

**REGULAR MEETING OF
DIRECTORS OF BELMONT FIRE PROTECTION DISTRICT
Tuesday, April 12, 2011
CITY COUNCIL CHAMBERS, ONE TWIN PINES LANE**

CALL TO ORDER 10:30 P.M. (Note: Council Meeting held prior)

ROLL CALL

Directors Present: Warden, Lieberman, Wozniak, Feierbach, Braunstein

Directors Absent: None

Staff Present: District Manager Scoles, Fire Chief Fry, Interim City Attorney Kane, Community Development de Melo, Police Chief Mattei, Human Resources Director Dino, Finance Director Fil, City Treasurer Violet, District Secretary Cook

ADDITIONAL BUSINESS

Update Regarding Provision for Future Fire Services for the Belmont Fire Protection District Stand-Alone Fire Department, and Further Consideration of the Mediation Process with the City of San Carlos

District Manager Scoles stated that members of each city have been selected to participate in the mediation process. He outlined the options on how mediation could be handled. He noted that since the majority of the members of the mediation team are also members of the Belmont-San Carlos Fire Commission, it could have the appearance of a fire board meeting, which has Brown Act implications. He explained that if there is a desire for only one member from each city, San Carlos has selected its Mayor. If there are to be two from each agency, San Carlos selected its Mayor and Councilmember Royce. He noted that the City of San Carlos has opined that mediation is not subject to the Brown Act. He also noted that concurrently the City of San Carlos is exploring proposals for fire services.

President Feierbach expressed concerns with going into mediation with a city that is under investigation by the District Attorney's office.

Directors Braunstein, Lieberman and Wozniak concurred to move forward with mediation.

Discussion ensued regarding whether the mediation would be a public meeting or closed to the public.

Director Lieberman suggested an initial meeting with the mediator and one member from each city in a private session. The discussion could focus on whether or not to pursue mediation. If so, the mediation could be held in an open session.

Director Braunstein expressed support for this proposal.

District Manager Scoles suggested that the process not be prescribed. He noted that the opinion of the City of San Carlos differs regarding whether or not mediation is to be held in open session. He stated that if there are four elected officials as part of the mediation, it is a publicly-noticed meeting.

Director Warden stated that all of the 2005 dissolution meetings were held in public, and that there is no need to meet in private.

Director Wozniak expressed support for a public process. She commented that it is likely that the San Carlos officials do not want to hold these discussions in public. She expressed support for Director Lieberman's suggestion of a preliminary meeting to determine the feasibility of mediation.

Directors Wozniak, Braunstein and Lieberman concurred to hold a preliminary meeting to determine the feasibility of ongoing mediation.

ACTION: Director Lieberman nominated Director Wozniak to serve as the Belmont representative to the preliminary meeting, approved by a show of hands (4-1, Feierbach no).

Discussion ensued regarding the status of the San Carlos proposals for fire services.

Director Warden recommended contacting the firm of Wackenhut to solicit proposals for fire services for Belmont.

Director Wozniak stated that the existing fire department's staff and management are excellent. She noted that Wackenhut is low-balling its labor proposal. She stated that this company and its employees have no connection to the community.

Director Lieberman stated that he has no interest in privatizing public safety. He noted this has the risk of poisoning the relationship with the existing firefighters.

Director Braunstein expressed concern that this discussion is beyond the scope of the agenda item.

ADJOURNMENT at this time, being 10:55 P.M.

**Terri Cook
District Secretary**

Meeting audio-recorded and videotaped
Audio Recording 787