



Staff Report

MONTHLY UPDATE AND CONSIDERATION OF A RESOLUTION AUTHORIZING THE INTERIM DISTRICT MANAGER TO NEGOTIATE A CONTRACT FOR FIRE SERVICES

Honorable President and Board Members:

Summary

This is the first of monthly updates related to fire services so that staff and the Fire Services Subcommittee can keep the entire Board informed on issues. Staff recommends the Board adopt the attached resolution authorizing the Interim District Manager to negotiate on behalf of the Board for a fire services contract. It is also recommended the subcommittee bring up any other issues that might be of interest to the Board.

Background

Last fall, the Belmont Fire Protection District provided direction to retain a financial consultant to prepare an assessment for spring 2005. On December 14, 2004, the Fire Protection District voted to send a letter of termination for the South County Fire Authority and to explore alternative service delivery methods. The following week, San Carlos took a similar action. Since that time, staff has sent a letter to San Mateo inquiring about their interest in providing fire services to Belmont.

On January 11, the Belmont Fire Protection District directed staff to begin monthly updates to the District on fire services issues and also appointed Mayor Warden and Council Member Feierbach to serve on as a subcommittee on fire services. On January 12, Chief Lowden presented a report to the South County commissioners regarding options for South County and was directed to work on behalf of both member agencies to develop contracts for fire services.

Discussion

In the next year, there will clearly be a significant focus on fire services. As noted last month, the city manager will take the lead role in discussions with other organizations regarding partnering, consolidating, contracting, etc. for fire services. The Fire Chief and Finance Director will be integral to the discussions and the Human Resources Director and our consulting labor relations firm will also be involved as appropriate as personnel matters will be an important part of the discussions. It would be staff's desire to work collaboratively with the labor groups to the extent possible. Staff will also work closely with the Council subcommittee to get input for fire negotiations and will update the full District Board monthly. Some elements

of the negotiations will obviously be confidential and cannot be revealed in open session. It is important, therefore, that the city manager have the authority of the Board to negotiate fully. This would be similar to what is commonly done for labor negotiations. Final and formal actions would still be the responsibility of the full Fire Protection District Board. The attached resolution formalizes the authority of the district manager to negotiate on behalf of the Fire Protection District.

Recent Activity

Subsequent to the January South County Fire Protection District meeting, the Management Committee directed the Fire Chief to prepare a matrix with general information and rough budgetary figures for potential partners. That work is underway. In addition, joint meetings of Belmont and San Carlos have been held with the city managers and fire chiefs of both San Mateo and Redwood City. These meetings focused on very high-level issues of whether the participants were interested in partnering and a broad discussion of priorities for the agencies. As a result of those meetings, the South County fire chief will meet separately with the fire chiefs of San Mateo and Redwood City to discuss cost factors. Each potential partner is expected to develop a general outline of what a partnership might look like and rough estimate of cost in three different scenarios: that city and Belmont, that city and San Carlos, and that city and both Belmont and San Carlos. This work is expected to take about a month. Subsequent to that, staff expects discussions to be “bilateral” – between the potential partners individually (not Belmont and San Carlos negotiating/discussing together).

Staff has solicited proposals from three law firms to represent the Fire Protection District on the breakup of the South County JPA as the City Attorney’s firm has recused itself for both member cities. All firms that submitted proposals have experience working with JPA’s including public safety JPAs. The hourly rates of the firms are similar. One firm has direct experience in terminating a fire JPA and one firm has experience in the breakup of a police and a paramedic JPA. This last firm is Colantuono and Levin. Given the City’s past positive experience with Mr. Colantuono, and his relevant experience, staff has retained his services for this project.

The attorney for South County Fire has drafted a memo for both member cities on what she sees as the provisions related to the termination of the JPA. The memo has been shared with the Fire Subcommittee and will also be shared with the outside counsel.

Next Steps

In the coming month, we will work with the special counsel to get his assessment of issues related to the termination of South County Fire. In addition, staff will work with the Fire Chief and the cities of San Mateo and Redwood City to develop the broad outlines of a potential partnership and then initiate bilateral discussions. Later this spring, the Fire Protection District will have to decide whether or not it is moving forward on an assessment. Finally, staff will continue to update the subcommittee and the Board on a regular basis.

Fiscal Impact

There is no direct fiscal impact to this report. Funds necessary for legal counsel and other expenses related to terminating the JPA are being covered in the Mid Year Budget Review item on this agenda.

Public Contact

A copy of this report was sent to the Fire Chief and the item was posted on the agenda as required by law.

Recommendation

Staff recommends the Fire Protection District approve the attached resolution and discuss any other fire related issues.

Alternatives

1. Provide alternative direction
2. Take no action at this time.

Attachments

- A. Resolution

Respectfully submitted,

Daniel Rich
Interim District Manager

RESOLUTION NO.

**RESOLUTION OF THE BELMONT FIRE PROTECTION DISTRICT
AUTHORIZING THE DISTRICT MANAGER TO NEGOTIATE A CONTRACT FOR FIRE
SERVICES**

WHEREAS, on December 14, 2004, the Belmont Fire Protection District directed the Interim District Manager to send a letter of termination to the South County Fire Authority; and,

WHEREAS, the Belmont Fire Protection District directed the Interim District Manager to begin discussions with potential providers of fire services; and,

WHEREAS, the Interim District Manager has begun such discussions; and,

WHEREAS, the subject of such discussions will include confidential information and sensitive negotiations; and,

WHEREAS, these discussions will necessitate the District Manager or Interim District Manager have broad authority and latitude; and,

WHEREAS, no final action or commitment will be made without the approval of the Belmont Fire Protection District Board;

NOW, THEREFORE, BE IT RESOLVED that the Belmont Fire Protection District Board authorizes the District Manager or Interim District Manager to negotiate all terms and conditions of a contract or other means to address the future provision for fire services on its behalf.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Belmont Fire Protection District at a special meeting thereof held on February 22, 2005 by the following vote:

AYES, DIRECTORS: _____

NOES, DIRECTORS: _____

ABSTAIN, DIRECTORS: _____

ABSENT, DIRECTORS: _____

Secretary, Belmont Fire Protection District

APPROVED:

President, Belmont Fire Protection District