

Belmont-San Carlos Fire Protection
Authority
San Mateo Co Times
July 1, 2006

New fire department

■ Commission celebrates launch of Belmont-San Carlos Fire Department

By Christine Morente

STAFF WRITER

BELMONT — Marking the death of the South County Fire Protection Authority and the birth today of the Belmont-San Carlos Fire Department, the commission in charge of it decided Friday afternoon to move forward with 15-year special benefit assessments to help sustain services.

It also signed off on a five-year labor agreement with the International Association of Fire Fighters Local 2400. Negotiations with the union began in February.

"With the last day of South County Fire Protection Authority, we need to recognize what we've done. We still have challenges, but this gives us the confidence to do little miracles."

Dave Warden
COMMISSIONER

"With the last day of South County Fire Protection Authority, we need to recognize what we've done," said Commissioner Dave Warden. "We still have challenges, but this gives us the confidence to do little miracles."

"We need one more miracle," said Vice Chair Coralin Feierbach.

That miracle is to pass two separate 15-year special benefit assessments for

Belmont and San Carlos in August.

At the meeting Friday, Chair Matt Grocott and Commissioner Bob Grassilli — who serve on the San Carlos City Council as mayor and council member, respectively — agreed to go to the other members of their council and ask them to support an assessment that would raise an annual \$1.2 million.

gets busy

For single-family dwellings, that would be \$99 a year.

The money would go to such items as engine and building replacement, a 10 percent operating reserve and a 20-year retiree medical option.

Feierbach and Warden — who serve on the Belmont City Council — have yet to decide, with rest of their council, if they need to raise \$1 million or \$1.1 million a year.

To raise \$1 million, single family homeowners would pay \$88. For \$1.1 million, the payment would be \$96 a year.

The amounts will be considered by the San Carlos council on July 24 and on July 25 by the Belmont council.

Please see **FIRE**, Local 3

New fire board has their hands full

► **FIRE**, from Local 1

Ballots would be mailed to property owners in August. Hearings and vote tallies would begin in late September.

A simple majority is required to pass an assessment.

Recently, the councils approved an amended joint powers agreement for fire services. Under it, San Carlos covers 53 percent of the annual budget, and Belmont will be responsible for 47 percent.

Both entities also approved a balanced budget of \$12.5 million for this fiscal year.

On Friday, commissioners also agreed to extend Fire Chief Chuc Lowden's contract for 30 days. Lowden has served as a consultant while the two cities decided the fire agency's fate. After that, commissioners will appoint an interim chief before hiring a permanent chief.

With only six to seven weeks left before ballots could be mailed out, some commissioners agreed to send out brochures, letting voters know why an assessment is needed and what would happen if the measures fail.

Grassilli was the only commissioner to say he was tentative about using public funds for the mailers.

"I'm just not that comfortable," he said.

MIKE VEPI.
SAN MATEO COUNTY TIMES
JULY 8, 2006

King sentenced to 45 days

FORMER SAN CARLOS COUNCILMAN Mike King enters the San Mateo County Courthouse on Friday before being sentenced to 45 days in jail and three years of probation for felony fraud.

JOHN GREEN — Staff



■ Former San Carlos politician denied new trial in fraud case

By Rebekah Gordon

REDWOOD CITY — Former San Carlos Mayor and Councilman Mike King dropped his head in dejection Friday as he was sentenced to 45 days in county jail and three years of supervised probation following two April felony convictions for defrauding the South County Fire Protection Authority.

With King's family and friends watching, San Mateo County Superior Court Judge Barbara Mallach denied his attorney's requests for a new trial, a reduction of the charges to misdemeanors and a lighter sentence of work

furlough and community service.

"I think it's an incredibly unusual situation to have someone with Mr. King's background before the court in this situation," Mallach said. "I know how deeply people feel about you, Mr. King, and how highly they regard you, so it's a very sad day, of course.

"On the other hand," Mallach continued, "this was an incredibly bad error of judgment."

King's defense attorney, Chuck Smith, said he intended to file an appeal. King was released Friday on his own recognizance, and jail time was stayed pending the appeal. A conference on the appeal status is set for Oct. 4. Smith had argued for a new trial on

OVER

the basis that the law King was prosecuted under does not apply to a joint powers authority such as South County, and he likely will make that argument again.

In April, King, 64, was convicted of submitting a false claim with intent to defraud the authority and conspiracy to defraud, facing up to two years in prison. After an indictment was handed down in February, King refused to plead no contest, despite a deal that would have amended the complaint to a misdemeanor.

King, a three-term city councilman from 1993 to 2005, and twice the city's mayor, sought to collect \$13,320 from the authority with a fraudulent invoice from Margaret "Peg" Collier, a political consultant for the committee to pass 2003's Measure I, a tax assessment to keep the authority solvent. Through a joint powers agreement, the authority has provided fire service to Belmont and San Carlos since 1979, and King sat on its board of commissioners.

Collier, 68, struck a plea bargain with prosecutors to testify against King and was sentenced in April to one year's misdemeanor probation and 120 hours of community service.

Collier was out more than \$15,000 she had spent on campaign literature for the measure, which failed; the claim was designed to reimburse her. Because public

dollars cannot be spent on campaigns, Collier testified that she submitted a false invoice to the authority, under King's direction, for helping laid-off firefighters find new jobs — work she never did.

King, former chief executive officer of the Bank of Santa Clara, has had ample community support since the April verdict. Friends set up a trust fund for contributions to offset his court costs, though it is unknown how much has been raised. As he faced sentencing, 135 letters from community members, politicians and other King supporters were presented to Mallach, who said she read every one of them before rendering her decision.

"There's common themes that run through those letters," said co-defense attorney Jim Hartnett, a Redwood City councilman. "They're about virtue, they're about honesty, they're about fidelity, they're about giving.

"But a few minutes, the core events of this case, and the thousands and thousands of hours that he has committed to his community, there is a ledger and there is a balance," Hartnett pleaded to the judge. "It is a balance that you're entitled to make in this ordinary motion for this extraordinary individual."

But Mallach sided with the prosecution, citing, in part, that the jury did not find King candid when he testified about his role in the crime and that he was an elected official at the time it was committed.

"We do and we should hold public officeholders to a different standard," pros-

ecutor Sean Gallagher said. "Public officeholders know what they're getting in for, they accept the burden and privileges of holding public office, and when they breach that trust, they should be held, frankly, to a higher standard."

San Carlos Mayor Matt Grocott, who shared the dais with King from 2001 to 2005, said Mallach did the right thing.

"A strong message needs to be sent to us in public office that we've been given (the public's) trust," Grocott said. "And, in cases like this, it's important for the court to send a message that ensures that public trust will be kept, because any act like what was taken by Mr. King erodes the public trust."

San Carlos Councilman Bob Grassilli, who has been friends with King since 1989 and was in court Friday, said he was disappointed that King's sentence was not reduced.

"Anybody who's known him for any length of time, it's so out of character for the whole thing," Grassilli said. "I really thought those were the words that hung with me, it's an 'extraordinary situation.'"

Despite the conviction, Grassilli said his support would not waver.

"He's my friend yesterday, he's my friend today, he's my friend tomorrow," Grassilli said. "I still trust him with anything."

BELMONT-SAN CARLOS FIRE DEPT.
SAN MATEO COUNTY TIMES
JULY 21, 2006

Special elections may be delayed

■ Belmont-San Carlos Fire Department wants more time to campaign

By Christine Morente

STAFF WRITER

Feeling rushed, Belmont-San Carlos Fire Department commissioners plan to postpone special elections from August to Sept. 29 to give them more time to campaign.

The four-member fire board — made up of council members from Belmont and San Carlos — are expected to take their recommendations to their councils next week. Both cities are holding special benefit-assessment elections to maintain the fire service once called the South County Fire Protection Authority.

Initially, the plan was to send out ballots on Aug. 10.

"To do the campaign justice, we need more than three weeks to put out information," said San Carlos Mayor Matt Grocott, who serves as chairman. "I think people are aware of what's going on; we just don't want to lose that momentum. I'm not asking to push it out too far."

For San Carlos, Grocott and Councilman Bob Grassilli recommend a 15-year assessment that would raise an annual \$1.2 million. For single-family dwellings, that would be \$99 a year.

Belmont Vice Mayor Coralin Feierback and Councilman Dave Warden may recommend either an \$88 or \$96 a year

assessment — to raise \$1 million or \$1.1 million.

In June, the fire board approved a joint powers agreement that would have San Carlos pay 53 percent of the budget for fire services, while Belmont would cover 47 percent — if the assessments pass in both cities.

Right now, both cities split budget costs 50-50.

Warden said Thursday that delaying the election would ensure that the assessments would pass and finally stop Belmont from covering 50 percent of the costs.

"We don't want to pay 50 percent anymore," he said. "I think the feeling is we're trying to weigh the greater likelihood of the assessment passing later than paying more in the meantime. Ultimately, we want it to be successful. We're not just doing it for fun."

He said so many other pressing issues such as the joint powers agreement, labor negotiations, and who will replace interim Fire Chief Chuc Lowden, prevented the fire board from

focusing on the details of the assessment.

Lowden's contract expires this month. He announced Thursday morning he won't seek to renew it.

Once the details of the assessments are set, some firefighters will go out and campaign in August.

Belmont-San Carlos Fire Department Capt. Joe Kinson, of Station 16 in San Carlos, volunteered to head the campaign for the firefighters.

"We will provide manpower if precinct-walking needs to be done," he said. "I'm very confident our guys can get it done. I don't think there's a lot of people aware (of the assessments) now."

A simple majority is required to pass an assessment. If both councils agree on a September election, results of the assessments would be available in mid-November.

San Carlos Council meets at 7 p.m. Monday in Council Chambers, City Hall, 600 Elm St.

Belmont Council meets at 7:30 p.m. Tuesday in Council Chambers, City Hall, One Twin Pines Lane.

Levies OK'd for fire services

■ Proposed assessments due for September vote in Belmont, San Carlos

By Christine Morente
STAFF WRITER

BELMONT — Plans are now firmly in place for a September mail-in election to ensure the survival of the new Belmont-San Carlos Fire Department.

After more than an hour of discussion Tuesday night, the Belmont City Council unanimously agreed to set an annual homeowners' assessment of \$93, aimed at raising \$1.06 million a year to help support the department for 15 years.

The vote came one day after the San Carlos council unanimously agreed to charge single-family homeowners \$99 a year to raise \$1.2 million, also for 15 years.

Commercial businesses would be assessed based on the square footage of their property.

Both cities will mail their ballots Sept. 29. A simple majority is needed to pass the assessments. Election results would be available in mid-November.

Before the Tuesday vote, Belmont council members ping-ponged between an \$88 annual fee, expected to raise \$1 million, and a \$97-a-year assessment for \$1.1 million. They decided to split the difference.

Belmont Finance Director Thomas Fil recommended the \$97 assessment, reminding the council that the fire service, formerly known as the South County Fire Protection Authority, had a \$1.5 million cash-flow deficit each year. And each time, money had to be taken from the city's general fund.

Councilman Warren Lieberman agreed.

"The \$1.1 million amount gives us a little assurance," he said. "I think whatever happens with us, a \$100,000 cushion will be a good one. I think the money will be well used."

But Councilman Dave Warden disagreed.

"I think \$1 million is enough," he said.

\$88 and \$97 assessment levels, hence the \$93.

"As they say, half a loaf is better than none," Warden said.

The suggested assessment amounts came from the Belmont-San Carlos Fire Department's four-member commission, made up of council members from both cities.

Under a new joint-powers agreement the two cities signed, a funding formula was devised in which San Carlos

would pay 53 percent of the budget for fire services, while Belmont would cover 47 percent.

Right now, the cities split budget costs equally.

Meanwhile, the fire board needs to find a permanent fire chief. Interim Fire Chief Chuc Lowden announced last week he will not renew his contract with the fire board.

The board meets at 6:30 tonight at San Carlos City Hall, Room 207, 600 Elm St., to discuss the fire chief and battalion chief positions.

For some time, Vice Mayor Coraline Feierbach shook her head, not being able to decide between the two options. She was worried about the city's apartment complexes and that costs from the assessment would be passed down to the people who live there.

"We are an apartment city," Feierbach said. "The lower we go, the better it is."

The council finally agreed on a mid-point between the

Fire board appoints new chief

By Christine Morente
STAFF WRITER

After more than two years without a permanent fire chief, the Belmont-San Carlos Fire Department fire board agreed to finally make a hire.

Battalion Chief Doug Fry was promoted Wednesday night to acting fire chief until the end of the month to cover for interim chief Chuc Lowden who is on vacation. Fry, will then become the permanent fire chief in August after he signs his contract, said San Carlos Mayor Matt Grocott, who also chairs the board.

Fry is ready to helm an agency that has been through plenty of changes. He's been with the department for 31 years — it was the Belmont Fire Protection District when he joined.

"I'm excited to be working with the board and . . . building back the department," he said Thursday. "We've had stumbling blocks and hiccups, but it's a new day, it's a new start for a new agency, and I'm glad to be a part of it."

Still, he faces uncertainty until results of the September mail-in election are available.

Belmont and San Carlos are asking homeowners and property owners to support annual fire assessments to maintain the department for the next 15 years. If both assessments fail, the joint fire department will not survive. Grocott said that Fry is aware of the situation and is a

Please see **FIRE**, Local 8



JOHN GREEN — Staff

DOUGLAS FRY is the new Fire Chief for Belmont and San Carlos.

BELMONT-SAN CARLOS FIRE DEPT.
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better choice than bringing someone in from outside the area. Fry had been acting chief before.

"(Fry) saw the creation of South County Fire Protection Authority, its dissolution, and now he will be putting (the department) back together again," Grocott said. "He's been here the whole time."

The last permanent fire chief for the former South County Fire Protection Authority was Herb Jewell, who left in De-

cember 2003.

Lowden was contracted to help the board through the authority's dissolution, and its new joint powers agreement as the Belmont-San Carlos Fire Department. Lowden's contract expires at the end of the month.

Now, Fry will have to fill three battalion chief and four fire captain positions.

At the Wednesday meeting, the fire board decided to scrap Lowden's recommendation to promote Cpt. Mike Gaffney as battalion chief. Lowden had used an expired promotions list

created four years ago. Gaffney was ranked at the top of the list after passing a series of tests.

Instead, the board decided to hold battalion chief and captain promotion exams after 90 days, Grocott said.

In the meantime, five fire captains will each have five weeks to serve as acting battalion chief. Fry said it will give them experience and help prepare them for the test. San Mateo, Foster City, Woodside and Redwood City are all scheduled to hold their own promotion tests as well.

The Belmont-San Carlos Fire Department — on its way to being whole and with a new department insignia — will also have six new firefighters on Aug. 7, along with two laid-off firefighters who were rehired in June and July, Fry said.

"It's going to be exciting times," he said.

BELMONT-SAN CARLOS FIRE DEPT.
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Fire Dept. seeks support

■ Firefighters may go door-to-door to get assessment passed

By Christine Morente

STAFF WRITER

BELMONT — Calling on the work ethic of a Jehovah's Witness, Belmont and San Carlos firefighters will soon go door-to-door, asking homeowners to vote for fire assessments to maintain services.

It will be a tough job, especially if they have to convince three gentlemen who have coffee outside of Doc's at the Carlmont Shopping Center in Belmont.

They call themselves the "tough old guys from Immaculate Heart of Mary," and they said they won't support the assessment.

"I would find it difficult for them to substantiate the need for money to maintain services," said Peter Kimball, a Belmont resident. "I think their first reaction to balance the budget with a government organization is to raise taxes or fees associated with that particular agency. (They don't) review their cost structure. I think it should be run like a business."

"Look to economize," said John DiPaola, another Belmont tough guy. "They should ask how (they) can be more efficient."

Starting Sept. 29, San Carlos and Belmont property owners will be asked to vote on a tax that would help fund the financially ailing district.

Ultimately, it is the passage of both assessments that will determine the future of the Belmont-San Carlos Fire Department.

In Belmont, an annual tax of \$93 per property would raise \$1.06 million a year for 15 years. In San Carlos, a \$99 a

year per property assessment would raise \$1.2 million, also for 15 years. Commercial businesses in both cities will be assessed based on the property's square footage.

In 2003, the failure of Measure I — a fire tax assessment — forced layoffs and demotions. The tax would have charged residential homeowners \$88 per dwelling per year and 11 cents per square foot for nonresidential property owners.

The goal was to raise \$3.2 million a year for the department formerly called the South County Fire Protection Au-

thority, which continued to face yearly deficits and further budget cuts from Belmont and San Carlos city councils.

Kimball and DiPaola's sentiments are examples of what firefighters will face this month.

Many property owners aren't aware of the assessment, while others are dead set against it.

A simple majority is needed to pass the assessments. Results of the elections will be available in mid-November.

Pat Bell, a San Carlos resident for five years, has been following the issue for about a year.

"My concern is, I haven't heard boo about anything being

done (with the campaign), and the people haven't paid attention all this time," she said. "We better educate them. I can tell you why they need the money. (But) if I'm the only one, they're in bad shape."

A full-scale education campaign will begin this month — first with mailers that list the benefits of the two fire assessments, and what would happen if one or both failed. Later, a number of firefighters will volunteer and may go door-to-door during the campaign process.

They probably shouldn't bother ringing Bryan Coffind's doorbell.

"I'm done," the San Carlos

resident said. "Property taxes are going up, there's the school tax, and so I'm fed up. Mr. Bush is doing a fine job spending all of our money. I'm voting, no. Definitely."

Bell says otherwise.

"We owe a tremendous debt to the firefighters," she said. "They have stuck with us through all the cuts for the last three years, and we have not been as supportive of them as they have been for us."

BELMONT-SAN CARLOS FIRE DEPT.
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NEW CHIEF APPOINTED



RON LEWIS — Staff

DOUG FRY received a pin from his wife, Kathy, on Monday signifying his appointment as chief of the new Belmont-San Carlos Fire Department. The new agency replaces the South County Fire Authority. The ceremony was at Belmont's Fire Station 14.

Businesses weighing San Carlos fire tax plan

'This is fairer' than earlier defeated measure, former industry-group head says

By Beth Winegarner
Staff Writer

SAN CARLOS — Officials have crafted a Belmont-San Carlos Fire Department tax proposal they think homeowners can afford, but businesses in both cities are struggling to determine whether they will support the assessment — and what they will be asked to pay.

San Carlos has adopted a tax structure in which, if the assessment passes, homeowners would pay \$99 per year and businesses would pay between \$243 and \$322 per year, depending on the type, according to Mayor Matt Grocott. In Belmont, homeowners will be asked to pay a maximum of \$93 per year while commercial property owners would pay roughly 6 cents per square foot, according to Councilman Dave Warden.

Businesses in the Harbor Industrial Area opposed Measure I, the 2003 tax measure designed to raise \$3.2 million for the fire department Belmont and San Carlos have shared since 1979, on the grounds that it asked businesses to contribute a disproportionate amount. Under that parcel tax, businesses would have paid 11 cents per

square foot while residents paid \$88 per year. It failed, receiving 61.2 percent of the vote when it needed 66.7 percent.

"This is fairer," said Howard James, past president of the Harbor Industrial Association. "It's still two to three times more than what homeowners pay, but it's fairer to someone who has a larger structure than to someone who has a smaller structure."

The HIA has not taken a formal position on the new tax, James added.

The San Carlos Chamber of Commerce will meet Friday with members, as well as City Council members, to teach businesses about the new proposal and discern their level of support. However, the chamber endorsed Measure I, according to Director Sheryl Pomerenk.

In Belmont, business representatives said they had not gauged local sentiment about the new fire assessment. A woman answering the phone at the Belmont Chamber of Commerce, who would not give her name, said she had not heard about the tax plan. The chamber is between directors, with the newly appointed director Diane Greist starting this month.

The all-mail ballot to approve the tax, which is designed to raise roughly \$2.5 million for the fire department formerly known as the South County Fire Protection Authority, will head to voters Sept. 29. It requires a simple majority to pass.

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