

*South County Fire District
San Mateo Co Times
June 16, 2006*

Fire district nears fruition, but special fee still up in air

■ How does South County Fire spell relief? H-i-r-e more f-i-r-e-f-i-g-h-t-e-r-s

By **Rebekah Gordon**

STAFF WRITER

Amended joint powers agreement? Check.
More firefighters hired to relieve the staffing crunch? Check.
Budget approved for the next fiscal year? Check.

Belmont and San Carlos residents, breathe a partial sigh of relief.

With exactly two weeks left to go until the candle of the South County Fire Authority burns out and a reconstituted Belmont-San Carlos Fire Department appears, the pieces are falling into place.

But don't let that sigh out completely just yet, as the special benefit assessment to keep the authority solvent — for which property owners will bear the brunt — remains to be

settled.

Without batting an eyelash, San Carlos and Belmont's City Councils approved an amended joint powers agreement for fire services this week that will go into effect July 1, with new provisions that give the councils power over major decisions such as budgets and requiring a review of the agreement every four years.

A new funding structure assigns 53 percent of the annual budget to San Carlos and 47 percent to Belmont, weighted for factors such as call volume and assessed valuation of property.

After years of politicking and fiscal woes, in 2004 San Carlos and Belmont opted out of the authority they had shared since 1979. The relationship was slated for dissolution June 30, and the cities spent last year considering other options for fire service. But the tides changed

Please see **FIRE**, Local 7

Decision about assessment amount still under review

► **FIRE**, from Local 1

when talks about saving the authority commenced in January, and its board of commissioners has been working to revise the authority's agreement by the end of this month.

Though saved from dissolution, the authority's tenuous state has made it difficult to fill staffing holes left by seven firefighters who were laid off at the end of 2003. Remaining firefighters have worked copious overtime, and 24-hour "brownouts" have occurred periodically at stations when there simply isn't anyone left to call into work.

But there is relief in sight, as Fire Chief Chuc Lowden reported Wednesday that one laid-off firefighter will return to the authority today, and another on July 1.

Interviews of other candidates took place this week, Lowden said, and

three conditional offers were made and accepted. With required background checks and medical examinations, those firefighters are not expected to start until Aug. 1. The authority is also looking at recruiting experienced paramedics already certified for the county.

"Hopefully, we've taken a big step to provide some relief to the current firefighters in the organization," Lowden said. "It's overdue. I apologize for that. I wish I had done things more quickly."

Fully staffed, the department is budgeted to have 26 firefighters.

The authority will also need to find a permanent fire chief, as Lowden was hired primarily to see the authority through its dissolution. Now based in Reno, Lowden was South County's chief from 1995 to 1998.

The authority likely will retain Lowden as a consultant through the reconstitution, and perhaps promote a

current battalion chief to interim chief until a permanent one can be found.

The authority has even made headway in amending its contract over providing hazardous materials services for the county. For months, the authority has been battling for nearly \$80,000 it believes it is owed for services provided.

The amendment prevents such predicaments from happening again, primarily by bringing in the Sheriff's Office of Emergency Services to administer the contract.

"We certainly put in a lot of effort to try to fix the situation, if you will, and I think this contract does," said Lee Lazaro, director of administration and finance for the Sheriff's Office.

A balanced budget of \$12.5 million has also been approved for the next fiscal year, an increase of nearly \$3 million from last year. The authority

(over)

wants to see its budget increase to somewhere between \$13 million and \$14 million for the next 10 years.

But how that 10-year budget will look, exactly, has yet to be determined.

The budget will dictate how much money the authority will need to request from property owners in the two cities for a special benefit assessment. Amounts could be approved at council meetings at the end of July and ballots mailed to property owners Aug. 10. Hearings and vote tallies would happen in late September. A simple majority is required to pass an assessment.

City staff have toyed with asking for \$1 million to \$1.5 million annually in Belmont and \$1 million to \$2.25 million annually in San Carlos. That means a Belmont single-family homeowner could pay from \$88 to \$132 annually, and a San Carlos single-family homeowner could pay from \$82 to

\$183.

There has been strong sentiment among the commissioners, two of whom are from San Carlos' City Council and two of whom are from Belmont's, to keep the amount asked of single-family homeowners under \$100.

Numbers are still conjecture at this point, and the authority's board of commissioners will meet again on June 28 to discuss assessment amounts.

"It's not like an endurance race, and it's not a sprint," said Matt Grocott, San Carlos mayor and chair of the board of commissioners. "It's like the 200-meter hurdles, because you keep getting over hurdles, and you haven't finished the race. The assessment is the last big hurdle."

Staff writer Rebekah Gordon can be reached at (650) 348-4331 or rgordon@sanmateocountytimes.com.

Vacancies put fire dept. in hot seat

■ San Carlos, Belmont may face more brownouts due to low staffing levels

By Rebekah Gordon

STAFF WRITER

With 100 shift vacancies to fill during the last week of June and the first two weeks of July for the understaffed South County Fire Protection Authority, and just a trickle of new hires coming down the pike, more 24-hour "brownouts" may be coming to San Carlos and Belmont.

"Without some additional people, it's going to be dicey," said Doug Fry, a South County battalion chief.

The authority has already had two closures in May, one in Belmont and one in San Carlos. Both were ordered after a firefighter scheduled to work called in sick and there was no one left to call to take his place. A captain, a paramedic and a firefighter must be on hand to man a station — sans one, a fire engine or truck is not safe to operate.

But an occasional sick day isn't all Fry will have to contend with shortly.

With school out for the summer and the Fourth of July holiday around the corner, it's prime vacation time. And with two firefighters out on disability for injuries, one captain on long-term sick leave, and one captain scheduled to retire in July, Fry will have a bare-bones staff to keep the two fire stations in Belmont and two in San Carlos, which comprise the authority, open for business.

Two more firefighters could be hired by the end of the month, but it may not be enough to stop the brownouts for now.

There are currently 31 firefighters and captains in South County, and two battalion chiefs. In the authority's heyday, there were 63 people on staff, Fry said.

Firefighters are not the only ones in short supply. With former battalion chief Dan Belleville having left to become

Please see **GAPS**, Local 3

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South County Fire Protection Authority suffers staffing woes

► **GAPS**, from Local 1

deputy chief for the San Mateo Fire Department, the battalion chief staff has diminished by a third.

Because of that and vacations, Fry will have to work from June 23 to July 3, for his longest shift in his 30-year career in fire protection.

"I'm just going to be here straight for 10 days covering those shifts," he said. "I'm kind of doing my part, too."

The authority's staffing woes began after the failure of a fire tax assessment, Measure I, in 2003, that forced layoffs and demotions and took one engine out of service, foreshadowing the money-strapped authority's demise. By the end of 2004, politicking and mounting fiscal woes led San Carlos and Belmont to opt out of the authority that they'd forged in 1979. The relationship was slated for dissolution June 30, but talks that started in January convinced both cities to save their beleaguered authority.

The board of commissioners has until June 30 to revise the authority's joint powers agreement, and a special benefit assessment will go before property owners for vote this summer to help maintain solvency.

Firefighters have worked extra overtime to keep the authority operating - typically 80 hours a week when normally they would work 56.

Fire Chief Chuc Lowden confirmed that it would be incorrect to say that another brownout can't happen.

"The possibility will be there probably through the month of July," Lowden said. "The probability, I think, is decreasing as we do these hires."

Lowden said he hoped to have one of the laid-off firefighters back on staff by June 16, and another within a couple of weeks. Interviews and offer extensions are continuing for the other four positions, he said.

The brownouts also have a domino effect on the authority's neighbors, with the onus largely on Redwood City to fill the coverage hole when a station closes in San Carlos, and San Mateo having to do the same for Belmont.

When Redwood City and San Mateo lend a hand, that makes for more sparse coverage in their own cities, and the effect spreads.

Belville, the deputy chief for San Mateo, confirmed that fire chiefs from San Mateo, Redwood City and other cities have met to discuss coverage strategies for South County brownouts. The county employs a drop-boundary system to respond to calls.

"When you lose a fire station in one city, someone has to make up the difference," said Jim O'Donnell, who retired in 1995 after 20 years as a South County battalion chief and now runs the nonprofit Industrial Emergency Council to provide training to fire agencies.

"It's really a great system," O'Donnell said about dropping boundaries, "if everybody can hold up their end."

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King back in court; sentencing postponed

By Beth Winegarner
Staff Writer

REDWOOD CITY — Former San Carlos Mayor Mike King, convicted in April on felony fraud and conspiracy charges, will appear in San Mateo County Superior Court today but his sentencing will likely be postponed until July, according to Deputy District Attorney Sean Gallagher.

King's sentencing was initially scheduled for today, but his attorney, Chuck Smith, has requested a new trial. Judge Barbara Mallach will consider that motion today, Gallagher said.

On April 18, a 12-member jury found King, 64, guilty of two felony counts stemming from his attempt

to help political consultant Margaret "Peg" Collier recoup some of the \$17,000 she was owed for her work on the failed November



King

2003 Measure I campaign, which would have raised funds for the South County Fire Protection Authority. He helped Collier submit false invoices for finding displaced firefighters new jobs, work she has since admitted she never did.

Among the new filings, "We are alleging that there is insufficient evidence of a conspiracy," Smith said. "It's impossible to have a conspir-

acy, because it takes two."

Collier pleaded no contest to misdemeanor fraud charges in her own trial and testified in King's trial that she did not intend to defraud the fire agency. During King's trial, Mallach and Gallagher said a conspiracy can exist when both parties have discussed the plan before acting on it and have each committed one overt act associated with the plan.

Meanwhile, another former San Carlos mayor, Sally Mitchell, has helped establish a fund for King's legal costs. "This was the only way that people in town could think of to let him know how much they loved and supported him," Mitchell said.

To this day, Collier has remains unpaid for her Measure I work.

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Staffing pinch closes station

■ Officials say hiring firefighters should keep future closures at bay

By **Rebekah Gordon**

STAFF WRITER

SAN CARLOS — Hiring woes for the South County Fire Protection Authority left one of San Carlos' two fire stations dark for 24 hours over the weekend, the second "brownout" in less than two weeks, though officials say two hires on the horizon should keep future closures at bay.

Six firefighter openings sanctioned months ago by the authority's board of commissioners have proved difficult to fill, especially given the authority's tenuous outlook as it is salvaged from once-imminent dissolution.

"Getting those couple guys on board will be huge for us," said May Way, a South County firefighter and union vice president for San Mateo County Fire Fighters Local 2400.

The closure, at Station 16 on Alameda de las Pulgas near Howard Avenue, began at 8 a.m. on Saturday and was deemed necessary after a firefighter called in sick for his shift.

Each fire engine or ladder truck (the authority, which provides fire service for Belmont and San Carlos, currently has four) must be staffed by three people: a firefighter, a captain and a paramedic.

Please see **FIRE**, News 9

San Carlos fire station forced to shut down

► **FIRE**, from News 1

Given current staffing levels, if someone calls in sick or is injured, there is usually no one to call to take his place, forcing the closure. Most firefighters are working overtime as it is, averaging 80 hours per week when they normally work about 56, and can't be stretched any further.

"We're not going to run a piece of equipment with two people on it — that's unsafe," Way said.

The two other firefighters assigned to the shift were allowed to take the day off.

A closure also occurred at Station 15, on Cipriani Boulevard near Ralston Avenue in Belmont, for 24 hours beginning on May 18. Since Belmont carried the burden of the closure then, this time, San Carlos had to endure it.

"It's not our fault, it's not the city's fault," Way said. "We're sort of stuck with this for now until we can get people on board."

After years of politicking and fiscal woes, in 2004 San Carlos and Belmont

opted out of the authority they'd had jointly since 1979. The relationship was slated for dissolution June 30, and the cities spent last year considering other options for fire service. But the tides changed when talks about saving the authority commenced in January. The board of commissioners has been working to revise the authority's joint powers agreement by June 30. This summer, property owners will be asked to approve a special benefit assessment that will bring in \$3.2 million annually to help maintain solvency.

Though hiring a firefighter is not simple, with extensive physicals and background checks required, the authority's unstable ride has probably made the positions even more difficult to fill, said San Carlos Mayor Matt Grocott, chair of the authority's board of commissioners.

"It's probably still a tough sell to a new hire," Grocott said. "We're at a difficult period right now with the organization. It's really difficult for someone to come on board when they don't know if an assessment is going to pass."

Besides the two pending hires, Fire Chief Chuc Lowden hopes to hire four more firefighters by the middle of the summer and make the brownout Saturday the last that either city has to bear.

"Do I expect it to occur again? No, I don't. But, again, if somebody gets ill or somebody gets injured, it's not something we have a lot of control over," Lowden said.

Perhaps that will provide some comfort to 22-year San Carlos resident Don Mancini, who said he was not pleased to see Station 16, just two blocks from his home, darkened Saturday with a "closed" sign on the door.

Though fire departments drop city boundaries to respond to calls, that is still one fewer fire engine nearby, he said.

"That drastically reduces coverage within the city," Mancini said. "It makes a big difference, and it's all safety, it's all people's lives."

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*South County Fire
San Mateo Co Times
May 31, 2006*

Battalion chief leaves South County Fire

BY LIZ HARRELSON
DAILY NEWS STAFF WRITER

A veteran South County Fire Authority battalion chief has left the embattled organization for kindlier turf.

Dan Belville, who spent 26 years with South County Fire, began working with the San Mateo Fire Department Tuesday as deputy fire chief.

"I put a lot of thought into it because I put a lot of time into South County Fire," Belville told the Daily News.

"The bottom line is, it was good for me, it was good for my family."

Belville began his career as a volunteer with the Felton Volunteer Fire Department in 1977. He worked for 26 years with the South County Fire Authority, serving the cities of Belmont and San Carlos, including 14 years as battalion chief, a position in which he was instrumental in building the hazardous materials team and training the staff in how to handle incidents

involving weapons of mass destruction.

"He was an asset to the department, he took charge of the Hazmat response team and made it what it is today," said South County Fire Battalion Chief Doug Fry. "He'll be sorely missed."

As city officials in Belmont and San Carlos have waged war over shared expenses, South County firefighters have made no bones about being tired

See BATTALION CHIEF, page 10

BATTALION CHIEF

From page 3

and overworked, at times logging 80-hour workweeks.

In December 2004, after voters failed to pass a parcel tax measure to fund the service, the Belmont City Council called for the dissolution of the authority, claiming the 50/50 pay agreement with the larger city of San Carlos was unfair.

Hopes for keeping the authority intact were resurrected in February of this year when the two cities agreed to work

together on the issue. Voters who receive South County services will soon be asked once again to pay in order to keep afloat the chronically underfunded organization, which will be "browning out" its fire stations on a rotating basis due to firefighter exhaustion.

"It's very difficult for an organization to take that type of punishment," said Belville. "(But) that's not why I ran."

It was San Mateo's kind persistence — rather than South County Fire's tumultuous history — that prompted Belville to make the change, a decision he said kept him up many nights.

"He has a lot to offer us and we have

a lot to offer him as well," said San Mateo Fire Chief Brian Kelly, adding that "we clearly pursued him."

In San Mateo, Belville will oversee the operations and training divisions, with six fire stations and three battalion chiefs reporting to him, Kelly said.

Belville's new position as deputy fire chief is two ranks above battalion chief, but his salary will remain about the same, as the overtime pay he accrued at South County Fire matches his new income as deputy chief.

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Fire figures exceed 'pain point'

BY DAVID SMITH
DAILY NEWS STAFF WRITER

San Carlos and Belmont property owners' payment threshold for fire service will be pushed to the limit — and perhaps past it — when the two governing entities of South County Fire ask for the money to properly fund the fire agency.



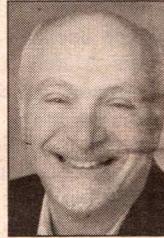
FEIERBACH

The South County Fire Authority reviewed Wednesday the assessment value figures presented by MuniFinancial Group, an assessment district engineering company, which came back higher than anticipated.

During its February negotiations, the board estimated a \$3 million assessment at \$84 per dwelling and 12 cents per square foot of commercial space, and on Wednesday most of the board members said that in their discussions around town, many were uninterested in paying above \$100 per single-family residential parcel.

"Definitely. I've talked to quite a few

people," said board member and Belmont City Council Member Coralin Feierbach of the \$100 "pain point" and her discussions with various homeowners association presidents.



GRASSILLI

MuniFinancial officials said that to keep assessments for residents — the targeted voting bloc for passing the assessment — under \$100 would limit Belmont's annual value from the district to \$1.1 million and San Carlos' to \$1.2 million, the total of which is short of the discussed \$3 million, said board member and San Carlos City Council Member Bob Grassilli.

"I'm going to ask for as much as I need to make it work," Grassilli said. The concept behind the assessment district is to help reimburse San Carlos and the Belmont Fire Protection District and raise enough money so the two entities don't have to go out for another assessment, he added.

"We've got to be willing as a city to pay what it costs to run a fire depart-

ment," said San Carlos Mayor and fire board member Matt Grocott, looking at an assessment below \$100.

According to MuniFinancial's preliminary numbers, for a \$1.05 million assessment in Belmont, owners of single-family dwelling units would pay \$88.36 per year for fire service. For a \$1.3 million amount, Belmont residents would pay \$110, and for \$1.56 million, they'd pay \$131.64 per housing unit.

In San Carlos, single-family homeowners would pay \$142.50 for a \$1.82 million assessment and \$162.60 for a \$2.08 million proposal. If San Carlos were to seek a \$2.34 million assessment, residents would be charged \$182.72 annually.

The San Carlos City Council and Belmont Fire Protection District will decide the value of their prospective assessments at meetings in late July.

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GROCOTT

▶ SAN MATEO

San Mateo gets new deputy fire chief

After 26 years with the South County Fire Authority in Belmont and San Carlos, Daniel Belville was appointed deputy fire chief of the San Mateo Fire Department Tuesday, a position that has been vacant for a year.

Belville was a battalion chief for South County since 1992, including a 14-month assignment as interim fire chief. Long plagued with politicking and fiscal woes, the authority was headed for dissolution until earlier this year, when the cities agreed to rebuild it.

Belville began his fire service career in 1977 as a volunteer firefighter with the Felton Fire Protection District. He received a bachelor's degree from the University of San Francisco in 1985 and a master's degree in public administration from the California State University, East Bay (formerly Hayward) in 1988.

Belville will primarily oversee field operations and training, second in command behind Fire Chief Brian Kelly. The six-station department has three battalion chiefs, 21 captains and 52 fire fighters.

*South County Fire
San Mateo Co Times
May 31, 2006*

Rich friends help former city mayor

FORMER San Carlos Mayor **Mike King**, accused of trying to defraud the South County Fire Protection Authority, appears to be getting by with a little help from his friends.

His wealthy friends.

He was convicted April 18 for submitting a false claim with intent to defraud the South County Fire Protection Authority and conspiracy to defraud.

The Times has learned that a trust account has been established to help King offset his legal expenses, and ostensibly any fines a judge may impose as part of his sentence.

"There were a lot of people in town who were very frustrated that they couldn't do anything to help him," said **Sally Mitchell**, a former San Carlos mayor and councilwoman. "The one thing people felt that they could do was aid in his defense."

Mitchell, along with **Geoffrey Stern**, the owner of Geoffrey's Diamonds in San Carlos, have been facilitating the placement of donations in the established fund, and Stern's store has been a drop-off spot.

"Mike never saw the funds," Mitchell said.

Citing privacy concerns, Mitchell refused to elaborate on who had donated or how much money has been raised.

She called the process very informal and by no means proactive — it simply came about when people wondered how they could help.

"We didn't make a concerted effort to pound the pavement," Mitchell said.

King, 64, faces up to three years in prison for seeking to collect \$13,320 from the authority's board with a fraudulent invoice for **Margaret "Peg" Collier**, a political consultant for the committee backing the failed Measure I campaign to raise money for the ailing authority.

King was supposed to be sentenced Friday, but county prosecutor **Sean Gallagher** said the hearing will be rescheduled after a motion for a new trial was filed by King's attorney **Chuck Smith** late last week.

Meanwhile, multiple sources have confirmed that King's friends and colleagues have been writing letters to the court highlighting his contributions to the community and asking for leniency when the sentence is handed down.

No such love for Peg

Ironically, no one has been raising money to pay Peg Collier, the political consultant who was stiffed \$17,000 by the Measure I campaign committee.

"There's nobody going around to pay my bill, I'll tell you that much," Collier said Wednesday.

Collier spent her own money on the Measure I campaign literature under a verbal contract with the committee led by King, former San Carlos Councilman **Don Eaton**, Belmont Councilman **Dave Warden** and former Belmont Councilman **George Metropulos**.

She attempted to recoup costs by submitting a bill to South County Fire at King's direction. She was charged with intent to defraud a public board, because it is illegal to pay campaign expenses with taxpayer money.

"I'm very bitter about this, because I see, in retrospect,

Please see **INSIDER**, Local 5

*San Mateo Co Times
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Rich friends help former city mayor

► **INSIDER**, from Local 1

that I was used," Collier said. "God, I don't want to sue anybody."

In a deal with prosecutors, Collier pleaded guilty, testified against King and was sentenced in April to one year's misdemeanor probation and 120 hours of community service.

Collier said she has until the fall to take legal action against members of the campaign committee.

Election Day foibles

Board of Supervisors candidate Jack Hickey got a big surprise when he requested a Libertarian ballot at his polling station, the Clifford School in San Carlos on Tuesday.

"They couldn't find any Libertarian ballots in English," said Hickey, who lost his bid to unseat Supervisor Rich Gordon, receiving 23.64 percent of the vote. "I had to fill out a Chinese one."

Another Libertarian friend of his reported the same problem at a South San Francisco polling station, he said.

The polling stations found the English ballots later in the day after searching for them, said county elections manager David Tom.

"This is the sort of thing you would expect from a primary election," said Tom, who also mentioned that a few vote-counting machines had malfunctioned and had to be fixed or replaced on the spot. No votes were lost in the process, he said, though he wouldn't elaborate on how many machines had broken down or where they were.

"Our technicians travel around with an extra machine in their trucks for a situation like this," Tom said.

FIKE DEPT
SAN MATEO COUNTY TIME
MAY 12, 2006

South County makes slow progress

■ Pace, overtime frustrates firefighters

By **Rebekah Gordon**

STAFF WRITER

When it comes to reconstituting the South County Fire Authority, the deliberate speed of city governing can sometimes feel a little too slow for its firefighters, especially with so much still left for fixing, and no end to working overtime in sight.

"It's frustrating to have it all reduced down to numbers when the firefighters deal with saving lives," said Ed Hawkins, the president of San Mateo County Fire Fighters Local 2400, the union that represents South County.

"The guys are frustrated, of course, at the slowness of it," he added. "The whole thing drags on, and a lot of them do wonder about their careers."

After years of politicking and fiscal woes, in 2004 San Carlos and Belmont opted out of the authority they'd had since 1979. The relationship was slated for dissolution June 30, and the cities spent last year considering other options for fire service. But the tide changed when talks about saving the authority commenced in January, and the two councils gave their nod by April.

A letter of agreement about how to structure the new authority passed the muster of the Belmont City Council Tuesday

and will come back to San Carlos' council on Monday. From a new name — the Belmont-San Carlos Fire Department — to a new funding structure, it is significant headway in erasing the uncertainty that hovered over the firefighters for two years.

"Who wants to live with all that uncertainty?" Hawkins said.

But that letter, merely a precursor to the actual new joint powers agreement which still must be drafted, has taken nearly six weeks to garner approval from one city. A first draft of the letter was rejected by San Carlos' council in April, which wanted room for more cities to join the authority down the road, and more power yielded to each city council in decision making.

If San Carlos approves the revised letter on Monday, attorneys will be working against the June 30 dissolution date to get the new authority set up.

"The main thing is to get San Carlos to sign their deal like Belmont did a couple nights ago," said union district vice president and South County firefighter Mark Way. "It just takes forever to get anything done."

Belmont City Councilman Dave Warden, who also sits on the authority's board, said the authority has been moving in a forward direction since January, but he was nonetheless sympathetic about the pace.

"I'm very concerned about the length of time that it has taken to get to this point," he said.

"We just have to get it done," he said. "I just want to make sure that the joint powers agreement doesn't take as long as this letter of agreement, and this letter of agreement took us two months."

Councils only meet twice a month; each draft of the letter requires their approval. San Carlos' meeting was specially scheduled to speed the process up.

"We've been really happy with the work the fire board has done — they've worked through some really difficult issues," said Gary Fauth, also a union district vice president and South County firefighter. "The part that slows things down is trying to get the councils up to speed."

Even more patience, diligence and tolerance for numbers talk will be required after the joint powers pact is checked off the list, as San Carlos and Belmont will bring a special benefit assessment to property owners for approval this summer, designed to yield \$3.2 million annually to meet the authority's \$13 million budget. The parameters of the assessment are still under analysis, but \$84 per household and 12 cents per commercial square foot has been an estimate.

Part of that money will go to help amortize about \$12.8 million in pension liabilities by 2019; a consultant's study to determine exact figures was recently completed. The authority also has to approve a budget for the 2006-2007 fiscal year and complete labor negotiations.

Further, firefighters are continuing to work extra hours, after the failure of a special tax to keep the authority afloat forced the layoff of seven of their colleagues. Measure I was rejected by voters in November 2003.

The board has told South County Fire Chief Chuc Lowden to hire, and letters were sent to the seven laid-off firefighters to discuss reinstating their positions. Lowden said he is in discussions about jobs with two of them.

"There's just some anxiety of when it's actually going to happen," Fauth said. "We need to get some new people on board before the summer."

The firefighters have been averaging some 80 hours in shift work per week; normally they work about 56.

"It's burning people out," Fauth said. "People are pretty tired."

MIKE VETI,
THE EXAMINER/INDEPENDENT
MAY 9, 2006

Belmont, San Carlos revive fire authority

Agency must pass two city councils and new tax levy

BY KATE WILLIAMSON
Staff Writer

Belmont — The South County Fire Authority's Board of Commissioners approved the final agreement to save a renamed and reorganized South County Fire Authority on Wednesday night.

The meeting at Belmont's City Hall was quiet, but well-attended by firefighters waiting on a final resolution of the authority.

"It just seems that the political wheels move slowly. We try to be patient," Fire Capt. Joseph Kinson said.

The new body, to be called the Belmont-San Carlos Fire Department, must still be approved by two city councils this month.

The vote brought the joint powers authority nearly full circle from late 2004, when the two cities that make it up, Belmont and San Carlos, moved to dissolve it due to disagreements about the best way to handle an ongoing budget deficit.

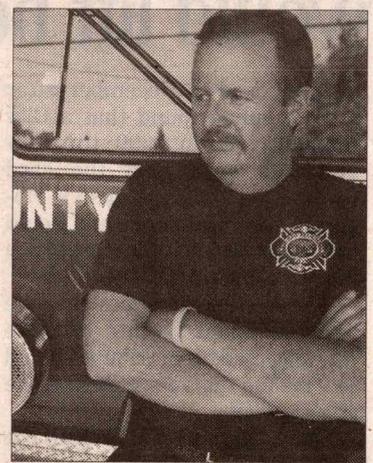
But, in the past few months, officials in the two cities have rallied

to revive the much-lauded body, led by San Carlos Mayor Matt Grocott and Belmont Councilman Dave Warden.

"I was honestly surprised when the elected officials made a last-ditch effort to save South County Fire," Fire Chief Chuc Lowden said.

"A roller-coaster ride, I would suggest, has not been an inadequate description at this point," he said.

Under the new agreement, the



DOUG OAKLEY/THE EXAMINER

Fire Captain Mike Gaffney, who works in San Carlos, said he is looking forward to a name change from South County Authority to the Belmont-San Carlos Fire Department.

\$13 million budget will be split between the cities based on population, assessed property value and the total number of fire stations, companies and service calls coming out of each city.

Before that happens, however, a tax assessment, previously estimated at \$3 million, must be levied

in a mail-in ballot and passed by a majority of property owners in the 2006-07 fiscal year.

Until the assessment is passed, San Carlos and Belmont will continue to split costs halfway.

The board was also working on what were expected to be lengthy labor negotiations on salary,

benefits and contract language in a session closed to the public Wednesday night.

If the revenue measure isn't successful, either city can dissolve the arrangement by June 30, 2007. If it is successful, either can withdraw with 18 months notice.

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FIRE DEPT.
SAN MATEO COUNTY TIMES
MAY 8, 2006

► SAN CARLOS & BELMONT

South County Fire asks residents to clear brush

As fire season approaches, the South County Fire Protection Authority asks Belmont and San Carlos residents to clear brush and grasses to 30 to 100 feet from their homes to create a defensible space from fire. The break should not be to bare dirt.

Other requests for decreasing fire hazard include mowing grasses and weeds to four to six inches in height, planting low-growing fire-resistant vegetation around the home, removing dead and dry brush from around the home, removing dead and dying tree limbs six to eight feet from the ground, and removing pine needles and other debris from roofs and gutters.

The fire authority will be out in force to inspect homes and make sure they comply with local and state fire codes, which call for structures to have a 30-foot minimum clearance from hazardous and combustible vegetation.

For more information about creating a defensible space around your home, contact the authority at (650) 802-4255.

On the Agenda

► BELMONT

City Council

The City Council will hold a regular meeting Tuesday at 7:30 p.m. in Council Chambers, 1 Twin Pines Lane, to continue a public hearing on noise ordinance changes, discuss the revised letter of agreement with San Carlos to continue to provide fire services via a joint powers agreement.

over

Political consultant gets light sentence

■ Being forthcoming counts in Collier's favor

By Malaika Fraley

STAFF WRITER

REDWOOD CITY — From the time two inspectors surprised her at her front door to the day she took the stand against Mike King, political consultant Margaret "Peg" Collier was forthcoming about the fraudulent invoice that resulted in criminal charges for her and the former San Carlos councilman.

And for that, a San Mateo County judge took it easy on her.

Collier, 68, was sentenced Thursday to one year's misdemeanor probation and 120 hours of community service for her role in the South County Fire Protection Authority billing scandal.

Collier pleaded no contest last year to intent to defraud



COLLIER

a public board for submitting a \$13,320 bill to Belmont officials, who handle South County's finances, in March 2004.

The bill was an attempt to recoup \$15,000 she was owed by the committee to pass Measure I, a parcel tax on the November 2003 ballot that resulted in firefighter layoffs when it was rejected by voters in Belmont and San Carlos. She still hasn't been paid by the committee, made up of King and other

elected officials in the two cities and members of the firefighters' union.

Under her plea agreement with the District Attorney's Office, Collier could have received up to a year in jail. She could have received more, had the court found that she had reneged on her agreement by not testifying truthfully against King.

Judge John Runde and Prosecutor Sean Gallagher agreed Thursday that Collier lived up to her end of the bargain. Collier testified King told her to bill as a "headhunter" helping the laid-off firefighters find jobs, while he was fully aware she didn't do the work. She said he crafted the invoice and directed her where to send it.

It is illegal to pay campaign expenses with taxpayer money.

King, who was found guilty of

felony fraud and conspiracy earlier this month, testified he was under the impression that the work was done and his invoice was meant as a sample. He faces up to three years in prison at his sentencing hearing June 9.

"The idea to bill in the way that it happened was not her idea," Gallagher said Thursday. "She trusted another and followed his direction."

Gallagher commended Collier for cooperating with investigators from the beginning, which he said, "was in contrast to others participating in this case."

A political consultant for two decades, Collier has worked on campaigns for hundreds of local elections in San Mateo County and throughout Northern California. Widowed in 1978, she started her business, Strategies, in her Daly City home while raising her children, grandchild-

dren and now, great-grandchildren.

Her attorney, Michael Hrozienschik, said the publicity in the case has cost her "tens, if not hundreds of thousands of dollars."

Several people came to court Thursday to speak on Collier's behalf, including Daly City Mayor Michael Guingona, who hired her for his own campaign.

Guingona said he was impressed by Collier's devotion to her family and the community, having witnessed her volunteering time and resources for multiple causes.

"She has enlightened a lot of people's lives. I believe that she has suffered enough as a result of this conviction," Guingona said.

MIKE DE FIO (COLLIER)
SAN MATEO COUNTY TIMES
APRIL 29, 2006

Agreement highlights

giving additional funds to the new authority via an assessment beginning in the new fiscal year, which starts July 1. Both cities have been adamant that they cannot meet the budgetary requirements of the new authority without a tax on property owners.

A report by consultant Muni-Financial on the particulars of the special-benefit assessment, including exact rates, is due in late May. The cities have used \$84 per household and 12 cents per commercial square foot as a rate estimate, for a total annual yield of \$3.2 million. Property owners would vote on the assessment by mail.

The new weighted funding formula will go into effect on the due date of the first assessment to property owners.

"This allows for the cash to all be there in the percentages we wanted to do," Grassilli said.

If the assessment doesn't pass — a majority vote is required — both cities can opt out of the new authority by the end of this year. If the assessment does pass, either city can still opt out with 18 months written notice. In the spirit of keeping options open, the terms of the new joint powers agreement will also be up for review every four years.

Sticking points for San Carlos which will bring discussions back to the table include wanting language to allow other cities the option to join the authority, what to do in the case of tie votes, and the decision process should San Carlos (or

▶ **New name:** Belmont-San Carlos Fire Department

▶ **Funding contributions:** 25 percent based on population, 25 percent on assessed property value, and 50 percent on number of fire stations, engines, employees and calls in each city

▶ **Annual budget:** \$13 million

▶ **Special benefit assessment on property owners:** Implemented beginning next fiscal year

▶ **Effective dates:** July 1 for new authority; due date of first tax assessment for funding formula

▶ **Liabilities:** Paid off using new funding formula

▶ **Opt out:** If assessment doesn't pass, both cities have until Dec. 31

▶ **City Councils:** Will approve budgets and labor agreements

▶ **Paramedics:** Each fire station will get one

▶ **New joint powers agreement:** Up for regular review

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Belmont) want to add or subtract a fire station.

"That impacts the service level even though the station's in San Carlos. It would impact Belmont," said San Carlos Mayor Matt Grocott. "The question is, simply, how does that decision process take place?"

Otherwise, the agreement calls for staffing each of the four fire stations in the jurisdiction with a paramedic. A failed fire tax assessment in 2003, Measure I, forced demotions and layoffs and took a fifth engine out of service. Only three of the four remaining engine companies have a paramedic.

Though the fire authority's board of commissioners will continue to exist, with its two members each from San Carlos and Belmont city councils, more decision-making power will be yielded to the two councils, which will be required to approve budgets and labor agreements. The fire chief will

continue to report to the board, and human resources and financial services will continue to be provided by Belmont.

The authority also has unfunded liabilities estimated at more than \$13 million, mainly in workers' compensation, retirement pensions and retiree benefits. A report by consultant Bartel Associates on the extent of the liabilities is due back in May. Those liabilities will be paid off through the new funding formula, assuming neither city opts out of the authority. If they do, separate formulas will go into effect for amortization.

The authority, with the councils' approval, also will have to develop new budgets for the coming fiscal year, one for before the special benefit assessment is sent out to vote, and one for after the vote's result.

FIRE DEPT.
SAN MATEO COUNTY TIMES
APRIL 27, 2006

Fire authority agreement stymied

■ South County gets money to stay afloat

By Rebekah Gordon
STAFF WRITER

Having worked to reconstitute the South County Fire Authority since January, San Carlos and Belmont took one step ahead but another back this week, appropriating \$200,000 to keep the authority afloat momentarily, but failing to approve an agreement for how it will look down the road.

On Tuesday, Belmont's City Council approved a letter of agreement outlining how the new joint powers authority, slated to be called the San Carlos-Belmont Fire Department, will come together beginning July 1. But San Carlos' City Council held off on a vote Monday, stuck on particulars.

After years of politicking and fiscal

"I think we had a good give-and-take on the fire board, and I think we tried to compromise as best we could."

Bob Grassilli

SAN CARLOS COUNCILMAN, FIRE BOARD MEMBER

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woes, in 2004 the cities opted out of the authority that had served them since 1979 and spent last year considering other options for fire service. The authority was slated for dissolution June 30 until talks about saving it began early this year and the two councils concurred with votes at the beginning of March. Since then, the fire board met regularly to devise what its new authority will look like, and were back at the discussion table Wednesday night.

"I think we had a good give-and-take on the fire board, and I think we tried

to compromise as best we could," San Carlos Councilman and fire board member Bob Grassilli said last week.

Highlights of the letter of agreement include a new funding formula for how much each city will contribute to the authority's \$13 million annual budget.

Twenty-five percent of each city's contribution will be based on population, 25 percent on assessed property value, and 50 percent on the number of fire stations, companies, employees and service calls in each city.

The cities have shared funding equally, which has long dissatisfied

Belmont. With more people and higher property values, it is now estimated that San Carlos will contribute about 53 percent of the budget and Belmont 47 percent.

But the authority also needs more money now, as its coffers were set to drain to zero by the June 30 dissolution date. A budget review earlier this month showed the authority lacked \$76,000 in cash flow, nearly \$80,000 in unpaid reimbursements from the county for hazardous-materials services, and \$40,000 to generate communications on a proposed fire-service assessment. Each city voted this week to expend \$100,000 to tide the authority over.

The agreement also will affect all property owners in the two cities, who will be asked to vote this summer on

OVER

South Co. Fire - Mike King trial
San Francisco Chronicle
April 18, 2006

REDWOOD CITY

Former San Carlos mayor convicted

He's found guilty of conspiracy in case over consultant's bill

By Dave Murphy

CHRONICLE STAFF WRITER

When a political consultant submitted an inflated invoice in 2004 after talking with former San Carlos Mayor Michael King, it was no mere misunderstanding, a San Mateo County jury decided Tuesday. It was a conspiracy to defraud the South County Fire Protection Authority.

After three days of deliberations in the Redwood City court,

the jury found King guilty of two felonies: conspiracy and presenting false claims. He faces a maximum of three years in prison at his sentencing June 9, but even Deputy District Attorney Sean Gallagher doubts that his sentence will be anywhere near that severe.

King, 64, contended during his trial that a misunderstanding with political consultant Margaret "Peg" Collier led her to file an inflated invoice for \$13,320 with the fire authority. Collier pleaded no contest in December to a misdemeanor of filing a false claim.

Collier worked on the unsuccessful November 2003 campaign

for Measure I, which would have raised money for the fire protection authority, but never got paid. She said she would phone people to help land jobs for firefighters who might be laid off, and King said he encouraged her to submit a bill for that work, even sending her what he said was a template with more than \$13,000 in charges.

Collier acknowledged during the trial that she made only a couple of calls and sent the inflated bill merely because she believed that King was urging her to.

"At the end of the day, it's sad, isn't it?" Gallagher said afterward, adding that he can under-

stand why jurors might have felt empathy for Collier, who never got paid. "I think there was a laziness and an arrogance that led them (King and Collier) to think that they should pay her with public funds."

Defense attorney Chuck Smith said he will file a motion for a new trial before the sentence is imposed. One of his arguments will be that the fraud law cited by Judge Barbara Mallach doesn't apply to joint powers authorities.

The authority provides emergency services to the communities of San Carlos and Belmont.

E-mail Dave Murphy at dmurphy@sfchronicle.com.

Fraud case going to jury

■ Ex-Councilman King's defense attorney to finish closing arguments today

By Malaika Fraley

STAFF WRITER

REDWOOD CITY — Jury deliberations are likely to begin today in the fraud trial of former San Carlos City Councilman Mike King.

King, 64, faces up to a year in jail if convicted of felony charges of intent to defraud the South County Fire Protection Authority and conspiracy to defraud. He is accused of masterminding a scheme to collect \$13,320 for political consultant Margaret "Peg" Collier, based on a fraudulent invoice billed for work she didn't do.

Collier, 68, awaiting sentencing for misdemeanor fraud, lost about \$15,000 working on a failed campaign to pass 2003's Measure I, a parcel tax to fund the fire authority. But it is illegal to pay campaign debts with taxpayer money, and the committee, which included King and other officials from San Carlos and Belmont, dissolved a month after the election.

In closing arguments Wednesday, prosecutor Sean Gallagher asked the jury to focus on the most damning evidence against King — a six-page fax King sent to Collier in February 2004 that included an invoice identical to the bill Collier submitted.

Collier has testified that she copied King's sample under his direction. The invoice asked for \$13,320 for helping out-of-work firefighters find new jobs after Measure I's failure, though most of them had secured new employment within a month after the election. King's fax provided handwritten calculations, the numbers of hours Collier billed for, firefighters' names and a

Defense to finish closing arguments

► **JURY**, from Local 1

\$185 hourly rate.

"These documents are why we're here," Gallagher said. "We know simply that the defendant made these documents, that Peg Collier was owed this money, and there was no other way to get it."

King has testified that the fax was meant to be a sample for work he thought Collier legitimately did. If so, asked Gallagher, why did he write notes on it changing the number of billable hours?

"What does it matter if it's a 1 or a 2 if it's a sample?" Gallagher said. "Because he was trying to get more money."

Gallagher said King has not been truthful throughout the investigation of the Measure I scandal, and his account of what happened has "evolved" over time.

In King's first statement to investigators, Gallagher noted, "He says, 'I didn't offer her numbers. I didn't give her names.' All these lies. They are lies, period."

Defense attorney Chuck Smith, who will wrap up his closing statement this morning, has spent much time at the two-week trial illustrating King's reputation as a banker and as a civic leader known for honesty and integrity.

Smith asked the jury to find King innocent and argued that the charges are unfounded. King did not intend to defraud the fire authority, just as Collier did not intend to defraud the fire authority, he said.

Smith contends that miscommunication between King and Collier, as well as the Belmont officials who forwarded Collier's invoice to the district attorney, is what led to King's indictment.

If they had called King about the invoice, Smith said, King would have told them it was a big mistake.

"None of us would be here if the simple, decent thing was done," King said.

April 13, 2006
San Mateo Co. Times

South Co. Fire - Mike King
Trial
San Francisco Chronicle
April 14, 2006

SAN CARLOS

Conspiracy, false claims case

By Dave Murphy

CHRONICLE STAFF WRITER

After a marathon of sometimes acrimonious closing arguments, jurors began deliberations Thursday afternoon in the case of former San Carlos Mayor Mike King, charged with felony counts of conspiracy and presenting false claims.

The arguments from San Mateo County Deputy District Attorney Sean Gallagher and defense attorney Chuck Smith started midafternoon Wednesday and didn't wrap up until late Thursday morning, with Smith taking well over two hours to argue his points before the six-man, six-woman jury. Jurors resume deliberations this morning.

King, 64, contends that a misunderstanding with political consultant Margaret "Peg" Collier led her to file an inflated invoice for \$13,320 with the South County Fire Protection Authority in early 2004. Collier pleaded no contest in December to filing a false claim but probably will have no jail time because she testified against King as part of her plea

against former mayor in jury's hands

bargain.

Collier worked on the unsuccessful November 2003 campaign for Measure I, which would have raised money for the fire protection authority, but never got paid for her services. Collier said she would phone people to help land jobs for firefighters who might be laid off, and King said he encouraged her to submit a bill for that

work, even sending her what he said was a template with more than \$13,000 in charges.

But Gallagher said King had an opportunity to explain what happened to police right away if it was an honest misunderstanding.

"We never hear that," Gallagher said. "We hear lie after lie after lie."

Smith attacked the credibility

of prosecution witnesses, and said Gallagher didn't prove beyond a reasonable doubt that Collier and King conspired to commit fraud.

"'Might be guilty' isn't enough," Smith said. "'Possibly guilty' isn't enough. 'Probably guilty' isn't enough."

E-mail Dave Murphy at dmurphy@sfchronicle.com.

April 12, 2006
San Mateo Co. Times

Ex-city official denies fraud

■ King says he never intended to defraud board

By Laura Ernde

STAFF WRITER

A former San Carlos councilman said he had no intention of defrauding the South County Fire Authority when he gave a political consultant a suggested invoice to submit to the agency for work she never did.

Mike King said he assumed that political consultant Margaret "Peg" Collier would justify the \$13,300 she billed to the South County Fire Protection Authority on his suggestion.

"There's no way I intended to sneak this thing through or defraud people," said King, chair of the authority at the time.

Prosecutor Sean Gallagher drilled King on the fact that he never bothered to ask Collier whether she had done the work she claimed, which was making calls to help out-of-work South County firefighters find jobs. Collier has testified King knew she hadn't done the work.

"You're a banker, Mr. King.

"There's no way I intended to sneak this thing through or defraud people."

Mike King

EX-SAN CARLOS COUNCILMAN

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You have to be careful with money. You have to be careful as a politician with the public's money," Gallagher said.

Prosecutors say King encouraged Collier, who is awaiting sentencing on misdemeanor fraud, to submit the invoices to make up for the \$15,000 she lost working on a failed parcel tax campaign for the authority in 2003. It is illegal to pay campaign debts with public money.

Gallagher pointed out that the money Collier was owed by Measure I was nearly identical to the amount she billed the authority in February 2004.

"Clearly, I am trying to get her as much money as I can," King said.

On Monday, he testified the sample invoice he faxed to Collier, which was nearly identical to the one she submitted, was never intended to be a real bill.

King, 64, said he expected administrators working for the cities of Belmont and San Carlos to scrutinize Collier's invoice.

Even though he was chair of the authority's board, King never brought the bill to the board for payment, he said.

The trial resumes today in San Mateo County Superior Court.

King faces up to a year in jail if convicted of the charge of intent to defraud a public board.

South County Fire
Mike King Trial
San Francisco Chronicle
April 11, 2006

REDWOOD CITY

Ex-San Carlos mayor calls billing

By **Dave Murphy**
CHRONICLE STAFF WRITER

Former San Carlos Mayor Mike King testified Monday that a misunderstanding with political consultant Margaret "Peg" Collier is apparently what led her to file an inflated invoice for \$13,320 with the South County Fire Protection Authority in early 2004.

"If she said she didn't do the work, I would have said, 'Don't bill us,'" said King, 64, who is being tried in Redwood City on

felony charges of conspiracy and presenting false claims.

Collier worked on the unsuccessful November 2003 campaign for Measure I, which would have raised money for the fire protection authority, but fundraising was so weak that she was not paid for her services. In a meeting shortly before the election, King testified, Collier said she would make calls in an effort to help land jobs for firefighters who might be laid off.

She billed the authority

\$13,320 in an invoice that inflated the amount of work she did helping firefighters land jobs. Collier pleaded no contest in December to filing a false claim and faces up to a month in jail.

"How could you think she had spent the amount of time listed on that bill?" defense attorney Chuck Smith asked.

"I thought she was putting in the kind of work I was putting in," King replied, "because she's that kind of person."

King acknowledged faxing to

a misunderstanding

Collier a template that included the names of the firefighters and a rate of \$185 an hour for outplacement services, and said he didn't tell police inspectors about giving her that information during his initial questioning.

San Mateo County Deputy District Attorney Sean Gallagher said King didn't know that the police had the fax he had sent to Collier and so did not volunteer any information about it.

"I did not know what they had," King said.

Collier had testified last week that King encouraged her to submit the inflated bill. She expected a response from the authority but ended up facing criminal charges.

"I always believed that there would have to be another bill for a lot less money," Collier said.

The trial continues today. Closing statements are expected Wednesday.

E-mail Dave Murphy at dmurphy@sfchronicle.com.

King connected to fraudulent invoice

■ Belmont councilman takes stand in former San Carlos mayor's trial

By Malaika Fraley

STAFF WRITER

REDWOOD CITY — Mike King crafted the fraudulent invoice a political consultant submitted to the South County Fire Protection Authority in the hope of collecting funds to pay a debt, an investigator testified Thursday.

Inspector Mark Scheffler said Margaret "Peg" Collier's invoice that falsely claimed she worked as a headhunter for laid-off firefighters is "virtually identical" to a fax from King in which he provided names, an hourly rate and handwritten calculations.

The evidence could be the "smoking gun" at the trial for the longtime retired public servant accused of directing Collier to seek out more than \$13,000 in public money for work she didn't do.

But whether a jury believes that was the case may boil down to perceived credibility, as there has been conflicting testimony by current and former elected officials from Belmont and San Carlos, whose leaders have been at odds in recent years concerning their shared fire department.

Collier worked as a consultant on the campaign for Measure I, a proposed property tax to fund the fire authority, rejected by voters in November 2003.

The campaign committee, which includes fire board members, spent far more money than it raised and was unable to repay Collier \$15,000 she spent out-of-pocket on campaign mailers.

In separate recorded interviews heard by the jury Thursday, King and Collier said that fire board members discussed finding work for her to reconcile the debt, since it is illegal to pay a campaign debt with public funds.

But Belmont City Councilman David Warden and former Councilman George Metropulos have testified there was no such discussion.

Warden said there was no plan to raise more money to pay back Collier, which he was not

concerned about. King, on the other hand, had a longtime professional relationship with Collier and fretted over the money Collier was pestering the fire authority to pay, at a time when she was about to enter the hospital for surgery.

King told investigators he thought Collier really did work on the firefighters' behalf; Warden and Metropulos have alleged King made passing comments that allude to a scheme.

"I was definitely trying to find a way (to get Collier paid). But I

would not try to find an illegal way to take public money," King told investigators.

The trial continues today with further testimony from Warden, who was among the Belmont council members who took the fraudulent invoice to the district attorney.

King faces up to a year in jail if convicted. Collier pleaded no contest to the same charges and will be sentenced after King's trial, when prosecutors said she will most likely receive probation.

The evidence could be the "smoking gun" at the trial for the longtime retired public servant accused of directing Collier to seek out more than \$13,000 in public money for work she didn't do.

FIRE DEPT. (MIKE KING)
SAN MATEO COUNTY TIMES
APRIL 7, 2006

South County Fire - 11000 King
April 8, 2006

Councilman, consultant take stand in King trial

■ Defense presents its case starting Monday

By Malaika Fraley

STAFF WRITER

REDWOOD CITY — Testimony from Belmont Councilman Dave Warden and the consultant convicted in the South County fire billing scandal rounded out the prosecution's fraud case in court Friday against former San Carlos Councilman Mike King.

Warden was grilled by King's defense attorney, Chuck Smith, who questioned Warden's motives for bringing Margaret "Peg" Collier's fraudulent invoice to the district attorney.

But Smith was gentle with Collier, who testified that the \$13,300 bill she submitted for work she did not do was King's idea.

King, 64, is facing up to a year in jail on the felony charge of intent to defraud a public board, the South County Fire

Please see **KING**, Local 4

► **KING**, from Local 1

Protection Authority. King had sat on the fire board for years before retiring from the San Carlos City Council in late 2005 as prosecutors were getting ready to have him indicted by the grand jury.

The authority provides fire service to both Belmont and San Carlos.

Collier, 68, pleaded no contest to misdemeanor fraud in exchange for no more than 30 days in jail and probation. She was a consultant for the committee to pass Measure I, a fire authority parcel tax on the November 2003 ballot that resulted in layoffs when it was rejected by voters in Belmont and San Carlos.

The campaign committee, which included King and Warden, got a late start and never raised enough money to pay Collier, who is still owed \$15,000 for campaign mailers she paid for out-of-pocket.

Collier takes stand

Collier said Friday she was eager to get her money in February 2004 when King told her he had figured out a way she could recoup her losses. Collier said King faxed her a sample invoice that included an hourly rate, handwritten calculations and the names of the laid-off firefighters she claimed to have helped find new jobs.

Trusting the veteran public servant she admired for his honesty and integrity, Collier said she copied the invoice and submitted it to the city of Belmont, which handles the fire authority's finances. Collier said she did not realize at the time that she was committing a crime by asking for the money. She was aware that it is illegal for a public board to pay campaign expenses, but the Measure I committee was no longer in existence.

"Did you tell (King) that you didn't do that work (helping the firefighters)?" prosecutor Sean Gallagher asked.

"I did, but he knew it already," Collier said.

King told investigators that he thought Collier had done the work, having known from third parties that she made a few calls on the firefighters' behalf.

Warden questioned

In cross-examination Friday, Warden vehemently denied Smith's accusations that he took Collier's bill to the district attorney in the hope of seeing King charged with a crime because King opposed him politically.

Smith argued that Warden, Belmont City Councilwoman Coralin Feierbach and former Councilman George Metropoulos pressured the district attorney to launch a criminal investigation within a week after King stood up against the Belmont representatives at a fire board meeting on Aug. 11, 2004.

Smith said King opposed bringing another tax to the voters, which Warden favored.

Warden denied the accusation.

Smith further claimed that Warden orchestrated the firing of former Belmont City Manager Jere Kersnar because he was dissatisfied with the way Ker-

snar dealt with the fraudulent invoice. Kersnar had then-Belmont City Attorney Jean Savory meet with the district attorney about the invoice in June 2004, but then chose to ignore the bill. Kersnar was fired that July.

Smith alleged that Warden has a pattern of retaliating against political opponents, citing a rift between him and former Belmont Councilman Dave Bauer in the wake of Kersnar's resignation.

"Bauer opposes you politically and gets accused of a crime," Smith said. "King opposes you politically and gets accused of a crime."

Warden and others on the Belmont council accused Bauer, a supporter of Kersnar, of leaking closed session information about Kersnar's firing to the San Mateo County Times in 2004. Bauer denied he was the source, and no charges were ever filed against him.

Warden also denied on the stand the truthfulness of a

Times column that said Supervisor Jerry Hill broke up a dispute between him and Bauer over the Kersnar firing that nearly came to blows.

When asked about the dispute Friday, Bauer, who retired from his council last year because of what he felt was the stress of being constantly at odds with Warden and Feierbach, said it was absolutely true.

The trial continues Monday morning, when the defense will present its case. King, Eaton, and retired San Carlos City Manager Mike Garvey are expected to take the stand.

Former official in fraud hot seat

■ Testimony points to pressure by Mike Garvey

By Malaika Fraley

STAFF WRITER

REDWOOD CITY — Former Belmont City Manager Jere Kersnar, testifying at Mike King's fraud trial Wednesday, suggested that retired San Carlos City Manager Mike Garvey had a role in the South County fire billing scandal.

King, 64, faces up to a year in jail for his suspected role in orchestrating a scheme to collect public money for a consultant who was stiffed more than \$15,000 by the committee who worked on the South County Fire Protection Authority's failed 2003 Measure I campaign.

The consultant, Margaret "Peg" Collier, 68, has pleaded no contest to fraud for submitting an invoice that falsely claimed she worked as a headhunter for the firefighters who lost their jobs, after voters rejected the Measure I parcel tax. The invoice was aimed at recouping the money she was owed.

Collier is anticipated to testify this week that King encouraged her to submit the fraudulent \$13,300 invoice in March 2004 that led to criminal charges for them both. King was mayor of San Carlos and chair of the fire board at the time.

Kersnar and Garvey oversaw the fire board as the respective city managers of Belmont and San Carlos, the neighboring cities that have shared fire service through the South County Fire Authority for more than 25 years. Kersnar was fired



KING

Please see KING, Local 3

► KING, from Local 1

and left Belmont to become Ojai's top dog in July 2004, while Garvey retired as San Carlos city manager in August 2005 after 18 years on the job.

Kersnar testified Wednesday he was troubled when he received the first of two invoices from Collier asking for payment for work as the firefighters' headhunter.

Kersnar said he was concerned because Collier was never authorized for those services, and since the amount she was asking for was close to what she was owed by the Measure I committee, he suspected the invoice could be a ruse to collect what she was owed.

It is illegal to pay campaign expenses with public funds.

Kersnar said after letting Collier's invoice sit in his inbox for weeks, he broached the subject to Garvey. The first time they talked about it, Garvey said he was unaware of the situation.

After Collier had faxed a revised invoice to Belmont City Hall, Garvey said he thought Collier had indeed made some calls on the firefighters' behalf.

"The tone of the conversation with Mike Garvey was 'Isn't there a way to get this to the (fire) board (for payment), isn't there a way to make this happen?'" Kersnar said. "There was this pressure by Mr. Garvey."

Kersnar said he still wasn't comfortable passing the invoice on to the fire board for approval, since there was no documentation to support that Collier ever did the work for which she was seeking payment.

Later, Kersnar said, Garvey told him that Collier was willing to accept less money and would be submitting a third, revised invoice for \$4,000. This time, it would come with paperwork supporting Collier's headhunter services. But the third invoice never materialized.

Invoices for \$5,000 can be approved jointly by Belmont and

San Carlos' city managers with the fire board's approval.

Kersnar said he met with Belmont's representatives on the fire board, Dave Warden and Coralin Feierbach, about his concerns but never did anything more about it. The next time he heard about Collier's invoices was in August 2004, after he left the city, when the District Attorney's Office launched its investigation at the request of Feierbach, Warden, and then-mayor George Metropulos.

While Kersnar's testimony suggests that Garvey may have had a significant role in the billing scandal that led to King's prosecution, Garvey has not been charged with any crime.

Chief Deputy District Attorney Steve Wagstaffe said Wednesday Garvey and others were investigated in the billing scandal, but the hard evidence implicated Collier and King alone.

When asked to describe Garvey's character, Kersnar said, "I would say Mike Garvey has hon-

esty and integrity. He's not always open with his thoughts, and I wasn't always sure that I was getting the whole story. It never entered my mind that there was any fabrication."

The trial continues today with testimony by Warden, who is anticipated to be grilled during cross-examination by King's attorney Chuck Smith. Smith, in his fight to prove King's innocence, aims to show that Belmont officials ran to the District Attorney because they were out to get King and that they have lied about statements King allegedly made.

Smith put Metropulos in the hot seat Tuesday and again on Wednesday morning, when he got Metropulos to admit that he lied on the stand when he said that he hadn't discussed his Tuesday testimony with Warden later that day. Smith believes their talk was an attempt to prepare Warden for questioning about King's statement, "I've found another way to pay Peg Collier."

Santa Co. fire - Mike King
San Mateo Co. Times
April 6, 2006

San Mateo Co. Fire - Mike King
San Mateo Co Times
March 31, 06

The Peninsula's Hometown Newspaper

San Carlos fraud trial

■ Confusion, vendetta led to charge against King, defense attorney says

By Malaika Fraley
STAFF WRITER

REDWOOD CITY — A mistake by a confused political consultant and a vendetta by Belmont city officials are what led to the prosecution of former San Carlos Councilman Mike King, according

to King's attorney.

"The evidence is going to show that this was a mistake, pure and simple," defense attorney Chuck Smith said Thursday during opening statements at King's fraud trial.

King, 64, is accused of masterminding a scheme to defraud the South County Fire Authority of more than \$13,000. Prosecutor Sean Gallagher aims to prove that King directed Margaret "Peg" Col-

lier to submit a fraudulent invoice to the fire authority in March 2004 as a way to recoup the money she was owed for her work on the 2003 Measure I campaign.

Collier has pleaded no contest to misdemeanor fraud and is scheduled to be sentenced after she testifies against King. Her invoice, which ended up in the hands of the San Mateo County District Attorney's Office by way of Belmont City Hall, falsely claimed

she worked to find jobs for the firefighters laid off after Measure I, a proposed parcel tax to fund the fire authority, was rejected by voters.

Smith depicted Collier to the jury as an unsophisticated businesswoman who never used contracts and who was unable to do a professional invoice.

Smith said King had discussed

Please see **TRIAL**, New

San Carlos case resumes Tuesday

► **TRIAL**, from News 1

with city officials — including San Carlos City Manager Mike Garvey and Belmont City Councilman Dave Warden — the idea that Collier could get her money back if she helped the displaced firefighters find new jobs.

Having almost no contact with Collier, and under the assumption that she was working on the firefighters' behalf, King spent 10 minutes drafting a sample invoice for Collier to use once the task was completed.

Smith said Collier was confused and submitted the sample invoice without King's knowledge. Belmont officials should have contacted King immediately to clear up the mistake, Smith said, but they ran to the District Attorney instead.

"Belmont was siphoning off money (from the fire authority) for years, and Mike King did not stand for it, which is one of the reasons they don't like him," Smith said.

Smith called the fire board on which King sat with former San Carlos City Councilman

Don Eaton, Warden and Belmont City Councilwoman Coralin Feiërbach "dysfunctional," and said the two cities have been at war for years over revenues generated by the unincorporated Harbor Industrial Area.

"The money is all at the core of this," Smith said. "These people don't like each other."

The trial resumes Tuesday with testimony from witnesses for the prosecution. Expected to take the stand next week are Garvey, Eaton, Warden, Feiërbach, former Belmont City Councilman George Metropulos, former Belmont City Manager Jere Kersnar, San Carlos City Clerk Christine Boland, San Carlos City Attorney Bob Lanzzone and current and former South County firemen.

If convicted, King, who retired from the council in December, could face up to a year in jail.

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KING

April 4, 2006

Ruling hinders King's defense

■ Judge says attorney can't question Metropulos about past statements

By Malaika Fraley

STAFF WRITER

REDWOOD CITY — The defense attorney at former San Carlos City Councilman Mike

King's fraud trial became emotional Tuesday when the judge would not allow him to question former Belmont Councilman George Metropulos about his statements at another hearing.



KING

"I want to show that he's evasive because he's out to get Mike King, just like he was during grand jury testimony," attorney Chuck Smith said while the jury waited outside the courtroom for Metropulos' testimony to resume.

Smith has been trying to prove that Metropulos, who retired from the Belmont City Council last winter, and current Belmont officials orchestrated the criminal investigation that led to King's indictment on fraud charges because they

Please see KING, News 11

Judge shuts down King's attorney

► KING, News 1

dislike King.

King, 64, is accused of directing political consultant Margaret "Peg" Collier, 68, to submit \$13,300 worth of fraudulent invoices to the South County Fire Protection Authority so she could recoup money she spent out-of-pocket on its 2003 Measure I campaign. The fire authority is shared by Belmont and San Carlos. Belmont handles its finances.

Metropulos was mayor of Belmont in August 2004, when he and City Councilmember Dave Warden and Coralin Feierbach handed the invoices over to the district attorney's office.

In opening statements last week, Smith emphatically told the jury that Belmont officials were out to get King because he stood up against them on issues that put the neighboring cities at odds. The invoices themselves, Smith said, were a mistake by Collier, who is awaiting her sentence after pleading no contest to misdemeanor fraud.

On Tuesday, Smith wanted to argue that after Metropulos testified against King at grand jury proceedings, he tried to offer up more information in an effort to incriminate King. The judge, however, sustained Prosecutor Sean Gallagher's

objection to Smith's line of questioning.

Metropulos testified that King wasn't on his mind when he met with the district attorney about Collier's invoices. He said he did talk to King about the money at a multi-city event in February or March 2004, just before Collier submitted the invoices that falsely claimed she worked as a headhunter for the firefighters laid-off after Measure I failed.

"I asked him, 'Did we ever pay her back?'" Metropulos said. "(King) said, 'It's been taken care of.'"

The jury also heard a recording of a phone conversation between Metropulos and Collier that was taped without Collier's knowledge at the request of prosecutors.

On the recording, Metropulos asked Collier about the invoices for work she didn't do and she said she did it at the direction of King, who told her she would be reimbursed through other funding.

"To be honest with you, if anybody but Mike King asked me to do it, I might not have," said Collier, who continued to talk about her great respect for the former councilman.

Metropulos' testimony continues today at 9:45 a.m. King, who is free on his own recognizance, faces up to a year in jail if convicted.