

CENTRAL MARIN FIRE COUNCIL

APPROVED SPECIAL MEETING MINUTES

HELD AT
THE CORTE MADERA TOWN HALL COUNCIL CHAMBERS
300 TAMALPAIS DRIVE
CORTE MADERA, CA 94925
ON
FRIDAY, MARCH 22, 2019
AT 9:30 A.M.

ROLL CALL

The Special Meeting of the Fire Council of the Central Marin Fire Authority was called to order at 9:03 a.m.

COUNCIL MEMBERS PRESENT:

Catherine Way, Chair, City of Larkspur
Bob Ravasio, Vice Chair, Town of Corte Madera
Sloan Bailey, Council Member, Town of Corte Madera
Larry Chu, Council Member, City of Larkspur

COUNCIL MEMBERS ABSENT:

None

STAFF PRESENT:

Todd Cusimano, Corte Madera Town Manager
Dan Schwarz, Larkspur City Manager
Scott Shurtz, Fire Chief
Nick Gabbard, Larkspur Fire Representative
Tom Timmer, Corte Madera Fire Representative
Tom Bertrand, Authority Counsel
Bob Briare, Local 1775
John Grey, Local 1775
Rebecca Vaughn, Authority Clerk

STAFF ABSENT:

None

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

OPEN TIME FOR PUBLIC EXPRESSION

Chair Way asked if any members of the public would like to address the Council, and there were no speakers.

PRESENTATIONS: None

REPORTS AND COMMENTS

A. COUNCIL MEMBERS:

No reports

B. MANAGEMENT COMMITTEE

No reports

C. CHIEF'S COMMENTS

No reports

CONSENT CALENDAR

Chair Way called for requests for any items to be removed from the Consent Calendar for discussion. Seeing none, she called for a motion.

- A. Approve Minutes of February 28, 2019 Special Fire Council Meeting

There was a motion and a second (Bailey/Ravasio) to approve the item on the Consent Calendar. The motion was approved unanimously.

BUSINESS ITEMS

- A. Consideration and Possible Action to (1) Receive Results of Employee Balloting Approving Participation in California Public Employee Retirement System (CalPERS) retirement contract with Central Marin Fire Authority; (2) Adopt Resolution No. 2019/10, Approving a Contract Between the Board of Administration of CalPERS and the Central Marin Fire Authority and Direct the Chair of the Board to Execute the Contract; (3) Approve the Certification of Final Action of Governing Board; and (4) Direct Staff to Complete and Submit Additional Documentation to CalPERS As Required**

Recommendation: that Council discuss and adopt the Resolution as presented and take all other actions as requested

Manager Cusimano reported that this has been a seven year process. The Council, the Management Committee, the labor group, our Fire Administration team, our negotiators, our Authority Attorney, the team, everybody in this room. He stated that this process has been difficult, from CalPERS to LAFCO to all the roadblocks that were presented, many jurisdictions would have given up. It brings him great pride in the legacy that this group has set for future generations. Our fire department is better for it, and our community is safer for it. To explain why it is so important to have the partnership between Corte Madera and Larkspur and the public safety labor groups, it is because when we get in the room to problem solve something, there is really nothing this group cannot accomplish. It is an incredible team, and he wanted to publicly say that he takes great pride in being part of this team and part of this accomplishment. He reiterated that the action item before the Council is to approve the resolution and enter into this contract with CalPERS. He then asked

Chief Shurtz and Authority Attorney Tom Bertrand, for any additional comments.

Tom Bertrand stated that, from a legal standpoint, he requested that the Council recognize and commend John Grey, the attorney for Local 1775, and Bob Briare, the union President, for their work in going through this process.

John Grey added to Mr. Bertrand's statement, stating that this was a team effort and specifically all the members of the department sitting in this room at a table with 12 to 14 people and working through process and getting things done. And then they went to Sacramento as a unified group, and had they not done that, we wouldn't be here today. It was everyone working together, the unanimity and the fact that this group was well prepared at all levels. This was a tough one and he is thrilled with this outcome.

Chair Way thanked Manager Cusimano for his comments and added that falls true with the electeds because a lot of this stemmed from the councils deciding this was an important thing for us to examine, and to get together and to be cohesive that way. A lesson learned, for many of us, when we pass this on to other cities is it takes cooperation of the electeds too.

Bob Briare added that with successful consolidations or contracts there are always three parts to it: Our citizens are number one, then the labor force (and all the way through battalion chiefs, the management chiefs), and the elected officials. Without all of those parties on either side, you're not going to have the success. He commended the group, and the many conversations he has had with various individuals and appreciated the group remembering Fire Opps.

Chief Shurtz stated he agreed with the previous statements. There is a million ways for a process like this to fail and getting through it is impressive and very gratifying.

Chair Way called for any questions from Council for staff, and then any questions from the public.

Council Member Chu stated that, if other jurisdictions and agencies are looking to consider something similar, the obvious thing, financially, is that you get greater economies of scale and hopefully realize increased service levels at the same time. We have seen that proven with Central Marin Police Authority. But one of the greatest fears when people go through this discussion is the element of fiduciary oversight and control and the model that we've chosen is to have it as a joint powers authority which retains that. And we have also split it so that both partners have an equal say in the matter. He further stated that governance is probably the single biggest impediment and that is one of the ways to remove it.

For the first part of this item, there was a motion and a second (Bailey/Ravasio) to adopt Resolution No. 2019/10 to approve a contract between the board and administration of the CalPERS and the Central Marin Fire Authority, direct the chair of the board to execute the contract, and also to approve the certification of final action of the Governing Board. The motion was approved unanimously.

Councilmember Bailey further added that staff has been directed to complete and submit to CalPERS the necessary documentation.

B. Consideration and Possible Action to Adopt Resolution No. 2019/11 Electing To Be Subject To The Public Employees' Medical And Hospital Care Act At An Equal

Amount For Employees and Annuitants (Retirees) and Authorizing the Executive Manager to Execute the Agreement

Recommendation: that Council discuss and adopt the Resolution as presented, approving the agreement, and authorizing Executive Manager to execute agreement

Manager Cusimano stated that this is one of the house cleaning items to form the new authority for the benefits plan. Corte Madera and Larkspur currently enroll the firefighters within the CalPERS healthcare plan. This is basically stopping that and carrying that over into the Central Marin Fire Authority.

Chair Way called for any questions from Council for staff, and then any questions from the public. Seeing none, she called for a motion.

There was a motion and a second (Ravasio/Bailey) to adopt Resolution No. 2019/11 electing to be subject to the Public Employees' Medical and Hospital Care Act at an equal amount for employees and annuitants and authorizing the Executive Manager to execute the agreement.

C. Consideration and Possible Action to Adopt Resolution No. 2019/12 Approving Adoption of the CalPERS Supplemental Income 457 Plan and Authorizing the Chair and the Executive Manager to Execute the Agreement

Recommendation: that Council discuss and adopt the Resolution as presented, adopting the Plan, and authorizing the Chair and Executive Manager to execute as required.

Manager Cusimano stated that the City of Larkspur and the Town of Corte Madera currently participate in the CalPERS Supplemental Income 457 Plan. Employee participation is voluntary, there are no employer contributions on behalf of the employees. But, in order to continue this plan, a Resolution needs to be approved in order to move it into the Central Marin Fire Authority. Chair Way called for any questions from Council for staff, and then any questions from the public. Seeing none, she called for a motion.

There was a motion and a second (Bailey/Ravasio) to adopt Resolution No. 2019/12 approving the adoption of the CalPERS Supplemental 457 Plan and authorizing the Chair and Executive Manager to execute the agreement.

D. Consideration and Possible Action to Authorize The Management Committee To Enter An Agreement With Laurie Rice For Neighborhood Response Group Coordinator Services

Recommendation: that Council discuss and provide authorization by motion as requested

Manager Cusimano stated that the Town of Corte Madera is in contract with Laurie Rice to provide the Neighborhood Response Group Coordinator support, but by practice, Corte Madera and Larkspur actually share her cost fifty-fifty. With the consolidation of the Fire Authority, both managers felt it was appropriate to consider parking her with the Central Marin Fire Authority. He pointed to page one of the attached staff report, where Ms. Rice's duties and responsibilities are summarized, and stated that an annual report will be completed in the coming months. She has

really taken the NRG program to the next level, and has been extremely successful. So much so, that our Fire Chief and the Kentfield Fire Chief have recently met and would like to expand the contract to cover parts of Kentfield. And so, with that, this contract would be up to \$65,000, and the intent is to split it three ways between the three jurisdictions. Her hourly rate is \$50 an hour, and then we would monitor on a monthly basis to make sure we are being consistent three ways and that we charge the individual entities appropriately.

Chair Way called for any questions from Council for staff, and then any questions from the public.

Chair Way asked if it was best to have her name in the agreement or should it just state "coordinator position" in case she is no longer her, since it is really the position that we're rolling into authority.

Tom Bertrand added that there is currently no dispute resolution clause in the agreement, which is mandatory mediation and binding arbitration. If the Council approves the agreement, he would request that it would be approved with that contemplated amendment.

Manager Schwarz clarified that the contract is specifically with Ms. Rice, so it needs to list that this is a contract with her, because she is not an employee of the authority, she is an independent contractor.

Seeing no further questions, Chair Way called for a motion.

There was a motion and a second (Chu/Bailey) to approve an agreement for the coordinator services for the neighborhood response groups for Laurie Rice and then to amend the current agreement to include a clause for dispute resolution. The motion was approved unanimously.

Chair Way stated that, prior to entertaining adjournment, she would like to echo the response that was said earlier about how great this has been to all work together on this, and hopes that there will be other opportunities to work together between our two towns, and she thought any of these four members would be happy to work with the union about reaching out to other communities who might want some interest in this, and some help in figuring out how to do it, too. She then asked for any other comments.

Councilmember Bailey stated that, regarding the Neighborhood Response Groups, in the last ten years or so while observing how our local municipalities have run, this has become a change in our community, to protect ourselves in a way that she has never seen anything like it. He feels that, in an event of a true catastrophe, these Neighborhood Response Groups could be the difference in many ways because there are only so many first responders out there. He appreciated anything staff can do to continue to support and encourage and maintain these groups.

ADJOURNMENT

There was a motion and a second (Bailey/Ravasio) to adjourn the meeting.

The Council adjourned the meeting at 9:22 a.m. to the next regular meeting scheduled for May 9, 2019.



Rebecca Vaughn, Authority Clerk
Central Marin Fire Council