

**SIX HUNDRED SEVENTY SECOND MEETING OF THE BOARD OF DIRECTORS  
OF THE  
EI DORADO HILLS COUNTY WATER DISTRICT**

The six hundred seventy second meeting of the Board of Directors of the El Dorado Hills County Water District was held on Thursday, August 18, 2011 p.m. at 6:00 p.m. at the regular meeting place of the District, the District Office, 1050 Wilson Blvd., El Dorado Hills, California. Directors Durante, Barber, Hartley, Hidahl and Winn were present with President Durante presiding. (Directors Hidahl and Winn arrived within a few minutes of the commencement of the meeting.) Counsel Cook was also in attendance. Chief Roberts, Chief O’Camb and Chief Financial Officer Bair were present.

Director Barber moved to approve the consent calendar which included the minutes of the 671<sup>st</sup> meeting held July 28, 2011 and the Financial Statements for July 2011. The motion was seconded by Director Hartley and unanimously carried.

Matt Beckett, Honor Guard Commander, presented a video that gave the story of the United States Honor Flag, dedicated to memorializing heroes who made the ultimate sacrifice for their family, community and country and their organizations including police, fire and our nation’s military. This Honor Flag was present at the memorial services that honored the late James Saunders, Sac Metro Firefighter, on October 12, 2010 where Honor Guard member Mike Lovinger and Deputy Commander Dale Hemstalk stood guard. Commander Beckett recognized both with a framed photograph of the Honor Flag and their service on that day and also presented Chief Roberts with a photograph to be displayed at Station 85.

Jeff Genovese, President of the Firefighters Association, gave the Board an update on the Association’s activities during the last few months that included a “Skid Lids for

Kids” Helmet Give-away; the awarding of Life Membership to Retirees Piper, Maranville, Jankowski, Enos and Wilson; sponsorship of the Honor Guard to attend the International Association of Firefighters Memorial; sponsorships for paramedic school for two volunteers and sponsorship to the El Dorado County Food Bank. In addition, he stated that the Association will be setting up a committee to begin planning the District’s 50<sup>th</sup> Anniversary celebration in the year 2013. He invited the Board to attend the upcoming Wine, Cheese and Brew Festival on September 10 as well as the next Association meeting on September 27. He reported that the Association is also being affected with budget cuts and will be receiving a 50 percent reduction in volunteer stipends which will result in fewer sponsorships in the future.

Richard Ross, El Dorado Hills resident, urged the Board to be more transparent for the public’s benefit, defining transparency as being “readily understandable or clear”. He cited examples of areas that needed more clarification such as how the \$48 administrative fee for weed abatement services had been established. He suggested that the Board agendas be more clearly stated so terms such as “FSA” and “ADP” are understood by the public. He raised concern regarding the \$500 fee for the Flexible Spending stating that he was unsure as to whether or not that fee had been scrutinized enough. He expressed disappointment that the public had only been given one hour and 15 minutes between having the MOU presented after closed session and it’s adoption. He suggested that the public be made aware of whether or not Fire Department personnel will be receiving an explanation of costs of their benefit package as previously suggested by Director Hartley and if so, asked if it will be shared with the public.

Chief Roberts and CFO Bair commented that it is Staff’s intent to provide the explanation of costs of benefits to employees as they have done in the past. Chief Roberts also

stated that Chief Ballenger is in the process of evaluating the \$48 administrative fee to ensure that it is being appropriately charged.

Chief Roberts reported on the position that FDAC (Fire Districts Association of California) has taken on SRA (State Responsibility Area) fees. FDAC is seeking legislation to repeal ABX1 29. If repeal is not possible, they will seek an exemption of the fee for property owners via the Board of Forestry regulatory process for all areas that have local fire protection that overlaps SRA. If this is not possible, all funds generated by the fees in SRA that overlap a local agency will be returned to the local agency for uses as designated in the law. Director Hidahl clarified this bill was passed and poses additional fees on every resident that owns a parcel within an SRA; some feel that this fee is double taxation and therefore, repeal or modification is being sought. Mr. Mikaluco requested a map showing the SRAs and Chief Roberts responded that he would provide him with one.

Chief Roberts made mention of a letter of appreciation and plaque that the Firefighters Burn Institute sent thanking the Department for the money raised to support programs for burn victims and Chief Roberts congratulated the crew on the success of their efforts.

CFO Bair also brought the Board's attention to a letter stating the results of LAFCO's Regular and Alternate Special District Representative Election resulting in the election of Ken Humphreys as the Regular Representative and Shiva Frentzen as the Alternate Representative, both serving until May 2015.

President Durante requested that Closed Session items be moved to later on the agenda before New Business and the Board concurred.

Counsel Cook reported on Attorney Item V-B, Ferlini vs. El Dorado Hills County Water District (a Superior Court case in Sacramento) stating that the matter has been resolved and dismissed on motion of the District. He stated that this matter related to promotions that took place a couple of years ago at the Captain rank. There was a subsequent grievance filed by the El Dorado Hills Professional Firefighters Association that the promotions and the seniority resulting from the manner in which those promotions were conducted was not consistent with the MOU (Memorandum of Understanding). At that grievance hearing, the Board found that the grievance had merit and that the MOU, a negotiated agreement between the Association and the District, did control and that the seniority had to be determined based upon the MOU. The affected individual, Captain Ferlini, brought this writ of mandate action in Superior Court to overturn the ruling of the Board and that matter has now been dismissed. The ruling of the Board stands and that matter is resolved as of July 21.

Director Hidahl gave an update on the status of the of the Admin Committee's Grand Jury Report Response stating that the committee had met and a great deal of data has been collected to aide in the preparation of the response. In addition, he stated that a letter has been submitted by the Volunteers that addresses the Grand Jury's concern that Volunteers are not being utilized to the maximum potential of using Volunteers to back staff to avoid overtime. Lieutenant Volunteer Mike Roppolo gave an overview of the Volunteer response letter stating that it addressed the Grand Jury's gross mischaracterization of the Volunteer Program which appears to be in their eyes a labor substitute program. He stated that the intent of the response letter was to clarify what the true role, goals and mission of the program is and how Volunteers are intended to be utilized.

Jeff Genovese, President of the El Dorado Hills Firefighters Association, also commented that the response letter clearly states that the Firefighters Association does not engage in political activity and that the bylaws prohibit any such activity.

Director Hidahl reported that the Grand Jury committee has been able to share some preliminary tables of data related to current wages and benefits and staffing levels for similar Departments with the public in an effort to be more transparent and offered to make these tables available to others.

The Fire Committee had nothing to report.

The Operations Report for July was received and filed.

Chief Roberts gave an update on the JPA stating that the Board of Supervisors unanimously voted to grant the JPA exclusive operating area rights for 911 emergency transports and for inter-facility transports that originate and terminate in El Dorado County. He also reported that the JPA can now regulate the requirements for any agency wishing to provide inter-facility transports that either originate or terminate out of El Dorado County; these requirements would include ALS, equipment, protocol standards, and communications equipment so they can communicate with our Dispatch Center. The JPA feels that these requirements will be a difficult hurdle for most and therefore, there will be no issue. Director Hartley stated that the JPA is also projecting a \$600,000 shortfall in funding; however, the good news is that they anticipate a \$400,000 rollover from last year's unspent revenue. The JPA Board approved their Final Budget.

Chief O'Camb reviewed a list of equipment that has outlived its service life and asked for the Board's approval to classify the equipment as surplus so that the equipment can be offered for sale or scrapped as appropriate.

Director Hidahl moved to put the listed equipment into surplus status so that it can be sold or scrapped as recommended by Staff. The motion was seconded by Director Hartley and unanimously passed.

President Durante requested that a report be brought back to the Board on the sale of any of the equipment.

Chief O’Camb gave an update on the construction of the Training Center Sewer Line Extension stating that the plans were approved, three bids were received, and the cost of the project is higher than originally anticipated due to the depth and complexity of the work. He recommended that the Board authorize Mr. Porter to proceed with the work at a cost of \$37,616.00. Concern was raised that it could exceed this amount significantly if unforeseen rock needs to be removed. A discussion was held and it was decided to assign the Fire Committee, Directors Durante and Winn, to monitor the progress of the construction and be able to make recommendations to the Board should there be unforeseen circumstances that would significantly increase costs such as the need to remove rock.

Director Barber made a motion to authorize Mr. Porter to proceed with the construction of the Training Center Sewer Line Extension at a cost of \$37,616.00 with the special conditions provision limited to no more than a ten percent increase on the contract and also to assign the Fire Committee, Director Durante and Winn, as a point of contact for Counsel Cook and Chief O’Camb to work with and make recommendations to the Board if necessary. The motion was seconded by Director Winn and unanimously passed.

Chief O’Camb reviewed the remodeling needs for Station 84 as determined by the Department’s Construction Committee to bring it up to minimally acceptable standards which includes such items as roof repair, remodeling of the kitchen and dorm, adding a station alert

system, relocation or replacement of the existing diesel generator, replacing troublesome HVAC unit over dayroom area, concreting the south driveway access, etc.

Director Hidahl made a motion to assign the Admin Committee to review the Station 84 remodeling needs and make a recommendation to the Board. The motion was seconded by Director Hidahl and unanimously carried.

CFO Bair stated that per the recent adoption of the MOU and the Summary of Wages and Benefits, the Board would amend the agency's contract to provide Section 20516, a 3% Employees Cost Sharing of Additional Benefits, applicable to local safety members and local miscellaneous members. The purpose of this amendment is to reduce costs to the District by having the employees of the District pay three percent of their wages to CalPERS which will result in a \$200,000 reduction to the PERS annual expense. She also stated that a secret ballot election by the employees affected will need to be held as required by CalPERS and asked for a motion to adopt a Resolution of Intention to approve an amendment to the CalPERS contract.

Director Hidahl made a motion to adopt a Resolution of Intention 2011-11 per Staff recommendation to approve an amendment to the CalPERS Contract for employee cost sharing. The motion was seconded by Director Hartley and unanimously carried. (Roll Call: Ayes: All; Noes: None.)

The meeting adjourned to closed session at 7:45 p.m. to discuss Item V-A, Conference with Legal Counsel, Pending Litigation (One Matter) Merino et. al. v. El Dorado Hills County Water District, pursuant to Government Code Section 54956.9; Item VI-A.2, Conference with Legal Counsel, regarding Grand Jury Report Response Preparation, pursuant to Government Code Section 54956.9; and Item VI-C.1, Conference with Chief Transition

Committee to develop terms and conditions of employment contract for the new Fire Chief, pursuant to Government Code Section 54957 and 54957.6

The meeting reconvened to open session at 8:40 p.m.

President Durante reported that during closed session, Attorney Item V-A was reviewed and no action was taken. Regarding Items VI-A.2 and VI-C.1, direction by the Board was given to the Committees for further follow up.

The Board directed staff to schedule an Admin Committee meeting to continue working on the Grand Jury Report to be noticed for August 22 at 6:00 p.m. The Board also requested a Special Board Meeting to be noticed for August 25 at 6:00 p.m. with an open and closed session to review and discuss the Grand Jury Report.

It was also requested to add a discussion about the Station 84 remodel project to both agendas in the essence of time.

An email was received by Chief Ballenger from Susan Johnson who represented the Community Garden. She stated that she would not be pursuing the Community Garden at Station 86 and thanked Directors Barber and Winn and Chief Ballenger for their time and consideration.

Chief Roberts updated the Board regarding the City of Folsom's annexation of their sphere as it relates to the Sacramento County property that is in the El Dorado Hills Fire District. Counsel Cook and Chief Roberts will continue to meet with the City of Folsom to make sure that the District maintains its ERAF exemption. They will have a report at the next regular Board meeting.

Chief Roberts reported that over the summer, the overtime has been down from last year and the Development Fees are up over last year.



President Durante stated that he will not be available for the September Board meeting, will try and call in to the October Board meeting and will be unavailable for the November Board meeting. He requested that the Board members check their calendars and bring back any conflicts to the next meeting.

Director Winn made a motion to adjourn the meeting. The motion was seconded by Director Hartley and unanimously carried.

The meeting adjourned at 8:53 p.m.

Approved:

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Greg Durante, President

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Connie Bair, Board Secretary