



## RANCHO SANTA FE FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MEETING AGENDA

Rancho Santa Fe FPD  
Board Room – 18027 Calle Ambiente  
Rancho Santa Fe, California 92067

October 12, 2011  
Regular Meeting

### RULES FOR ADDRESSING BOARD OF DIRECTORS

Members of the audience who wish to address the Board of Directors are requested to complete a form near the entrance of the meeting room and submit it to the Board Clerk.

Any person may address the Board on any item of Board business or Board concern. The Board cannot take action on any matter presented during Public Comment, but can refer it to the Administrative Officer for review and possible discussion at a future meeting. As permitted by State Law, the Board may take action on matters of an urgent nature or which require immediate attention. The maximum time allotted for each presentation is FIVE (5) MINUTES.

### Pledge of Allegiance

#### 1. Roll Call

#### 2. Public Comment

All items listed on the Consent Calendar are considered routine and will be enacted by one motion without discussion unless Board Members, Staff or the public requests removal of an item for separate discussion and action. The Board of Directors has the option of considering items removed from the Consent Calendar immediately or under Unfinished Business.

#### 3. Consent Calendar

##### a. Board of Directors Minutes

- i) Board of Directors minutes of September 21, 2011

ACTION REQUESTED: **Approve**

##### b. Receive and File

- i) Monthly/Quarterly Reports – ACTION REQUESTED: **Information**

(1) List of Demands

Check 21656 thru 22249 for the period September 1 – 30, 2011 totaling: \$ 299,269.57

Payroll for the period September 1 – 30, 2011 \$ 481,146.49

TOTAL DISTRIBUTION \$ 780,416.06

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, please contact the Secretary at 858-756-5971. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to assure accessibility to the meeting.*

- (2) Activity Reports – September 2011
    - Fire Prevention
    - Operations
    - Training
    - Fairbanks Ranch Station Replacement
      - Construction Change Orders
      - Subcontractor Substitution Request – [Staff Report 11-20](#)
  - (3) District Articles
  - (4) Correspondence - letters/cards were received from the following members of the public:
    - Thurman
- c. Sale of Surplus Equipment – [Staff Report 11-21](#)  
ACTION REQUESTED: **Approve**

#### 4. Oral Report

- a. Fire Chief – Michel
  - i) Fairbanks Ranch Replacement Fire Station – Update
  - ii) Cooperative Efforts – Update
  - iii) ISO Rating – Follow-up
  - iv) GIS Response Criteria
  - v) District Activities
    - (1) Fireman’s Fund/G.S. Levine Insurance Ice Cream Social – October 13, 2011
    - (2) Pancake Breakfast – October 16, 2011
- b. Operations – Deputy Chief Ward
- c. Training – Battalion Chief Davidson
- d. Fire Prevention - Fire Marshal
- e. Administrative Manager – Rannals
- f. Board of Directors
  - i) North County Dispatch JPA – Update
  - ii) County Service Area – 17 – Update
  - iii) Comments

#### 5. Old Business

- a. None

#### 6. New Business

- a. Special Meeting  
To discuss and select a date to hold a special meeting  
ACTION REQUESTED: **Approve date**
- b. Demonstration of Breathing Apparatus  
To view a demonstration of breathing apparatus purchased from federal grant in FY11  
ACTION REQUESTED: **Information**

#### 2. Closed Session

- a. With respect to every item of business to be discussed in closed session pursuant to Section 54957.6  
CONFERENCE WITH LABOR NEGOTIATORS  
Agency Negotiators: Jim Ashcraft, Randy Malin, and assigned Staff  
Represented Employees: Rancho Santa Fe Professional Firefighters Association – Local 4349  
Represented Employees: Rancho Santa Fe Miscellaneous Employees  
Unrepresented Employees: Fire Chief; Fire Marshal; Battalion Chief (3); Administrative Manager  
Under Negotiation: A successor Memorandum of Understanding/Compensation Resolution

### **3. Adjournment**



**RANCHO SANTA FE FIRE PROTECTION DISTRICT**  
**Board of Directors Regular Meeting – Agenda**  
**Wednesday, October 12, 2011 1:00 pm PST**

**CERTIFICATION OF POSTING**

I certify that on October 7, 2011 a copy of the foregoing agenda was posted near the regular meeting place of the Board of Directors of Rancho Santa Fe Fire Protection District, said time being at least 72 hours in advance of the meeting of the Board of Directors (Government Code Section 54954.2)

Executed at Rancho Santa Fe, California on October 7, 2011

*Karlana Rannals*

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Karlana Rannals  
Board Clerk



**RANCHO SANTA FE FIRE PROTECTION DISTRICT  
SPECIAL MEETING (in lieu of regular) BOARD OF DIRECTORS  
MINUTES – September 21, 2011**

President Ashcraft called to order the regular session of the Rancho Santa Fe Fire Protection District Board of Directors at 1:00 pm.

*Pledge of Allegiance*

Karlana Rannals led the assembly in the *Pledge of Allegiance*.

1. Roll Call

Directors Present: Ashcraft, Hillgren, Malin, Tanner

Directors Absent: Hickerson

Staff Present: Tony Michel, Fire Chief; Dismas Abelman, Deputy Chief; Jim Sturtevant, Battalion Chief; Bret Davidson, Battalion Chief; Chris Galindo, Administrative Captain; and Karlana Rannals, Board Clerk

2. Public Comment

No one requested to speak to the Board.

3. Motion waiving reading in full of all Resolutions/Ordinances

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to waive reading in full of all resolutions/ordinances.

4. Consent Calendar

MOTION BY DIRECTOR TANNER, SECOND BY DIRECTOR MALIN, CARRIED 4 AYES; 0 NOES; 1 ABSENT to approve the Consent Calendar as submitted.

a. Board of Directors Minutes

i) MOTION BY DIRECTOR TANNER, SECOND BY DIRECTOR MALIN, CARRIED 4 AYES; 0 NOES; 1 ABSENT to approve the following:

(1) Board of Directors minutes of August 10, 2011

b. Receive and File

MOTION BY DIRECTOR TANNER, SECOND BY DIRECTOR MALIN, CARRIED 4 AYES; 0 NOES; 1 ABSENT to and file:

i) Monthly/Quarterly Reports

(1) List of Demands

Check 21509 thru 21655 for the period August 1 – 31, 2011 totaling:	\$ 497,233.24
Payroll for the period August 1 – 31, 2011	<u>\$ 518,075.71</u>

TOTAL DISTRIBUTION

\$1,015,308.95

(2) Activity Reports – August 2011

- Fire Prevention
- Operations
- Training
- Fairbanks Ranch Station Replacement – Construction Change Orders

(3) District Articles

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(4) Correspondence - letters/cards were received from the following members of the public:

- 4S Rancho HOA
- Lita
- Bryson

5. Public Hearing

a. Final Budget Fiscal Year 2011/2012

President Ashcraft opened and closed the public hearing. Karlana Rannals informed the Board that she had not received any written correspondence regarding the final budget.

6. Oral Report

a. *Fire Chief – Michel*

- i) Fairbanks Ranch Replacement Fire Station – Update: Captain Galindo distributed an update on project. He reported that the contractor has given a revised completion date of November 23, 2011. He reviewed all of the work that is occurring concurrently to complete the project on the revised timeline. He reminded the Board that the District has received a “Public Works Stop Notice.” The electrical subcontractor (Fitzpatrick Electrical) is in a dispute with the general contractor Ledcor. Funds have been withheld from the contractor’s payment because of the dispute. He also reported that since the District opted not to install the traffic signals, he anticipates a credit for this change.

Chief Michel informed the board that the contractor is pursuing an accelerated schedule from the subcontractors to make up time on the project completion date. He has also received change orders in excess of his authority of \$20,000. He is in discussions with the contractor on these charges.

- ii) Cooperative Efforts – Update: Michel – he reported that he attended a leadership meeting with the City Manager for Encinitas & Solana Beach (there was no representation from the City of Del Mar). He conveyed the District’s concern about the lack of governance meeting. He agreed to provide an overview for the overall management with costs and savings at the next meeting.

iii) District Activities

- (1) Fire Safe Council Expo (Del Dios/Hodges) – September 25, 2011: Chief Michel is the keynote speaker at this event.
- (2) Fireman’s Fund/G.S. Levine Insurance Ice Cream Social – October 13, 2011: he reminded the board members of the event.
- (3) Pancake Breakfast – TBA: annual breakfast will be held October 16 at RSF1 (El Fuego).

b. *Operations – Chief Ward*

- i) Chief Sturtevant summarized the following significant calls that District personnel responded to:
- (1) Power Outage: as a result, the District will add a backup generator to the administrative offices. There is a need to be sure to keep the phones up and running. All other District locations have generators, and all were operational.
  - (2) Helicopter Accident: occurred at Camp Pendleton and caused a 120+ acre brush fire. The accident resulted in two fatalities;
  - (3) McDonalds Fire (Encinitas): the suspected cause is a gas leak. Structure was a total loss.

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c. *Training – Battalion Chief Davidson*

- i) Chief Davidson summarized the following training activity for all personnel:
  - (1) EMS
  - (2) OB, SIDS and regular child birth
  - (3) Personal Protective Equipment
  - (4) Vehicle Hybrid Classes: included airbag safety and electric vehicles

d. *Fire Prevention - Fire Marshal*

- i) Urban Forester Mike Scott joined the meeting to summarize the staff activity:
  - (1) Shared this year's statistics of inspections within the Shelter in Place communities. He noted that there has been a steady decline of noncompliance over the past six years.
  - (2) To date, the District has authorized 20 forced abatements compared to last year of 25.
  - (3) Eucalyptus trees (Red Gums) are being monitored for their health.

e. *Administrative Manager – Rannals*

- i) She reminded the board members of the retirement celebration planned on September 28, 2011 for Fire Marshall Cliff Hunter.

f. *Board of Directors*

- i) North County Dispatch JPA – Update: no report
- ii) County Service Area – 17 – Update: no report
- iii) Comments

Tanner – he attended the 9-11 Memorial event. He thought it was very well done.

7. Closed Session – Time Certain 2:00 pm

Pursuant to sections 54956.95, 54957 and 54956.8 the Board met in closed session from 2:00 to 4:25 to discuss the following:

- a. With respect to every item of business to be discussed in closed session pursuant to Section 54956.95:
  - i) LIABILITY CLAIM  
Claimant: Stephen A Lampher, Jr.  
Agency claimed against: Rancho Santa Fe Fire Protection District
- b. With respect to every item of business to be discussed in closed session pursuant to Section 54957
  - i) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
- c. With respect to every item of business to be discussed in closed session pursuant to Section 54957.6
  - i) CONFERENCE WITH LABOR NEGOTIATORS  
Agency Negotiators: Jim Ashcraft, Randy Malin, and assigned Staff  
Represented Employees: Rancho Santa Fe Professional Firefighters Association – Local 4349  
Represented Employees: Rancho Santa Fe Miscellaneous Employees  
Unrepresented Employees: Fire Chief; Fire Marshal; Battalion Chief (3); Administrative Manager  
Under Negotiation: A successor Memorandum of Understanding/Compensation Resolution

Upon reconvening, President Ashcraft reported all matters listed were discussed and there was no action taken.

*Ten-minute recess*

8. Old Business

- a. None

9. New Business

a. Liability Claim – Stephen A Lampher, Jr.

Chief Michel reviewed the requirements of government code section 913 and responded to questions from the board. It was recommended that the board reject the claim.

MOTION BY DIRECTOR HICKERSON, SECOND BY DIRECTOR HILLGREN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to reject the claim and refer the matter to the District’s insurance carrier for resolution.

b. Donation of Vehicle

Chief Michel summarized the staff report provided. He reported that San Diego Medical Service has notified the District that they are no longer able to insure the vehicle and any drivers employed by the District. After several discussions it was determined that, a transfer of ownership was to best solution, since the vehicle was purchased using SDMS funds. SDMS has agreed to this option and transfer ownership of the current EMS coordinator’s vehicle to the RSFFPD. He recommended the Board of Directors accept the donation of a Sport Utility Vehicle (SUV) from San Diego Medical Services (SDMS) and authorize President to execute Vehicle Transfer Agreement.

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to accept the donation of vehicle for an agreed book value of \$8,555, which will be added to the District fleet assets, and authorize the President to execute a Vehicle Transfer Agreement.

c. Major Use Permit Modification for Verizon Wireless Communications Facility

Chief Michel summarized the staff report provided. He reported that Verizon Wireless submitted a request to the “County” to modify its original Major Use Permit in order to reconfigure the existing Omni whip antennas and add two additional antennas (for a total of 5 antennas) to the existing roof-mounted monopole (*see photo simulations of existing and proposed configuration, attachment 1a – 1c*). There are no other proposed changes to the size or location of the existing equipment room located on the second floor of the fire station. Verizon is within their rights to ask for this modification. Chief Michel recommended approval.

MOTION BY DIRECTOR TANNER, SECOND BY DIRECTOR MALIN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to approve a Major Use Permit Modification to the existing Verizon Wireless Communications Facility located within Rancho Santa Fe Fire Station One, and to authorize the Board President to sign a Major Use Permit agreement issued by the San Diego County Department of Planning and Land Use.

d. Shared Firefighter Resource Pool Memorandum of Understanding (MOU)

Chief Michel summarized the staff report provided. He reported that on occasion, vacation, vacancies, training, sick, workers compensation or other types of paid or unpaid leave, may tax an individual department’s ability to provide adequate staffing on paramedic engines or ambulances. The creation of a shared resource pool will allow member agencies access to a larger pool of qualified employees to assist in meeting their staffing requirements before forcing back firefighters or having employees work an excessive number of hours. It will also facilitate the cross training of employees, thereby enhancing the overall efficiency and effectiveness of fire services provided by the member agencies.



Staff from the Rancho Santa Fe Fire Protection District, City of Encinitas, City of Del Mar, and City of Solana Beach have agreed to a draft MOU establishing a resource pool (included as Attachment A). Note that District's legal counsel has reviewed and concurred with the attached MOU.

The District has met and conferred with the Rancho Santa Fe Firefighters Association, and the Association has agreed to participate in the resource pool if the MOU is approved by the Board of Directors. Each firefighter/paramedic designated by the member agency under the MOU will remain a full time employee of that member. The performance of duties would be the same as would occur pursuant to a mutual aid response between members. A member agency whose paramedic/firefighter has been utilized from the resource pool (pursuant with the MOU) will invoice the other member that utilized the responding firefighter/paramedic for the actual costs incurred by the member agency (employer), including overtime and the employer portion of all state, federal and local employee taxes. The Rancho Santa Fe Fire Protection District has been designated as the lead agency for the purposes of compiling and disseminating the list of qualified firefighters in the resource pool. Any member agency can elect to terminate its participation in the MOU upon written notification to the other members. The MOU shall automatically terminate if, at any time, fewer than two members are party to the MOU.

MOTION BY DIRECTOR TANNER, SECOND BY DIRECTOR MALIN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to approve the Memorandum of Understanding (MOU) creating a firefighter resource pool for the purpose of meeting staffing requirements of paramedic engines and paramedic ambulances, and authorize the President to execute the agreement.

e. LAFCO 2011 Special Districts Election

Chief Michel informed the Board members that to elect representatives to the LAFCO Committee and Special District Advisory Committee, the District must authorize a board member to cast the ballot. He requested that the Board of Directors authorize the Board President to cast the ballot on behalf of the Fire District

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, and CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to authorize the Board President to cast the ballot on behalf of the Fire District uninstructed.

*Director Tanner departed the meeting at 5:02 pm*

f. Final Budget FY 2011/2012

Chief Michel reviewed and summarized the differences between the preliminary budget presented in June and the final budget presented at this meeting. He reported that the primary differences were

- Revenue: tax revenue is approximately 2% lower than FY11 resulting from reduced assessed valuation
- Expenditures
  - Personnel – increase primarily due to increased medical and retirement costs
  - Other Expenditures – decrease primarily due to FY11 purchase of breathing apparatus
  - Capital – three vehicle purchases are planned for FY12

The Board requested that staff generate a list of items that could generate new revenue sources for the District. Staff responded to questions from the board.

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, and CARRIED 3 AYES; 0 NOES; 2 ABSENT; 0 ABSTAIN to approve Fiscal Year 2011/2012 Budget as presented.

10. Resolution/Ordinance

a. Resolution No. 2011-06

Chief Michel reviewed the purpose of the resolution and stated that the County requires that the District renew each year as a participant in the Fire Mitigation Fee Fund program. This resolution identifies future capital expenditures planned over the next five years.

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR TANNER, and APPROVED Resolution No. 2011-06 *entitled* a resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District adopting the Fire Mitigation Fee Fund Multi-Year plan on a roll call vote:

AYES:	Ashcraft, Hillgren, Malin, Tanner
NOES:	None
ABSTAIN:	None
ABSENT:	Hickerson

b. Resolution No. 2011-07

Chief Michel reported this will be presented to Fire Marshal Hunter in recognition for his service to the Fire District.

MOTION BY DIRECTOR HILLGREN, SECOND BY DIRECTOR MALIN, and APPROVED Resolution No. 2011-07 *entitled* a Resolution of Commendation from the Board of Directors of the Rancho Santa Fe Fire Protection District for Clifford F. Hunter on a roll call vote:

AYES:	Ashcraft, Hillgren, Malin, Tanner
NOES:	None
ABSTAIN:	None
ABSENT:	Hickerson

11. Adjournment

Meeting adjourned at 5:15 pm.

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Karlena Rannals  
Secretary

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James H Ashcraft  
President

# RANCHO SANTA FE FIRE PROTECTION DISTRICT

List of Demands - September 2011

Check #	Amount	Vendor	Purpose
21656	\$232.24	AT&T Calnet 2	Telephone
21658	\$749.96	Blend	Outside Printing & Binding
21659	\$2,252.50	County of SD/RCS	800 MHz Network Admin Fees
21660	\$2,807.00	Design Space Modular Buildings Inc	FBR #3 Replacement
21661	\$2,214.14	Fitch Law Firm Inc	Legal Services
21662	\$18,421.61	Ledcor Construction C/O CB&T Escrow	FBR #3 Replacement
21663	\$17.00	McVey, Craig A	CSA-17 - Supplies
21665	\$1,439.47	Olivenhain Municipal Water District	FBR #3 Replacement
21666	\$17.82	U P S	Shipping Service
21667	\$499.90	Uniforms Plus	Uniform - Safety Personnel
21668	\$767.91	Waste Management Inc	Trash Disposal
21669	\$4,781.64	Advanced Communications Systems Inc	2011 Explorer SUV 1181/Radio (Mobile Repair)
21670	\$37.50	Aflac	Aflac Insurance - Optional
21671	\$1,258.45	AT&T Calnet 2	Telephone
21672	\$575.00	CA Fire Chiefs Assoc	Admin - Overnight Conf/Seminars/Association Dues
21673	\$399.52	Complete Office of California Inc	Office Supplies
21674	\$1,174.62	Daniels Tire Service Inc	Vehicle Scheduled Maintenance/Repair
21675	\$575.00	DOSH - ERT Unit	Permits - County/City
21676	\$1,613.33	Encinitas Ford Inc.	Vehicle Repair
21677	\$630.30	Garrett Electric Inc	Building Maintenance/Repair
21678	\$739.77	Home Depot, Inc	Station/Hydrant Maintenance/Apparatus Equipment
21679	\$427.51	HSBC Business Solutions	Janitorial Supplies
21680	\$7,646.35	Jeff Katz Architecture	FBR #3 Replacement
21681	\$500.00	K & K Coatings	Building Maintenance - Carpet Cleaning
21682	\$1,307.00	Konica Minolta Business Inc	Copier Maintenance Contract
21683	\$185.00	Lorenzo, Paul	Suppression - Local Conf/Seminars Reimbursement
21684	\$256.70	Ocean Pacific Office Products	Office Supplies
21685	\$132,236.78	PERS	PERS (Employer Paid)
21687	\$25.00	RSFPFA	Firefighters Assn.
21688	\$1,021.95	San Diego Gas & Electric	Elec/Gas/Propane
21689	\$700.00	Santa Fe Irrigation District	JPA
21690	\$66.00	Smith, Grant	Class B License Reimbursement

# RANCHO SANTA FE FIRE PROTECTION DISTRICT

List of Demands - September 2011

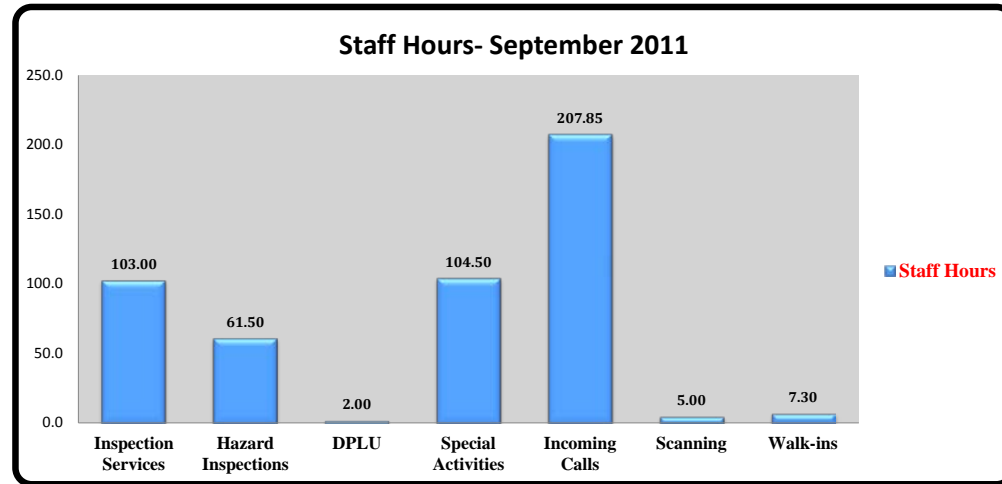
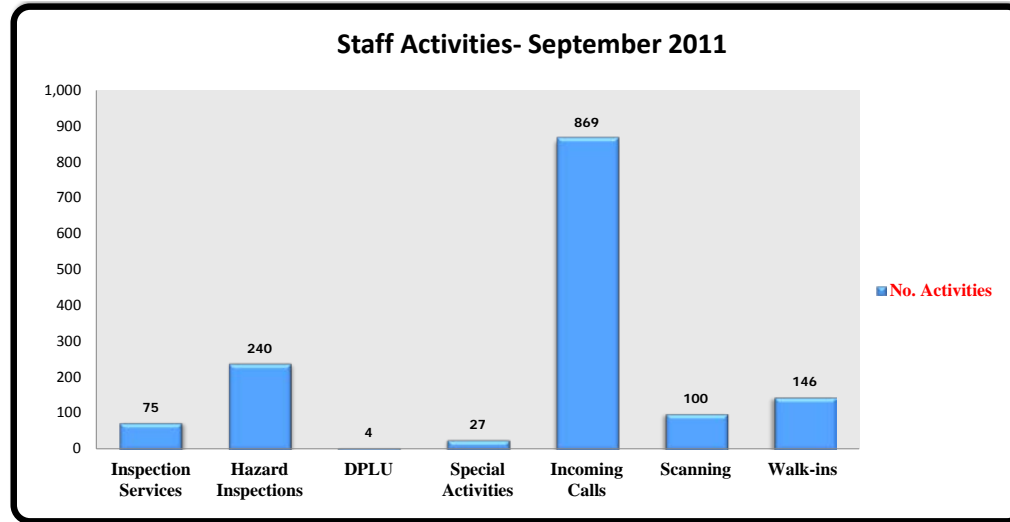
Check #	Amount	Vendor	Purpose
21691	\$831.88	TelePacific Communications	Telephone
21692	\$1,840.18	The SoCo Group Inc	Gasoline & Diesel Fuel
21693	\$25.53	Turnout Maintenance Company LLC	Safety Clothing
21694	\$20.31	U P S	Shipping Service
21695	\$475.39	Western Pump, Inc.	Refuel Facility Repair
22214	\$59.25	Ace Uniforms/Uniform Specialist	Uniform - Administrative
22215	\$455.00	SDCPA - Epic Medics	CSA-17 - Supplies
22216	\$588.45	The Lincoln National Life Ins Co	Disability/Life Insurance
22217	\$317.97	North County EVS Inc	Generator Repair
22219	\$1,330.10	Competitive Lighting Maintenance Inc	Building Maintenance/Repair
22220	\$10,446.06	The SoCo Group Inc	Gasoline & Diesel Fuel
22222	\$3,196.77	Guardian Life Insurance Co	Dental Insurance
22223	\$2,721.50	Geocon Inc	FBR #3 Replacement
22224	\$215.69	Engineered Mechanical Services Inc	Building Maintenance/Repair
22225	\$86.99	Directv	FBR #3 Replacement
22226	\$173.73	Cielo Village LLC	Elec/Gas/Propane
22227	\$264.54	Cutters Edge Inc	Apparatus Tool/Equipment Replacement
22228	\$6,396.20	San Diego Gas & Electric	Elec/Gas/Propane
22229	\$333.12	Blend	Outside Printing & Binding
22230	\$75.00	SDCFCA - Admin Section	Association Dues
22231	\$3,000.00	Palomar College	Testing - Employment (Palomar College)
22232	\$66,086.87	Health Net	Medical Insurance
22233	\$122.93	AT&T	Telephone
22234	\$12.00	U P S	Shipping Service
22235	\$354.00	Cnty of SD APCD	Permits - County/City
22236	\$25.00	RSFPFA	Firefighters Assn.
22237	\$555.99	Fire ETC Inc	Janitorial Supplies
22238	\$72.51	Ace Uniforms/Uniform Specialist	Uniform - Safety Personnel
22239	\$263.11	AT&T Calnet 2	Telephone
22240	\$242.44	bkm Officeworks	Equipment - Minor
22241	\$97.50	C.A.P.F.	Disability/Life Insurance
22242	\$2,252.50	County of SD/RCS	800 MHz Network Admin Fees

# RANCHO SANTA FE FIRE PROTECTION DISTRICT

List of Demands - September 2011

Check #	Amount	Vendor	Purpose
22243	\$1,637.88	Direct Energy Business - Dallas	Elec/Gas/Propane
22244	\$130.00	Lynx Technologies Inc	GIS Services
22246	\$150.00	Terminix International	Building Monthly Service Contract
22247	\$1,523.10	The SoCo Group Inc	Gasoline & Diesel Fuel
22248	\$12.00	U P S	Shipping Service
22249	\$3,019.49	Verizon Wireless	MDT Broadband + ATN Line/Cellular phone/new/replacement
various	\$4,281.62	Various	Medical Reimbursement
<i>Sub-total</i>	<u>\$299,269.57</u>		
15-Sep-11	\$181,105.06	Rancho Santa Fe FPD	Payroll
16-Sep-11	\$6,543.53	Rancho Santa Fe FPD	Payroll
21-Sep-11	\$28,598.38	Rancho Santa Fe FPD	Payroll
29-Sep-11	\$19,675.59	Rancho Santa Fe FPD	Payroll
30-Sep-11	\$245,223.93	Rancho Santa Fe FPD	Payroll
<i>Sub-total</i>	<u>\$481,146.49</u>		
<b>Grand Total</b>	<b>\$780,416.06</b>		

**Fire Prevention Monthly Staff Report  
September 2011**



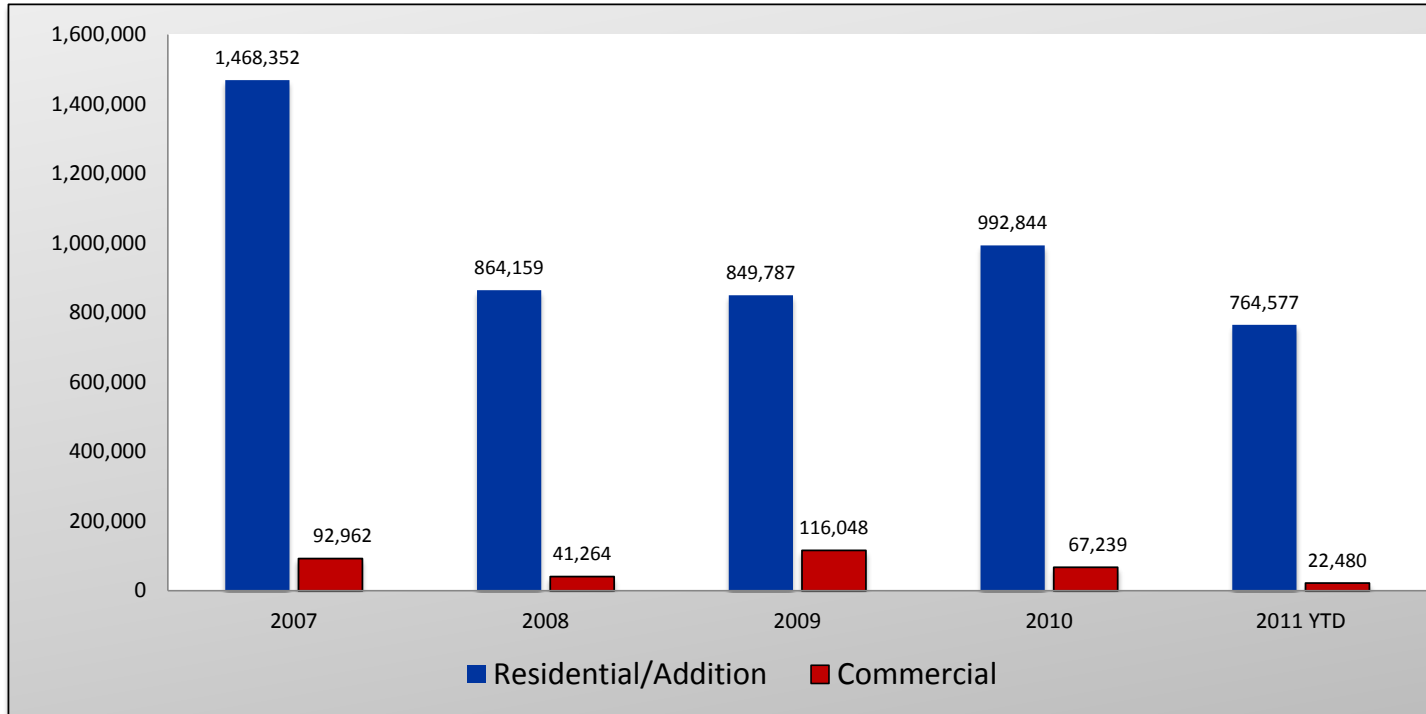
**Comparison 2010/2011 Total Monthly Hours/Activities**

2010	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<i>Activities</i>			2243	2303	2111	2042	3156	4747	2326	2105	1719	4434
<i>Hours</i>			683.8	536.8	596.0	519.7	671.5	612.4	489.5	647.7	527.5	524.7

2011	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<i>Activities</i>	2557	2623	2131	1311	1437	2615	2264	1858	1461			
<i>Hours</i>	413.7	388.8	414.9	271.2	287.8	442.6	448.1	529.0	491.2			

NOTE: This summary report is not intended to capture all staff hours worked but only to illustrate activity.

**Rancho Santa Fe Fire Protection District  
Fire Prevention Bureau -Construction  
September 2011**



Year	Res/Add	Comm	Total
2007	1,468,352	92,962	1,561,314
2008	864,159	41,264	905,423
2009	849,787	116,048	965,835
2010	992,844	67,239	1,060,083
2011 YTD	764,577	22,480	787,057

Comparison 2010/2011 Total Square Footage

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2010	64,770	128,133	30,284	126,570	120,627	40,310	132,067	84,314	202,035	33,455	23,407	74,111
2011	105,548	5,329	96,869	85,519	254,358	127,399	58,873	25,142	28,020			

Rancho Santa Fe Fire Protection District  
 Fire Prevention Bureau Monthly Activity Summary  
 September 2011

**PLAN REVIEW**

RESIDENTIAL PLAN REVIEWS		Number of Structures	Sq Footage
	Fire Inspectors	4	26,341
	<b>TOTAL</b>	<b>4</b>	<b>26,341</b>
RESIDENTIAL ADDITIONS		Original Sq Footage	Added Sq Footage
	Fire Inspectors	17,322	1,679
	<b>TOTAL</b>	<b>17,322</b>	<b>1,679</b>
COMMERCIAL PLAN REVIEWS		Number of Structures	Sq Footage
	Fire Marshal	0	0
	Urban Forester	0	0
	Fire Inspectors	0	0
	<b>TOTAL</b>	<b>0</b>	<b>0</b>
TOTAL NEW CONSTRUCTION			Sq Footage
<b>Based on permitted Sq footage</b>		<b>Total Added</b>	<b>28,020</b>
FIRE SPRINKLER REVIEWS		Commercial	Residential
	Fire Inspectors	1	2
	<b>TOTAL</b>	<b>1</b>	<b>2</b>
TENANT IMPROVEMENTS		Number of Structures	Sq Footage
	Fire Inspectors	3	34,373
	<b>TOTAL</b>	<b>3</b>	<b>34,373</b>
LANDSCAPE REVIEWS		Number of Reviews	Staff Hours
	Urban Forester	24	23.5
	<b>TOTAL</b>	<b>24</b>	<b>23.5</b>



Rancho Santa Fe Fire Protection District  
 Fire Prevention Bureau Monthly Activity Summary  
 September 2011

**SERVICES PROVIDED- FIRE PREVENTION**

<b>DPLU -All Staff</b>	<b>Number</b>	<b>Staff Hours</b>
Project Availability Forms	2	0.0
Approval Letters	1	1.0
CWPP	1	1.0
<b>TOTAL</b>	<b>4</b>	<b>2.0</b>
<b>INSPECTION SERVICES- All Staff</b>		
	<b>Number of Inspections</b>	<b>Staff Hours</b>
Hydros (Fire Sprinklers)	23	42.5
Finals (Structures)	34	34.0
Landscape	4	4.0
Reinspections	3	3.0
Department of Social Service Licensing	2	2.0
Fuels/Mod Zone	6	10.5
Code Enforcement	3	3.0
<b>TOTAL</b>	<b>75</b>	<b>103.0</b>
<b>HAZARD INSPECTIONS - All Staff</b>		
	<b>Number of Inspections</b>	<b>Staff Hours</b>
Weed Abatement Inspection	25	5.0
Weed Abatement Reinspection	121	19.5
1st Notice	12	3.0
2nd Notice	36	2.0
Final Notice	12	3.0
Forced Abatement	3	3.0
Postings	8	3.0
Homeowner Meeting	23	23.0
<b>TOTAL</b>	<b>240</b>	<b>61.5</b>
<b>GRADING -All Staff</b>		
	<b>Number of Inspections</b>	<b>Staff Hours</b>
Plan Review	7	6.5
<b>TOTAL</b>	<b>7</b>	<b>6.5</b>

Rancho Santa Fe Fire Protection District  
 Fire Prevention Bureau Monthly Activity Summary  
 September 2011

**ADMINISTRATIVE SERVICES- FIRE PREVENTION**

<b>SPECIAL ACTIVITIES/EDUCATION-All Staff</b>	<b>Number</b>	<b>Staff Hours</b>
GIS Mapping	1	5.0
Fire Protection Review	1	2.0
CalFire Crew Projects	1	1.5
Mutli-Hazard Mitigation	2	23.0
Training Classes	5	40.0
Meetings	17	25.0
<b>TOTAL</b>	<b>27</b>	<b>104.5</b>

<b>FIRE PREVENTION -All Staff</b>	<b>Number</b>	<b>Staff Hours</b>
Incoming Phone Calls	869	207.9
Consultations	14	14.0
Plan Review	46	45.5
Scanning	100	5.0
<b>TOTAL</b>	<b>1,029</b>	<b>272.4</b>

**ADMINISTRATIVE SERVICES- OFFICE SUPPORT**

<b>OFFICE COORDINATOR-PREVENTION</b>	<b>Number</b>	<b>Staff Hours</b>
Phone Calls (All Administrative Staff)	617.0	30.9
Walk in/Counter (All Administrative Staff)	146.0	7.3
Knox Application Request	0.0	0.0
UPS Outgoing Shipments	2.0	0.2
Plan Accepted/Routed	42.0	7.0
Formatting Policies		0.0
Special Projects:Cliffs Retirement,Month End, General	10.0	70.0
Scanning Documents	100.0	5.0
Meetings: Admin/Prevention/Admin Shift	8.0	8.0
Post Office	19.0	11.5
Deposits	10.0	5.0
Training Classes:		0.0
<b>TOTAL</b>	<b>954</b>	<b>144.8</b>

Rancho Santa Fe Fire District  
Public Relations Coordinator - Monthly Report  
September 2011

<b>WEBSITE/INTERNET</b>		<b>Staff Hours</b>
<b>Update existing info &amp; documents:</b>		<b>4.0</b>
<i>Updated home page with CERT, Preparedness, etc.</i>		<b>4.0</b>
<b>New design progress:</b>		<b>6.0</b>
<i>News Releases updated</i>		2.0
<i>Page final touches</i>		4.0
<b>Compile &amp; write new information:</b>		<b>4.0</b>
<i>Pancake Breakfast, Preparedness, CERT</i>		<b>4.0</b>
<b>Website Hits - Not available this month due to statcounter error</b>		
<b>Social Media</b>		<b>4.0</b>
<i>Facebook "Fans" - 174, "Monthly Active Users" - 153, "Post Views" - 5,037</i>		2.0
<i>Twitter "Follower" - 360</i>		2.0
<b>TOTAL</b>		<b>18.0</b>
<b>PUBLICATIONS</b>		<b>Staff Hours</b>
<b>Design/write brochures, flyers, etc:</b>		<b>6.0</b>
<i>Retirement Invte</i>		2.0
<i>Fire Marshal Brochure</i>		4.0
<b>Fire Wire (quarterly):</b>		<b>0.0</b>
<b>TOTAL</b>		<b>6.0</b>
<b>MEDIA RELATIONS</b>		<b>Staff Hours</b>
<b>On-scene Public Information Officer:</b>		<b>3.0</b>
<i>Gas Leak</i>		3.0
<b>Press Releases:</b>		<b>8.0</b>
<i>Toddler Fall</i>		2.0
<i>Pancake Breakfast</i>		1.0
<i>Disaster Preparedness</i>		3.0
<i>Lightning Vegetation Fire</i>		2.0
<b>Other Articles/Stories/Interviews:</b>		<b>1.0</b>
<i>Response Times (Ward)</i>		<b>1.0</b>
<b>TOTAL</b>		<b>12.0</b>

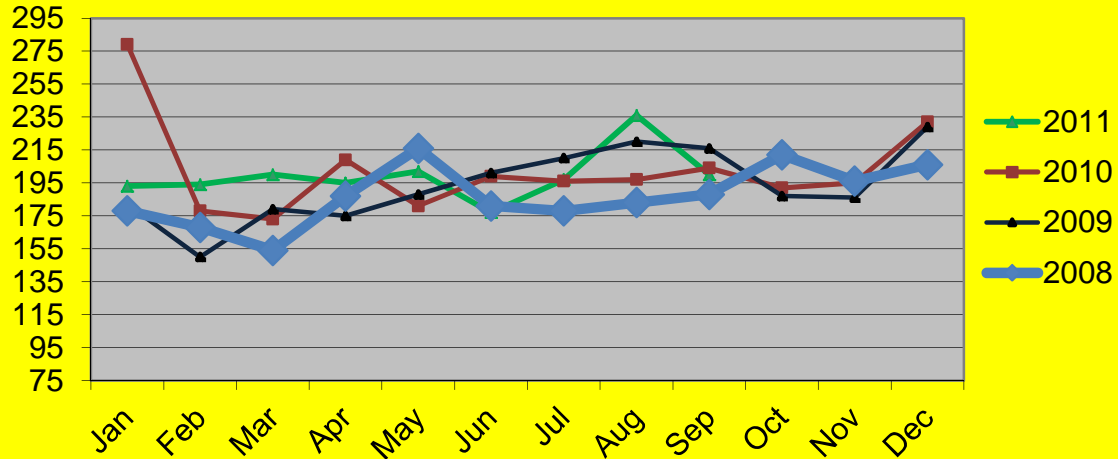
Rancho Santa Fe Fire District  
Public Relations Coordinator - Monthly Report  
September 2011

<b>EDUCATIONAL PROGRAMS/PRESENTATIONS</b>		Staff Hours
<b>Children's Programs</b>		<b>38.0</b>
<i>Birthday parties - 0</i>		0.0
<i>Station Tour - 0</i>		0.0
<i>Fire Prevention Month Prep</i>		38.0
<b>Child Safety Seat Installations:</b>		<b>13.0</b>
<i>Scheduled 11</i>		2.0
<i>Installed 11</i>		11.0
<b>Adult Programs:</b>		<b>3.0</b>
<i>Crosby HOA</i>		2.0
<i>Sprinkler Maintenance Grant</i>		1.0
<b>TOTAL</b>		<b>54.0</b>
<hr/>		
<b>EVENTS</b>		Staff Hours
<b>Internal Events:</b>		<b>4.0</b>
<i>Cliff's Retirement Reception</i>		4.0
<b>TOTAL</b>		<b>4.0</b>
<hr/>		
<b>CONTINUING EDUCATION</b>		Staff Hours
<b>Meetings:</b>		<b>7.0</b>
<i>Staff meetings</i>		4.0
<i>Captain's Meeting</i>		3.0
<b>TOTAL</b>		<b>7.0</b>
<hr/>		
<b>CLERICAL</b>		Staff Hours
<b>Prevention-related:</b>		<b>28.0</b>
<i>Mailbox, email inbox, phone calls, news clips, etc.</i>		42.0
<i>Phone Calls - 52</i>		
<b>Meeting Minutes:</b>		<b>0.0</b>
		0.0
<b>Non-prevention/non-minute related:</b>		<b>18.0</b>
<b>TOTAL</b>		<b>46.0</b>
<hr/>		
<b>TOTAL HOURS</b>		<b>147.0</b>

# September 2011 Operations Report

Rancho Santa Fe Fire Protection District  
Incident Response Report

## Four Year Monthly Response Comparison



2011	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD Responses
Responses	193	194	200	195	202	177	197	236	200				1,794
YTD	193	387	587	782	984	1,161	1,358	1,594	1,794				-1.21%

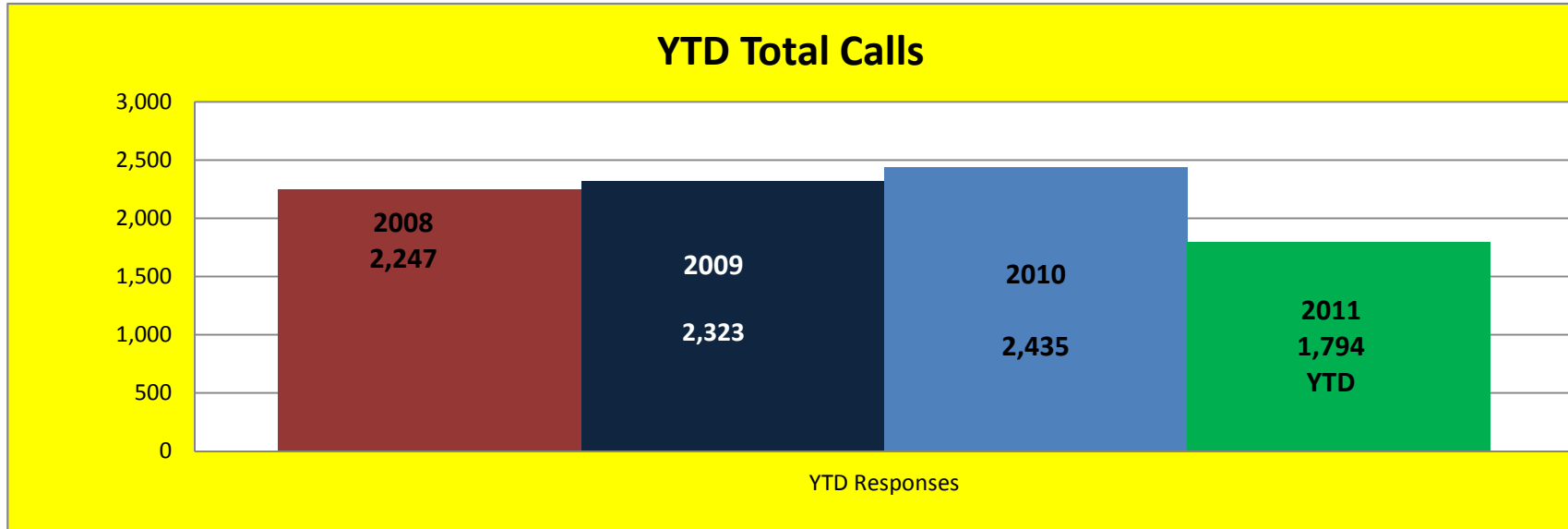
2010	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD Responses
Responses	279	178	173	209	181	199	196	197	204	192	195	232	2,435
YTD	279	457	630	839	1,020	1,219	1,415	1,612	1,816	2,008	2,203	2,435	4.8% increase

2009	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD Responses
Responses	182	150	179	175	188	201	210	220	216	187	186	229	2,323
YTD	182	332	511	686	874	1,075	1,285	1,505	1,721	1,908	2,094	2,323	3.4% increase

2008	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD Responses
Responses	178	168	154	187	216	181	178	183	188	212	196	206	2,247
YTD	178	346	500	687	903	1,084	1,262	1,445	1,633	1,845	2,041	2,247	2.7% decrease

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**Rancho Santa Fe Fire Protection District  
Incident Response Report**



## **Incident Summary by Incident Type**

**Date Range: From 9/1/2011 To 9/30/2011**

**Incident Type(s) Selected: All**

<b>Incident Type</b>	<b>Incident Count</b>	<b>Used in Ave. Resp.</b>	<b>Average Response Time hh:mm:ss</b>	<b>Total Loss</b>	<b>Total Value</b>
Fire	14	12	00:07:05	\$20,000.00	\$20,500.00
Rupture/Explosion	1	1	00:12:03	\$0.00	\$0.00
EMS/Rescue	80	80	00:05:35	\$0.00	\$0.00
Hazardous Condition	4	3	00:10:15	\$0.00	\$0.00
Service Call	38	10	00:07:06	\$0.00	\$0.00
Good Intent	31	6	00:05:25	\$0.00	\$0.00
False Call	32	29	00:06:42	\$0.00	\$0.00
Blank or Invalid	4	0		\$0.00	\$0.00
<b>Totals</b>	<b>204</b>	<b>141</b>		<b>\$20,000.00</b>	<b>\$20,500.00</b>

**Note:** The incident count used in averages does not include the following:

Not Completed incidents, Mutual Aid Given, Other Aid Given, Cancelled in Route, Not Priority, Fill-In Standby, No Arrival and Invalid Dates/Times.

# September 2011

September 2011							October 2011						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug 28 - Sep 3	<b>Aug 28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Sep 1</b>	<b>2</b>	<b>3</b>
					C Shift 9:00am 12:00pm Hoselays (RSF 2) 1:30pm 4:30pm Hoselays (RSF 2)	B Shift	C Shift
Sep 4 - 10	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
	A Shift	C Shift 7:00am 4:30pm 2632 AM (RSF 2)	8:00am Pump Testing A Shift 7:00am 4:30pm 2632 AM (RSF 2) 11:00am 12:00pm 2314, 2375 and 2395 to vi	Class (Rancho Station 2) - Activity Calendar B Shift 7:00am 4:30pm 2612 PM (RSF 2) 10:00am 11:00am 2312-911 surfboard dedic	A Shift 7:00am 4:30pm RSF Sta 9:00am 12:00pm Hosel 9:00am 11:30am JPA C 11:00am 12:00pm Zon	8:30am 9:00am E2611 T 9:00am 12:00pm Hosel 9:00am 10:00am ENC 2 9:00am 10:00am Work 12:00pm 1:00pm Test (1:30pm 4:30pm Hosela	A Shift
Sep 11 - 17	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>
	B Shift 9:00am 11:00am September 11th 10th Anniversary Tribute (South) 5:00pm 7:00pm 9/11 Tribute "Night of Ho	C Shift 7:00am 4:30pm 2512 PM (DMR) 8:30am 11:00am 2612 a 2:30pm 4:00pm McDon 6:00pm 7:00pm 2511 to	B Shift 7:00am 4:30pm 2511 PM (DMR) 9:00am 11:00am ENC 2 2:30pm 4:30pm FMZ-i	C Shift 9:00am 11:00am ENC 2 313/Station Tour (Station #3) - Activity Calendar	A Shift 8:00am 10:30am DMR Meeting, O'Neil, Bingham W/ City Manager 10:30am 11:30am 2311, Kids Show and tell -	9:00am 4:30pm CE - Skills (ENC Sta 5 / RSF Sta 4)	A Shift
Sep 18 - 24	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>
	C Shift	A Shift 9:30am 5:00pm CE - Skills (ENC Sta 5 / RSF Sta 4)	9:00am 10:00am School presentation- Solana Beach Presbyterian 9:30am 5:00pm CE - Skills (ENC Sta 5 / RSF Sta 4)	A Shift 9:00am 4:30pm Swiftwater Rescue (Legoland) 9:00am 10:00am ISO Review of Apparatus (D	9:00am 4:30pm Swiftwater Rescue (Legoland) - Training-Calendar	9:00am 4:30pm Swiftwater Rescue (Legoland) - Training-Calendar 5:00pm 6:00pm 2314-Back to School Event (Park Dale Lane Sch	B Shift
Sep 25 - Oct 1	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>Oct 1</b>
	C Shift	9:00am 4:30pm Swiftwater Rescue (Leoland) 1:30pm 2:30pm Show and Tell with Truck (E) 1:30pm 2:30pm Cancel 2:30pm 3:30pm Fair Gr	9:00am 4:30pm Swiftwater Rescue (Legoland) - Training-Calendar	9:00am 4:30pm Swiftwater Rescue (Legoland) 10:00am 11:00am Chempac Inspection (SO L)	8:30am 11:30am Captains Meeting (RSF Station) 9:00am 4:30pm Swiftwater Rescue (Legoland) 9:00am 3:30pm E2411 10:00am 11:00am ENC2	A Shift 8:30am 10:30am Apparatus mtg - 0830 (RSF 1 board room) - Activity Calendar	



## Fairbanks Ranch Station Change Orders

Date	Spec. #	Change Req. #	Change Order #	Description	Proposed Cost	Status	Approval By	Approved	Actual Cost
8/29/10	2660	920001	0.001	Rev. dble. chk. valve to compact style	\$0.00	Approved	Pavone	\$0.00	\$0.00
7/27/10	2225	920002	0.001	ASI-1, clarification only - no cost	\$0.00	Approved	Pavone	\$0.00	\$0.00
7/27/10		920003	0.001	ASI-2, grid line clarification - no cost	\$0.00	Approved	Pavone	\$0.00	\$0.00
7/27/10	16150	920004	0.001	Add louver @ fuel enclosure, per C. Hunter	\$2,534.00	Approved	Pavone	\$2,534.00	\$2,534.00
7/27/10	9930	920005	0.001	Corian solid color clarification - no cost	\$0.00	Approved	Pavone	\$0.00	\$0.00
8/6/10	15310	920006	<b>Rejected</b>	Add FDC to detector check assembly	not submitted	Rejected			\$0.00
8/29/10		920007	<b>Rejected</b>	Cut/Cap neighbor sewer line at main	<b>\$2,821.01</b>	Rejected			\$0.00
9/22/10	2730	920008	0.001	Install 24' C-900 pipe beneath culvert	\$693.78	Approved	Board	\$693.78	\$693.78
8/10/10		920009		Redesign of U.G. work due to unknown	\$14,696.25	Submitted	Board	\$14,696.25	\$14,696.25
8/13/10	2275	920010	0.002	Add retaining wall area at shoring wall	\$19,636.82	Approved	Michel	\$19,636.82	\$19,636.82
8/13/10	2200	920011	0.006	Discovery of underground water line	<b>\$3,909.22</b>	Back Charge	Michel	\$3,909.22	\$3,909.22
9/14/10	2725	920012		Installation of (1) deep rock well - no cost	\$0.00	Approved	Pavone	\$0.00	\$0.00
9/14/10	2260	920013	0.005	Add 45 days and extended O/H as agreed	\$15,450.00	Approved	Board	\$15,540.00	\$15,540.00
1/18/11	15400	920014	0.004	Removal & disposal of abandoned pipe	\$3,153.36	Approved	Michel	\$3,153.36	\$3,153.36
1/31/11	26000	920015	0.006	Concrete cut off of existing headwall	\$1,305.68	Approved	Michel	\$1,305.88	\$1,305.88
		920016		Change in elevator power requirements	<i>credit - TBD</i>	Hold			\$0.00
	26000	920017		Repair broken SDG&E conduit in Roadway	not submitted	Hold			\$0.00
1/18/11	26000	920018	0.004	Costs for sewer repair per RSFCS	\$4,488.16	Approved	Michel	\$4,488.16	\$4,488.16
		920019		Revised gate post detail per RSFFPD req.	not submitted	Hold			\$0.00
2/7/11		920020	0.004	Add emergency eyewash station	\$1,637.56	Approved	Board	\$1,637.56	\$1,637.56
2/10/11	26000	920021	0.003	Underground utility installation revisions	\$55,433.47	Approved	Board	\$55,433.47	\$55,433.47
		920022		Terrazzo logo Asi per sub	not submitted	Hold			\$0.00
		920023	0.008	Add AT&T pull box	\$2,538.59	Approved	Michel	\$2,538.59	\$2,538.59
3/31/11		920024	0.006	Removal of dintel, north side of building	-\$2,545.00	Approved	Michel	-\$2,545.00	-\$2,545.00
3/31/11		920025	0.006	Increase Bld. Footing 6" per plan change	\$4,901.37	Approved	Michel	\$4,901.37	\$4,901.37
5/10/11		920026		Electrical feed changes at a/c	not submitted	Hold			\$0.00
4/19/11		920027	<b>COR Pending</b>	Exterior Delta ASI #13 (Extractor)	-\$398.95	Approved	Michel	-\$398.95	-\$398.95
		920028		Water proofing at laundry upstairs	\$1,800.00	Hold			
		920029	<b>Rejected</b>	Cut & patch gas line - SDG&E revised	rejected for rev.	Hold			\$0.00
		920030		Not Submitted					\$0.00
4/25/10		920031	0.008	Delete Photo Eye at Swing Gate	-\$765.00	Approved	Michel	-\$795.00	-\$795.00
		920032		Not Submitted					
		920033		Not Submitted					
5/1/11	81000	920034	<b>COR Pending</b>	Capt. Office door change - work complete	\$2,087.28	Approved	Michel	\$2,087.28	\$2,087.28
6/14/11		920035	<b>COR Pending</b>	Elect. Room 205 (new) layout	\$1,815.00	Approved	Michel	\$1,815.00	\$1,815.00
6/6/11	16000	920036	0.008	Added electrical per owners request	\$2,010.46	Approved	Michel	\$2,010.46	\$2,010.46
6/21/11	61000	920037	<b>COR Pending</b>	Add shear panel at Grid 9 (RFI #38)	\$2,000.00	Approved	Michel	\$2,000.00	\$2,000.00
9/20/11	25000	920039	<b>COR Pending</b>	Remove/Replace concrete curb	\$13,735.00	Approved	Michel	\$13,735.00	\$13,735.00
6/22/11		Per Agreement	0.007	Add 25 rain days; Add 10 E/OHD Bld. Perm.	\$7,500.00	Approved	Michel	\$7,500.00	\$7,500.00
7/27/11	25200	920040	<b>COR Pending</b>	County Street Improvements	\$37,603.00	Pending			
8/29/11	15400	920042	<b>COR Pending</b>	ASI-21 Relocate Waster Plumbing	\$3,975.00	Approved	Michel	\$3,975.00	\$3,975.00
8/23/11	6200	920043	<b>COR Pending</b>	Hose drying rack alternate product	<b>\$2,194.00</b>	<b>Pending</b>			
8/23/11	2510	920044	<b>COR Pending</b>	Grading Revisions Per ASI-16	\$16,089.00	Pending	Michel	\$16,089.00	\$16,089.00
8/23/11	9250	920046	<b>COR Pending</b>	Inspection requested work	\$2,564.00	Pending	Michel	\$2,546.00	\$2,546.00

<b>Total</b>		<b>44</b>			<b>\$222,863.06</b>			<b>\$178,487.25</b>

*Revised October 6, 2011*

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# STAFF REPORT

NO. 11-20

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**TO:** BOARD OF DIRECTORS  
**FROM:** TONY MICHEL, FIRE CHIEF  
**SUBJECT:** FAIRBANKS RANCH FIRE STATION REPLACEMENT PROJECT:  
SUBCONTRACTOR SUBSTITUTION REQUEST  
**DATE:** OCTOBER 7, 2011

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## RECOMMENDATION

For information only

## BACKGROUND

On May 6, 2010, the Board of Directors awarded the Fairbanks Ranch Fire Station Replacement Project to Ledcor Construction, Inc. as the lowest responsible and responsive bid. The bid award also included the list of subcontractors submitted by Ledcor at bid opening. One of the listed subcontractors, Fitzpatrick and Associates ("Fitzpatrick"), was the subcontractor selected to perform the electrical work for the Project.

## CURRENT SITUATION

On July 27<sup>th</sup>, 2011, Fitzpatrick abandoned the project and has refused to return and execute the contract. On August 16<sup>th</sup>, Ledcor submitted to the District a written request to release Fitzpatrick as the listed subcontractor for Section 16000 – Electrical and to replace them with Sass Electric, Inc. as the Project's listed subcontractor. On September 3<sup>rd</sup>, the District notified Fitzpatrick in writing of the substitution request submitted by Ledcor and that failure to file an objection would be considered consent.

On Thursday, September 8, 2011, the District's legal counsel, Mr. Stephen J. Fitch, Esq., received written correspondence from Fitzpatrick's legal counsel, Pamela J. Scholefeld (Scholefeld Construction Attorneys), indicating that her client had filed a formal objection to Ledcor's request for a subcontractor substitution by Ledcor. Also included in Ms. Scholefeld's correspondence is an allegation that Ledcor had violated its subcontract with Fitzpatrick due to non-payment.

Pursuant to the *California Public Contract Code*, Section 4107, "if written objections are filed, the awarding authority shall give notice in writing of at least five working days to the listed subcontractor of a hearing by the awarding authority on the prime contractor's request for substitution."

On Monday, September 19, 2011, the District convened a special hearing on Ledcor's Request for Substitution at the District's Administration Office Board Room. Representatives from Ledcor, Fitzpatrick, Jeff Katz Architecture and ELEN Engineering presented both oral and written testimony before Chief Tony Michel who, as the duly authorized officer for the District, presided over the hearing. Ledcor's legal counsel, Jeffrey B. Baird, Esq., offered testimony on behalf of Ledcor's Request for Substitution based on *California Public Contract Code* §4107(a) (3), (7) and (9). Fitzpatrick was not

represented by legal counsel and their testimony in support of the “objection” was presented by Mr. Eugene Fitzpatrick.

The information and testimony presented by both parties at the hearing were reviewed and evaluated by both Chief Michel and the District’s legal counsel. On Wednesday, September 28, 2011, Chief Michel issued a summary of the hearing which included a decision in favor of Ledcor’s Request for Subcontractor Substitution. Chief Michel found that Ledcor’s testimony met the requirements based on *California Public Contract Code §4107(a) (3), (7)*. He found that Ledcor’s testimony supporting §4107(a) (7) did not meet the burden of proof and was therefore rejected.

The California Public Contract Code §4107 maintains that the prime contractor must only meet one requirement to be granted a subcontractor substitution request.

On Thursday, September 29, 2011, all parties were notified via certified mail of the District’s decision in favor of the Ledcor’s request to substitute Sass Electric in place of the listed subcontractor, Fitzpatrick Associates, Inc. for Section 16000 – Electrical.

Attachments:

1. Notice of Subcontractor Substitution submitted to Fitzpatrick and Associates, dated September 2, 2011
2. Notice of Consent of Substitution, dated August 16, 2011
3. Ledcor Subcontractor Substitution Letter, dated August 15, 2011

# NOTICE OF SUBSTITUTION



**Date:** September 2, 2011  
**To:** Fitzpatrick and Associates  
**From:** Tony Michel, Fire Chief  
**Subject:** Notice of Substitution Request (by certified mail)  
Fairbanks Ranch Fire Station Replacement Project

Dear Sir(s),

The General Contractor for the Project, Leducor Construction, Inc. has submitted to the Rancho Santa Fe Fire Protection District ("District") a written substitution request for the release of your company as the listed subcontractor for Section 16000 – Electrical. Leducor has requested substitution for the reason that Fitzpatrick and Associates has discontinued work on the project by removing tools, equipment and labor force. Furthermore, Leducor has indicated that your company has failed to communicate your intent to return to the project and that no written notification has been received stating that your company has agreed to be released from the project.

In accordance with the requirements of the Public Contracts Code Section 4107, you are hereby notified in writing of the substitution request submitted by Leducor Construction, Inc. Fitzpatrick and Associates has five (5) working days to submit a written objection to the substitution. Failure to object will be considered consent.

Sincerely,

Tony Michel  
Fire Chief

# CONSENT OF SUBSTITUTION



**Date:** August 16, 2011, 2011  
**To:** Bill Piatnitzka, Project Director  
Ledcor Construction, Inc.

**From:** Tony Michel, Fire Chief  
**Subject:** Consent of Substitution / Waiver of Objection  
Electrical Work for the Fairbanks Ranch Fire Station

Dear Bill,

It is our understanding that on July 27, 2011, your electrical sub-contractor, Fitzpatrick Associates Electrical, abandoned the Fairbanks Ranch Fire Station Project by removing tools, equipment and labor force. Furthermore, in your recent correspondence (attached), you indicate that Ledcor has made several attempts to contact Fitzpatrick and has sent written notification warning them that they would be in default of their existing agreement with Ledcor should they fail to re-mobilize and return to the project.

The Rancho Santa Fe Fire Protection District ("District") understands that as of August 11, 2011, Fitzpatrick has failed to communicate their intent to return to the project and therefore has abandoned this construction project. The District has received your request to substitute Fitzpatrick Associates Electrical as the listed subcontractor under Public Contract Code 4107.

The District acknowledges your request to replace Sass Electric, Inc., as the listed subcontractor for the remaining electrical work for the Fairbanks Ranch Fire Station and that Sass Electric will complete the required electrical work as specified in the contract documents.

Sincerely,

Tony Michel  
Fire Chief

LEDCOR CONSTRUCTION INC.  
US. HEAD OFFICE  
6405 Mira Mesa Boulevard, Suite 100  
San Diego, CA 92121  
TEL: 858-572-6400  
FAX: 858-527-6410

August 15, 2011  
Rancho Santa Fe Fire Protection District  
PO Box 410  
Rancho Santa Fe, CA 92067

Attention: Chris F. Galindo

Re: Fairbanks Ranch Fire Station #3  
Subj: Substitution Request of Fitzpatrick Associates, Inc.

This is to request the Rancho Santa Fe Fire Protection District allow Ledcor Construction, Inc., to substitute Sass Electric in place of Ledcor's listed subcontractor, Fitzpatrick Associates, Inc. on the Fairbanks Ranch Fire Station #3 project. Ledcor's request is under Public Contract Code section 4107, subdivision (a) (3), (7) and (9). Fitzpatrick Associates, Inc. has abandoned the project and since 7/27/11 has provided no indication that they are able to fulfill their subcontract obligations and complete the remaining electrical work. This matter is urgent; please immediately begin the substitution process.

Sincerely  
Ledcor Construction, Inc.



# Rancho Santa Fe Fire Protection District

P.O. Box 410 • 16936 El Fuego • Rancho Santa Fe • California 92067-0410  
Tel. (858) 756-5971 • Fax (858) 756-4799

**Board of Directors**  
*James Ashcraft, President*  
*John Tanner*  
*Thomas Hickerson*  
*Nancy Hillgren*  
*Randall Malin*

**Fire Chief**  
*Tony Michel*

## HEARING ON REQUEST FOR SUBCONTRACTOR SUBSTITUTION

The prime contractor LEDCOR CONSTRUCTION, INC. ("Ledcor") request for substitution of subcontractor FITZPATRICK ASSOCIATES, INC. ("Fitzpatrick") with SASS ELECTRIC came on before hearing September 19, 2011 before Fire Chief Tony Michel, the duly authorized officer of the awarding authority RANCHO SANTA FE FIRE PROTECTION DISTRICT ("District"). The hearing was held at 18027 Calle Ambiente, Rancho Santa Fe, California and commenced at 9:00 am, concluding at 10:29 am. The hearing was held in accordance with California Public Contract Code §4107.

The hearing was held based on a Request for Substitution dated August 15, 2011 from Ledcor; a Notice of Substitution sent from the District to Fitzpatrick dated September 2, 2011 and Objections and Request for hearing from Fitzpatrick's legal counsel dated September 8, 2011. A Notice of Hearing was sent and received by all parties. The Request for Substitution by Ledcor is based on Public Contract Code §4107(a) (3), (7) and (9).

Present at the hearing were:

Ledcor Construction, Inc.:

Rick Corder; Bill Piatnitza; Scott Ludwig; Sam Byrd and their legal counsel Jeff Baird.

Fitzpatrick Associates, Inc.:

Lee Fitzpatrick and Eugene Fitzpatrick.

Project Architect - Jeff Katz Architecture:

Jeff Katz; Bob Withers; Anthony Damon

Project Electrical Engineer - ELEN Engineering:

Tim Locklear

Rancho Santa Fe Fire Protection District:

Chris Galindo, Captain / Project Manager



### **Presentation by Ledcor:**

Ledcor submitted an eight page letter from its legal counsel with 21 exhibits attached. In addition to the written documents Ledcor presented testimony from Jeff Baird, Esq. and Scott Ludwig. Summary of the testimony presented by Ledcor was:

1. Beginning in spring 2011, Ledcor staff began to notice unsatisfactory work as well as other numerous deficiencies being performed on the Project by Fitzpatrick electrical workers.
2. In early May, Tim Locklear of ELEN Engineering, the Projects Electrical Engineer, conducted an electrical inspection and submitted a Field Survey where he noted many deficiencies.
3. The observed electrical rough-in conduit installation methods were in violation of the National electrical code and there were many other deficiencies project wide that were too numerous to note.
4. After the rough-in inspection, Fitzpatrick agreed to fix the deficiencies but due to a decrease in their manpower, delays ensued and many of these deficiencies were not being addressed.
5. After each site inspection by the Project Electrical Engineer, the deficiencies progressively worsened, some adjustments had to be made in the Projects schedule because other sequential work and trades were now being impacted by Fitzpatrick's decreased workflow, delays and work deficiencies.
6. Beginning in June 2011, Fitzpatrick's manpower issues became such a disruption to the project that it was adversely affecting Ledcor's construction schedule for the Project.
7. Ledcor sent Fitzpatrick numerous correspondences explaining the need for additional manpower.
8. Ledcor eventually made the decision to subsidize Fitzpatrick's manpower deficiency by bringing in additional electrical workers to the project. Fitzpatrick initially objected to this move, but later acquiesced.
9. Beginning in July 2011, Ledcor believes that Fitzpatrick was having money issues when a pay request was approved in the amount of \$130,000.00; a joint check was issued to Rexel Electrical / Fitzpatrick Associates, Inc., in the amount of \$120,000.00 with the remainder of \$10,000.00 going to Fitzpatrick for labor costs. Rexel Electrical was a material supplier of Fitzpatrick that submitted a 20 day preliminary notice.
10. Fitzpatrick objected to what was being paid to Rexel and wanted additional money.
11. Ledcor contends that when Fitzpatrick refused to endorse the joint check to Rexel for the full amount, they were in breach of Section 5.3 of their subcontract. Ledcor further contends that since this issue began, Fitzpatrick has not attempted to resolve the Rexel payment issue and there has been no correspondence from Fitzpatrick to Ledcor or Rexel.
12. Several of the items billed by Fitzpatrick and allegedly delivered by Rexel Electric are not on the jobsite and Ledcor can't verify delivery.
13. Ledcor's position is that they are working diligently with Rexel to resolve the issue of missing materials and allegations by Fitzpatrick.
14. Ledcor was unable to receive MEP inspection by the County primarily due to electrical deficiencies. The San Diego Gas and Electric inspection also did not pass for the same reasons.

Testimony was also heard from Tim Locklear of ELEN Engineer, the project electrical engineer. A summary of Mr. Locklear's testimony is:

1. The quality of work being performed by Fitzpatrick during the underground rough-in stage was substandard and that the craftsmanship of installation was not up to par for this scope and size project.
2. When the electrical work transitioned into the above-grade phase, the comments and deficiencies that he noted during his inspections and field surveys were not being addressed.
3. Many of the installation and component deficiencies were considered to be remedial code problems not

normally seen in this type of project.

4. There were devices and components that were missing from concrete masonry walls ("CMU") that could not be installed once a CMU wall is constructed.

Testimony was also heard from Jeff Katz of Jeff Katz Architecture, the Project Architect. A summary of Mr. Katz's testimony is:

1. He had concerns with the Fitzpatrick's work and voiced his concerns to Ledcor regarding Fitzpatrick's ability to manage this portion of the contract.
2. He also spoke about the process for approving pay requests submitted by Ledcor.

**Presentation by Fitzpatrick:**

Fitzpatrick presented no documents at the hearing. Eugene Fitzpatrick spoke on behalf the subcontractor. Summary of the testimony presented by Fitzpatrick was:

1. The project was behind schedule, not because of Fitzpatrick, but other reasons such as "pipes not shown on the as-builts and what he described as a "large design, intertwining that stopped full entry of the MEP".
2. The framers found a large number of problems during the rough-in phase and that due to the fact that this was a "low bid" project sub-contractors didn't have the financial means to remove and replace items 2, 3, 4 or 5 times. No one had any idea which way this project would go.
3. In regards to the installation of hard-lids, Fitzpatrick asserted that it was impossible for any of the trades to finish a portion of work because all of what he described as the "issues" to get into the ceiling did not exist.
4. Keeping on track was difficult and that Ledcor kept hounding Fitzpatrick to "keep moving" and to finish that portion of the work.
5. Fitzpatrick found it difficult to move from the first floor to the second floor because no ceiling structure was in.
6. Ledcor was "on him (Fitzpatrick) to keep moving" and that Fitzpatrick needed to provide more workers to complete the job.
7. Fitzpatrick contends Ledcor short-paid them for four consecutive months. If Ledcor gave Fitzpatrick more money they would have more people on site.
8. Fitzpatrick stated that frustration on the project began to grow because the contract was behind and that everyone was making mistakes.
9. When Ledcor wrote his company a \$10,000.00 check for payroll, he was expecting a check in the amount of \$40,000.00.
10. Fitzpatrick contends "that it was their (Ledcor) intent to put him out of business".
11. Fitzpatrick was doing a good job and was carrying 5 workers for six weeks before they left the job.
12. Fitzpatrick contended that "if I wasn't doing my job, why did all drywall get installed on the walls and ceilings?"
13. Fitzpatrick didn't believe that it was his company's fault that Ledcor was behind in the schedule.
14. Ledcor asked Fitzpatrick to sign an unconditional release prior to receiving the amount owed to his company.

**Rebuttal testimony by Ledcor:**

Rebuttal testimony was heard from Jeff Baird, Esq. and Rick Corder. Summary of the rebuttal testimony presented by Ledcor was:

1. Ledcor is sympathetic to the financial strain that this type of public works project may have on some subcontractors, however when pay applications were submitted to Ledcor they were paid.
2. In response to the issue of “releases”, Fitzpatrick was never told to sign an unconditional release. The amounts that were paid were approved by Jeff Katz and at no time were they told to withhold payments.
3. In response to Fitzpatrick’s comments regarding the progress issues with the Project, if Fitzpatrick had issues with this, they could have simply submitted an RFI to Ledcor. To date, Fitzpatrick has submitted none.
4. In response to the issue of the Fitzpatrick’s supplier, Ledcor is working with Rexel’s legal counsel to evaluate the invoicing of material purchased for the project.

**Rebuttal testimony by Fitzpatrick:**

Rebuttal testimony was heard from Eugene Fitzpatrick. Summary of the rebuttal testimony presented by was:

1. That thirty (30) days after Fitzpatrick submitted their billing to Ledcor, Fitzpatrick was told they were being short-paid.
2. That Fitzpatrick told Ledcor to pay Fitzpatrick the full amount of their pay application to them and then pay the remainder to Rexel the following month.
3. Fitzpatrick stated that they never told Ledcor to withhold anything from Rexel.
4. Fitzpatrick was never issued a change order for any of their work and that coordination delays were the fault of Ledcor and others.
5. Fitzpatrick didn’t have the money to re-do a job two (2) times and felt that they worked well with other subcontractors.

**Closing Remarks:**

Jeff Baird, Esq. on behalf of Ledcor provided closing remarks that Ledcor had met the burden of proof to be granted substitute Fitzpatrick Associates with Sass Electrical under California Public Contract Code § 4107(a)(3), (7), and (9).

Fitzpatrick offered no closing remarks.

**[Decision on following page]**

**Decision:**

After evaluating the oral testimony and the written documentation from both parties, the undersigned as the duly authorized officer of the awarding authority RANCHO SANTA FE FIRE PROTECTION DISTRICT finds that:

1. Ledcor has met the requirements under California Public Contract Code § 4107(a)(3) in that Fitzpatrick failed or refused to perform its subcontract.
2. Ledcor has met the requirements under California Public Contract Code § 4107(a)(7) in that the work that was performed by Fitzpatrick was substantially poor and deficient work and there has been no attempts by Fitzpatrick to rectify the deficiencies.
3. Ledcor has not met the requirements under California Public Contract Code § 4107(a)(9).

As the requirements of California Public Contract Code § 4107 only require the prime contractor to meet one requirement it is my decision to grant Ledcor's request to substitute the subcontractor Sass Electric in place of the listed subcontractor Fitzpatrick Associates, Inc.

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Tony Michel, Fire Chief  
Rancho Santa Fe Fire Protection District

Dear "C" Shift,

It is devastating to lose a beloved family pet. It is even more devastating to be out of the state, moving your child into college and get this news.

Thank you so much for being such a great help to Ron & Carrie Butter while they were watching our dogs and going above and beyond by transporting LJ to All Pets hospital.

I cannot thank you enough. Please accept this small gesture of thanks as a symbol of a GIGANTIC heart of gratitude.

blessings to you all,

Scott and Kathy Thurman

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# STAFF REPORT

NO. 11-21

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**TO:** BOARD OF DIRECTORS  
**FROM:** TONY J MICHEL, FIRE CHIEF  
**SUBJECT:** SALE OF SURPLUS EQUIPMENT  
**DATE:** OCTOBER 5, 2011

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## RECOMMENDATION

Staff recommends that the surplus vehicle VIN: 1GKDM19W7YB527721 (2000 GM Safari Van) be sold at auction. This sale will take place on February 4, 2012 in Ramona, California by TNT auctioneers to the highest bidder.

## BACKGROUND

The capital replacement plan identified the replacement purchase of a new fire prevention vehicle in FY10. A Ford Explorer (P2644) was been purchased and placed in service. This vehicle will be used to perform a variety of services and is available for all personnel, but will be used primarily by the District's Public Education Specialist. The configuration of the Ford Explorer has the additional benefits of being able transport large amounts of public education materials or three rows of seats to transport multiple adults, if necessary. The existing 2000 GM Safari Van has been retained for use thru the brush abatement season. The 2000 GMC Safari Van is the oldest vehicle in the prevention fleet and has been scheduled for surplus.

## CURRENT SITUATION

The 2000 GMC Safari Van has provided this function in the past, but it is nearing the end of its serviceable life. It has relatively low mileage at over 51,000 miles, however it has required frequent service and is becoming increasingly unreliable. With the addition of the new fire prevention vehicle the van is the most apparent choice for disposal.

The District has used the San Diego County auction as a method for disposing of surplus equipment in the past. This method has been approved by District counsel as the most appropriate to receive compensation and limit our liability. The present sub-contractor to the County is TNT Auction, who has been contacted and are prepared to take delivery of our vehicle in anticipation of the next auction.