposited fine in accordance with standard operating procedures established by the Authority.
- E. The recipient of the administrative citation shall be mailed a copy of the Appeals Board's written decision.

#### Section 11. Failure to Pay Fines

- A. The failure of any person to pay a fine assessed by the administrative citation within the time specified on the administrative citation constitutes a debt to the Authority. To enforce the debt, the Authority may file a civil action, impose a special assessment as set forth below, or pursue any other legal remedy to collect such debt, including reasonable costs of collection and attorney's fees.
- B. The Authority may impose a special assessment or lien against the property that is the subject of an administrative citation if the citation has been issued to the property owner.
- C. For a special assessment, a copy of the assessment shall be turned over to the San Bernardino County tax collector. At that point, it will be the duty of the tax collector to add the amounts of the respective assessments to the next regular property tax bills levied against the lots and parcels of land for municipal purposes. Those amounts shall be collected at the same time and in the same manner as ordinary property taxes are collected, and shall be subject to the same penalties and procedures under foreclosure and sale as provided for with ordinary municipal taxes.
- D. In the alternative or in addition, the Fire Chief may record a notice of lien in the San Bernardino County Recorder's Office for the amount of the lien assessed. After recordation, the lien may be foreclosed by judicial or other sale in the manner and means provided by law.

#### Section 12. Right to Judicial Review

- A. Any person aggrieved by an administrative decision of the Appeals Board on an administrative citation may obtain review of the administrative decision by filing a petition for review with the San Bernardino County Superior Court in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

Section 13. Notices

- A. The administrative citation and all notices to be given by this Ordinance shall be provided to the Responsible Person in accordance with the provisions of this section. Unless different provisions herein are otherwise specifically made, such administrative citation or notice may be given by either personal delivery thereof to the person to be notified or by deposit in the United States mail, in a sealed envelope, postage prepaid, addressed to such person to be notified, at his last known business or residence address as the same appears in the public records of the jurisdiction where the property is located or other records pertaining to the matter to which such notice is directed. Notice by mail shall be deemed to have been completed at the time of deposit with the U.S. Postal Service.
- B. Failure to receive any notice specified in this part does not affect the validity of proceedings conducted hereunder.

Section 14. Civil or Criminal Actions Not Affected

- A. Any administrative citation issued pursuant to this Ordinance shall not prejudice or adversely affect any other action, civil or criminal, that may be brought to abate the public nuisance or violation or to seek compensation for damages suffered. A civil or criminal action may be brought concurrently with any other process regarding the same public nuisance or violation.

Section 15. Severability - If any section, subsection, clause or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of this Ordinance shall not be affected thereby. The Board hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

Section 16. Date of Effect - This Ordinance shall take effect and be in force thirty (30) days after its final passage at a public meeting as required by law. First read at a regular meeting of the Board of Directors of the Authority, held on the 4th day of October, 2016, and finally adopted in the manner required by law at the meeting on the \_\_\_\_ day of December, 2016, by the following vote:

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_ day of December, 2016.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman, Board of Directors  
Big Bear Fire Authority

ATTEST:

\_\_\_\_\_  
Dawn Marschinke  
Secretary, Big Bear Fire Authority



STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF BIG BEAR LAKE                )

I, Dawn Marschinke, Secretary of the Big Bear Fire Authority Board, do hereby certify that the whole number of members of the said Board is ten; that the foregoing ordinance, being Ordinance No. BBFA2016-XXX was duly passed and adopted by the said Board, approved and signed by the Chair of said Board, and attested by the Secretary of said Board, all at a meeting of the said Board held on the \_\_\_\_ day of December 2016, and that the same was so passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Witness my hand and the official seal of said Authority this \_\_\_\_ day of December, 2016.

\_\_\_\_\_  
Dawn Marschinke  
Secretary  
Big Bear Fire Authority



# BIG BEAR FIRE AUTHORITY AGENDA REPORT

Item No. FA9

**MEETING DATE:** October 4, 2016

**TO:** Honorable Chairman and Members of the Big Bear Fire Authority

**FROM:** Jeff Willis, Fire Chief *JW*

**PREPARED BY:** Shirley Holt, Senior Finance Officer *SH*

**SUBJECT:** **ACCEPT THE PROPOSAL FROM MATRIX CONSULTING GROUP FOR MASTER PLANNING SERVICES**

---

## **BACKGROUND**

On August 23, 2016, Big Bear Fire Authority (Authority) solicited Requests for Proposal (RFP) to provide professional services in the development of a Fire Protection Master Plan. Solicitation was conducted through public advertising and via the Authority website. Submissions were accepted through September 22, 2016. By the deadline, three proposals were received from CPS HR Consulting, Emergency Services Consulting International (ESCI) and Matrix Consulting Group.

## **DISCUSSION**

On September 26, 2016, Administration staff reviewed the pros and cons of each proposal to include: match to scope, price value, staff qualifications and experience with fire agencies within a seasonal service environment. It was determined that the Matrix Consulting Group most closely matched the scope of work and had the most experience with similar fire and emergency agencies. Matrix Consulting proposed fees of \$48,000. The second choice was ESCI with a bid of \$46,508, and third choice was CPS with a bid of \$24,000. Since CPS did not present a proposal that matched the scope of work, we eliminated them and determined their low bid was due to the different scope of work proposed. The other two firms were so closely aligned in price point we selected the proposal that best fit the needs of the Authority.

## **RECOMMENDATION**

Staff recommends that the Big Bear Fire Authority Board accept the proposal from Matrix Consulting Group and allow staff to engage in contracting with this firm for professional services for master planning.



# BIG BEAR FIRE AUTHORITY AGENDA REPORT

Item No. FA10

**MEETING DATE:** October 4, 2016

**TO:** Honorable Chairman and Members of the Big Bear Fire Authority

**FROM:** Jeff Willis, Fire Chief *JW*

**PREPARED BY:** Shirley Holt, Senior Finance Officer *SH*

**SUBJECT:** APPROVAL OF FINANCIAL REPORTING SCHEDULE

---

## BACKGROUND

Since the formation of Big Bear Fire Authority (Authority) in 2012, and the hiring of Authority accounting personnel in January of 2015, the financial reporting for the Authority, Big Bear Lake Fire Protection District and Big Bear City Community Services District Fire Department has been transitioning to the Authority finance staff from the member agencies. As of July 1, 2016, all financial operations are conducted at the Authority for all three agencies. For the prior two fiscal years, the annual budgets and financial statements for the three agencies have been reported separately to the Board of each agency at their scheduled public meetings. This has been an appropriate practice during the transitional period.

## DISCUSSION

With the consolidation of the financial operations, the budgets and financial statements are now in a single format and produced upon the same timeline. Monthly financials, including budget variance reports, cash disbursement reports and balance sheets are available mid-month following the month-end of the prior period. In the past, financial reporting was consistent only with the timing of the Board meetings of each agency. Year-to-date financials were reported to each Board as their meetings occurred, resulting in varied timing between agencies, and sometimes long gaps for individual agencies. It is the goal of the Senior Finance Officer to provide timely and consistent financial reporting to all three Boards.

The following outline for future financial reporting distributed to all Authority Board members is suggested to achieve this goal:

<b>FINANCAL REPORT</b>	<b>TIMING</b>
Draft Monthly Financials – All Agencies	Email with Monthly Activity Report
Monthly Cash Disbursement – All Agencies	Email with Monthly Activity Report
Final Monthly Financials YTD – All Agencies	Authority Board Meeting – Finance Report
Balance Sheet & Other Funds – All Agencies	Authority Board Meeting - Quarterly
Draft Budgets – All Agencies	Authority Board Meeting - Annually

**RECOMMENDATION**

Staff recommends that the Big Bear Fire Authority Board approve the financial reporting schedule outlined above.

**BIG BEAR FIRE AUTHORITY**  
**Administrative Committee Meeting of September 8, 2016**

**Staff Notes**

**CALL TO ORDER**

An Administrative Committee meeting of the Big Bear Fire Authority was called to order by Board Chairman Terry at 1:30 p.m., Thursday, August 11, 2016, at 41090 Big Bear Boulevard, Big Bear Lake, California.

At the hour of 1:30 p.m., Chairman Terry called Open Session to order.

**Governing Board Members Present:** Board Chairman Terry, Vice Chairman Putz, Directors Herrick and Walsh

**Staff Present:** Jeff Willis, Fire Chief; Mike Maltby, Assistant Chief; Dawn Marschinke, Board Secretary

**MOMENT OF SILENCE**                      Observed

**PLEDGE**                                      Led by Vice Chairman Putz

**PUBLIC COMMUNICATIONS**

None.

**DISCUSSION ITEMS**

1.     2017 Fire Authority Meeting Calendar Discussion

Board Secretary Dawn Marschinke presented the 2017 Board Meeting calendar as defined by the Board's Bylaws. For purpose of analysis, the calendar incorporated dates from the approved 2017 Big Bear Lake City Council (BBL) calendar and the projected dates for the Big Bear Lake Fire Protection District, the Big Bear City Community Services District Board meetings as well as the Fire Authority Administrative Committee meeting dates.

The Committee was asked to consider modifying certain dates in April, October and December based on Hofert Hall availability and dark periods for the BBL. Ms. Marschinke recommended the following modifications to the calendar:

1.   Adjourn April 4 to April 25, 2016
2.   Adjourn October 3 to October 24, 2016
3.   Adjourn December 5 to December 12, 2016

**Recommendation**

The Administrative Committee agrees with staff recommendation and will recommend the proposed 2017 meeting calendar to the full Board as a consent agenda item.

**2. Discussion on Process of Agenda Item Corrections and Clarifications**

Assistant Chief Maltby explained that there have been multiple iterations of the ordinance establishing penalties and administrative citations for violations of the fire code. Corrections to the ordinance have been made based on the Administrative Committee's recommendation at the July 14, 2016 meeting. However, the version with all the corrections did not make it into the agenda packet that went before the full Board on August 23, 2016.

All requested changes from the August 23, 2016 Board meeting have been incorporated into the ordinance and presented to the Administrative Committee today, with the exception of one. This is a new substantive change to paragraph 9E requested at the Board meeting on August 23. All other changes were grammatical in nature and had been requested at the Administrative Committee meeting on July 14.

After the August 23 Board meeting, staff consulted legal counsel on item 9E. Legal counsel was adamant that the item should remain as originally written. The reasoning behind this is that the Department will always be open to a process to remedy a citation through the Appeals Board. Once this door is closed by stating that all remedies are exhausted, the plaintiff is open to further remedies through the legal system. If the door is left open to further remedies by keeping the statement as-is, a judge would likely throw-out the appeal because the plaintiff has not exhausted their legal remedies.

If an item comes back before the Appeals Board, the Board has the option of reversing any forfeiture or fine.

It was explained that the bail schedule could be modified downward, but not up as this is mandated by governing code. In addition, the Appeals Board does have the power to say a plaintiff has exhausted their legal remedies.

The Administrative Committee agreed that item 9E should remain as originally written.

Ms. Marschinke described the current situation to pass the ordinance based on the decision by the Board at the August 23 Board meeting that approved the ordinance to move forward to the second reading with modification to item 9E (among other grammatical changes).

She explained that after consultation with legal counsel, the following direction was given:

**If an ordinance is changed on the record at the meeting where the first reading occurs:**

- Those changes should be read into the record and incorporated as part of the first reading.

In other words, if one section is altered, the altered section should be read into the record to ensure that the Board and all members of the public who are present are clear on what change was made.

- The Board may then vote on the first reading of the ordinance in its altered form.

**If changes are approved at the meeting and afterwards rescinded:**

- The best course of action would be to do a second first reading of the unaltered ordinance.

At the second first reading, it would also be advisable to state on the record that though changes were made at the first reading, it has been determined those changes are no longer necessary. This second first reading would be necessary because the Board would have technically voted to approve the first reading of the altered ordinance, not the ordinance as presented to them.

Based on the advice from counsel, the ordinance should be brought back to the October 4, 2016 Board meeting for a second first reading.

Ms. Marschinke also stated that she would be getting advice from legal counsel regarding whether a Public Hearing should be held at the first or second reading, based on the Health and Safety Code that the Department is governed by.

This second first reading will cost the Department money for the public notice of another Public Hearing as well as delay the ordinance's passage by two months. For this reason, staff thought it appropriate to discuss with the Administrative Committee, a preferred method for the Board members to ask questions or recommend changes to documents going before the Board at a Board meeting.

- It is the request of staff, that if a Board member sees an error or questions the content of a document in the Agenda Packet, that they contact the author of that document prior to the Board meeting. Or if it is a grammatical error, contact the Board Secretary. In this way, the author can research and respond to the Board member prior to the Board meeting.
  - If a substantive change is required, a green sheet will be issued
  - Green sheets will not be issued for grammatical corrections



The comment was made that some changes only arise out of discussion at a Board meeting and cannot be brought up in advance of the meeting. In this case, it is appropriate and necessary to bring up for the first time, substantive changes at the Board meeting.

**Recommendation**

The Administrative Committee agrees that staff's recommendation to bring the ordinance back for a second first reading at the October 4, 2016 Board meeting.

The Committee agrees with staff's recommendation for the preferred method of communicating changes to agenda packets prior to Board meetings.

The Committee agrees that the procedures for processing of modifications to an ordinance as explained by legal counsel should be added to the Director's Policy manual.

At the hour of 2:12 p.m., Chairman Terry adjourned to closed session.

**CLOSED SESSION**

**PUBLIC FORMUM FOR CLOSED SESSION**

None.

**REPORT ON CLOSED SESSION**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**


Pursuant to Government Code Section 54957

Title of Position: Fire Chief

No reportable action.

**ADJOURNMENT**

With no further business to come before the Administrative Committee, Board Chairman Terry adjourned the meeting at 4:50 p.m.

  
\_\_\_\_\_  
Dawn E. Marschinke, Board Secretary

**BIG BEAR FIRE AUTHORITY**  
**Administrative Committee Meeting of September 20, 2016**

**Staff Notes**

**CALL TO ORDER**

An Administrative Committee meeting of the Big Bear Fire Authority was called to order by Board Chairman Terry at 2:05 p.m., Tuesday, September 20, 2016, at 41090 Big Bear Boulevard, Big Bear Lake, California.

**Governing Board Members Present:** Board Chairman Terry; Vice Chairman Putz, Director Walsh and Director Herrick

**Staff Present:** Shirley Holt, Senior Finance Officer; and Dawn Marschinke, Board Secretary

**Other Staff Present:** Eileen Berne, EMS/Fire Financial Coordinator

**MOMENT OF SILENCE**

Observed

**PLEDGE**

Led by Director Walsh

**PUBLIC COMMUNICATIONS**

None.

**DISCUSSION ITEMS**

**1. Discussion and review of information that is available, and what should be provided by the Treasurer/Auditor regarding financial information of the Authority**

It was explained that the purpose for the discussion items on today's agenda was for the Board to review what information is available to them which will give them an overview of what is going on in the Fire Department.

Discussion ensued to ensure the Agenda items being discussed were appropriate for the Administrative Committee without Board direction. The question was asked if this direction was given as an assignment to the Administrative Committee by the full Board.

The response was no. The explanation given was that this discussion has come about as a result of some of the things the Board has been doing. Because the Board only meets six times per year, they may not always receive information as regularly as they might want. It was further explained that the Committee can meet to discuss whatever they want to address, but not set policy. What is done with the information discussed at the

Administrative Committee level needs to go back to the Board for setting policy. The Committee should be looking at this discussion as a review of current practices and policies. It was pointed out that the Committee meets routinely with an agenda based on items that Chief Willis determines should come before the Committee.

The suggestion was made that when reporting back to the Board, there is an explanation as to why the discussion took place and pose the question going forward; “Is the Administrative Committee to meet at the exclusive direction of the Board, or does it have the leeway to set its own agenda?”

Sr. Finance Officer Holt explained that she had questions on when reporting should occur and what reports the Board wants to see. She produces monthly reports within fifteen days of the end of the month. Since Board meetings are so intermittent, she reports month-to-date at the Board meetings. Because of the delay, Board members may not see some months of reports, or not receive financial information in a timely way.

Once the Memorandums of Understanding with Labor are ratified, Ms. Holt will post financials on the Department’s website along with other items such as Compensation and Wage Tables, Audits and Administrative Instructions. She requested direction from the Board regarding publishing the financials monthly before the Board sees them. If they cannot be posted until they are reported to the Board, it could be two or three months before they are posted. To this point in time, there has been no request from the public for financials on the website.

Board Secretary Dawn Marschinke was assigned the action item to find out what is the Department’s legal requirement in terms of how frequently financial documents must be disclosed.

Ms. Holt explained that once a reporting month is closed and reported, she does not change it. Any necessary changes will be made in the month that the recognition of a change was discovered. If there is a material change to the budget, she would report it to the Board.

Ms. Holt told the Committee which reports are available to them:

- Monthly Variance report to Budget
- Balance Sheet (will be available after audit results come in)
- Monthly Check Register sorted by agency (this is pooled cash for all three agencies)

The Committee is in agreement that the Check Register is helpful for a quick review allowing Board members to call ahead of a Board meeting to get detail on any specific item they may question.

The question was asked if the Board can get the Check Register before the Agenda Packet comes out so they have time to review it ahead of the Board meeting.

Ms. Marschinke was given the action item to find out if the financials can legally be sent to the Board before the Agenda Packet goes out to the public. If they can, the Committee would like them to be sent out with the Department's monthly activity report after the 15<sup>th</sup> of each month.

Ms. Holt asked how the Committee feels about multiple agency's financial information going to all agencies. One agency would be aware of money going in and out of another agency. If one agency asks a question on another agency's transaction, she would not answer if it is a closed session, non-public item.

It was stated that this sharing of information can also be helpful for Directors from the other agency so they have a level of awareness of something that the other agency is struggling with, for example.

Ms. Holt will notify the Board if something unusual comes up between meetings so there is no surprise. The best way to handle questions is to call Ms. Holt ahead of time so she has time to do research.

### **Recommendation**

The Committee will present an agenda item for the October Board meeting with a recommendation that staff should email to the Board, monthly financials and check registers after the 15<sup>th</sup> of each month that will include all three agencies in the reports.

The Committee will ask the Board how they want the Administrative Committee meeting agendas to be set. Is it at the direction of the Board, or as needed based on input from the Committee and staff?

## **2. Discussion and review of Authority policies regarding purchasing**

Ms. Holt explained that purchasing policies are defined within the Department's Administrative Instructions. These will be put online and available for the Board and the public. They have recently been updated as of August 2016.

When a budget is approved, Ms. Holt does not adjust budgets unless it is significant. She reports variance and explains the variance. This is a more transparent and trackable way of reporting.

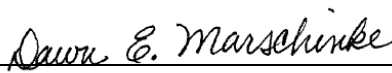
As per Purchasing policy, capital purchases will occur per approved budget. Any budget adjustment greater than \$5,000 would return to the Board for approval. General budget line items are monitored for both variance and timing of purchases to stay within approved limits.

Comments came from the Board expressing that Directors of the Board should maintain an appropriate level of governance. The Board's role is to provide oversight and planning and not to get into the minutia of management. If the Board does have a problem with smaller expenditures, the Board should take it up with the Fire Chief, and it is his responsibility to address the issue. A Board member should stay at arms-length; it is not the Board's responsibility, nor is it their expertise to be directing day-to-day decisions. Professionals are hired to take care of the detail. There is a balancing act between oversight and managing the detail for all Board members.

Ms. Holt was asked to have the auditors ask Board members questions during their audits. The Committee would also like the auditor to give a report of the recent audit to the Board.

### **ADJOURNMENT**

With no further business to come before the Administrative Committee, Board Chairman Terry adjourned the meeting at 3:19 p.m.

  
\_\_\_\_\_  
Dawn E. Marschinke, Board Secretary