

AGENDA

GOLDEN GATE FIRE CONTROL & RESCUE DISTRICT

4741 Golden Gate Parkway

DATE: July 13, 1993

TIME: 7:30 - 10:00 P.M.
Recess if not Completed

1. Pledge of Allegiance/Invocation
2. Approval of Agenda
3. Approval of Minutes, Date(s): 6/8/93

4. Old Business:
 - A. Update On Emergency Complex Agreement

5. New Business:
 - A. Legal Representation Agreement (Kim Kobza & Fire District)
 - B. Set Budget Hearing Dates
 - C. Discussion About Administrative Employee Reviews

6. Reports:
 - A. Operations
 - B. Expenditures
 - C. Association
 - D. Union

7. Adjourn

GOLDEN GATE FIRE CONTROL & RESCUE DISTRICT

COMMISSION MEETING

JULY 13, 1993

THESE MINUTES ARE JUST HIGHLIGHTS OF THE MEETING. REFER TO THE RECORDED TAPE IF MORE INFORMATION IS NEEDED.

The board meeting of the Golden Gate Fire Commissioners opened with the Pledge of Allegiance and Invocation; all board members were in attendance. There were approximately 11 people in the audience.

Approval of Agenda:

- * A motion was made by Commissioner Budd and seconded by Commissioner Smith to approve the agenda as presented. Motion passed unanimously.

Approval of Minutes, Date(s): 6/8/93:

- * A motion was made by Commissioner Budd and seconded by Commissioner Smith to approve the minutes of the 6/8/93 meeting as written. Motion passed unanimously.

Update on Emergency Complex Agreement:

Chief Peterson advised that he had met with the department's new attorney, Mr. Kim Kobza, at which time he provided Mr. Kobza with all of the written material from the department's files regarding this agreement.

Mr. Kobza had previously provided the Board with a written report dated June 24, 1993 on his findings. At the meeting tonight, Mr. Kobza verbally went over the key issues in that report and answered questions the Board had. Mr. Kobza stated that there were two key issues that he needed the Board to give him direction on. These are; compensation to the County for the 1.26 acres of land that were used for construction of the complex and arriving at the correct construction cost for the complex.

The County is asking for a fair market value of the 1.26 acres. Mr. Kobza stated that he felt it would be very difficult for this type of property to receive a fair market value. The County is looking to use this to offset any lease obligations they may have to the District in the event the District should purchase this property. Mr. Kobza concludes that there is no legal basis for the County Manager's claim for compensation for the 1.26 acres as part of the purchase price. The County basically held the 1.26 acres as custodian, under the original Avatar Agreement, for the benefit of the people of Golden Gate. Mr. Kobza referred to the

January 1989 Memorandum of Understanding which outlined the terms under which the complex was to be built and also the July 15, 1989 agreement, believes it to be controlling, that was signed by both the District and the County. Mr. Kobza feels that these two documents include substantial language that indicates the property would be donated under one deed, at no additional cost, if there was any purchase. The County Attorney's office has interpreted the verbiage differently. They believe there was no intention to donate that property because they thought there was just a sliver of land and really did not know 1.26 acres was involved. Mr. Kobza added that there is nothing legal that would prevent the District from paying the County for the 1.26 acres if it so desires.

The second issue relates to the construction cost of the facility. The final construction cost will serve as a basis for all equity and eventually the dollar amount for lease payments under the agreement. The construction costs have varied significantly. The July 1989 draft gives the cost at \$845,000, the October and December 1992 drafts gives the cost at \$934,000, and the latest draft in April 1993 gives the cost at \$986,000. Correspondence from Mr. Reardon in May 1990 gave a \$900,000 figure. At a minimum, the basis for reimbursement would be, because the District was aware, the \$900,000 amount. Mr. Kobza hopes to have answers relative to the construction costs by the next meeting. Chairman Strain would like to see verification from the County (copies of invoices) as to the actual construction cost. The Chairman would like for the Board to review the invoices and then arrange a meeting with the County, Mr. Kobza, the Chief, and a Fire Commissioner.

Mr. Kobza went on to advise that the April 1993 draft was a total rewrite and changes the District's position and that the lease agreements were not drafted parallel to each other. If the District is the renter, there is a multipage document for the District to comply with. If the County is the renter, the County would not have to comply with all these items.

Mr. Kobza's recommendations to the Board are as follows:

1. Need to establish construction cost.
2. Express a position that the Board is going to take relative to the compensation issue. Send a letter to the County Manager from the Fire Commission Chairman stating this position. Mr. Kobza stated he would help with the drafting of this letter. If an impasse develops, take it before the County Board.

3. Would like to try to reach an agreement with the County Attorney as to the leases. If an impasse develops, take it before the County Board.

* A motion was made by Commissioner Budd and seconded by Commissioner Smith to write a letter to the County Manager stating the Fire Board's position. Motion passed unanimously.

* A motion was made by Commissioner Budd and seconded by Commissioner Smith to give the Board's position of no additional compensation to Collier County for the 1.26 acres that was to be dedicated as part of construction for the Golden Gate Emergency Complex if the District exercises the purchase option. Motion passed unanimously.

Legal Representation Agreement (Kim Kobza & Fire District):

As the Board requested, Chief Peterson checked with the other fire districts regarding legal representation. Attorneys are basically used for labor issues and most of the districts deal pretty much with one particular attorney. There is one district that exchanges office space for legal services.

There was some discussion on the option to elect base rate found on page 2. Mr. Kobza advised that the district could elect this option at anytime. The Board did not wish to elect this option at this time.

* A motion was made by Commissioner Smith and seconded by Commissioner Budd to accept the agreement as presented. Motion passed unanimously.

Set Budget Hearing Dates:

Pat Meulenberg advised that the County will not be selecting their dates until July 27th (District cannot hold budget hearings on same day as County) and that the required paperwork from the District needs to be back to the County by August 1st, therefore, the Board will need to keep the month of September open. Chairman Strain advised that the only time he couldn't make it would be the 4th Monday (Avatar Advisory Board meeting).

* Chairman Strain stepped down from the Chair to make a motion to authorize Pat Meulenberg to set the budget meeting dates. Motion was seconded by Commissioner Smith. Motion passed unanimously.

Discussion About Administrative Employee Reviews:

Chairman Strain stated that he felt it would be a good idea in the future, for backup in files, to work up a review format for the chief and have him do a similar review format for administrative personnel beneath him. The intent is to be able to look at the compensation packages depending on performance. The Chairman advised that by next meeting he would have a suggested format put together for the Board's review.

Operations Report:

Chief Peterson gave the following oral report:

1. Received documentation from Collier County Clerk of Court's office that the District is in compliance (has provided all documentation required by Florida Statutes).

2. There is a shortfall in ad valorem dollars for Ochopee Fire Department which the County attempted to offset by using District One dollars. Met with Norris Ijams, Chief Schank, and Chief Doerr and an agreement has been reached for the 1993/94 fiscal year to split the funds equally, which have been reduced by 48%, between the three (3) fire departments. Norris Ijams wants to come up with some kind of rule for distributing the District One dollars in the future. He is looking at so much per call or so much per square mile that was being protected. Chief Peterson advised the Board that he has taken the position that we equally participate with everybody as it has been done in past years and asked for an indication from the Board if they disagree with this.

Chairman Strain asked if with the 48% reduction would it still hold true that dollar wise we do better by signing a contract to protect District One over annexing part of that area. Chief Peterson replied that this should be looked into before signing anything for the 1994/95 fiscal year.

3. Received official notification that one of the volunteers, Harold Barker, has received his State of Florida Firefighter Certification and congratulated him.

4. Have taken possession of a 6X6 5 ton dump truck from D.O.F. The mechanic is evaluating it mechanically before redesigning it for use as a brush truck.

5. Have received a donation of a new upright air compressor from Harvey Brothers Farms. Harvey Brothers was in need of some of the engine parts that were in our scrap pile. This air compressor was in return for the scrap parts.

6. Total calls as of June 13th is 1631. Last year a total of 1823 was run. The percentage for rescue is 68.9%, fire related is 12.6% with good intent at 7.5%. The majority of calls occur between 12 noon and midnight. As a whole, the average response time is still at five (5) minutes.

7. Have received certification of taxable value from the property appraiser. That figure has come in at \$955,076.00 which gives the district an increase of only \$40,722.00 in ad valorem dollars. The increase over the roll-back rate is 0.82% (last year was 2.04%).

Expenditures:

- * A motion was made by Commissioner Smith and seconded by Commissioner Budd to approve the expenditures as presented. Motion passed unanimously.

Volunteer Association Report:

Matt Zaleznik gave the following oral report:

1. Four (4) new volunteers are enrolled in the first responders class.
2. Dave Price built two new benches, one for each station.
3. New Officers:
 - President : Art Gooley
 - V. Pres. : Paul Schafer
 - Secretary : Bill Wallace
 - Treasurer : Sabrina Farrell
 - Director : Corey Nelson
 - Director : Matthew Zaleznik
 - Qtr.Master: Bill Ward

Union Report:

No Report.

Adjournment:

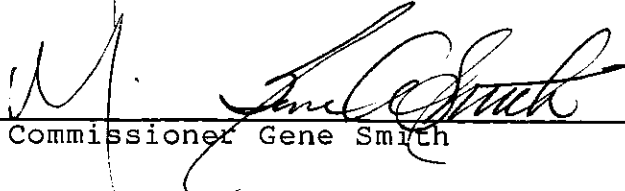
- * A motion was made by Commissioner Smith and seconded by Commissioner Budd to adjourn the meeting at 9:05 P.M. Motion passed unanimously.

Commission Meeting
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Minutes of the 7/13/93 Commission Meeting were approved on
8/10/93.



Commissioner Mark Strain

Sorry → 

Commissioner Gene Smith



Commissioner Russell Budd