



December 14, 2009

The Advisory Fire Commission met at a regular meeting on Monday, December 14, 2009, at 7:00 p.m. Vice Chairman Egan called the meeting to order and led the salute to the flag.

ROLL CALL:

Present: Commissioners: Mike Egan – At Large #1
Bill Granados – At Large #2
Ed Haynes – District 3
Melvin Chappel (Alternate – District 5)
John Kelly (Alternate – District 3)
Dylan Reinhold (Alternate – District 4)
Interim Fire Chief: John Ross
Acting Assistant Chief: Henry Warren

Absent: Barry Cunningham – District 4
Don Delcollo – District 1
Walter Fields – District 5

Vacancy: District 2 Seat

SERVICE AWARDS: No one was present to receive a service award.

PUBLIC HEARING:

Vice Chairman Egan opened the public hearing. Hearing no objections or protests to the 2009 Abatement Report, dated December 7, 2009, the hearing was closed. He then asked for a motion to adopt the "Resolution of Confirmation" confirming the 2009 Abatement Report in the amount of \$37,528.81. Commissioner Haynes moved that the Commission adopt the Resolution of Confirmation confirming the Abatement Report, seconded by Commissioner Chappel. All in favor, motion carried.

Commissioner Haynes made an additional motion to order the District staff to adjust or modify any charges found to be incorrect because the charge was entered:

- a) more than once,
- b) through clerical error,
- c) through the error or mistake of a material fact, or
- d) illegally

Motion seconded by Commissioner Chappel. All in favor, motion carried.

PUBLIC COMMENTS:

Appealing Exterior Hazard Control Division Charges

APN: 425-061-013-8 – El Sobrante

Listed Property Owners: Mohammad Al Khudari and Firas Jandali

Contact Info. for Mr. Firas Jandali:

Work Address for Mr. Jandali: 930 Dwight Way, Suite 10, Berkeley 94710

Phone: (510) 649-0241

Email: firas@jedco-inc.com

Mr. Jandali was present at this meeting to pursue a complaint against charges on above parcel. His wife was present at the October Commission meeting to lodge initial complaint. See below for excerpt from October 19th meeting minutes:

Mrs. Ameena Jandali was present to protest the weed abatement charges on APN #425-061-013-8 in El Sobrante for work performed by the District's contractor in the amount of \$4,252.00. It was determined that this charge was for work done in August of 2008. The listed property owners are Mohammad Al Khudari and Faris Jandali. (Note: The actual weed abatement charges are \$3,634.34, with the total tax bill being in the amount of \$4,252.00.) It is Mrs. Jandali's contention that: 1) abatement on this parcel was done by a contractor hired by her and 2) if the abatement was not done to meet District standards, she does not understand how the charge could be this large for a half acre of open field. Commissioner Granados asked if there was a lot of rubbish on the property. Mrs. Jandali's response was that according to her contractor it was all taken away. Commissioner Granados noted that there would be photographs of the condition of the parcel on record with the Exterior Hazard Control Division. Commissioner Cunningham then explained that the normal process is for the Fire Marshal to conduct an investigation into these charges with the staff of the Exterior Hazard Control Division. Mrs. Jandali was advised by Vice Chairman Egan to contact staff to begin the investigation process. She was advised that she could appear before the Commission at the December meeting if she needs to pursue this matter further.

Mr. Jandali distributed a copy of a cancelled check paid to his contractor in the amount of \$488.00 for weed cutting on this parcel. He also had "before and after" photos of work done on the property on 09-08-08 by the District's contractor. Basically, he feels that his contractor cut the grass on the property (some time before August 4) and he doesn't believe that there would have been much grass to be cut by the District's contractor. A breakdown of charges shows 45 hours for removal of debris/rubbish off of the parcel by the District's contractor. There was also a dump fee charge of \$147.64, which he stated he is willing to pay. Mr. Jandali made a statement "I think this is a case of mistaken identity". Mr. Jandali seemed to be concerned mainly with the weeds requiring cutting on the parcel. He did mention something about "grass bags" left by the

contractor. He also stated that "some times neighbors do these things to us", at which time Vice Chairman Egan noted that property owners need to keep an eye on their property.

Vice Chairman Egan informed Mr. Jandali that this issue would be taken up with Fire Marshal Carpenter and staff of the Exterior Hazard Control Division. He was advised that he would be notified by staff of their decision on this appeal. Mr. Jandali then noted that he thinks that they should be refunded the charges already paid on his tax bill.

APN #376-160-014-1 – Brookside Drive, Martinez

Listed Owners: Shady Glen Development
c/o Cheri Brenner
4891 Kendall Ct., Martinez 94553
(925) 313-9110

Mrs. Brenner initially presented her complaint believing that the amount on her tax bill (\$4,207.68) was for weed abatement work done in 2009. It was brought to her attention that this amount would have been for work done on the property in 2008. She also presented a photocopy of a check made out to her contractor, Mr. Elias Escobedo, dated September 20, 2009, which would indicate that she was paying for work done in 2009 as she said she had paid him on site. Mrs. Brenner was directed by Vice Chairman Egan to again contact the staff of the Exterior Hazard Control Division to research the work done on her parcel in 2008 to see if proper notification procedures had been followed. She indicated that she would do so.

CONSENT ITEMS:

OCTOBER 19, 2009 MEETING MINUTES:

Commissioner Haynes made a motion to approve the October 19, 2009 meeting minutes as written. Motion was seconded by Commissioner Reinhold. All in favor, motion carried.

ACCEPT AND FILE REPORTS:

After review, the reports listed below were accepted and filed.

Personnel Report – Reviewed/discussed report of December 8, 2009.

Operating Budget – Reviewed/discussed report of November 12, 2009.

Fire Prevention Report – Reviewed/discussed October/November 2009 report.

Incident Summary Reports – Reviewed/discussed October/November 2009 reports.

Additional comments:

- October - Commissioner Cunningham, as conveyed by Commissioner Reinhold, gave special mention to Stations 1, 2, 4, 6, 9, 11, 81, 82, 83 and 86 for meeting or exceeding their turn-out time goal for the month.
- November - Commissioner Cunningham, as conveyed by Commissioner Reinhold, gave special mention to Stations 1, 2, 5, 6, 7, 8, 9, 13, 81, 83 and 86 for meeting or exceeding their turn-out time goal for the month.

Suppression Leave Summary - Reviewed/discussed September/October 2009 reports.

Additional comments:

- Chief Ross noted that we are moving forward with development of next Recruit Firefighter exam. Do not anticipate, however, having another firefighter academy until possibly next fiscal year.
- Chief Ross reported that Local 1230 membership recently voted to continue the 48/96 work schedule. The District is compiling a report evaluating the many different aspects of this schedule encountered during the six-month trial period. Local 1230 is doing the same. Also discussed was the potential fatigue issue relevant to this schedule. Acting Assistant Chief Warren noted that this is being studied by the District's Safety Chief and County Risk Management.

Community & Media Relations – Reviewed/discussed October/November 2009 report.

Additional comments:

- Commissioners asked to be notified of any pending Fire District Service Update presentations to City Councils and also what content is included in the presentation.

Correspondence – None

Commissioner Granados made a motion to accept the file reports as written, seconded by Commissioner Haynes. All in favor, motion carried.

FIRE CHIEF'S REPORT – Reviewed/discussed report of December 8, 2009.

Additional comment:

- Fire Chief Vacancy –Chief Ross noted that there may be preliminary interviews held by Alliance Resource Consulting before the end of the year. He will be meeting with the County Human Resources Director this week and will make him aware of the Commissioners involvement in the process. Commission members will be able to interview applicants when candidates have been winnowed down to a smaller number and then be able to advise the Board of Supervisors of their selection recommendation.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- Formation of Bylaws Committee – Commissioner Granados made a motion to establish a Bylaws Committee as per the recommendation of the County Internal

Operations Committee "Review of County Advisory Bodies", motion was seconded by Commissioner Reinhold. All in favor, motion carried. Vice Chairman Egan will work with staff person to solicit interest of the Commissioners for appointment to this three-member committee. Commissioner Haynes remarked that he was aware that Commissioner Cunningham had expressed some interest in serving on this committee.

- Discussion Item: Appointment of Liaison to Board of Supervisors - Chairman Granados expressed his concern that a greater public presence is needed by the Advisory Commission at Board of Supervisors meetings to create a greater awareness of the Commission's members and their role. He suggested that this could be assigned to the current Chair or Vice Chair of the Commission. Vice Chairman Egan, the acting Chairman, agreed with Commissioner Granados' thoughts but due to work constraints he would not have the time to act as liaison. Commissioner Granados volunteered to serve as liaison until the appointment of new officers in July 2010. Commissioner Haynes expressed his support of the appointment of a liaison to the Board. Due to the absence of Commissioners Cunningham, Delcollo and Fields, it was decided to table this topic to the next meeting for further discussion.

Commissioner Chappel expressed his concern that as an Alternate to the Commission without voting privileges that the input of Alternates was not of value. Vice Chairman Egan emphasized that the input from Alternates, although not voting members of the Commission, has been and is asked for and considered on matters of the Commission. Commissioner Chappel also commented that the Commission should seek an audience with the Board/Internal Operations Committee for clarification of the matrix of responsibilities/role of the Commission.

COMMISSIONER COMMENTS:

Commissioner Reinhold (Alternate):

- Expressed his thanks to Commissioners Granados, Haynes and Cunningham for representing the Commission at the recent Board of Supervisors meeting. He agrees with the concept of having a liaison to the Board.

Commissioner Granados:

- Recently attended a debate of Sheriff candidates and while there one of the deputies made a point of telling him that Con Fire was the best department he has worked with and commended our personnel for the fine job that they do.

Commissioner Chappel (Alternate):

- Michele Drive Investigation Report - Referenced his previous request at the October meeting for clarification of some questions he had relative to the report recommendations. He has not yet received answers to these questions and asked if Chief Ross could assist in this regard. He referenced his email of October 27, 2009 sent to staff person Vicki Wisher and copied to all of the Commissioners. He did

reference a reply he had received from the Chief in charge of the Investigation Team which he felt was unprofessional. Chief Ross commented that he did not feel that the Chief had meant to offend Commissioner Chappel.

Commissioner Egan - None

Commissioner Haynes: None

Commissioner Kelly (Alternate): None

NEXT MEETING DATE AND TIME: Commissioner Granados made a motion to adjourn the meeting, seconded by Commissioner Reinhold, to:

Next Regular Meeting (Date Change): Thursday, February 18, 2010, 7:00 p.m.

All in favor, motion passed. Meeting adjourned at 9:30 p.m.



Vicki Wisner, Recording Secretary