

NORTH COUNTY FIRE PROTECTION DISTRICT

330 S. Main Avenue • Fallbrook, California 92028-2938 • Phone: (760) 723-2005 • Fax: (760) 723-2072 • Web: www.ncfire.org

BOARD OF DIRECTORS

RUTH HARRIS
BOB HOFFMAN
FRED LUEVANO
KENNETH E. MUNSON
JOHN VAN DOORN

STEPHEN J. ABBOTT - Fire Chief/CEO - sabbott@ncfire.org
ROBERT H. JAMES - District Counsel - roberthjameslaw@gmail.com
LOREN A. STEPHEN-PORTER - Executive Assistant/Board Secretary - lstephen@ncfire.org

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
SUBJECT: BOARD MEETING PACKAGE
DATE: DECEMBER 8, 2020

Enclosed is your Board package for the Regular December 8, 2020 Board Meeting. We have tried to include the information you will need to effectively consider and act on agenda items.

DUE TO THE COVID-19 OUTBREAK AND PURSUANT TO THE DECLARATIONS BY GOVERNOR NEWSOME AND THE COUNTY OF SAN DIEGO, UNTIL FURTHER NOTICE, ALL BOARD MEETINGS WILL BE TELEPHONIC ONLY.

The Board, Staff and Public may participate by using the following information:

Audio-only: Call: 1-408-419-1715. Meeting ID: 834 677 344, followed by #.

Visual/Audio: <https://bluejeans.com/834677344?src=calendarLink>.

Board documents are online at: <https://www.ncfire.org/2020-12-08-board-tuesday-december-8-2020-regular-meeting>

Please note this month's meeting is scheduled for Tuesday, December 8, 2020, beginning at **4:00 p.m.**

It is our goal to be prepared to respond accurately to Board questions and concerns. You can help us achieve this goal by contacting me prior to the Board meeting with your questions and concerns. This will allow time for the Staff and me to provide the appropriate information for review at the Board meeting.

To ensure a quorum is present, please call Loren in advance of the meeting if you will be unable to attend. She may be reached at (760) 723-2012.

Respectfully,



Stephen Abbott
Fire Chief/CEO



PROUDLY SERVING THE COMMUNITIES OF FALLBROOK, BONSALL AND RAINBOW

DUTY ~ INTEGRITY ~ RESPECT



NORTH COUNTY FIRE PROTECTION DISTRICT

AGENDA FOR REGULAR BOARD MEETING

DECEMBER 8, 2020

4:00 p.m.

DUE TO THE COVID-19 OUTBREAK AND PURSUANT TO THE DECLARATIONS BY GOVERNOR NEWSOME AND THE COUNTY OF SAN DIEGO, UNTIL FURTHER NOTICE, ALL BOARD MEETINGS WILL BE TELEPHONIC ONLY.

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PUBLIC ACTIVITIES AGENDA

For those joining us for the Public Activities Agenda, please feel free to depart at the close of the agenda. We invite you to stay for the remainder of the business meeting.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

1. PUBLIC COMMENT – VICE PRESIDENT VAN DOORN

- **STANDING ITEM:** Members of the Public may directly address the Board of Directors on items of interest to the Public provided no action will be taken on non-agenda items. The Presiding Officer may limit comments to three minutes per speaker (Board of Directors Operations – Elections, Officers and Terms SOG § 4.2.6.3.). (pgs.)

ACTION AGENDA

PRIORITY ACTION ITEMS:

All items listed under the Priority Action Items must be conducted at the beginning of the meeting as per Section 4.3.3. of the Board of Directors Operations Policy.

2. OFFICIAL SWEARING-IN AND SEATING OF NEW BOARD MEMBERS – CHIEF ABBOTT AND DISTRICT COUNSEL JAMES (pgs.)

- **ELECTION YEAR EVENT:** Swear-in and Seat new Board Members: Cindy Acosta, Jeff Egkan and David Kennedy.

3. BOARD ELECTIONS OF OFFICERS FOR 2021 – CHIEF ABBOTT AND COUNSEL JAMES (pgs.)

- **ANNUAL ITEM:** Select Board Officers (President and Vice President) for calendar year 2019.

ACTION AGENDA

CONSENT ITEMS:

All items listed under the Consent Items are considered routine and will be enacted in one motion. There will be no separate discussion of these items prior to the Board action on the motion, unless members of the Board, Staff or public request specific items be removed from the Consent Agenda.

4. APPROVE REGULAR BOARD MEETING MINUTES, OCTOBER 27, 2020 (pgs.)

- **STANDING ITEM:** Review and approve minutes from October meeting as presented.

5. APPROVE REGULAR BOARD MEETING MINUTES, DECEMBER 1, 2020 (pgs.)

- **STANDING ITEM:** Review and approve minutes from October meeting as presented.

6. REVIEW AND ACCEPT FINANCIAL REPORT FOR OCTOBER 2020 (pgs.)

- **STANDING ITEM:** Review and Accept Financial Report for October as presented.

Note: The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, District business. If you need assistance to participate in this meeting, please contact the District Office 72 hours prior to the meeting at (760) 723-2012.



AGENDA FOR REGULAR BOARD MEETING

DECEMBER 8, 2020

PAGE 2 OF 3

7. REVIEW AND APPROVE POLICIES AND PROCEDURES:

(pgs.)

➤ Standing Item:

1. Social Media Policy: Minor housekeeping modifications to approved policy; addition of AB 2655 required language.
2. Purchasing & Contracting Manual: Policy updated to comply with revised Independent Contractor laws, housekeeping issues to meet Public Contracting Code.

ACTION ITEMS:

All items listed under the Action Items Agenda will be presented and discussed prior to the Board taking action on any matter. Members of the public may comment on items at the time they are presented. Time Certain Items will commence precisely at the time announced in the Agenda.

8. REVIEW AND DECLARE VEHICLES SURPLUS, AUTHORIZE FOR SALE – CHIEF MAHR AND CHIEF ABBOTT

(pgs.)

➤ Recurring Item: Review, Declare and Approve surplus vehicles for disposal per policy.

9. CONSIDER AND SELECT REPRESENTATIVE(S) FOR THE NORTH COUNTY DISPATCH BOARD OF DIRECTORS – CHIEF ABBOTT

(pgs.)

➤ Recurring Item: Consider and select representatives for primary and secondary positions on Board.

10. CONSIDER AND SELECT REPRESENTATIVE(S) TO FIRE MITIGATION FEE COMMITTEE– CHIEF ABBOTT

(pgs.)

➤ Recurring Item: Consider and select representative to serve on Committee.

11. REVIEW AND APPROVE SUBSTITUTION OF COLLATERAL PROPERTIES ON LOAN – CHIEF ABBOTT

(pgs.)

➤ New Item: Review and approve substitution of collateral holding on Stations 2 and 3 for Station 5 on current loan to free Station Three from encumbrances for escrow.

DISCUSSION AGENDA

No action shall be undertaken on any Discussion item. The Board may: acknowledge receipt of the information or report and make comments; refer the matter to Staff for further study or report; or refer the matter to a future agenda.

12. There are no Discussion Items for the December 8, 2020 Board meeting.

(pgs.)

STANDING DISCUSSION ITEMS:

All items listed under the Standing Discussion Items are presented at every meeting.

● **LEGAL COUNSEL REPORT:**

(pgs.)

"Public Officials' New Social Media Open Meeting Law (Part 1)"

● **WRITTEN COMMUNICATION:**

(pgs.)

● **BOARD RECOGNITION PROGRAM**

● **NEWS ARTICLES**

(pgs.)

● **COMMENTS/QUESTIONS:**

(pgs.)

● **STAFF:**

- Chief Abbott
- Other Staff

● **BOARD**

● **BARGAINING GROUPS**

● **PUBLIC COMMENT**



AGENDA FOR REGULAR BOARD MEETING

DECEMBER 8, 2020

PAGE 3 OF 3

CLOSED SESSION

The Board will enter closed session to discuss items as outlined herein. As provided in the Government Code, the public will not be present during these discussions. At the end of the Closed Session, the Board shall publicly report any action taken in Closed Session and the vote or abstention on that action of every member present) in accordance with Government Code § 54950 ET. seq.

- CS-1. ANNOUNCEMENT — VICE PRESIDENT VAN DOORN:** (pgs.)
➤ An announcement regarding the items to be discussed in Closed Session will be made prior to the commencement of Closed Session.
- CS-2. CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION — GOVERNMENT CODE §54956.9 — CHIEF ABBOTT:**
➤ Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 – one case.
- CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8 — CHIEF ABBOTT:**
➤ PROPERTY LOCATION: 311 Minnesota, Fallbrook, CA 92028;
PARTIES: North County Fire Protection District (Seller);
UNDER NEGOTIATION: Terms of Cell Lease/Purchase;
DISTRICT NEGOTIATORS: Chief Abbott, FM Juul, District Counsel James
- CS-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8 — CHIEF ABBOTT:**
➤ PROPERTY LOCATION: 4157 Olive Hill Road, Fallbrook, CA 92028;
PARTIES: North County Fire Protection District (Seller);
UNDER NEGOTIATION: Terms of Purchase;
DISTRICT NEGOTIATORS: Chief Abbott, District Counsel James
- CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT GROUP NEGOTIATIONS – CHIEF ABBOTT:**
➤ NCFPD MANAGEMENT GROUP DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner
- CS-6. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY GROUP NEGOTIATIONS – CHIEF ABBOTT:**
➤ FFA NON-SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner
- CS-7. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY GROUP NEGOTIATIONS – CHIEF ABBOTT:**
➤ FFA SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner
- CS-8. REPORT FROM CLOSED SESSION — PRESIDENT VAN DOORN**

ADJOURNMENT

SCHEDULED MEETINGS

The next regularly scheduled Board meeting is: Tuesday, January 26, 2021, 4:00 p.m.

CERTIFICATION OF AGENDA POSTING

"I certify that this Agenda was posted in accordance with the provisions of the Government Code § 54950 et. seq. The posting locations were: [1] the entrance of North County Fire Protection District Administrative Offices, [2] Fallbrook Public Utility District Administrative Offices and [3] the Roy Noon Meeting Hall; [4] District's website at <http://www.ncfire.org>. The Agenda was also available for review at the Office of the Board Secretary, located at located at 330 S. Main Avenue, Fallbrook (760) 723-2012. Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet, are available for public inspection in the Office of the Board Secretary, during normal business hours or may be found on the District website, subject to the Staff's ability to post the documents before the meeting. The date of posting was December 4, 2020."

Board Secretary Loren Stephen-Porter:

Loren Stephen-Porter

Date:

December 4, 2020



**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: DECEMBER 8, 2020
SUBJECT: PUBLIC COMMENT

PUBLIC COMMENT:

1. *Members of the Public may directly address the Board of Directors on items of interest to the Public provided no action will be taken on non-agenda items. The Board President may limit comments to three minutes per speaker (Board of Directors Operations – Elections, Officers and Terms SOG § 4.2.6.3.).*

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
BOARD ADMINISTRATION**

TO: BOARD OF DIRECTORS
FROM: B/S STEPHEN-PORTER AND CHIEF ABBOTT
DATE: DECEMBER 11, 2018
SUBJECT: OFFICIAL SWEARING-IN AND SEATING OF NEW BOARD MEMBERS

ACTION AGENDA

RECOMMENDATION:

That the Board swear-in and seat Directors Cindy Acosta, Jeff Egkan and David Kennedy.

BACKGROUND:

Each election year, the District receives official verification of the results of the election for new Directors, although that notification may arrive after the date of the December meeting.

DISCUSSION:

Three seats were open this year to fill the absences for Directors Harris, Hoffman and Luevano. The only seat in contention was for Division One, where David Kennedy and Lee DeMeo were running. Both Cindy Acosta and Jeff Egkan ran unopposed and are considered to be "appointed" to their positions.

On December 3, 2020, B/S Stephen-Porter requested certification results from the Registrar Voters Office. Elections Manager, Elvira Vargas from the Registrar of voters, provided her the Certification and Appointment documents (attached). Ms. Vargas has verified that all three new Directors may be officially seated on the Board at this time and will receive their "official certificates" in the near future. It is appropriate to seat Directors Acosta, Egkan and Kennedy into their positions at this time.

In order to administer the Oath of Office to the new Board Directors, the meeting will be turned over to District Counsel James.

FISCAL ANALYSIS:

None.

SUMMARY:

The newly elected Directors are eligible to be seated and sworn into office. Staff welcomes the new Directors into their new positions with the District.



County of San Diego

ANDREW POTTER, CCB
EXECUTIVE OFFICER/CLERK

CLERK OF THE BOARD OF SUPERVISORS
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2471
PHONE (619) 531-5800 FAX (619) 338-8159
www.sandiegocob.com

ERIN DEMOREST
ASSISTANT CLERK OF THE BOARD

December 3, 2020

Cindy Acosta
718 W. Winter Haven Road
Fallbrook, CA 92028

Dear Cindy Acosta:

On October 27, 2020 (19), the Board of Supervisors appointed you as a member of the **NORTH COUNTY FIRE PROTECTION DISTRICT, Seat No. 2**, for a term to begin December 4, 2020 and expire December 6, 2024.

Enclosed are the following:

- County of San Diego Board of Supervisors' Policy A-77, "Appointments to Fill Vacancies and Cancellation of Election where Insufficient Nominations Filed Prior to Uniform District Election and Citizen Planning Group Election."
- Statement of Economic Interest Form 700 and instructions. You must file a Statement of Economic Interest (Form 700), within thirty (30) days of assuming office or election, to fulfill requirements of your Conflict of Interest Code. If you have any questions regarding the preparation of your Form 700, please call the FPPC at 1-866-275-3772 or log on to www.fppc.ca.gov.

If you have any questions regarding this appointment, please contact us at (619) 531-5600.

Sincerely,

Erin Demorest
Assistant Clerk of the Board of Supervisors

ED:sl
Enclosures (2)

cc: Vice-Chairman, Jim Desmond, A-500
Loren Stephen-Porter, 315 East Ivy Street, Fallbrook, CA 92028
Elvira Vargas, Registrar of Voters, O-34



Certificate of Election


State of California
County of San Diego

This Certifies that at a General Election
held on November 3, 2020

CINDY ACOSTA

was declared elected to the office of
Board of Directors – Division No. 5
North County Fire Protection District

December 3, 2020



L. Michael Vu
Registrar of Voters



County of San Diego

ANDREW POTTER, CCB
EXECUTIVE OFFICER/CLERK

CLERK OF THE BOARD OF SUPERVISORS
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2471
PHONE (619) 531-5600 FAX (619) 338-8159
www.sandiegocob.com

ERIN DEMOREST
ASSISTANT CLERK OF THE BOARD

December 3, 2020

Jeff Egkan
3835 Lake Garden Road
Fallbrook, CA 92028

Dear Jeff Egkan:

On October 27, 2020 (19), the Board of Supervisors appointed you as a member of the **NORTH COUNTY FIRE PROTECTION DISTRICT, Seat No. 4**, for a term to begin December 4, 2020 and expire December 6, 2024.

Enclosed are the following:

- County of San Diego Board of Supervisors' Policy A-77, "Appointments to Fill Vacancies and Cancellation of Election where Insufficient Nominations Filed Prior to Uniform District Election and Citizen Planning Group Election."
- Statement of Economic Interest Form 700 and instructions. You must file a Statement of Economic Interest (Form 700), within thirty (30) days of assuming office or election, to fulfill requirements of your Conflict of Interest Code. If you have any questions regarding the preparation of your Form 700, please call the FPPC at 1-866-275-3772 or log on to www.fppc.ca.gov.

If you have any questions regarding this appointment, please contact us at (619) 531-5600.

Sincerely,

Erin Demorest
Assistant Clerk of the Board of Supervisors

ED:sl
Enclosures (2)

cc: Vice-Chairman, Jim Desmond, A-500
Loren Stephen-Porter, 315 East Ivy Street, Fallbrook, CA 92028
Elvira Vargas, Registrar of Voters, O-34



Certificate of Election



State of California
County of San Diego

This Certifies that at a General Election
held on November 3, 2020

JEFF EGKAN

was declared elected to the office of
Board of Directors – Division No. 4
North County Fire Protection District

December 3, 2020



L. Michael Vu
Registrar of Voters



County of San Diego

MICHAEL VU
Registrar of Voters

REGISTRAR OF VOTERS
County Operations Center Campus
5600 Overland Avenue Suite 100, San Diego, California 92123-1266

CYNTHIA L. PAES
Assistant Registrar of Voters

Telephone: (858) 565-5800 Toll-free 1 (800) 696-0136 TDD: (858) 694-3441
Facsimile (858) 694-2955 Web Address www.sdvote.com

December 3, 2020

TO: Andrew Potter
Clerk of the Board of Supervisors

FROM: Michael Vu 
Registrar of Voters

PRESIDENTIAL GENERAL ELECTION NOVEMBER 3, 2020 ELECTION CERTIFICATION

Enclosed are the certification documents for the following election:

Jurisdiction: Presidential General Election

Election Date: November 3, 2020

Please contact my staff at (858) 505-7210 if you have any questions regarding this matter.

Enclosures (2)

c: Supervisor Greg Cox, Chair
Supervisor Jim Desmond, Vice Chair
Supervisor Dianne Jacob
Supervisor Kristin Gaspar
Supervisor Nathan Fletcher
Heleen N. Robbins-Meyer, Chief Administrative Officer
Ebony Shelton, General Manager, Finance & General Government Group
County Office of Education

c: Continued

Incorporated Cities:

Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encinitas
Escondido
Imperial Beach
La Mesa
Lemon Grove
National City
Oceanside
Poway
San Diego
San Marcos
Santee
Solana Beach
Vista

School Districts:

Cajon Valley Union
Dehesa
La Mesa-Spring Valley
Oceanside Unified
South Bay Union

Special Districts:

Lakeside Fire Protection
Rincon Ranch Community Services
Valley Center Fire Protection

County of San Diego
County of San Diego Presidential General Election
November 3, 2020
Official Results (San Diego Portion Only)

**FALLBROOK COMMUNITY PLANNING AREA
MEMBER, PLANNING GROUP**

Vote For 8		
THOMAS GERALD HARRINGTON	11,591	12.81%
ROY MOOSA	11,293	12.48%
STEPHANI BAXTER	10,131	11.20%
ANNA E. STRAHAN	9,584	10.59%
JACK F. WOOD	8,926	9.86%
LEE J. DE MEO	8,038	8.88%
ROSS L. PIKE	7,488	8.28%
JACQUELINE KAISER	6,928	7.66%
JAMES "JIM" LOGE	5,823	6.21%
JERRY L. KALMAN	5,576	6.16%
COLLIN STEPHENS	5,310	5.87%
Total	90,488	

**HELIX WATER DISTRICT MEMBER, BOARD OF
DIRECTORS DIVISION NO. 1**

DAN MCMILLAN	16,282	74.81%
DOUGLAS STERLING	5,482	25.19%
Total	21,764	

**HELIX WATER DISTRICT MEMBER, BOARD OF
DIRECTORS DIVISION NO. 5**

JOEL A. SCALZITTI	11,909	56.82%
VICKIE KNIGHT BUTCHER	5,597	26.70%
LUIS "LU" P. TEJEDA	2,652	12.65%
TYLER LOGAN MARTIN	801	3.82%
Total	20,959	

**LEUCADIA WASTEWATER DISTRICT MEMBER,
BOARD OF DIRECTORS DIVISION NO. 5**

JUDY HANSON	4,088	63.75%
DEREK WIBACK	2,325	36.25%
Total	6,413	

**NORTH COUNTY FIRE PROTECTION DISTRICT
MEMBER, BOARD OF DIRECTORS DIVISION NO. 1**

DAVID M. KENNEDY	2,326	90.26%
LEE J DE MEO	251	9.74%
Total	2,577	

**OLIVENHAIN MUNICIPAL WATER DISTRICT
MEMBER, BOARD OF DIRECTORS DIVISION NO. 4**

KRISTIE BRUCE-LANE	4,171	59.00%
ROBERT MAX KEPHART II	2,899	41.00%
Total	7,070	

**OLIVENHAIN MUNICIPAL WATER DISTRICT
MEMBER, BOARD OF DIRECTORS DIVISION NO. 5**

EDMUND K SPRAGUE	4,920	87.06%
VOLKER M. HOEHNE	2,417	32.94%
Total	7,337	

**OTAY WATER DISTRICT MEMBER, BOARD OF
DIRECTORS DIVISION NO. 2**

RYAN KEYES	5,797	37.42%
MITCHELL ESPINOZA THOMPSON	5,450	35.18%
JERRY MUÑOZ	4,244	27.40%
Total	15,491	

**OTAY WATER DISTRICT MEMBER, BOARD OF
DIRECTORS DIVISION NO. 4**

JOSE A. LOPEZ	8,393	44.23%
HECTOR RAUL GASTELUM	5,773	30.42%
MICHAEL MONACO	2,484	13.09%
PATRICIA MALLEN	2,325	12.25%
Total	18,975	

**OTAY WATER DISTRICT MEMBER, BOARD OF
DIRECTORS DIVISION NO. 5**

MARK ROBAK	13,763	64.48%
NADIA KEAN-AYUB	7,580	35.52%
Total	21,343	

**PADRE DAM MUNICIPAL WATER DISTRICT
MEMBER, BOARD OF DIRECTORS DIVISION NO. 2**

SUZANNE TILL	5,072	47.05%
AUGIE SCALZITTI	3,325	30.84%
JAMES SLY	2,383	22.11%
Total	10,780	

**PALOMAR HEALTH SYSTEM MEMBER, BOARD OF
DIRECTORS DIVISION NO. 2**

THERESA "TERRY" CORRALES	10,585	38.39%
VICKI F. GROVE	9,665	35.05%
TOM KUMURA	7,323	26.56%
Total	27,573	

**PALOMAR HEALTH SYSTEM MEMBER, BOARD OF
DIRECTORS DIVISION NO. 6**

JEFF GRIFFITH	27,651	82.13%
DUNCAN FANE	6,015	17.87%
Total	33,666	

**CERTIFICATION OF
COUNTY CLERK/REGISTRAR OF VOTERS OF THE
RESULTS OF THE CANVASS
OF THE NOVEMBER 3, 2020,
GENERAL ELECTION**

STATE OF CALIFORNIA


COUNTY OF SAN DIEGO

} ss.

I, L. MICHAEL VU, County Clerk/Registrar of Voters of County of SAN DIEGO, do hereby certify that, in pursuance of the provisions of Elections Code section 15300, et seq., I did canvass the results of the votes cast in the General Election held in said County on November 3, 2020, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast, to which this certificate is attached is full, true, and correct.

I hereby set my hand and official seal this 3 day of DECEMBER, 2020, at the County of SAN DIEGO





County Clerk/Registrar of Voters
County of SAN DIEGO
State of California

Canvass Certification of Elections Official
(11/2020)



Certificate of Election



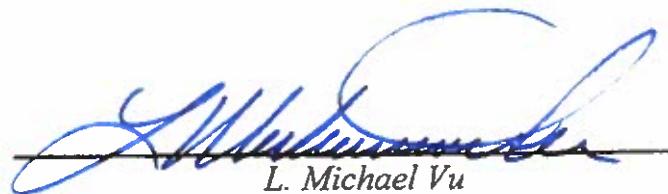
State of California
County of San Diego

This Certifies that at a General Election
held on November 3, 2020

DAVID M. KENNEDY

was elected to the office of
Board of Directors – Division No. 1
North County Fire Protection District

December 3, 2020



L. Michael Vu
Registrar of Voters



NORTH COUNTY FIRE PROTECTION DISTRICT

BOARD ADMINISTRATION

TO: BOARD OF DIRECTORS
FROM: B/S STEPHEN-PORTER AND CHIEF ABBOTT
DATE: DECEMBER 8, 2020
SUBJECT: ELECTION OF BOARD OFFICERS

ACTION AGENDA

RECOMMENDATION:

To elect Board members to serve as President and Vice President for the 2021 year.

BACKGROUND:

North County Fire Protection District has adopted a policy, which stipulates that at the first meeting following the election of or appointment of new director(s), the Board shall elect a President and Vice President to serve until the election of his or her successor (Health & Safety Code § 13853). Assumption of the Board Officer positions is effective at the end of tonight's Board meeting. Once elected, Board members shall serve in their nominated position for a one-year term.

DISCUSSION:

This meeting constitutes the first meeting after the election of new Directors. The term of office for Vice President van Doorn will be complete at the end of the meeting and President Luevano's is already completed as he has vacated his office. Therefore, it is time for election of Board Officers for President and Vice President.

FISCAL ANALYSIS:

None.

SUMMARY:

To assist with the election of Board of Director Officers, the meeting will be turned over to Counsel James for the purposes of accomplishing the election of President and Vice President of the Board. After the elections, Vice President van Doorn will resume meeting control, conducting the remainder of the meeting.

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1 October 27, 2020

2 **REGULAR MEETING OF THE BOARD OF DIRECTORS OF**
3 **THE NORTH COUNTY FIRE PROTECTION DISTRICT**

4 President Luevano called the meeting to order at 4:06.

5 **THE INVOCATION GIVEN BY CHAPLAIN HELMAN.**

6 **ALL RECITED THE PLEDGE OF ALLEGIANCE.**

7 **ROLL CALL:**

8 **Present:** Directors Harris, Hoffman, Luevano, Munson and Van Doorn.

9 **Absent:** None.

10 **Staff Present:** Fire Chief/CEO Abbott, Attorney James and Board Secretary Stephen-
11 Porter. In the audience were: D/Cs Mahr and McReynolds, B/C Krumwiede, F/M Fieri, FiM
12 Juul and members of the public and Association.

13 **PUBLIC ACTIVITIES AGENDA**

14 1. **PUBLIC COMMENT:** President Luevano addressed the audience and inquired whether
15 there were any public comments regarding items not on the Agenda. Director-Elect Jeff
16 Egkan spoke noted he is excited to be serving on the Board in 2021, thanking the retiring
17 Board members for their service, commitment and duty to the community. There being no
18 further comments, the Public Comment Section was closed.

19 2. **RECOGNITION OF RETIRING BOARD MEMBERS — DIRECTORS HARRIS, HOFFMAN AND**
20 **LUEVANO — CHIEF ABBOTT:** Chief Abbott recognized the service to the District for each
21 Board member, noting that Director Harris had served for sixteen years, with Directors
22 Hoffman and Luevano each serving four years. After reading brief biographies of each, the
23 Directors were presented with flame awards for service and spoke on their service and time
24 at the District.

25 **ACTION AGENDA**

26 **CONSENT ITEMS:**

27 3. **REVIEW AND ACCEPT REGULAR BOARD MEETING MINUTES FOR SEPTEMBER 2020**

28 4. **REVIEW AND ACCEPT FINANCIAL REPORT FOR SEPTEMBER 2020**

29 5. **REVIEW AND ACCEPT POLICIES & PROCEDURES**

- 30 6. **MONTHLY OPERATIONS ACTIVITY REPORT – SEPTEMBER 2020**
- 31 7. **REVIEW AND ACCEPT 1ST QUARTER EMERGENCY SERVICE OVERTIME TRACKING REPORT**
- 32 8. **REVIEW AND ACCEPT 3RD QUARTER CUSTOMER SATISFACTION SURVEY PROGRAM RESULTS**
- 33 9. **2020 ANNUAL OVERVIEW OF DISTRICT FACILITIES**

34 President Luevano inquired whether there were any questions on Consent Items 3-9. There
35 was a request remove Item 5 from the Consent Agenda for discussion. There being no
36 discussion on Items 3-4 and 6-9, President Luevano asked for a motion to approve the
37 Consent Agenda. On a motion by Director Hoffman, seconded by Vice President Van Doorn
38 the motion to approve the Consent Agenda as presented passed unanimously. Questions
39 were raised on Item 5, regarding the changes made and certain issues with incoming
40 requirements. D/C McReynolds indicated that the revisions were to allow for a division of
41 steps between both education and longevity, with minimum educational requirements placed
42 in the job description. He opined that the policy needed to be dynamic to allow the program
43 to develop and grow with the employees. Concerns were expressed there was missing
44 language in the H/R-Finance Specialist, that there should be an “and” between the 4th and
45 5th bullet. On a motion by Director Harris, seconded by Director Hoffman, the motion to
46 approve the policy as modified passed by the following roll call vote: **Ayes:** Directors Harris,
47 Hoffman, Luevano and Munson; **Noes:** None; **Abstention:** Direction van Doorn.

48 ACTION ITEMS:

49 10. **PUBLIC HEARING DATE/TIME CERTAIN — OCTOBER 27, 2020 (4:15 P.M.) TO REVIEW AND**
50 **APPROVE RESOLUTION 2020-13 ADOPTING AMBULANCE FEE SCHEDULE AND AMBULANCE**
51 **TRANSPORT REVENUE POLICY — D/C MAHR AND CHIEF ABBOTT:** President Luevano opened the
52 Public Hearing inquiring whether there was any public comment. There being none, the
53 public comment section was closed. D/C Mahr presented the revised schedule to the Board
54 for consideration. Chief Abbott noted this was in follow-up to the previous meeting to ensure
55 cost recovery. The Fee Schedule was raised to reflect fees charged by all EMS providers
56 within San Diego County. The adjustment is two-thirds of the identified adjustment, with
57 one-third to be implemented by the end of 2021. On a motion by Director Munson, seconded

58 by Director Hoffman, the motion to approve the Ambulance Fee Schedule as presented
59 passed unanimously.

60 11. PUBLIC HEARING DATE/TIME CERTAIN — OCTOBER 27, 2020 (4:25 P.M.) TO REVIEW AND
61 APPROVE RESOLUTION 2020-14 ADOPTING COST RECOVERY FEE SCHEDULE AND COST RECOVERY

62 POLICY — D/C MAHR AND CHIEF ABBOTT: President Luevano opened the Public Hearing
63 inquiring whether there was any public comment. There being none, the public comment
64 section was closed. D/C Mahr and Chief Abbott presented the Cost Recovery Fee Schedule
65 changes, noting that the expanded Recovery Fees were for false alarm fees as approved at
66 the previous meeting. On a motion by Director Harris, seconded by Director Hoffman, the
67 motion to approve the Cost Recovery Fee Schedule as presented passed unanimously.

68 12. PUBLIC HEARING DATE/TIME CERTAIN — OCTOBER 27, 2020 (4:35 P.M.) TO REVIEW AND
69 APPROVE ORDINANCE 20202-01 ADOPTING THE FIRE PREVENTION FEE ORDINANCE, FIRE
70 PREVENTION FEE SCHEDULE AND FIRE PREVENTION FEE POLICY & APPENDICES — FM FIERI CHIEF

71 ABBOTT: President Luevano opened the Public Hearing inquiring whether there was any
72 public comment. There being none, the public comment section was closed. FM Fieri
73 presented the modified Ordinance to the Board noting the changes of significance, which
74 were in keeping with the direction of the Board. On a motion by Director Hoffman, seconded
75 by Vice President Van Doorn, the motion to approve the Fire Prevention Fire Ordinance and
76 Fee Schedule and Fire Prevention Fee Policy & Appendices as presented passed
77 unanimously.

78 13. REVIEW AND APPROVE FACILITIES REPLACEMENT PLAN POLICY AND ATTACHMENTS —

79 CHIEF ABBOTT: Chief Abbott presented the Plan and Policy to the Board for approval, noting
80 Plan represents a high-level overview of the costs, sources of funding, type of construction
81 and implementation timelines for the remaining major District facilities that are at or near the
82 end of their useful life. With an overview of the financing Plan and a 25-year project plan for
83 construction of each of our remaining facilities. Initial costs will require approximately
84 \$700,000 in annual encumbrances, escalating to nearly \$1,000,000 as existing debt service
85 is retired in approximately 13 years. In depth discussion ensued. On a motion by Director
86 Munson, seconded by Director Hoffman, the motion to approve the Facilities Replacement

87 Plan and Policy passed by the following roll call vote: **Ayes:** Directors Hoffman, Luevano,
88 Munson and van Doorn; **Noes:** Director Harris.

89 **14. REVIEW AND APPROVE ACCELERATED FILLING OF FF/PM POSITIONS — CHIEF ABBOTT:**

90 Chief Abbott presented the plan to implement accelerated filling of the FF/PM at Station 3,
91 bringing the staffing of Station 3 up to three full-time positions per day. The District had
92 planned to implement these positions on 1/01/2021. However, Staff is now recommending
93 filling those vacancies by December, given the protracted fire season Southern California is
94 expecting, as forecasted by NIFC Predictive Services. On a motion by Director Munson,
95 seconded by Director Hoffman, the motion to approve the accelerated filling of positions at
96 Station 3 passed by the following roll call vote: **Ayes:** Directors Hoffman, Luevano, Munson
97 and van Doorn; **Noes:** Director Harris.

98 **15. REVIEW AND APPROVE RESOLUTION 2020-15 ADOPTING AN UPDATED PAY SCHEDULE –**

99 **FM JUUL AND CHIEF ABBOTT:** Chief Abbott presented the request to adopt the updated Pay
100 Schedule, which has added the Finance Manager and AP & Payroll Specialist. The Pay
101 Schedule is a California and CalPERS requirement. This is procedural only and does not
102 reflect any increases. On a motion by Vice President Van Doorn, seconded by Director
103 Hoffman, the motion to approve and adopt the updated Pay Schedule passed unanimously.

104 **16. APPROVE MEETING SCHEDULE AND PLACE FOR NORTH COUNTY FIRE PROTECTION**

105 **DISTRICT BOARD MEETINGS FOR THE YEAR 2021 — CHIEF ABBOTT AND B/S STEPHEN-PORTER:**

106 B/S Stephen-Porter presented the Meeting Schedule to the Board for approval. She noted
107 it will be placed on the web to inform the community of the meetings. Discussion ensued
108 regarding whether FPUD had A/V equipment that could be used for the meetings. B/S
109 Stephen-Porter will consult with the Secretary at FPUD on options. On a motion by Vice
110 President Van Doorn, seconded by Director Munson, the motion to approve the meeting
111 schedule as presented passed unanimously.

112 **17. REVIEW AND CONSIDER NOMINATIONS FOR LAFCO SPECIAL DISTRICT ADVISORY**

113 **COMMITTEE — CHIEF ABBOTT:** Chief Abbott presented the opportunity to nominate and Board
114 member to the LAFCO Special District Advisory Committee. Vice President van Doorn
115 expressed an interest in serving and was nominated by the Board as a candidate. On a

116 motion by Director Harris, seconded by Director Munson, the motion to nominate Vice
117 President Munson passed unanimously.

118 DISCUSSION AGENDA

119 18. There were no Discussion Agenda Items for the October 27, 2020, Board Meeting.

120 STANDING DISCUSSION ITEMS:

121 ● **LEGAL COUNSEL REPORT:** Counsel James presented his report "Employer
122 Obligation to Report COVID-19 Exposure in the Workplace – Assembly Bill 685 Expands
123 Cal/OSHA Authority." Brief discussion ensued regarding the H/R implications. This is
124 informational only, no action required.

125 ● **WRITTEN COMMUNICATIONS:** Brief discussion ensued regarding the items,
126 Informational only, no action required.

127 ● **BOARD RECOGNITION PROGRAM**

128 ● **NEWS ARTICLES:** There was no discussion regarding the articles. This is
129 informational only, no action required.

130 ● **COMMENTS:**

131 ● **STAFF REPORTS/UPDATES:**

132 ● **STEPHEN ABBOTT, FIRE CHIEF/CEO:** Chief Abbott informed the Board the District had
133 successfully completed the last GEMT audit; with kudos to FiM Juul. With the assistance of
134 MSO Murphy and Station 3, the District again was the second highest COVID test site in the
135 County. Chief Abbott reported on legislative changes: SB1386 (Local government:
136 assessments, fees, and charges: water: hydrants); AB 992 (Open meetings: local agencies:
137 social media); AB 1544 (Community Paramedicine or Triage to Alternate Destination Act);
138 and AB 3074 (Fire prevention: wildfire risk: defensible space: ember-resistant zones). Chief
139 Abbott updated the Board on the changes in CSD 135 and LAFCO's action. Informational
140 only, no further action required.

141 ● **CHIEF OFFICERS AND OTHER STAFF:** **D/C MAHR:** D/C Mahr updated the Board on the
142 ongoing State fires and staff out on them. Director Hoffman inquired about a "heroes"
143 program and discussed how staff deserved recognition for their service. **D/C McREYNOLDS:**
144 D/C McReynolds updated the Board on the recruitment efforts, noting the District hoped to

145 have the new staff in place by mid-December. He thanked the departing Board members
146 for their service. **FM FIERI**: FM Fieri discussed a recent arrest for an arsonist and noted
147 there had been no fires since the arrest. **B/S STEPHEN-PORTER**: B/S Stephen-Porter thanked
148 the Board for their service, noting she would miss working with the departing Board
149 members.

150 **BOARD: DIRECTOR HARRIS**: Director Harris stated she enjoyed most of her 16 years, made
151 many friends who had her back. She stated she had acted with honesty and done everything
152 to make her best decision. She wished good luck to the remaining members. **DIRECTOR**
153 **HOFFMAN**: Director Hoffman opined the District had a great team supporting the Board,
154 critical to the District's success. He stated he hoped the District with the new Board with
155 move forward positively. **PRESIDENT LUEVANO**: Director Luevano thanked everyone who
156 supported the Board, appreciated their work, noted they served the community well. He
157 stated he enjoyed working with everyone. **DIRECTOR MUNSON**: Director Munson thanked all
158 three members for their service to the District. **VICE PRESIDENT VAN DOORN**: Vice President
159 van Doorn thanked everyone and wished them good luck in their retirement from the Board.
160 He encouraged everyone to keep their masks on.

161 ● **BARGAINING GROUPS**: A/P Lewis thanked MSO Murphy and D/C McReynolds for the
162 addition of mental health options. He thanked Chief Abbott for getting the additional FF/PM
163 staffing sooner. He thanked all three departing Directors for their service.

164 ● **PUBLIC COMMENT**: No comments.

165 **CLOSED SESSION**

166 ● **OPENING CLOSED SESSION**:

167 At 5:55 p.m., President Luevano inquired whether there was a motion to adjourn to Closed
168 Session. On a motion by Director Munson, seconded by Director Hoffman to enter into
169 Closed Session, which was unanimously approved, President Luevano read the items to be
170 discussed in Closed Session and the Open Session was closed. A short break ensued after
171 the reading of the Closed Session Items. At 6:10 p.m., and the Board entered Closed
172 Session to hear:

173 CS-1. ANNOUNCEMENT — PRESIDENT LUEVANO: An announcement regarding the items to be
174 discussed in Closed Session will be made prior to the commencement of Closed Session.
175 CS-2. CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION — GOVERNMENT CODE
176 §54956.9 — CHIEF ABBOTT: Initiation of litigation pursuant to paragraph (4) of subdivision (d)
177 of Government Code § 54956.9 – one case.
178 CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE
179 § 54956.8 — CHIEF ABBOTT:
180 PROPERTY LOCATION: 311 Minnesota, Fallbrook, CA 92028;
181 PARTIES: North County Fire Protection District (Seller);
182 UNDER NEGOTIATION: Terms of Cell Lease/Purchase
183 DISTRICT NEGOTIATORS: Chief Abbott, FIM Juul, District Counsel James
184 CS-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE
185 § 54956.8 — CHIEF ABBOTT:
186 PROPERTY LOCATION: 4157 Olive Hill Road, Fallbrook, CA 92028;
187 PARTIES: North County Fire Protection District (Seller);
188 UNDER NEGOTIATION: Terms of Sale
189 DISTRICT NEGOTIATORS: Chief Abbott, District Counsel James
190 CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT
191 GROUP NEGOTIATIONS – CHIEF ABBOTT:
192 NCFPD MANAGEMENT GROUP DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
193 COUNSEL JAMES, SPECIAL COUNSEL ROGERS
194 CS-6. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY
195 GROUP NEGOTIATIONS – CHIEF ABBOTT:
196 FFA NON-SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
197 COUNSEL JAMES, SPECIAL COUNSEL ROGERS
198 CS-7. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY
199 GROUP NEGOTIATIONS – CHIEF ABBOTT:
200 FFA SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
201 COUNSEL JAMES, SPECIAL COUNSEL ROGERS

202 CS-8. EVALUATION OF PERFORMANCE — Government Code § 54957:

203 Fire Chief/CEO DISTRICT NEGOTIATOR: DISTRICT COUNSEL JAMES

204 CS-9. REPORT FROM CLOSED SESSION — PRESIDENT LUEVANO

205 ● REOPENING OPEN SESSION:

206 On a motion by Director Hoffman, which was seconded by Vice President Van Doorn, which
207 passed unanimously, the Board returned Open Session at 7:10 p.m. the following items were
208 reported out to the public:

209 CS-2. CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION — GOVERNMENT CODE

210 §54956.9 — CHIEF ABBOTT: No reportable action.

211 CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE

212 § 54956.8 — CHIEF ABBOTT: No reportable action.

213 CS-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE

214 § 54956.8 — CHIEF ABBOTT: No reportable action.

215 CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT

216 GROUP NEGOTIATIONS – CHIEF ABBOTT: No reportable action.

217 CS-6. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY

218 GROUP NEGOTIATIONS – CHIEF ABBOTT: No reportable action.

219 CS-7. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY

220 GROUP NEGOTIATIONS – CHIEF ABBOTT: No reportable action.

221 CS-8. EVALUATION OF PERFORMANCE — GOVERNMENT CODE § 54957: No reportable action.

222 **ADJOURNMENT**

223 A motion was made at 7:16 p.m. by Director Hoffman and seconded by Director Munson to
224 adjourn the meeting and reconvene on December 1, 2020, at 9:00 a.m. The motion carried
225 unanimously.

226 Respectfully submitted,

227 

228 Loren Stephen-Porter

229 Board Secretary

230 Minutes approved at the Board of Director's Meeting on: December 8, 2020

1 **December 1, 2020**

2 **REGULAR MEETING OF THE BOARD OF DIRECTORS OF**
3 **THE NORTH COUNTY FIRE PROTECTION DISTRICT**

4 President Munson called the meeting to order at 9:00 a.m.

5 **ROLL CALL:**

6 **Present:** Directors Munson and van Doorn, Directors-Elect Acosta, Egkan and
7 Kennedy.

8 **Absent:** None.

9 **Staff Present:** Fire Chief/CEO Abbott, Attorney James and Board Secretary Stephen-
10 Porter, D/Cs Mahr and McReynolds, other 700 Reporters and members of the Association.

11
12 **PUBLIC ACTIVITIES AGENDA**

13 1. **PUBLIC COMMENT:** Vice President van Doorn inquired whether there were any public
14 comments regarding items not on the Agenda. There being no comments, the Public
15 Comment Section was closed.

16
17 **DISCUSSION/TRAINING AGENDA**

18 1. **DISCLOSURE TRAINING:** At 9:00 a.m., with all Board members in attendance, the Board
19 welcomed Attorney Reed Glyer, who presented the routine Disclosure training. With
20 designated staff members present, as well as all Directors, Mr. Reed made his presentation
21 on "Municipalities in the SEC's Crosshairs: Disclosure Responsibilities and Best Practices
22 in an Era of Heightened Scrutiny" to the Board and identified Staff. Opportunities to ask
23 questions during the presentation were provided.

24 2. **BOARD MEMBER ORIENTATION:** At the conclusion of the Disclosure Training, with all
25 Board members in attendance, Chief Abbott and Senior Staff were introduced to provide an
26 overview of their program areas to the new Board members. With designated staff members
27 present, as well as all Directors, participants were active in asking questions during the
28 presentation. Training concluded at approximately 10:30 a.m.

29 3. **ETHICS IN PUBLIC SERVICE TRAINING:** At 12:00 p.m., with all Board members in
30 attendance, the Board welcomed Attorney Kevin Chicas, who presented the biennial Ethics
31 (AB1234) training. With designated staff members present, as well as all Directors, Mr.
32 Chicas made his presentation on "Ethics Training in Public Service" to the Board and
33 identified Staff. Opportunities to ask questions during the presentation were provided.

34 4. **BROWN ACT TRAINING:** At 2:00 p.m., with all Board members in attendance, the Board
35 welcomed Attorney Kevin Chicas, who presented Brown Act training. With designated staff
36 members present, as well as all Directors, Mr. Chicas made his presentation on "The Brown
37 Act" to the Board and identified Staff. Opportunities to ask questions during the presentation
38 were provided.

ADJOURNMENT

39
40 At 3:55 p.m. at the conclusion of the final presentation, the meeting was adjourned to
41 reconvene on December 8, 2020, at 4:00 p.m.

42 Respectfully submitted,

43
44 

45 Loren Stephen-Porter

46 Board Secretary

47 Minutes approved at the Board of Director's Meeting on: December 8, 2020



**NORTH COUNTY FIRE
PROTECTION DISTRICT
ADMINISTRATION - BUDGET & FINANCE**

TO: BOARD OF DIRECTORS
FROM: FM CHERIE JUUL AND CHIEF ABBOTT
DATE: DECEMBER 8, 2020
SUBJECT: REVENUE & EXPENDITURES AS OF OCTOBER 31, 2020 (33%)

Revenue Sources	Budgeted	Collected	Over/Under	% of Budget
Property Taxes - FBK	15,940,646.00	768,321.00	(15,172,325.00)	5%
Property Taxes - RNBW	303,000.00	14,786.00	(288,214.00)	5%
Ambulance and Collections	2,245,000.00	913,180.49	(1,331,819.51)	41%
GEMT-State Supplement	90,000.00	-	(90,000.00)	0%
Prevention Fees	185,000.00	57,682.00	(127,318.00)	31%
Tower Lease Agreements	103,000.00	35,424.00	(67,576.00)	34%
Other Revenue Sources	50,000.00	4,127.00	(45,873.00)	8%
Interest	50,000.00	19,556.01	(30,443.99)	39%
Cost Recovery	80,000.00	21,065.00	(58,935.00)	26%
Fallbrook Healthcare District	92,000.00	33,790.00	(58,210.00)	37%
Community Facilities District (CFD)	116,942.00	11,893.00	(105,049.00)	10%
Strike Team Reimbursements	151,523.00	23,549.00	(127,974.00)	16%
Other Reimbursements	100,000.00	5,689.00	(94,311.00)	6%
Mitigation Fees & Interest - FBK	300,000.00	-	(300,000.00)	0%
Donations & Grants	104,157.00	47,077.00	(57,080.00)	45%
Annexation fees	-	-	-	
Transfers & Loans	-	-	-	
Total Revenue:	19,911,268.00	1,956,139.50	(17,955,128.50)	10%
	Budgeted	Spent	Over/Under	% of Budget
TTL Expenditures YTD thru 10-31-2020	18,855,478.00	6,605,946.00	(12,249,532.00)	35%
Revenue over Expenditures		(4,649,806.50)		

North County Fire Protection District
 For the Tenth Month Ending April 30, 2020

83% of Budget

COLOR KEY	
Within/Below Budget	
Within 10% of Budget	
>10% of Budget (see notes)	

Description	October actual	Running Total	Final Budget	Amount Remaining	% Used	Notes
TOTAL PERSONNEL	1,231,973.00	5,731,463.00	15,424,695.00	9,693,232.00	37.2%	Strike Team OT/Replacement
101 Total Board Administration	23,913.00	73,197.00	464,900.00	391,703.00	15.7%	
102 Total Administration	679,303.00	144,400.00	679,303.00	534,903.00	21.3%	
103 Total Fire Prevention	1,044.00	5,660.00	62,400.00	56,740.00	9.1%	
104 Total Emergency Services	8,744.00	282,520.00	457,102.00	174,582.00	61.8%	Vehicle and Facility ins paid/Strike Team exp
105 Total Emergency Med Svcs	12,373.00	56,385.00	460,202.00	403,817.00	12.3%	
106 Total Volunteers/Explorers	-	-	-	-	0.0%	
107 Total Communications	15,286.00	209,721.00	620,004.00	410,283.00	33.8%	Q1 Dispatch fees/MDC & AVL paid
108 Total Shop/Maintenance	15,325.00	89,970.00	355,905.00	265,935.00	25.3%	
109 Total Training	2,714.00	12,628.00	83,265.00	70,637.00	15.2%	
120 Total General Fund Reserve	-	-	350,000.00	350,000.00	0.0%	
GRAND TOTAL	1,990,675.00	6,605,944.00	18,957,776.00	12,351,832.00	34.8%	
200 Total Capital Expenditures		365,182.30	1,610,935.00	1,245,752.70	22.7%	

**NORTH COUNTY FIRE PROTECTION DISTRICT
Tax Apportionments FY 20-21**

DATE	APP #	GROSS	REFUNDS & ADJUSTMENTS	FY 20/21 NET	FY 20/21 RUNNING	FY 19/20 NET	FY 19/20 RUNNING
08 12 2020	1	223,517.70	1,322.63	222,195.07	222,195.07	229,418.43	229,418.43
09 22 2020	2	206,806.13	1,611.36	205,194.77	427,389.84	79,480.12	308,898.55
10 20 2020	3	337,997.18	19,167.85	318,829.33	746,219.17	154,586.49	463,485.04
11 17 2020	4			-	746,219.17	534,416.39	997,901.43
12 15 2020	5			-	746,219.17	5,133,895.38	6,131,796.81
01 19 2021	6			-	746,219.17	2,451,410.99	8,583,207.80
02 16 2021	7			-	746,219.17	359,238.37	8,942,446.17
03 16 2021	8			-	-	-	-
04 13 2021	9			-	746,219.17	3,210,146.99	12,152,593.16
05 11 2021	10			-	746,219.17	2,553,885.70	14,706,478.86
06 22 2021	11			-	746,219.17	290,352.38	14,996,831.24
07 22 2021	12			-	746,219.17	373,389.57	15,370,220.81
						66,170.93	15,436,391.74
						-	
TOTAL YTD		768,321.01	22,101.84	746,219.17	746,219.17	463,485.04	463,485.04
Net Rev Increase							61.00%

RAINBOW FIRE PROTECTION SUBZONE

Tax Apportionments FY 20/21

DATE	APP #	GROSS	REFUNDS & ADJUSTMENTS	FY 20/21 NET	FY 20/21 RUNNING	FY 19/20 NET	FY 19/20 RUNNING
08 18 2020	1	4,301.57	25.45	4,276.12	4,276.12	4,195.51	4,195.51
09 22 2020	2	3,980.01	31.01	3,949.00	8,225.12	1,453.47	5,648.98
10 20 2020	3	6,504.72	368.86	6,135.86	14,360.98	2,826.97	8,475.95
11 17 2020	4			-	14,360.98	9,760.17	18,236.12
12 15 2020	5			-	14,360.98	94,409.63	112,645.75
01 19 2021	6			-	14,360.98	53,866.73	166,512.48
02 16 2021	7			-	14,360.98	6,951.95	173,464.43
03 16 2021	8			-	14,360.98	-	173,464.43
04 13 2021	9			-	14,360.98	62,105.80	235,570.23
05 11 2021	10			-	14,360.98	50,125.46	285,695.69
06 22 2021	11			-	14,360.98	5,661.27	291,356.96
07 22 2021	12			-	14,360.98	7,164.56	298,521.52
TOTAL YTD		14,786.30	425.32	14,360.98	14,360.98	8,475.95	8,475.95
Net Rev Increase							69.43%

NORTH COUNTY FIRE PROTECTION DISTRICT

AMBULANCE REVENUE FY 2020-2021

<u>MONTH</u>	<u>BILLED</u>	<u>CONTRACTUAL WRITE DOWNS</u>	<u>TOTAL AR FY 20-21</u>	<u>TOTAL AR FY 19-20</u>	<u>BAD DEBT WRITE-OFFS</u>	<u>REFUNDS</u>	<u>ADJ AR</u>	<u>DEPOSITS RECIEVED</u>	<u>BILLING FEES</u>	<u>FY 20-21 NET REVENUE</u>	<u>FY 19-20 NET REVENUE</u>	
07 31 2020	492,609.07	283,771.92	208,837.15	274,112.06	28,136.09	1,978.64	178,722.42	208,837.15	11,557.11	197,280.04	155,833.88	
08 31 2020	582,819.64	342,604.08	240,215.56	215,953.31	22,564.45	(488.08)	218,139.19	240,215.56	11,527.20	228,688.36	181,256.99	
09 30 2020	501,223.47	311,137.26	190,086.21	307,159.93	34,584.87	-	155,501.34	190,086.21	11,559.78	178,526.43	199,107.55	
10 31 2020	614,786.25	352,938.54	261,847.71	248,890.07	29,209.13	-	232,638.58	261,847.71	9,607.98	252,239.73	205,273.64	
11 30 2020			-	229,003.49			-			-	196,525.33	
12 31 2020			-	331,817.90			-			-	179,942.32	
01 31 2021			-	201,170.29			-			-	212,967.00	
02 28 2021			-	240,188.15			-			-	188,887.92	
03 31 2021			-	208,936.67			-			-	175,643.85	
04 30 2021			-	198,311.38			-			-	172,516.79	
05 31 2021			-	279,286.84			-			-	162,862.20	
06 30 2021			-	230,124.08			-			-	217,930.48	
TOTAL:	2,191,438.43	1,290,451.80	900,986.63	1,046,115.37	114,494.54	1,490.56	785,001.53	900,986.63	44,252.07	856,734.56	741,472.06	
					Net A/R Change		-13.87%			New Revenue Change		15.55%

**NORTH COUNTY FIRE PROTECTION DISTRICT
COST RECOVERY FY 2020/2021**

<u>Month</u>	<u>Billed</u>	<u>Collected</u>	<u>YTD % Collected</u>	<u>Billing Fees</u>	<u>Net Revenue 20/21</u>	<u>Net Revenue 19/20</u>	
7 31 2020	6,940.75	6,636.04	95.61%	1,327.21	5,308.83	2,791.46	
8 30 2020	4,267.15	3,342.00	78.32%	668.40	2,673.60	10,144.80	
9 30 2020	2,781.75	2,583.33	92.87%	516.67	2,066.66	3,820.80	
10 31 2020	3,127.50	3,127.50	100.00%	625.50	2,502.00	7,134.40	
11 30 2020			#DIV/0!	-	-	4,703.90	
12 31 2020			#DIV/0!	-	-	5,374.67	
1 31 2021			#DIV/0!	-	-	7,444.82	
2 28 2021			#DIV/0!	-	-	5,974.40	
3 30 2021			#DIV/0!	-	-	10,046.76	
4 30 2021			#DIV/0!	-	-	8,884.00	
5 31 2021			#DIV/0!	-	-	11,421.86	
6 30 2021			#DIV/0!	-	-	2,667.60	
TOTAL:	17,117.15	15,688.87	91.66%	3,137.77	12,551.10	23,891.46	
						Net Rev Increase	-47.47%

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Claims>reports

NORTH COUNTY FIRE PROTECTION DISTRICT
MONTHLY INVESTMENT REPORT

October 31, 2020

FALLBROOK	BALANCE	INTEREST	
		RATE	
County of San Diego/General Fund - FBK	479,664.28	0.01%	Operating
County of San Diego/General Fund - RNBW	1,186,610.78	0.01%	Operating
County of San Diego/Capital Reserve	400,687.63	0.01%	Capital Reserves
County of San Diego/Fire Mitigation Fund - FBK	900,604.88	0.01%	Mitigation Fees
County of San Diego/Fire Mitigation Fund - RNBW	4,059.25	0.01%	Mitigation Fees
Local Agency Investment Fund	2,144,919.87	0.69%	LAIF
Workers' Comp JPA	483,202.00	0.26%	PASIS Funds
Bank of America/PASIS	176,687.99	0.01%	
First National/Benefit Fund	156,324.20	0.50%	
First National/Payroll	398,427.78	0.50%	
First National/Accounts Payable	113,609.41	0.50%	
First National/Accounts Receivable	75,896.79	0.50%	
Pacific Western Bank/Accounts Receivable	1,517,393.52	0.00%	
TOTAL	8,038,088.38		

Document Date	Document Number	Vendor Name	Transaction Description	Document Amount
10 1 2020	OCT 1-31, 2020	Employee Benefit Specialists, Inc.	10/1-10/31	8,527.86
10 1 2020	SERV 9/1-9/30/20	AT&T	9/1/20-9/30/2020	1,968.55
10 1 2020	SERVS 9/1-9/30/20	ROBERT JAMES	SERVS 9/1-9/30/20	3,612.50
10 1 2020	92028FPDSEPT 2020	LIFE-ASSIST, INC	SEPT 2020 STATMNT	1,787.17
10 1 2020	21NOCFPDC03	COUNTY OF SAN DIEGO - RCS	CAP COD 21 OCT 2020	52.50
10 1 2020	21NOCFPDN03	COUNTY OF SAN DIEGO - RCS	OCT 2020 FIRE RADIO	5,618.00
10 1 2020	211020	OSTARI	IT SERVICE OCT	1,850.00
10 1 2020	69436	SDRMA	INVOICE 69436	2,883.13
10 1 2020	77355	THE COUNSELING TEAM	SEPT SERVS	600.00
10 1 2020	9503116184	TELEFLEX	PO 092920DdB	251.94
10 1 2020	0417565101120	TIME WARNER CABLE	SERV 10/11-11/10/20 MAIN	96.98
10 1 2020	9863918726	VERIZON WIRELESS	SRVC 9/2-10/1/20	77.26
10 1 2020	011533480	XEROX - PASADENA	SERV 8/21-9/21/20	372.07
10 1 2020	011533479	XEROX - PASADENA	SERV 8/21-9/21/20	160.22
10 2 2020	13570	BIT PROS, INC	INV 13570	268.66
10 2 2020	9/4-10/2/20	FALLBROOK PUBLIC UTILITY DISTR	9/4/20-10/2/20	325.18
10 2 2020	0381456100220	TIME WARNER CABLE	SERV 10/2/20-11/01/20	342.15
10 2 2020	0381472100220	TIME WARNER CABLE	STA 1 SERV 10/2-11/01/20	1,147.15
10 2 2020	9/4/20-10/2/20	FALLBROOK PUBLIC UTILITY DISTR	SERV 9/4/20-10/2/20	419.53
10 2 2020	37813390539	DIRECTV	SERV MAIN 10/1-10/31	152.99
10 2 2020	ST PARAMD CERT	CHRISTOPHER MATTAROLLO	ST PARAMD CERT	225.00
10 5 2020	243231	Fowler Pest Control	STATEMENT SEPT	90.00
10 5 2020	A1003515	ADMINISTRATIVE SOLUTIONS	OCT 2020	108.00
10 6 2020	01156	CALIFORNIA FIRE CHIEFS ASSOC	2020/20201 dues Chief & staff	1,200.00
10 6 2020	20-81.1	dk Greene Consulting, Inc.	SURVEY/DRAFT 2309 RNBW BLVD	1,500.00
10 6 2020	19332	BP Battery	12V	28.88
10 6 2020	19093	IB	AUG-SEPT 2020 SERVC	1,560.00
10 8 2020	SERV 9/30 & 8/12/20	Arrow Pipeline Repair, Inc.	Servcs 9/30/20 & 8/12/20	805.00
10 8 2020	ACLS RECERT	JACOB SWAN	SWAN ACLS	160.00
10 8 2020	ACLS RENEWAL	JUSTIN NASH	ACLS RENEWAL	160.00
10 8 2020	ZA290073698:01	VELOCITY TRUCK CENTERS	ENG DATA TAG	173.26
10 9 2020	PR 10/9/20	FALLBROOK FIREFIGHTERS' ASSN	PR 9/13/20-9/26/20	2,558.16
10 9 2020	PR AP SR 10/9/20	FALLBROOK FIREFIGHTERS' ASSN	PR 09/13/20-09/26/20	28.08
10 9 2020	PR AP 10/9/20	FIREFIGHTERS LEG. ACTION GRP	PR 9/13/20-9/26/20	84.00
10 9 2020	PR 10/9/20	LINCOLN NATIONAL	LN PR 09/13/20-09/26/20	2,546.62
10 9 2020	JULY-SEPT 2020 CELL	Katherine Smith	FROM VOIDED CHECK CELL REIMB2	204.00
10 9 2020	10/9/20CHIEF MAROVIC	ABC Design	Shadow Box Chief Marovich	215.50
10 9 2020	887809	Best Best & Krieger	SERV SEPT 2020	382.50
10 9 2020	20738	BOISE MOBILE EQUIP	SEAT SENSOR/SWITCH	141.97
10 10 2020	9/11-10/10/20	RAINBOW MUNICIPAL WATER DIST	STA 3 SERVC 9/11-10/10/20	14.81
10 10 2020	14750038	TIRE HUB, LLC	tires GY 732026500	708.00
10 10 2020	9/11-10/10	RAINBOW MUNICIPAL WATER DIST	STA 3 SERV 9/11-10/10/20	139.38
10 10 2020	9/11-10/10/2020	RAINBOW MUNICIPAL WATER DIST	9/11-10/10/20 STA 5 SERVC	210.43
10 11 2020	OCT 21-OCT29 STA 3	READY FRESH	OCT 21-OCT29 DELIVERIES STA 3	48.77

Document Date	Document Number	Vendor Name	Transaction Description	Document Amount
10 13 2020	22400	FALLBROOK PROPANE GAS CO.	STA 2 DELIVERY	297.13
10 13 2020	356959	POSTAL ANNEX #25	TUCKTOP SERVC 9/14/20	35.38
10 13 2020	287294515164X1021202	AT&T Mobility	OCT SERVC	797.69
10 14 2020	SWAN/DESTEFANO	City of San Marcos	RESCUE SYSTEMS SWAN/DESTEFANO	1,400.00
10 14 2020	E101045624	EIDE BAILLY	SEPT SERVC	7,446.25
10 15 2020	STMNT OCT 2020	LEGAL SHIELD	STMNT OCT 2020	586.20
10 15 2020	1850	Fallbrook Alarm	SERVC 3 MOS	189.00
10 16 2020	11321	FOWLER PLUMBING	STA 1 SHOWERS	150.00
10 16 2020	6106	KING WELDING	LADDER REPAIR	48.00
10 20 2020	10/20-11/19/20	TIME WARNER CABLE	STA 1 SERV 10/20-11/19	149.95
10 20 2020	9865325224	VERIZON WIRELESS	9/21-10/20/20 SERVC	734.14
10 21 2020	220100275	ALERT-ALL CORP.	BADGES	538.75
10 21 2020	8/13-10/27/20	Collin Baker	TUITION REIMBURSEMENT	823.50
10 22 2020	6379	Fallbrook Overhead Doors and Entry Gates	STA 1 GATE	125.00
10 22 2020	13016	MICHEL'S APPLIANCE REPAIR	FREEZER STA 4 REPAIR	148.24
10 22 2020	STA 3 OCT SERV	DIRECTV	10/21-11/20/20 SERVC	134.53
10 22 2020	9/24-10/22 STA 1	FALLBROOK PUBLIC UTILITY DISTR	9/24-10/22/20 SERVC STA 1	692.64
10 22 2020	9/24/20-10/22/20	FALLBROOK PUBLIC UTILITY DISTR	STA 1 SERVC 9/24/20-10/22/20	58.42
10 22 2020	1269	JIM'S SIGN SHOP	AMB LOGOS	375.00
10 23 2020	IN1501132	MES California	IN1501132	2,537.51
10 23 2020	FBK FFA PR 10/23/20	FALLBROOK FIREFIGHTERS' ASSN	FFA & FLAG PR 10/23/20	2,558.16
10 23 2020	FBKFFA SR PR 10/23	FALLBROOK FIREFIGHTERS' ASSN	FBKFFA SR PR 10/23/20	28.08
10 23 2020	PR 10/23/20	LINCOLN NATIONAL	PR 10/23/20	2,615.30
10 23 2020	PR AP 10/23/2020	FIREFIGHTERS LEG ACTION GRP	PR AP 10/23/2020	84.00
10 26 2020	CBL 4/30/20-11/02/20	FALLBROOK FIREFIGHTERS' ASSN	FFA CBL BILLS 4/30/20-11/01/20	3,997.10
10 26 2020	SD CNTY ACLS ACCRED.	Rebecca Eagels	SD CNTY ACLS	325.00
10 26 2020	9/30/20-10/22/20	KEN GRODY FORD CARLSBAD	INVCS SEPT 30-OCT22, 2020	565.01
10 27 2020	MAILBOX/HARLIN	Joe Harlin	MAILBOXES REIMBURSMNT HARLIN	103.20
10 27 2020	TUITION REL 4035	NICK CRILLY	TUITION REL 4035	823.50
10 29 2020	INCIDENT MILAGE	ROBERT DeCAMP II	8/16-8/31/20	698.63
10 29 2020	TUITION ORG 5800	MATHIEU LINDSEY	TUITION WALDORF ORG 5800	1,066.50
10 30 2020	OCT SERVC	D&F Cleaning Services	OCT 12 & 26	440.00
10 30 2020	1283	JIM'S SIGN SHOP	DECALS	64.65
10 31 2020	11/2/20 STMNT	NATIONWIDE MEDICAIL/SURGICAL	OCTOBER 2020 INVOICES	51.85
10 31 2020	10/31/20 STMNT	Joe's Hardware	OCTOBER 2020 STMNT	262.12

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: DECEMBER 8, 2020
SUBJECT: APPROVAL OF POLICIES AND PROCEDURES

The following Policies and Procedures are being presented for review and approval:

1. Budget and Fund Management: Purchases and Sales
 - Policy updated to comply with revised Independent Contractor laws, housekeeping issues to meet Public Contracting Code.

2. Rules & Regulations: Intra-Departmental Communications
 - Minor housekeeping modifications to approved policy; addition of AB 2655 required language.



NORTH COUNTY FIRE PROTECTION DISTRICT

POLICY AND PROCEDURE MANUAL

ADMINISTRATION
BUSINESS MANAGEMENT
PURCHASES & SALES

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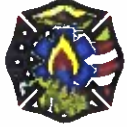
PURCHASING AND CONTRACTING MANUAL

1.0. PURPOSE:

- 1.1. This Policy is designed to implement and comply with the State Purchasing Statutes and to guide District personnel in making economical and sound business decisions involving expenditures of District funds.

2.0. POLICY:

- 2.1. Formal purchasing procedures for local agencies (including "districts") are required under the terms of California Government Code, §54202 and the Public Contracting Code ("PCC"), §§20810-20813.
- 2.2. Purchasing of goods and services shall be in accordance with San Diego County Competitive Procurement Policy A-87, as directed by PCC §20812, with the following threshold limits modified to those outlined in §2-M (presently ~~\$3025,000~~, pursuant to PCC §20812(c)(1)) in the following specific sections:
 - 2.2.1. Disabled Veteran Business Enterprises - § 2(G);
 - 2.2.2. Use of Informal Competitive Process to Purchase Goods and Services - §2(J);
 - 2.2.3. Approving Amounts for Exceptions to Competitive Bidding - §4;
 - 2.2.4. Contract Approval - § 6 – all contracts over ~~\$3025,000~~ to be submitted to the Board for approval; and
 - 2.2.5. Advertising - §7.
- 2.3. Purchasing of goods or services between \$10,000 and ~~\$3025,000~~, not otherwise categorically exempt in §2 of Policy A-87, will require obtaining a minimum of three (3) quotes.
- 2.4. Obtaining contracts for construction projects in excess of \$10,000 shall be in accordance with PCC §20813, except for "maintenance" projects as defined in PCC §22002.
- 2.5. Public Works contracts in excess of \$1,000 must be registered with the California Department of Industrial Relations within five (5) days of contract award, pursuant to California Labor Code ("CLC") §1720.
- 2.6. District subcontractors are required to follow their employer's written illness &



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Injury Prevention Program ("IIPP"). If no such program exists, they are to follow this District's IIPP Program and Code of Safe Practices prior to commencing work.

- 2.7. A District contractor is and will act as an independent contractor and the contractor and the contractor's employees, subcontractors and agents are not employees, officers or agents of the District.
- 2.8. A District contractor shall perform services and obligations under a contract according to the contractor's own means and methods of work, which shall be in the exclusive charge and under the control of contractor and which shall not be subject to control or supervision by the District, except as to the results of the work.
- 2.9. A District contractor must acknowledge that:
 - 2.9.1. The contractor is free from the control and direction of the District in connection with the manner and means by which the services are performed.
 - 2.9.2. Contractor performs services outside the usual course of the District's business.
 - 2.9.3. Contractor is customarily engaged in an independently established trade, occupation or business of the same nature as the services performed for the District.
- 3.0. **DEFINITIONS:**
 - 3.1. Chief Administrative Officer: In instances when the County Policy grants authority to the CAO, the District Officer having such authority will be the Fire Chief/CEO.
 - 3.2. Director of Purchasing and Contracting: In instances when the County Policy grants authority to the CAO, the District Officer having such authority shall be the Chief Officer for Administration/Finance.
 - 3.3. Assistant Chief Administrative Officer: In instances when the County Policy grants authority to the ACAO, the District Officer having such authority shall be a Division Chief ~~the Deputy Fire Chief~~.
- 4.0. **INTENT:**
 - 4.1. Purchases shall be made as needed, in order to provide the District with maximum

Commented [S11]: Is this supposed to read "Director of Purchasing and Contracting" instead of CAO?

Commented [LS2]: Will need to determine who fills this role - Finance Manager?



NORTH COUNTY FIRE PROTECTION DISTRICT

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PURCHASING AND CONTRACTING MANUAL

benefit for minimum expenditures. It is also essential that purchases of all goods, supplies, services and construction items be done by the District in a fair and open manner that promotes public confidence in the Agency and reinforces the public perception of fairness and equal opportunity for all competing vendors offering their products or service to the District.

- 4.2. Consistent with the above guidelines, purchases should be made from vendors located within the boundaries of the District when cost, quality and delivery times are equal to or better than quotes provided from distant areas. State law forbids any Director or other Officer of the District from being interested, directly or indirectly, in any contract awarded or to be awarded by the Board, or in the profits to be derived from it.

5.0. PROCEDURES:

5.1. GENERAL PURCHASING GUIDELINES:

- 5.1.1. Quote information shall be retained until completion of the Annual Audit for the fiscal year in which purchased.
- 5.1.2. Shipping charges and applicable taxes, if any, must be included in the total price shown on the Purchase Order.
- 5.1.3. Open Accounts shall generally be utilized for the purchase of repetitive need, low-valued items or for the purchase of items (such as lumber) which must be available on short notice at any time. *Open Accounts shall not be utilized as a substitute for the normal purchase order process described below.*
- 5.1.4. Nothing in these purchasing guidelines shall prevent the Fire Chief/CEO, or his authorized designee, from authorizing purchases outside of these guidelines in emergency situations.
- 5.1.5. **Purchases of items not in the Budget will require Board approval prior to the purchase.**

5.2. AWARDING/COMPLETION OF PUBLIC WORKS CONTRACTS:

- 5.2.1. AWARDING PUBLIC WORKS CONTRACTS: The District may only consider contracting with vendors registered with the California Department of Industrial Relations ("DIR") to perform "public works" projects. Per California Labor Code (CLC) §1720, "Public Works" includes "construction, alteration,



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demolition, installation or repair work, that is paid for in whole or part with public funds." Visit: <https://efiling.dir.ca.gov/PWCR/Search> to determine if the contractor is eligible to perform work for the District.

5.2.2. Applicable Public Works contracts shall be registered with the California Department of Industrial Relations (DIR) within five (5) days of award of contract. Submit a PWC-100 form to the DIR by visiting: <https://www.dir.ca.gov/pwc100ext/>, as required by CLC §1773.3 and 8 Cal. Code Reg. §16451(a).

5.2.3. **CONTRACT COMPLETION:** Upon completion of a Public Works contract, the District is required to file a "Notice of Completion" with the DIR, with a copy submitted to the Labor Commissioner. A copy of the submitted Notice will be kept with the contract file.

5.2.4. **REPORTING OFFICER:** The Chief Officer responsible for Facilities shall be the District's designated Reporting Officer, will be responsible for ensuring appropriate selection of contractors and that the required Registrations and Notices are made/filed.

5.3. **PURCHASING PROCEDURES:**

5.3.1. **PETTY CASH PURCHASE.**

5.3.2. **CREDIT CARD PURCHASE.**

5.3.3. **PURCHASE ORDERS:**

5.3.3.1. Purchase Orders are used to procure goods for the District when:

- 5.3.3.1.1. The purchase would exceed the limits of a Cal Card single purchase;
- 5.3.3.1.2. When close tracking of multiple purchases against an account need additional tracking (e.g. Uniforms);
- 5.3.3.1.3. When inspection of the goods upon arrival at the District precedes payment; or
- 5.3.3.1.4. When deemed necessary by Management.

5.3.3.2. Complete a Purchase Order form and obtain the authorizing signature as follows:

PURCHASER	APPROVING AUTHORITY
------------------	----------------------------



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Suppression – Captain & below	Program Manager
Non-Suppression personnel	Program Manager
Battalion Chief	Division, Deputy or Fire Chief
Division Chief	Deputy Chief or Fire Chief/CEO
Deputy Chief	Fire Chief/CEO (purchases less than \$10,000)
Fire Chief/CEO	Board Member (purchases more than \$10,000)

- 5.3.3.3. Submit the signed form to the Finance Division for a purchase order number.
- 5.3.3.4. When making the purchase, obtain and sign the receipt, include employee ID number and note the purpose of purchase.
- 5.3.3.5. Return receipt to the Finance Division.
- 5.3.3.6. Finance will assign purchase against specific budget account line item.

5.3. OPEN ACCOUNT:

- 5.3.1. Obtain approval from Approving Authority.
- 5.3.2. When making the purchase, obtain and sign the receipt, include Employee ID number and note purpose of the purchase.
- 5.3.3. Return receipt to the Finance Division.

6.0. EMERGENCIES:

- 6.1. Section 22050 of the California Public Contract Code (PCC) authorizes Fire Protection Districts public agencies to utilize special purchasing procedures when emergencies exist. During emergencies, the above procedures outlined in PCC §22050 shall be utilized instead of the rules found in Section 5.0 of this policy when purchasing special services or construction work.
- 6.2. SPECIAL SERVICES: In the case of an emergency, the District Board may adopt a resolution by a ~~two-thirds~~four-fifths vote of all the members of the District Board, declaring that the public interest and necessity demand immediate expenditure of public money for special services in order to safeguard life, health or property. The Board may expend any sum for special services as may be required in the emergency without submitting the expenditure to bid.
- 6.3. CONSTRUCTION: In the case of an emergency, the District Board may adopt a resolution by a ~~two-thirds~~four-fifths vote of all the members of the District Board, declaring that the public interest and necessity demand immediate expenditure of



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public money to safeguard life, health or property. The District Board may expend any sum required in the emergency for the construction or completion of any building structure or improvement without submitting the expenditure to bid.



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SOCIAL MEDIA POLICY

1.0. **PURPOSE:**

- 1.1. North County Fire Protection District (the District) endorses the secure use of Social Media to enhance communication and information exchange, streamline processes and foster productivity between Employees.
- 1.2. This Policy establishes this District's position on the use and management of District authorized Social Media and Personal Social Media, as well as providing guidelines on its management, administration, and oversight.
- 1.3. This Policy is not intended to address one particular form of Social Media, but rather, Social Media in general and in general terms, as technology will outpace the District's ability to discover emerging technology and create policies governing their specific uses.

2.0. **INTENT:**

2.1. **PERSONAL SOCIAL MEDIA:**

- 2.1.1. This Policy is intended to provide guidance of a precautionary nature as well as stating restrictions and prohibitions on the use of Social Media by District personnel.
- 2.1.2. Messages and content posted on a District Social Media site may constitute speech on behalf of the District, but such speech takes place on a non-District venue. Therefore, the District Board of Directors finds and intends that speech posted on a Social Media site venue by District representatives and comments by the public posted on a social media site venue in response, do not create a public forum or limited public forum on any portion of the District's websites, equipment or other District property.

3.0. **POLICY:**

- 3.1. The District's official website at www.ncfireprotectiondistrictncfire.org (or any other domain owned by the District) will remain the District's primary means of internet communication. Use of Social Media shall only serve as an enhancement to the District's official website. Therefore, information and communications should be organized in a manner that avoids the posting of ~~duplicative or~~ conflicting information.



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SOCIAL MEDIA POLICY

- 3.2. The same principles and guidelines found in District policies apply to Employee activities online. Before creating online content, keep in mind that if your conduct adversely affects your job performance, the performance of co-workers or otherwise adversely affects members of the public served by the District, people who work on behalf of the District or the District's legitimate business interests, the District may take disciplinary action against you, up to and including termination.
- 3.3. All communications transmitted via the District's Computer Network System, whether or not related to personal or confidential matters, are subject to monitoring at the District's discretion. The District monitors communications transmitted via the District's Computer Network System in the ordinary course of business for purposes that include ensuring their reliability and security.
- 3.4. Employees should not communicate their private, privileged or confidential information, including but not limited to personal attorney client communications, financial or medical information and other privileged information, via the District's Computer Network System. Employees who do communicate their private, privileged or confidential information via the District's Computer Network System will be deemed to have waived any privilege or privacy rights in those communications, even where those communications are made via personal password-protected accounts using the District's Computer Network System.
- 4.0. **DEFINITIONS:**
 - 4.1. **BLOG:** A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions or comments.
 - 4.2. **DISTRICT SOCIAL MEDIA SITES:** The District's official Social Media internet communication sites.
 - 4.3. **EMERGING TECHNOLOGIES:** This Policy does not address the specific details of technologies that are yet to be invented or implemented at the District. This Policy should be sufficient to allow you to determine the acceptable use of any new or Emerging Technology.
 - 4.4. **PERSONAL USE OF SOCIAL MEDIA:** Personal Use refers to things you may do to socialize or advance yourself personally, although this may include some professional activities such as networking or promoting academic or professional research or writing. It includes your personal internet or Social Media account,



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SOCIAL MEDIA POLICY

which for the definition of this Policy means an account created via a bounded system established by an internet-based service that requires a user to input or store access information via an electronic device to view, create, utilize or edit the user's account information, profile, display, communications or stored data, which is separate and outside the District's supplied Email or intranet systems.

- 4.5. POST(s)/POSTING(s): Content (information, articles, pictures, videos or any other form of communication) placed or shared on a Social Media site or the act of publish content on a site.
- 4.6. PROFILE: Information that a user provides about him/herself on a Social networking site.
- 4.7. PROFESSIONAL USE OF SOCIAL MEDIA: Professional use refers to using Social Media to advance a part or activity of the District [such as a division] as part of your job responsibilities. The guidelines in this area are meant to ensure consistency and quality in representation of the District in Social Media. In addition, it is to ensure that departments and members are not creating redundancies or sending competing or mixed messages to any District audience.
- 4.8. PROTECTED HEALTH INFORMATION (PHI): "PHI" means information that (i) is created or received by a Health Care Provider, Health Plan, employer or Health Care Clearinghouse; (ii) relates to the past, present or future physical or mental health or condition of an individual; the provision of Health Care to an individual or the past, present or future Payment for the provision of Health Care to an individual; and (iii) identifies the individual (or for which there is a reasonable basis for believing that the information can be used to identify the individual).
- 4.9. PUBLIC RECORD(S): "Public Records" includes any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics. This may include "Records" that the individual may consider private, when such Records are developed on maintained on District-owned devices/medium.
- 4.10. SOCIAL MEDIA: A category of internet-based resources that enable the user to generate content and encourage other user participation. As used in this Policy, Social Media means an electronic service or account or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts or Internet Web site



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profiles or locations. This includes, but is not limited to, social networking sites such as: Facebook, [MySpace](#), [Instagram](#), Twitter, YouTube, Wikipedia, blogs and other similar sites. With the thousands of current and potential Social Media sites, this short list is only intended to be exemplary, not inclusive.

- 4.11. **SITE CONTRIBUTOR**: Designated District staff member responsible for posting information and monitoring comments under the direction of the Site Manager.
- 4.12. **SITE MANAGER**: Designated District staff member responsible for establishing District and department-specific Social Media sites, with responsibility for supervising the Site Contributor.
- 5.0. **PROCEDURE**:
 - 5.1. **PERSONAL USE OF SOCIAL MEDIA**:
 - 5.1.1. Your online postings should always represent your personal point of view and not necessarily that of North County Fire Protection District. When posting your point of view, you should neither claim nor imply you are speaking on the District's behalf. When appropriate, please be clear to indicate that the views expressed on your posts are your own and do not necessarily reflect the views of the District.
 - 5.1.2. Employees using District-provided internet resources shall do so only in support of official District business. District email is limited to conducting District business and is not to be used for as Personal Social Media forum. All data contained in the Computer Network Systems is owned by and is the intellectual property of the District. [See **Computer Use Policy**.]
 - 5.1.3. When using a personal email or social media account to conduct District business, that correspondence becomes subject to the California Public Records Act and as such, is NOT considered private communication. Such correspondence is therefore subject to the same restrictions as when using District-provided email and internet resources.
 - 5.1.4. **POST ONLY APPROPRIATE & RESPECTFUL CONTENT**: Always be fair and courteous to your co-workers, District clients, members of the public and individuals working on behalf of the District. Keep in mind you are more likely to resolve work-related issues by speaking directly to the individual or



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via other authorized channels such as Human Resources or by filing an internal complaint or grievance, if applicable.

5.2.5.2. If you decide to post complaints or criticisms, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage District clients, co-workers or that may constitute harassment or bullying.

5.2.5.2.1. Examples of such conduct might include: Offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation or any other status protected by law or District policy.

5.2.6. **BE HONEST AND ACCURATE:** Strive for accuracy and full disclosure in any blog or post. Include a link to your sources of information. If you make a mistake, correct the information or retract it promptly.

5.2.6.1. Remember the Internet archives almost everything; even deleted postings can be searched. Never post any information or rumors that you know to be false or inaccurate about the District, co-workers, District clients or individuals working on behalf of the District.

5.2.7. **DO NOT PROMOTE THE DISTRICT ANONYMOUSLY:** Do not create a link from your blog, website or other Social Media/Networking site to a District website without identifying yourself as an Employee. If the District is the subject of content you are creating, be clear and open about the fact that you are an Employee. Make it clear that your views do not represent those of the District, your co-workers, District clients or individuals working on behalf of the District. Include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the District."

5.2.7.1. **PRECAUTIONS AND PROHIBITIONS:**

5.2.7.1.1. Use of the District's Computer Network System on work time for your Social Media use must not interfere with your duties. Do not use District email addresses to register on social networks, blogs or other online tools utilized for personal use.



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5.2.7.1.2. District personnel shall abide by the following when using Social Media:

5.2.7.1.2.1. District personnel are free to express themselves as private citizens on Social Media sites to the degree that the speech does not impair or impede the performance of District duties, impair discipline and harmony among co-workers or negatively affect the public perception of the District. **The District intranet, internet and website are for business-related communications only and should not be used for personal Social Media exchanges.**

5.2.7.1.2.2. As public Employees, District personnel are cautioned that their speech, either on or off duty and in the course of their official duties, has a nexus to the District's professional duties and responsibilities. As such, such speech may not be protected under the First Amendment and may:

5.2.7.1.2.2.1. Form the basis for discipline if deemed detrimental to the District;

5.2.7.1.2.2.2. Be assumed that such speech and related activities on Social Media sites will reflect on their position within the District and on the District itself.

5.2.7.2. District personnel are cautioned regarding the following:

5.2.7.2.1. Personnel should not display department logos, uniforms or similar identifying items on personal webpages without prior written permission of the Fire Chief/CEO or his/her designee;

5.2.7.2.2. Personnel should not post personal photographs or provide similar means of personal recognition that may cause them to be identified as a firefighter, fire officer or Employee of the District, without prior written permission of the Fire Chief/CEO or his/her designee;

5.2.7.2.3. When using the Social Media, District personnel should be mindful that their speech becomes part of the World Wide Web.

5.2.7.2.4. Department personnel should be aware that they may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group or organization, otherwise known as defamation.



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5.2.7.2.5. Personnel and public safety take precedence over Social Media posting. Members shall follow existing Member safety policies as outlined in Department Policies and Procedures. Members will refrain from involvement with Social Media while on duty. Posting to Social Media is never permitted while on an incident or during training.

5.2.8. Adherence to the District's **General Rules & Regulations** is required in personal use of Social Media. In particular, District personnel are prohibited from the following:

5.2.8.1. Speech containing obscene or sexually explicit language, images or acts, statements or other forms of speech that ridicule, malign, disparage or otherwise express bias against any race, any religion or any protected class of individuals;

5.2.8.2. Divulge information gained by reason of their authority or publish materials that could reasonably be considered to represent the views or positions of the District without prior written permission of the Fire Chief/CEO or his/her designee;

~~5.2.8.2.~~ 5.2.8.3. California Assembly Bill AB-2655 makes it a misdemeanor for a first responders such as EMT's, Paramedics, and Firefighters, as defined ~~define this~~ who responds to the scene of an accident or crime to capture the photographic image of a deceased person for any purpose other than an official law enforcement purpose or a genuine public interest.—(Penal Code Section 674.9). Scene pictures should only be taken by department issued cameras and routed directly to Chief Officers or fire service Public Information Officers. Incident victims should not be included in photos.

~~5.2.8.3.~~ 5.2.8.4. District personnel shall not post, transmit or otherwise disseminate any information to which they have access as a result of their employment without written authorization of the Fire Chief/CEO or his/her designee. Entering into racial, political, sexually oriented or religious discussions that may develop into heated dialog creating a hostile environment;

~~5.2.8.4.~~ 5.2.8.5. On or off duty, use his/her name as a member of the Department, the uniform, badge or prestige of the Department for personal gain or in any commercial or business enterprise; nor shall he approve or sanction the use of the name and the prestige of the Department for any such purpose.



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5.3. **DISTRICT SOCIAL MEDIA:** Social Media provides a valuable means of assisting the District and its personnel in meeting community education, information, fire prevention and other related organizational and community objectives.

5.3.1. **GENERAL RULES:**

- 5.3.1.1. The establishment of a District Social Media sites are subject to approval by Fire Chief/CEO or his/her designee.
- 5.3.1.2. Posting to District Social Media sites is to be accomplished only by designated individuals, as identified by the Fire Chief/CEO or his/her designee.
- 5.3.1.3. Upon approval, District Social Media sites shall bear the name and/or official logo of the District.
- 5.3.1.4. All Social Media pages should link or refer to the District's official website.
- 5.3.1.5. The District reserves the right to terminate any District Social Media site at any time without notice.
- 5.3.1.6. The use of the District's Social Media sites shall be in strict conformity with all applicable provisions of the District's Administrative and Ethics Codes and Policies.
- 5.3.1.7. District Social Media sites shall comply with usage rules and regulations required by the site provider, including privacy policies.
- 5.3.1.8. Social Media content shall adhere to applicable laws, regulations and policies, including all information technology and records management policies of the District.
- 5.3.1.9. District Social Media sites may contain content, including but not limited to, advertisements or hyperlinks over which the District has no control. The District does not endorse any hyperlink or advertisement placed on District Social Media sites by the Social Media site's owners, vendors or partners.

5.3.2. **CONTENT GUIDELINES:**

- 5.3.2.1. The content of District Social Media sites shall only pertain to District-sponsored or District-endorsed programs, services and events. Content includes, but is not limited to, information, photographs, videos and hyperlinks.
- 5.3.2.2. The District shall have full permission or rights to any content posted by the District, including photographs and videos.



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- 5.3.2.3. Any Employee authorized to post items on any of the District's Social Media sites shall review, be familiar with and comply with the Social Media site's use policies and terms and conditions.
- 5.3.2.4. Postings on any District Social Media site by an authorized District Employee shall relate only to the purpose of communicating information of public interest regarding functions, activities, programs and goals of the District and/or to facilitate the community's ability to learn about and participate in the same. Postings shall not include any personal views or concerns of District Employees.
- 5.3.2.5. Postings must contain information that is freely available to the public and not be confidential as defined by any District policy, state or federal law.
- 5.3.2.6. Postings may NOT contain any personal information, except for the name(s) of District Employee(s) whose job duty includes being available for contact by the public.
- 5.3.2.7. Social Media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the District.
- 5.3.2.8. Social Media pages should indicate that posted comments will be monitored and that the District reserves the right to remove obscenities, off-topic comments and personal attacks.

5.3.3. DISTRICT-SANCTIONED USE:

5.3.3.1. Moderation of pPostings to District Social Media sites shall NOT contain any of the following:

- 5.3.3.1.1. Comments that are not topically related to the posting;
- 5.3.3.1.2. Comments in support of or opposition to, political campaigns, candidates or ballot measures;
- 5.3.3.1.3. Profane language or content;
- 5.3.3.1.4. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state or local laws;
- 5.3.3.1.5. Sexual content or links to sexual content;
- 5.3.3.1.6. Conduct or encouragement of illegal activity;
- 5.3.3.1.7. Information that may tend to compromise the safety or security of the public or public systems;
- 5.3.3.1.8. Content that violates a legal ownership interest of any other party; or



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5.3.3.1.9. Content posted by District Employees that may incite disruption in the workplace.

5.3.3.2. USERS OF DISTRICT SOCIAL MEDIA SHALL:

5.3.3.2.1. Only access Social Media when specifically authorized.

5.3.3.2.2. Conduct themselves at all times as representatives of the District and shall adhere to all District standards of conduct, observing conventionally accepted protocols and proper decorum.

5.3.3.2.3. Identify themselves as members of the District.

5.3.3.2.4. Shall not post, transmit or otherwise disseminate confidential information, including photographs or videos, related to District training, activities or work-related assignments, without express permission of the Fire Chief/CEO.

5.3.3.2.5. Shall not conduct political or private business activities.

5.3.3.2.6. Shall obtain express permission of the Fire Chief/CEO prior to using personally owned devices to manage the District's Social Media Activities or in the course of official duties.

5.3.3.2.7. Observe and abide by all copyright © ®, trademark® and service mark ^(SM) restrictions in posting materials to electronic media:

5.3.3.2.7.1. Copyright: Copyright is a legal concept, enacted by most governments, giving the creator of an original work, exclusive rights to it, usually for a limited time. A copyright© is for written work, while a copyright denoted as ® indicates sound recording copyright.

5.3.3.2.7.2. Service Mark: A service mark or servicemark is a trademark used to identify a service rather than a product. This mark is generally used prior to the service being federally registered.

5.3.3.2.7.3. Trademark: A trademark, trade—mark or trade-mark is a recognizable sign, design or expression that identifies products or services of a particular source from those of others. A trademark is generally used to indicate packaging or delivery of service.

5.3.4. EXAMPLE OF POTENTIAL SOCIAL MEDIA USES:

5.3.4.1. POSTSCOMMUNITY UPDATES: —UProviding updates on road closures, special events, notable weather forecast advisories or warningsemergencies, safety and/or fire prevention messages, major onging—events impactingto the Districtjurisdiction such as fires in or



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around the region, NCF or regional responses which may be of public interest that affects the entire community. Twitter should be reserved for notable weather advisories and events that significantly impact the District.



**NORTH COUNTY FIRE
PROTECTION DISTRICT
OPERATIONS DIVISION STAFF REPORT**

TO: BOARD OF DIRECTORS
FROM: DIVISION CHIEF MAHR AND CHIEF ABBOTT
DATE: DECEMBER 8, 2020
SUBJECT: SALE OF SURPLUS VEHICLES

ACTION AGENDA

RECOMMENDATION:

It is the recommendation of Staff that the Board of Directors deem three District owned vehicles as surplus.

BACKGROUND:

In March of 2018, the District assumed full ownership and responsibility for all the equipment and apparatus previously owned and operated under the Rainbow Volunteer Fire Department. Since this time, most of the apparatus has remained in the Rainbow service area/subzone while the District worked through the complete transition to a 3-person career staffed fire station within the Rainbow Subzone.

DISCUSSION:

In anticipation of the added personnel being assigned to Station 3 (Rainbow Subzone) in December 2020, the Operations Division completed a thorough review of all front-line apparatus assigned throughout the District. Additionally, Operations and Fleet Services evaluated the status of the District's reserve apparatus. As a result, it was determined that one 2005 Pierce Water Tender ID# 05315, one 1997 Ford Type 6 Fire Engine/Squad ID# 97311 and one 2011 Leader Ambulance ID# 11417, are no longer serviceable within the District and should be deemed excess inventory. In accordance with NCF Policy Section 217.04 and with the anticipated vehicles' value being greater than \$1000.00, Staff is requesting the Board declare these vehicles as surplus to the District's needs and release them for sale.

FISCAL ANALYSIS:

It is anticipated that these vehicles will have a combined value of approximately \$37,000.00.

SUMMARY:

By the approval of this request, the Board would declare these vehicles surplus, the vehicles would be removed from the fleet and disposed of via an approved method.

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: CHIEF ABBOTT
DATE: DECEMBER 8, 2020
SUBJECT: SELECTION OF REPRESENTATIVE(S) FOR NCDJPA BOARD OF DIRECTORS

ACTION AGENDA

RECOMMENDATION:

1. Approve Director Munson to continue to serve as primary representative to the North County Dispatch Joint Powers Authority (NCDJPA) Board of Directors.
2. Consider and select another Director to serve as alternate representative to the North County Dispatch Joint Powers Authority (NCDJPA) Board of Directors.

BACKGROUND:

As a member agency of NCDJPA, the District has one voting seat on this eight-member Board. The Board meets quarterly at the Rancho Santa Fe Fire Department Headquarters. Routinely, the Board ascertains whether members wish to continue in this role, considers other representatives to be appointed to serve in these positions and selects representatives when a seat becomes open.

DISCUSSION:

Since 2018, Director Munson has been serving as the primary representative to the JPA Board. He was appointed to serve as the Chair to the Board of the NCDJPA of Directors. With the retirement of Director Harris, the alternate position has become unfilled.

Unless the Board desires otherwise, Director Munson would continue serving as the primary representative from the District. With no current alternate, there is a need to identify an alternate to serve in those instances when Director Munson is unavailable. If there is interest among current serving Board members serve as the alternate, it would be prudent to decide of which Board member will serve as the alternate representative prior to the next NCDJPA meeting.

FISCAL ANALYSIS:

No fiscal impact.

SUMMARY:

Staff recommends confirming that Director Munson continue as the primary representative to serve on behalf of the District. A new representative for the alternate position should be identified and selected.

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: CHIEF ABBOTT
DATE: DECEMBER 8, 2020
SUBJECT: SELECTION OF REPRESENTATIVE(S) TO THE FIRE MITIGATION FEE COMMITTEE

ACTION AGENDA

RECOMMENDATION:

1. Consider and appoint a Director to serve as a representative from North County Fire Protection District to serve on the Fire Mitigation Fee Committee.

BACKGROUND:

The Fire Mitigation Fee Program was established for the purpose of making provision for assessing and collecting fees for additional fire protection facilities and equipment necessitated by new development. The Fire Mitigation Fee Review Committee reviews the mitigation fees annually. The membership of the committee consists of two district fire chiefs, one elected director of a fire district, plus one representative each from the Building Industry Association, the San Diego County Farm Bureau and the Planning Commission; and one staff member from the San Diego County Fire Authority. For a period of years, Director Munson has served in this capacity on behalf of the San Diego Fire Districts. Routinely, the Board ascertains whether members wish to continue serving as a representative from North County Fire Protection District on Committees outside of the District and when appropriate, considers other representatives to be appointed to serve in these positions.

DISCUSSION:

Director Munson has been serving as the Fire District Board Member representative to The Fire Mitigation Fee Review Committee. He has expressed an interest in continuing in this role.

Unless the Board desires otherwise, Director Munson would continue serving as Committee member. If there is interest among current serving Board members serve as in this capacity, the Board should make a recommendation to that effect.

FISCAL ANALYSIS:

No fiscal impact.

SUMMARY:

Given his active and long-standing involvement with the Fire Mitigation Fee Committee, Staff recommends confirming that Director Munson continue to serve on behalf of the District.

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NORTH COUNTY FIRE PROTECTION DISTRICT

FIRE CHIEF/CEO REPORT

TO: BOARD OF DIRECTORS
FROM: CHIEF ABBOTT
DATE: DECEMBER 8, 2020
SUBJECT: SUBSTITUTION OF PROPERTY

ACTION AGENDA

RECOMMENDATION:

It is the recommendation from Staff that the Board of Directors approve the attached Lease Agreement that allows for substitution of property.

BACKGROUND:

When the District entered into a lease purchase agreement with Capital One in 2013 for the purchase and construction of the new Station No. 5, one of the conditions was to designate certain District assets as collateral. At that time Fire Station 2 and "old" Station 3 (Olive Hill Rd.) were identified in that purchase agreement as collateral property.

DISCUSSION:

In as much as the District is in the process of selling "old" Station 3 and is in fact 60 days into a 90-day escrow, it is necessary to remove this property from that lease purchase agreement. It is similarly desirable to remove Station 2 from this same agreement as it is preferable not to have an operating fire station as collateral. District Counsel has arranged with Capital One to substitute Station 5 as collateral for this lease, in that it now has sufficient equity (primarily achieved thru early payoff of the second loan). Executing this agreement will therefore remove Stations 2 and 3 as collateral and replace it with Station 5, thereby freeing the old Station 3 property from this encumbrance and allowing for close of escrow.

FISCAL ANALYSIS:

Execution of this Agreement will allow the District to realize the net proceeds from the sale of "old" Station 3.

SUMMARY:

Substituting Station 5 for Stations 2 and 3 will allow the District to close escrow on Station 3, barring any last-minute changes on the part of the buyer during the remainder of the due diligence period.

NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2020-16



RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO SITE LEASE AND LEASE AGREEMENT AND A TERMINATION AGREEMENT AND AUTHORIZING CERTAIN ADDITIONAL ACTIONS

WHEREAS, the North County Fire Protection District (the "District"), a public agency duly organized and validly existing under and by virtue of the laws of the State of California, entered into a Site Lease (the "Site Lease") and a Lease Agreement (the "Lease Agreement"), each dated September 1, 2013, with Capital One Public Funding, LLC ("COPF"), to finance a portion of the cost of the construction of Fire Station No. 5;

WHEREAS, the property leased by the District to COPF under the Site Lease and leased back to the District by COPF under the Lease Agreement consisted of the District's Fire Station No. 2 and Fire Station No. 3 (located at 4157 Olive Hill Road, Fallbrook, 92028-9439);

WHEREAS, pursuant to the terms of the Lease Agreement, the District, with the consent of COPF, may substitute other property for that leased under the Site Lease and the Lease Agreement;

WHEREAS, the District wishes to substitute Fire Station No. 5 for Fire Station No. 2 and Fire Station No. 3 under the leases, and COPF has consented to the substitution pursuant to an Amendment to Site Lease and Lease Agreement (the "Amendment") dated December 1, 2020, between the District and COPF;

WHEREAS, in 2010, a site lease (the "2010 Site Lease") between the District and Municipal Finance Corporation (the "Corporation"), a lease agreement (the "2010 Lease Agreement") between the Corporation and the District, and an assignment agreement (the "2010 Assignment Agreement") between the Corporation and City National Bank (the "Bank") were recorded with respect to Fire Station No. 5 in connection with a financing of a portion of the cost of the construction of Fire Station No. 5;

WHEREAS, the District's obligations under the 2010 Lease Agreement have been fully satisfied, and the Corporation and the Bank have agreed to formally terminate the 2010 Site Lease, the 2010 Lease Agreement, and the 2010 Assignment Agreement pursuant to a Termination Agreement (the "Termination Agreement") dated December 1, 2020, between the District, the Corporation and the Bank;

WHEREAS, the Amendment and the Termination Agreement have been presented to the Board for its review and approval;

WHEREAS, it appears to the Board that the authorization, approval, execution and delivery of the Amendment and the Termination Agreement are desirable and in the best interests of the District;

NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2020-16



RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO SITE LEASE AND LEASE AGREEMENT AND A TERMINATION AGREEMENT AND AUTHORIZING CERTAIN ADDITIONAL ACTIONS

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the North County Fire Protection District as follows:

Section 1. RECITALS. This Board finds and determines that all of the above recitals are true and correct.

Section 2. AUTHORIZATION OF OFFICERS TO EXECUTE AND DELIVER DOCUMENTS. The Board hereby approves the Amendment and the Termination Agreement in substantially the forms on file with the Secretary of the Board and authorizes and directs the Fire Chief/Chief Executive Officer of the District, the President and Vice President of the Board, and their designees (the "Designated Officers") and each of them individually, for and in the name of and on behalf of the District, to execute and deliver the Amendment and the Termination Agreement in such forms with such changes, insertions, revisions, corrections or amendments as shall be approved by the Designated Officer or Officers executing them. The execution of the foregoing by a Designated Officer or Officers shall constitute conclusive evidence of such officer's or officers' and the Board's approval of any such changes, insertions, revisions, corrections or amendments to the respective forms of such agreements. The Board further authorizes the Designated Officers, and each of them individually, to record the Amendment and the Termination Agreement in the office of the Recorder of San Diego County.

Section 3. GENERAL AUTHORIZATION. The Designated Officers and the other officers of the District, and each of them individually, are hereby authorized and directed, for and in the name of and on behalf of the District, to execute and deliver any and all documents, to do any and all things and take any and all actions that may be necessary or advisable, in their discretion, in order to consummate the sale, execution and delivery of the Certificates and to effect the purposes of this Resolution. All actions heretofore taken by officers, employees and agents of this District that are in conformity with the purposes and intent of this Resolution are hereby approved, confirmed and ratified.

Section 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED, ADOPTED AND SIGNED at a Regular Meeting of the Board of Directors of the North County Fire Protection District held on this **8th day of December, 2020**, by the following vote:

NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2020-16



RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NORTH COUNTY FIRE PROTECTION DISTRICT
APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF
AN AMENDMENT TO SITE LEASE AND LEASE AGREEMENT AND A TERMINATION
AGREEMENT AND AUTHORIZING CERTAIN ADDITIONAL ACTIONS

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

John van Doorn
Vice President, Board of Directors

I **HEREBY CERTIFY** that foregoing is a true and correct copy of the Resolution duly and regularly adopted by the Board of Directors of the North County Fire Protection District at the meeting thereof held on the **8th day of December, 2020**, and that the same now appears on record in my office.

IN WITNESS THEREOF, I hereunto set my hand and affixed by official seal this this **8th day of December, 2020**.

A handwritten signature in blue ink that reads "Loren A. Stephen-Porter".

Loren A. Stephen-Porter, Board Secretary

RECORDING REQUESTED BY:

Chicago Title Insurance Company
for the benefit of the
North County Fire Protection District

WHEN RECORDED RETURN TO:

Capital One Public Funding, LLC
1307 Walt Whitman Road, 3rd Floor
Melville, New York 11747
Attn.: Jonathan Lewis, President

This document is recorded for the benefit of the North County Fire Protection District and recording is

exempt from recording fees pursuant to California Government Code §27383.

This transaction is exempt from California documentary transfer tax pursuant to California Revenue & Taxation Code §11922.

TERMINATION AGREEMENT

between the

NORTH COUNTY FIRE PROTECTION DISTRICT,

MUNICIPAL FINANCE CORPORATION,

and

CITY NATIONAL BANK

Dated as of December 8, 2020

TERMINATION AGREEMENT

THIS TERMINATION AGREEMENT (this “Termination Agreement”) dated as of December 1, 2020, between the NORTH COUNTY FIRE PROTECTION DISTRICT (the “District”), MUNICIPAL FINANCE CORPORATION (the “Corporation”), and CITY NATIONAL BANK (the “Bank”),

WITNESSETH:

WHEREAS, the District leased to the Corporation pursuant to the Site Lease dated as of October 19, 2010 (the “Site Lease”), the real property described on Exhibit A hereto (the “Site”); and the Corporation leased the Site back to the District pursuant to the Lease Agreement dated as of October 19, 2010 (the “Lease Agreement”), between the Corporation and the District;

WHEREAS, pursuant to the Assignment of Lease and Site Lease dated as of October 19, 2010 (the “Assignment Agreement”), between the Corporation and the Bank, the Corporation assigned to the Bank all of its right, title, and interest in and to the Site Lease and the Lease Agreement;

WHEREAS, the District has paid all lease payments payable under the Lease Agreement, thereby terminating the Site Lease, the Lease Agreement, and the Assignment Agreement (collectively, the “2010 Agreements”);

WHEREAS, the District, the Corporation, and the Bank desire to evidence the termination of the 2010 Agreements, and the Corporation and the Bank desire to quitclaim to the District any right, title or interest the Corporation or the Bank may have in the Site under the 2010 Agreements; and

WHEREAS, all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the execution and entering into of this Termination Agreement do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the parties hereto are now duly authorized to execute and enter into this Termination Agreement;

NOW, THEREFORE, in consideration of the foregoing, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree:

ARTICLE I TERMINATION

By virtue of the prepayment of the lease payments due under the Lease Agreement, the term of the Lease Agreement has terminated. By virtue of the termination of the Lease Agreement, the Site Lease has terminated. The District, the Corporation, and the Bank agree that their respective interests in the following agreements are hereby terminated and are of no further force or effect:

- a. Site Lease, recorded on December 30, 2010, as Instrument No. 2010-0728848 of Official Records of San Diego County;
- b. Lease Agreement, recorded on December 30, 2010, as Instrument No. 2010-0728849 of Official Records of San Diego County; and

- c. Assignment Agreement recorded on December 30, 2010, as Instrument No. 2010-0728850 of Official Records of San Diego County.

ARTICLE II QUITCLAIMS

The Corporation hereby quitclaims, remises, releases, conveys and transfers all right, title and interest it may have in the Site to the District free and clear of any interest of the Corporation. The Bank hereby quitclaims, remises, releases, conveys and transfers all right, title and interest it may have in the Site to the District free and clear of any interest of the Bank.

ARTICLE III MISCELLANEOUS

Section 1. Binding Effect. This Termination Agreement inures to the benefit of and is binding upon the District, the Corporation, and the Bank and their respective successors and assigns.

Section 2. Severability. If any provision of this Termination Agreement is held invalid or unenforceable by any court of competent jurisdiction, such holding does not invalidate or render unenforceable any other provision hereof.

Section 3. Effectiveness. This Termination Agreement becomes effective on the date of its recordation.

Section 4. Execution in Counterparts. This Termination Agreement may be simultaneously executed in several counterparts, each of which is an original and all of which constitute but one and the same instrument.

Section 5. Applicable Law. This Termination Agreement is governed by and shall be construed in accordance with the laws of the State of California.

[signature page follows]

IN WITNESS WHEREOF, the parties hereto have caused this Termination Agreement to be executed by their respective officers thereunto duly authorized, all as of the day and year first above written.

NORTH COUNTY FIRE PROTECTION DISTRICT

By: _____
Stephen J. Abbott, Fire Chief/CEO

MUNICIPAL FINANCE CORPORATION

By: _____
William A. Morton, President

CITY NATIONAL BANK

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On _____ before me, _____, Notary Public, personally appeared Stephen Abbott, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE OF NOTARY PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On _____ before me, _____, Notary Public, personally appeared William A. Morton, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE OF NOTARY PUBLIC

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STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On _____ before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE OF NOTARY PUBLIC

EXHIBIT A

LEGAL DESCRIPTION OF THE SITE

Real property located in unincorporated territory in the County of San Diego, State of California, described as follows:

PARCEL B OF CERTIFICATE OF COMPLIANCE RECORDED MAY 24, 2007 AS INSTRUMENT NO. 2007-0353175, BEING PARCEL 4; OF PARCEL MAP NO. 9653 IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDED JANUARY 31, 1980, AS FILE NO. 80-036593 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY. TOGETHER WITH A PORTION OF SECTION 19, TOWNSHIP 10 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF PARCEL 1 AS SHOWN ON SAID PARCEL MAP NO. 9653; THENCE ALONG THE WESTERLY BOUNDARY OF SAID PARCEL 1, SOUTH 00°41'04" WEST, 2259.14 FEET (RECORD SOUTH 00°40'48" WEST, 2258.94 FEET PER PM 9653) TO THE NORTHWEST CORNER OF SAID PARCEL 4, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°41'04" WEST ALONG THE WESTERLY LINE OF SAID PARCEL 4, 264.37 FEET TO THE BEGINNING OF A TANGENT 330.00 FOOT RADIUS CURVE CONCAVE WESTERLY; THENCE LEAVING SAID WESTERLY LINE, ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 40.85 FEET THROUGH A CENTRAL ANGLE OF 07°05'36"; THENCE SOUTH 07°46'40" WEST, 39.88 FEET TO THE BEGINNING OF A TANGENT 25.00 FOOT RADIUS CURVE CONCAVE EASTERLY, THENCE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 23.18 FEET, THROUGH A CENTRAL ANGLE OF 53°07'05" TO A POINT ON SAID WESTERLY LINE OF PARCEL 4; THENCE SOUTH 00°41'04" WEST ALONG SAID WESTERLY LINE, 84.23 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4; THENCE ALONG THE SOUTH LINE OF SAID PARCEL 4, NORTH 88°37'59" EAST, 301.13 FEET (SOUTH 88°37'43" WEST, 301.13 FEET PER PM 9653) TO THE EASTERLY LINE OF SAID PARCEL 4; THENCE ALONG SAID EASTERLY LINE, NORTH 02°03'06" EAST, 372.27 FEET (NORTH 02°02'50" EAST, 372.27 FEET PER SAID PM 9653) TO THE NORTHEASTERLY CORNER OF SAID PARCEL 4; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 4, NORTH 57°54'24" WEST, 128.67 FEET (NORTH 57°54'40" WEST, 128.67 FEET PER PM 9653) TO AN ANGLE POINT IN SAID NORTHERLY LINE; THENCE CONTINUING ALONG SAID NORTHERLY LINE, NORTH 89°18'54" WEST, 200.00 FEET (NORTH 89°19'12" WEST, 200.00 FEET PER PM 9653) TO THE TRUE POINT OF BEGINNING.

APN: 126-230-65-00

This property is commonly known as Fire Station No. 5 and is located at 5906 Olive Hill Road, Bonsall, California.

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed pursuant to the Termination Agreement, dated as of December 1, 2020, between the North County Fire Protection District (the "District"), Municipal Finance Corporation (the "Corporation"), and City National Bank, as assignee of the Corporation (the "Bank"), from the Corporation and the Bank to the District, a fire protection district, is hereby accepted by the undersigned officer on behalf of the District pursuant to authority conferred by Resolution of the Board of Directors of the District, and the District consents to recordation thereof by its duly authorized officer.

Dated: December 8, 2020

NORTH COUNTY FIRE PROTECTION DISTRICT

By: _____



**NORTH COUNTY FIRE
PROTECTION DISTRICT**

FIRE CHIEF/CEO

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: DECEMBER 8, 2020
SUBJECT: DISCUSSION AGENDA

There are no Discussion Agenda Items for the December 8, 2020, Board Meeting.

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ROBERT H. JAMES

ATTORNEY AT LAW

ROBERT H. JAMES, Esq.
roberthjameslaw@gmail.com

3668 KATIE LENDRE DRIVE
FALLBROOK, CALIFORNIA 92028

TELEPHONE
(760) 723-9018

December 1, 2020

**Board of Directors
North County Fire Protection District**

Re: General Counsel Board Report for December 1, 2020

Public Officials' New Social Media Open Meeting Law (Part 1)

Clicking the "like" button has become second nature.

Whether it's a thumbs up, hug or sad face on Facebook, or a heart reaction on Instagram and Twitter, these simple online interactions are now ingrained in the way we communicate with one another. For California public officials, however, these seemingly mundane interactions could run afoul of state law.

Under the recently enacted Assembly Bill 992, public officials could violate the State's sunshine law if they communicate with legislative members of the same body on social media about matters under the body's jurisdiction. AB 992 is the first Brown Act amendment to address officials' social media use.

The Brown Act generally requires local governments to conduct business at open and public meetings.

This includes requiring agencies to give advance notice to the public, post the meeting's agenda ahead of time and provide the public with access to the meeting. For transparency's sake, the Act prohibits a majority of a legislative body's members from directly or indirectly engaging in a series of meetings to "discuss, deliberate or take action on an item" within the subject matter jurisdiction of the body.

Now, even liking another official's post on a topic before, or within the jurisdiction of, the governing body could violate the Brown Act. Amending Government Code section 54952.2, AB 992 clarifies the social media communications a public official may engage in as well as the actions that are prohibited.

AB 992 covers activity across a plethora of social media platforms — from Snapchat and Instagram to Facebook, Twitter, TikTok, Reddit, blogs and more. The law states that public officials may communicate on such platforms to answer questions and provide the public with information. They may also solicit information regarding matters being considered by the body, or that fall within the official's jurisdiction.

ROBERT H. JAMES

ATTORNEY AT LAW

ROBERT H. JAMES, Esq.
roberthjameslaw@gmail.com

3668 KATIE LENDRE DRIVE
FALLBROOK, CALIFORNIA 92028

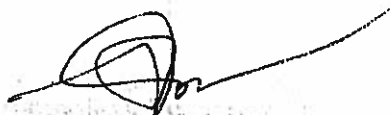
TELEPHONE
(760) 723-9018

However, the law prohibits members of a legislative body from using social media to discuss official business "among themselves," which is defined as making posts, commenting and using digital icons that express reactions to communications made by other members of the legislative body.

The law goes further. While a single contact between one public official and another would not, under general circumstances, constitute a prohibited meeting, AB 992's social media prohibitions change this.

AB 992 prohibits public officials from responding "directly to any communication" that is made, posted or shared on social media by another member of the same legislative body regarding matters in the body's jurisdiction. Now, any such communication could be a Brown Act violation.

As the law applies to all Internet-based social media platforms that are open and accessible to the public, elected officials need to keep these new prohibitions in mind when commenting on, reposting, liking, disliking or responding with the growing list of emojis to social media posts of another official.



ROBERT H. JAMES
Attorney at Law

Robert H. James, General Counsel for the
North County Fire Protection District

RHJ/km
cc: Chief Steve Abbott
Board members



**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: DECEMBER 10, 2019
SUBJECT: WRITTEN CORRESPONDENCE

• **WRITTEN COMMUNICATION:**

- November 2, 2020 Letter from City of Irvine re: Thanks for assistance on Santiago Canyon road and Silverado Canyon Road Fires.



November 2, 2020

Chief Stephen Abbott
NORTH CO FPD
330 South Main Ave.
Fallbrook, CA 92028

Dear Chief Stephen Abbott,

I would like to express my sincere appreciation for your support during this time of need.

On October 26, after the vegetation fire began in the area of Santiago Canyon Road and Silverado Canyon Road, you immediately stepped up and in. While our brave partners at the Orange County Fire Authority and CAL FIRE aggressively battled this fire, organizations and individuals like you offered shelter, meals, water, resources, transportation, first line services, and so much more.

The safety of our residents and businesses is, and always will be, our top priority. It is in times like these, I am reminded that we are stronger together. Thank you for your generous contributions. The outpouring of support is truly incredible and indicative of the wonderful community we call Irvine.

Sincerely,

Christina L. Shea
Mayor

cc: Irvine City Council

2021 New Laws Series, Part 8: The Brown Act Meets Social Media

What Public Officials Can and Cannot Post on Social Media Under the Recently Enacted AB 992

By Hong Dao Nguyen and Albert Maldonado, Attorneys, Best Best & Krieger LLP

Public officials must continue to be vigilant if they post on social media sites about agency-related matters. However, recently enacted legislation, AB 992, aimed at updating the Brown Act to meet today's social media environment, provides greater guidance for public officials.

Prior to AB 992, public officials across the state received mixed messages and conflicting guidance from their various counsels on what could be posted, "liked," or shared on Facebook and other social media websites. These conflicting messages sometimes led to paralysis and some public officials avoiding communication on social media. While the public is increasingly receiving their news and community information from social media, some public agency officials have been noticeably absent from that communication medium. AB 992 was drafted and passed in the hopes of providing greater clarity on the actions public officials can and cannot take on social media, thereby encouraging greater communication and transparency with the public.

The Brown Act, a transparency law, generally provides that legislative bodies must have noticed and open meetings to discuss and transact agency business. Until AB 992 was signed into law in September, the Brown Act was silent regarding communications on social media.

AB 992 amends Government Code section 54952.2 and clarifies that a public official may communicate on social media platforms to answer questions, provide information to the public or to solicit information from the public regarding a matter within the legislative body's subject matter jurisdiction. But those communications are only allowed if members of the same legislative body do not use a social media platform to discuss official business among themselves. "Discuss among themselves" means making posts, commenting, and even using digital icons that express reactions to communications (i.e., emojis) made by other members of the legislative body.

Notably, AB 992 is stricter about social media contacts between public officials than in-person contacts. For example, under the Brown Act, two public officials of the same agency could talk face-to-face about a public agency matter without running afoul of the law. However, AB 992 prohibits a member of a legislative body from responding "directly to any communication on an Internet-based social media platform" regarding an agency matter if the communication is "made, posted, or shared by any other member of the legislative body."

Questions are already arising regarding what social media communications are now allowed under the law. The following includes some questions and answers to

unpack AB 992:

Question: To what kinds of social media platforms does AB 992 apply?

Answer: AB 992 applies to Internet-based social media platforms that are “open and accessible to the public.” “Open and accessible to the public” means “that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the Internet-based social media platform determines that an individual violated its protocols or rules.”

Practically, those platforms include, but are not limited to, Snapchat, Instagram, Facebook, Twitter, blogs, TikTok and Reddit. That means AB 992 could affect social media commenting, retweeting, liking, disliking, responding with positive or negative emojis and/or screenshotting (photographing) and reposting.

Question: Does AB 992 prohibit public officials from commenting, sharing, or liking a social media post that was posted by the public agency on its own social media platform?

Answer: No, AB 992 does not prohibit a public official from commenting, sharing, or liking a social media post that was posted by the official’s public agency. For example, if a public official wants to share his or her agency’s post about water conservation, the official could still do that. AB 992 expressly allows a public official to communicate on social media platforms to answer questions, provide information to the public or to solicit information from the public regarding a matter within the legislative body’s subject matter jurisdiction.

An issue may arise, however, if one director shares his or her agency’s post on water conservation, and another director from the same board gives it a thumbs up. That would likely be a prohibited direct communication on social media.

Question: What if Director A posts about an agency matter, a member of the public then comments on the post, and then Director B replies to the public comment?

Answer: It is unclear whether the above scenario would violate AB 992. On one hand, Director B would likely claim that he or she is directly communicating with a member of the public and not Director A. On the other hand, someone could claim an AB 992 violation since the thread was started by Director A.

An important takeaway here is that whether or not a violation of AB 992 has occurred will likely be driven by the facts. For example, what if Director A started the thread and there were 10 intervening replies or comments before Director B chimed in? Could Director B’s reply still be categorized as a “direct communication” to Director A? A conservative approach is for public officials to avoid posting on threads in which another public official of the same agency has posted, if the issue relates to public business. This is especially true if two directors have already commented on a public agency-related thread, since a third director’s input could constitute a serial meeting by a majority.

Question: What if Director B shares or retweets Director A’s post without

comment?

Answer: Some social media platforms like Facebook and Twitter allow users to “share” someone else’s post or “retweet” a post, respectively. Arguably, if one director is taking another director’s post about a public agency matter and posting it onto his or her own page — even without comment — that would appear to be a direct response. Typically a share or retweet of another person’s post shows support of that post (though that’s not always the case).

Similarly, if two other directors (Directors B and C) shared or retweeted Director A’s post — even without comment — those directors would appear to be a majority of the body “discussing among themselves” a topic within their agency’s purview.

Question: Can public officials use social media to discuss personal matters amongst themselves?

Answer: Yes. Neither the Brown Act nor the new provisions in AB 992 prohibit discussions regarding private matters. For example, there is no issue with one director giving a thumbs up to another director’s family photo or a majority of directors congratulating another director for finishing a marathon. The Brown Act only applies to public agency business.

Question: How would AB 992 be enforced?

Answer: AB 992 does not include any new or additional enforcement provisions. The district attorney or any interested person could raise a claim that a public agency violated the Brown Act and follow the enforcement provisions provided in the Government Code.

Question: Does AB 992 affect other methods of communication, such as public officials texting or emailing one other?

Answer: No, AB 992 only applies to communications about agency business on social media accounts that are generally open to the public. It does not regulate other electronic means of communication such as text messaging or emailing. However, the other means of electronic communication could raise other issues, including serial meetings and the California Public Records Act.

Question: How does AB 992 implicate the California Public Records Act?

Answer: In the case *San Jose v. Superior Court* (2017) 2 Cal. 5th 608, the California Supreme Court held that communications on personal electronic accounts could be subject to the Public Records Act. If public officials are using social media to communicate with members of the public (or one another), those posts could be subject to the Public Records Act.

As noted, whether an issue has arisen under AB 992 is highly factual, and this article only gives a sampling of the questions that may come up with public officials’ use of social media. For specific issues, public officials should consult with their agency’s general counsel.

This article was written by, Hong Dao Nguyen and Albert Maldonado Attorneys, Best Best & Krieger LLP, as part of CSDA’s New Laws Series, where experts explain recently enacted laws and how they will impact special districts moving forward.

This article is provided for general information only and is not offered or intended as legal advice. Readers should seek the advice of an attorney when confronted with legal issues, and attorneys should perform an independent evaluation of the issues raised in these materials.

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PUBLIC SAFETY

Two residents suffer smoke inhalation during house fire in Fallbrook



Firefighters worked to put out a fire in Fallbrook on Sunday night. (North County Fire Protection District)

The fire was reported just after 8 p.m. Sunday on West Fallbrook Street



FALLBROOK — A fire at a home in Fallbrook caused two residents to suffer smoke inhalation Sunday night, a fire official said.

The fire was reported just after 8 p.m. on West Fallbrook Street near South Mission Road at a building that was converted from a business into a home “some time ago,” said North County Fire Protection District Capt. John Choi.

He said the property is zoned for commercial use.

Two adult residents escaped the fire, although they ran back inside to grab something and took in smoke. Both of them turned down medical attention, Choi said.

ADVERTISEMENT

Firefighters contained the fire mostly to a front porch.

The cause of the fire was under investigation.

Updates:

10:57 AM, Nov. 30, 2020: *This story was updated with additional information.*

PUBLIC SAFETY

BREAKING

LATEST

California utilities may cut power as fire danger looms

LOS ANGELES —

FIRST. THIS IS KCRA 3 NEWS AT 4:00. TEO: GOOD MORNING. IT IS TUESDAY, DECEMBER 1. I AM TEO TORRES. DEIRDRE: ON DEIRDRE FITZPATRICK. TEO: ONE PERSON IS DEAD AFTER A CAR CRASH IN FAIR OAKS. WITNESSES SAY IT WAS SPEEDING ON NORTHBOUND HAZEL AVENUE. THE DRIVER LOST CONTROL AND THE CAR DESTROYED A WATER MAIN. IT BECAME AIRBORNE AND LANDED ON TWO POWER BOXES. IT COMPLETELY FLOODED THE NORTHBOUND LANES NEAR MADISON. SOME PEOPLE LOST POWER IN THE CRASH LOST WATER. DEIRDRE: THAT IS A LOT OF WATER. WE ARE GETTING A LOOK AT THE TOTAL NUMBER FROM THE MAXIMUM ENFORCEMENT PERIOD. BETWEEN WEDNESDAY AND SUNDAY NIGHT, 50 PEOPLE DIED IN CRASHES ACROSS THE STATE, A 19% INCREASE OVER LAST YEAR. THEY ARRESTED 868 PEOPLE FOR DUI WHICH IS ABOUT THE SAME. TEO: METEOROLOGIST MELANIE HUNTER HAS A LOOK AT THE FORECAST. MELANIE: TEMPERATURES WILL BE IN THE UPPER 30'S UNDER JUST A FEW HIGH CLOUDS. TEMPERATURES WILL CLIMB INTO THE MID 60'S UNDER MOSTLY SUNNY SKIES AND IT WILL BE BREEZY IN SOME SPOTS ALONG THE WESTERN PORTION OF THE VALLEY. TEMPERATURES COOL OFF TO THE UPPER 40'S THIS EVENING UNDER COOL C

California utilities may cut power as fire danger looms

Infinite Scroll Enabled

Southern California utilities warned Tuesday that they may cut power to more than 300,000 customers as dry, gusty weather raises the threat of wildfire dangers in the region. The National Weather Service said there are "critical fire conditions" because of Santa Ana winds, low humidity and parched grass, trees and brush. Red flag conditions of extreme fire danger are expected in many areas beginning Wednesday night and could last into Saturday evening, especially in valleys and mountains, forecasters said. Winds could reach 50 mph, which could knock down trees and power lines, the weather service said. Concerns that debris could hit electrical equipment or bring down lines and spark wildfires prompted Southern California Edison to warn that it is considering shutting off power to nearly 237,000 customers as a precaution during the windy period. Some outages could begin Wednesday night or Thursday and last into Saturday, the utility said. That's about 5% of the utility's 5 million customers and would affect the counties of Kern, Los Angeles, Orange, Riverside, San Bernardino, Tulare and Ventura. Last week, the utility cut power to more than 16,000 customers because of Santa Ana winds and

fire danger.San Diego Gas & Electric warned Tuesday that 88,720 customers could see days-long shutoffs as early as Wednesday night or Thursday morning.Santa Ana winds blow from the interior toward the coast, creating potentially critical fire conditions with the combination of vegetation-withering low humidity and powerful gusts, especially below mountain passes and canyons. Common in the fall but possible at other times, the winds have fanned many catastrophic wildfires.California has already experienced a disastrous year of wildfires that have left more than 30 people dead and well over 10,000 homes and other buildings damaged or destroyed.

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Winds could reach 50 mph, which could knock down trees and power lines, the weather service said.

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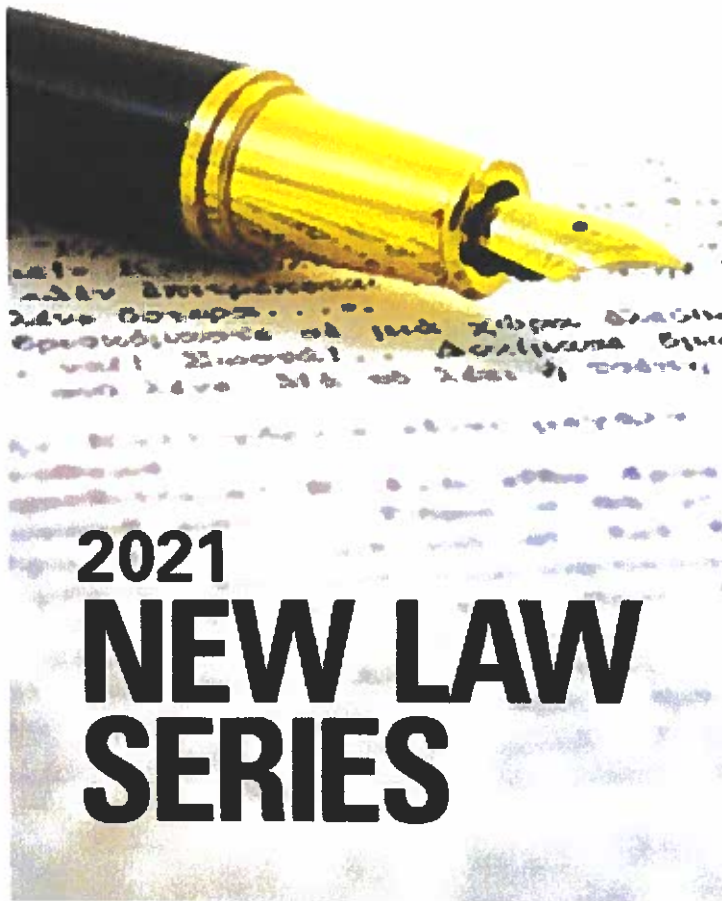
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California has already experienced a disastrous year of wildfires that have left more than 30 people dead and well over 10,000 homes and other buildings damaged or destroyed.

New Law Series, Part 7: SLONs Reinstated

Special Districts Ability to Issue Securitized Limited Obligation Notes Reinstated



By Albert Reyes, Partner, Kutak Rock LLP

Under California State law, special districts have limited express authorization to issue debt to finance the acquisition or improvement of land, facilities, or equipment without obtaining voter approval. Section 53835 *et seq.* of the California Government Code, which provides this express authorization to special districts, expired on December 31, 2019. However, thanks to AB 2107 approved by the Governor on September 28, 2020, this authorization was extended to December 31, 2024.

Section 53835 *et seq.* of the California Government Code allows special districts to issue securitized limited obligation notes ("SLONs") in order to borrow money to

finance the acquisition or improvement of land, facilities, or equipment. Proceeds of SLONs may only be used for such purpose. SLONs provide special districts, of all sizes and type, the benefit of incurring short term obligations in an efficient, cost-effective manner. SLONs are especially useful to smaller districts with limited revenues and facilities available to them given that SLONs can be issued directly by such districts without having to pledge or utilize real property or obtain voter authorization.

To issue SLONs, a special district is required to adopt a resolution by a four-fifths vote of all the members of its governing board authorizing the issuance of the SLONs. The adopted resolution must specify certain parameters for the SLONs such as the purpose of the SLONs, estimated amount of the SLONs, the maximum amount of the SLONs to be issued, maturity date and the source of revenue or revenues to be used to secure the SLONs. Other requirements with respect to the resolution are set forth in Government Code Section 53838.

There are certain express limits and terms the Government Code imposes on the SLONs. For instance, the total amount of the SLONs outstanding at any one time may not exceed two million dollars (\$2,000,000), the SLONs may not mature later than 10 years after the date of issuance and the interest rate cannot exceed 12 percent. Due to these limits, SLONs may not be practicable to finance all special district projects but nevertheless certain special districts have and will be able to take advantage of them.

In order to repay the SLONs, a special district must specify the revenues pledged for the repayment in the resolution and in the agreement with the SLONs purchaser setting forth the terms of the SLONs. The pledged revenue must be sufficient to pay the principal and interest on the SLONs. Examples of the revenues that a special district may pledge include revenues generated from an enterprise such as a water, wastewater or utility system or a specific tax, assessment or other special revenue available to the special district issuing the SLONs. The general funds of the special district are not liable for the payment of the principal of, or the interest on, the SLONs since the special district is not obligated to pay the debt service on the SLONs except from the pledged revenue.

With the adoption of AB 2107, special districts are now able again to take advantage of the benefits SLONs offer them and to issue SLONs until December 31, 2024 in order to finance the acquisition or improvement of land, facilities, or equipment.

This article was written by Albert Reyes, Partner, Kutak Rock LLP, as part of CSGA's New Laws Series, where experts explain recently enacted laws and how they will impact special districts moving forward. This article is provided for general information only and is not offered or intended as legal advice. Readers should seek the advice of an attorney when confronted with legal issues, and attorneys should perform an independent evaluation of the issues raised in these materials.

Stay tuned to the New Laws Series in CSGA eNews for more in-depth analyses on new laws affecting special districts.

Missed Part 1? Read it now: [Water Districts Must Complete Federal Risk &](#)



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BREAKING NEWS

Judge says no to letting San Diego County restaurants, gyms reopen indoors amid rise in coronavirus cases

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PUBLIC SAFETY

Motorcyclist dies in crash on state Route 76 in Bonsall

The rider was found about 2:20 p.m. off SR-76 and Old River Road

By DAVID HERNANDEZ

NOV. 22, 2020 | 8 PM



BONSALL — A motorcyclist was found dead off state Route 76 at Old River Road in the Bonsall area Sunday afternoon, authorities said.

His body was found about 2:20 p.m. The motorcycle was found in some bushes about 45 feet away, according to the California Highway Patrol.

“(The rider) was found with obvious signs of death and was pronounced (dead) on scene,” said North County Fire Protection District Capt. John Choi.

The man’s name and age were not available. Choi described him as a “young adult.”

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Village News - Also serving the communities of De Luz, Rainbow, Camp Pendleton, Pala and Pauma

Fire contained at Fallbrook residence

By [Will Fritz](#)
Staff Writer



Firefighters knocked down a blaze at a Fallbrook residence Friday evening.

The fire was reported a little after 5 p.m. at a home in the 100 block of North Wisconsin Avenue, according to North County Fire Department Capt. John Choi.

The blaze damaged a kitchenette area of the home, but firefighters were able to prevent it from spreading beyond that, Choi said.

The fire was contained by 5:17 p.m.

No injuries were reported, as no one was in the home at the time of the fire, according to Choi.

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🕒 November 19, 2020



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Old Town Placentia. (Photo: Pinterest)

Placentia's Independent Fire Department Saves Millions and Improves Service

Why aren't grand 'reset' plans being extended to rules and procedures that govern the public sector?

By Edward Ring, November 18, 2020 6:24 am

On July 1, 2020, the City of Placentia formally terminated its contract with the Orange County Fire Authority, where the average operations employee in 2018 collected pay and benefits in excess of \$241,000. Seeking to create a new model that reduced these unaffordable levels of pay and benefits,

as well as made more efficient use of personnel, and despite bitter opposition from the firefighters union, the City Council spent the year prior to July 2020 designing and building an independent fire department.

With over three months of operations now behind them, it is possible to review early results of Placentia's experiment. According to the city's "final quarterly update" on Placentia's Fire and EMS Services, released on October 20th, in their first three months of operation, the new independent fire department serviced 40 percent more daily calls than the prior year with OCFA, reduced local response times by over 3 minutes when compared to OCFA, and reduced the need for mutual aid from neighboring cities by 85 percent.

One of the ways Placentia accomplished this was by using ambulances and paramedic squad units to respond to medical emergencies instead of 55,000 pound fire trucks. To further reduce response times, the city also invested in emergency vehicle traffic signal preemption devices through major intersections. To reduce costs, in addition to relying on ambulances for strictly medical calls, the city contracted with part-time firefighters and fully trained reserve volunteers instead of paying overtime to fill absences and vacancies. The city also replaced the firefighters CalPERS pensions with a 401K plan.

In response, neighboring agencies in Orange County have resisted Placentia's innovations by not signing automatic mutual aid agreements, an arrangement that is the standard method whereby fire departments with adjacent jurisdictions assist each other. Not only does this allow more firefighting resources to be quickly applied to fires too big for one small department to handle, but more commonly it is the way that the nearest station responds to emergencies regardless of jurisdictional boundaries.

A troubling complication relating to these automatic mutual aid agreements is that even in the case of Fullerton, which did eventually enter into an agreement with Placentia, Fullerton's fire department is not making full use of the agreement. Reached for comment via email, Placentia's city manager, Damien Arrula, offered considerable detail on this situation. The next four paragraphs constitute his lengthy response, which merits publishing in its entirety:

"While we have successfully entered into an auto/mutual aid agreement with Fullerton, it doesn't appear that that agreement is being utilized by the Fullerton Fire Department to its fullest intent. In other words, Placentia's Fire Department is not being called to assist the residents of Fullerton when we are clearly identified as being closer and available to assist or wherein there's a need for extra support. In the spirit of the modern fire service, which is known as 'calls without borders,' we are supposed to assist residents with the closest available unit with the fastest available response time, regardless of whether they are in Fullerton, Brea, Yorba Linda or Anaheim. This is the system being used throughout Orange County and the nation, and yet it's not being used locally, to the detriment of the public we took an oath to protect.

What makes this more egregious is that several Chiefs have referred to Placentia as a 'black hole' from an operational standpoint. Which translates to 'don't call Placentia unless you absolutely have to because we (and our fire unions) don't like their model.' This is disturbing behavior from a Command Officer or anyone that is in the business of the fire service.

In OCFA's case, although their model relies heavily upon auto/mutual aid, OCFA has outright refused to contact Placentia Fire for auto/mutual aid calls. And when they have, they have cancelled those calls very quickly, meaning Placentia never goes into Yorba Linda to assist any more. This is despite the fact that our station on Valencia provided 85% all mutual aid calls between Placentia and Yorba Linda just one year ago to assist Yorba Linda residents. What this translates to is OCFA instead calling Anaheim, Brea and Fullerton for auto/mutual aid, which causes them to leave their cities exposed while they traverse Code 3 all the way through Placentia enroute to a call in Yorba Linda.

This ultimately and undoubtedly has resulted in longer response times by several minutes for the residents of Yorba Linda from just one year ago, all simply because of their refusal to contact us for assistance, nor the other agencies demanding of OCFA to use the system as was intended. When lack of oxygen to the brain for more than four minutes occurs, this can result in brain damage. So when we say minutes count, they do and when anyone, regardless of title, rank or authority plays games with people's lives, they should be held accountable for such actions or reevaluate the oaths that they took as first responders in protecting people."

Elected officials in neighboring cities should carefully consider what's happened in Placentia. According to evidence gathered so far, they have saved money, they have improved service, and in response, neighboring fire departments have incurred increased costs and endangered lives as a consequence of their resistance to Placentia's innovations. Given these successes, elected officials not only near Placentia but throughout California should carefully consider what's happened in Placentia.

In evaluating how Placentia's model might be emulated in other cities and counties in California, local elected officials should recognize there are two very distinct avenues of innovation. One involves exchanging defined benefit pensions for 401K plans, which is a significant source of savings. When Placentia took their firefighters out of CalPERS, the union controlled state legislature responded by passing AB 2967, which forbids agencies from exempting employees from CalPERS contracts. But that law does not take effect until January 2021, and it may be possible that CalPERS client agencies can preserve their rights to opt out of CalPERS in the future if, before December 31, 2020, they submit a notice to CalPERS that they intend at some point in the future to provide services using new classes of city employees.

The significance of this should not be understated, because it isn't just fire departments that could be affected. The CalPERS system, along with most of California's state and local government employee

pension plans, continues to increase its required annual contributions from employers. But if these employers preserve their right to eventually reclassify city employees out of the CalPERS system, from firefighters to sanitation workers, there is a chance they could avoid being financially swamped in the future. On the other hand, statewide, systemic reforms to California's public employee pensions is still a possibility. But meanwhile, local governments should have their attorneys investigate the fine print in AB 2967. Simply sending a letter to CalPERS by 12/31 might save millions in the future.

Regardless of whether or not cities and counties can get their pension costs under control, however, they must recognize the many additional innovations that saved money while improving the quality of service for Placentia's new fire department. In a three part report published by the California Policy Center earlier this year (part one, part two, part three), Placentia's many operational changes are described in more detail. To summarize two of the highlights, by using a contract ambulance service and by getting overtime costs under control with part-time and volunteer firefighters, Placentia has logged savings comparable to those savings realized by opting out of CalPERS.

In this time when government officials and vocal activists continually remind us all of the opportunity that the COVID-19 pandemic offers for a complete societal "reset," it is interesting to wonder why such grand reset plans aren't being extended to the rules and procedures and operational models that govern the public sector.

California's firefighters, along with all public servants in California, are urged to look at innovations such as what Placentia has done, and recognize that these paradigm shifts are being attempted in the interests of all of California's citizens, during difficult times. They should use their considerable political clout to offer mutual aid in support of this process.

Author Recent Posts



Edward Ring

Edward Ring is a contributing editor and senior fellow with the California Policy Center, which he co-founded in 2013 and served as its first president. The California Policy Center is an educational non-profit focused on public policies that aim to improve California's democracy and economy. He is also a senior fellow of the Center for American Greatness.

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CalPERS approves price hikes of up to 51% for health plans favored by young, healthy workers

Jay Mather

The California Public Employees' Retirement System is a \$380 billion public pension fund.

The California Public Employees' Retirement System is a \$380 billion public pension fund. Sacramento Bee file

CalPERS approved steep rate hikes for its cheapest health insurance plans Tuesday in an effort to save its most expensive plans from collapse.

California state workers who are enrolled in the cheaper plans face estimated price increases of [up to \\$270 per month](#) starting in 2022 under the plan, according to CalPERS projections.

The PERS Select and Anthem Select plans would see the biggest increases. Prices for Blue Shield Trio would also go up. The plans have narrower networks of doctors and hospitals and, with the exception of Trio, less generous benefits than more expensive plans. The three plans together cover about 153,000 people.

PERS Select, the cheapest option with the exception of a cross-border plan marketed to Latinos, would increase in price from \$527 per month next year to an estimated \$797 per month in 2023, according to CalPERS projections, an increase of 51%.

Currently the state pays [about \\$600 per month](#) toward workers' plans, and offers an additional \$260 stipend to members of SEIU Local 1000 and state attorneys under contract agreements.

The California Public Employees' Retirement System's board approved the rate increases to save plans that offer bigger networks and better benefits. Three of those plans have entered patterns known as "[death spirals](#)," in which price increases are driving people out of the plans and making them even more expensive.

Prices will go down in 2022 for the "death spiral" plans — Anthem Traditional HMO, Blue Shield Access+ and PERS Care — as a result of the change. The plans cover about 199,000 people.

The changes will be implemented over two years.

Health Plan Research and Administration Division Chief Marta Green has said the high quality plans started to enter death spirals after CalPERS ended a complicated risk adjustment program.

The new proposal uses a simpler, more transparent form of risk adjustment, Green has said. The program essentially shifts money from plans with lower health risk to those with higher risk.

Projections show it will align the plans' prices more closely with their quality, producing smaller price increases each year after the two-year introduction.

The plan includes consolidating the system's three PPO plans — PERS Care, PERS Choice and PERS Select — into two plans, PERS Platinum and PERS Gold. Green recommended introducing that change in 2023.



Wes Venteicher anchors The Bee's popular State Worker coverage in the newspaper's Capitol Bureau. He covers taxes, pensions, unions, state spending and California government. A Montana native, he reported on health care and politics in Chicago and Pittsburgh before joining The Bee in 2018.

'Sounding the alarm': CA scales back reopenings amid COVID-19 spike; all SoCal counties now in most-restrictive tier

Tracy Bloom

As the number of daily new COVID-19 cases doubled in the past 10 days in California, Gov. Gavin Newsom on Monday announced he was pulling the "emergency brake" on sector reopenings, dramatically scaling them back in an effort to curb the virus' spread.

"We are sounding the alarm," Newsom said in a statement. "California is experiencing the fastest increase in cases we have seen yet — faster than what we experienced at the outset of the pandemic or even this summer. The spread of COVID-19, if left unchecked, could quickly overwhelm our health care system and lead to catastrophic outcomes."

The major change comes to California's "Blueprint for a Safer Economy," the state's color-coded, four-tiered system that has been guiding business reopenings since August. Counties can now be moved back a tier after one week — not two, as the guidance previously called for, Newsom said. Additionally, counties can be moved back multiple tiers at once.

And whereas state officials had been announcing the tier changes every Tuesday, they will be doing so multiple times a week going forward, according to the governor.

To underscore that point, he announced that 30 counties will be going backward, with 41 of the state's 58 counties now in the most-restrictive purple tier. Just three weeks ago, only nine counties were in that stage where many non-essential indoor businesses are closed.

Among those back in the purple stage are Ventura and Orange counties, which had previously been in the slightly-less restrictive red tier.

The move means more restrictions will be imposed on already struggling businesses, forcing some sectors to close outright again and others to modify their operations — something that is certain to rankle business owners who have been diligently trying to get back on their feet following lengthy shutdowns.

The state has blamed the spike primarily on people who have grown fatigued coping with the virus and have ignored public health warnings to not socialize with friends and family members outside their household.

Businesses have complained that they have played by the rules yet had to pay the price for residents who didn't do so.

But, according to California Health and Human Services Secretary Dr. Mark Ghaly,

research has shown businesses have been sources of virus transmission. As an example, he cited friends gathering in close proximity for meals and drinks.

Newsom said the state will also be assessing whether to order a statewide curfew, and that's he's currently looking at comprehensive studies from different countries on the efficacy of that strategy.

"We have a lot of questions about what that looks like, what that doesn't look like, who does it impact, who doesn't it impact," he said. "What does a real curfew mean in terms of just certain kinds of industry and business activities?"

The data from those studies will ultimately guide any decision about whether to implement a curfew, the governor added.

Newsom's announcements come just days after California [issued a travel advisory](#) urging those entering the state to self-quarantine for two weeks amid a steep increase in cases ahead of the Thanksgiving holiday.

The guidance applies to those engaging in non-essential travel, such as tourism and recreational trips, according to the California Department of Public Health [advisory](#).

Those traveling for work and study, critical infrastructure support, economic services and supply chains, health, immediate medical care and safety and security won't have to quarantine.

On Friday, hours after the advisory was issued, Ghaly emphasized that the action is not a ban or a restriction.

"We chose to go with an advisory because for many, many months we've recognized that this partnership with all Californians to choose to do things that we know reduce spread is an important one," Ghaly explained.

Last week, California became the second state to cross the threshold of 1 million COVID-19 cases, as the U.S. has recorded at least 11 million cases since the start of the pandemic.

The state is currently experiencing its highest case rate increase yet — bigger than even the surge in early summer — with a one-week spike of 51.3%, Newsom said.

California reported a single-day case total of 9,890 on Sunday, and the seven-day average at 8,081 new cases daily.

The testing positivity rate is at 4.6% over the past 14 days, and 5% over the past seven days.

The spike is affecting all populations in every part of the state, according to the governor.

"Every age group, every demographic, racial, ethnic, in every part of the state — we are seeing case rates increase and positivity rates increase as well, no longer concentrated in just a handful of counties," he said. "We are seeing community spread broadly now ... throughout the state."

CPRA Requesters Could Pay Agency Costs to Store Emails

A California Public Records Act appellate court decision may require requesters to post an undertaking to cover a local agency's email storage costs during injunction proceedings. An undertaking is an amount the applicant to an injunction must post to cover certain damages the other party may sustain because of the injunction.

While this case discusses the niche issue of an undertaking, the facts of the case involve a number of currently controversial CPRA issues.

In [*Stevenson v. City of Sacramento*](#), CPRA requesters sought 15 million emails that the City planned to destroy as part of its two-year email retention policy. The trial court granted a preliminary injunction to prevent the destruction of the records at issue. However, it also required the requesters to post an undertaking of \$2,349.50, which is the amount the City calculated it would need to spend to comply with the injunction. The requesters appealed, claiming that this would have a chilling effect on CPRA requests.

The Court of Appeal considered Code of Civil Procedure section 529, which requires an undertaking in injunction proceedings and lists specific exemptions. The exemptions include a public entity, but does not include CPRA requesters. The appellants argued that the undertaking is a restriction on the public's right to access records, which must be expressly and unambiguously approved by the Legislature. The court replied that "this position proves too much" and Code of Civil Procedure section 529's requirements are unambiguous. The court noted that there are certain unavoidable obligations when challenging a local agency's CPRA determination, such as court filing fees. Moreover, the court did not agree that the undertaking requirement would necessarily limit the public's right to access records because state law allows courts to except indigent parties from section 529's undertaking requirements under specified conditions.

Email retention policies have been the subject of much debate in recent years, including attempted legislation to regulate such policies that was vetoed by Gov. Gavin Newsom in 2019. Electronic storage costs have also been an evolving issue, as evidenced in *Stevenson*, where the City first estimated that it would cost \$80,000 to comply with the injunction. This was later revised to \$2,349.50. The court and the Legislature have significantly increased access to public records in the last decade, but *Stevenson* offers a rare limitation on CPRA requesters.

Disclaimer: BB&K Legal Alerts are not intended as legal advice. Additional facts, facts specific to your situation or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information herein.

California Special Districts Association San Diego Chapter News

Volume 4 - 2020

November • December

SPECIAL DISTRICT SPOTLIGHT

Fallbrook Regional HEALTH DISTRICT

What's Up in Fallbrook?

The Fallbrook Regional Health District has spent 2020 doing much the same thing as other Special Districts: being creative in how we can support our community during these strange days. When the pandemic hit, we like everyone else had to adjust our staffing, our formats, and our efforts in supporting the health and wellbeing needs of our community. We had just opened our grant application window when the stay-at-home orders were announced and like many other health professionals began looking for ways to adjust our services to accommodate the needs of our vulnerable populations, support our first responders, and navigate holding public meetings via Zoom. Here's a summary of how that went.

First, the grants – The District began making grants to health and wellness focused nonprofit groups in 1999. Since then we have provided over \$11M in grant funding in support of our seniors, children, and special needs populations. For fiscal year 2020-21 we anticipate funding \$1.4M toward health and wellness services and assisting the North County Fire Protection District's ambulances and medical services officer. Our Board of Directors knew this was the time for the District to ensure that the community could access services by making sure these nonprofit providers were appropriately funded; thus, we approved grants to 17 organizations who collectively will support nearly 30,000 of our residents. Together these programs and services are able to ensure that our community members (Fallbrook, Rainbow, De Luz, and Bonsall) have access to services and care in our rural



Checking in at the COVID-19 drive-in testing site at the District's wellness center.

Second, the scramble – March saw a large number of our service and agricultural workers become unemployed. This quickly impacted our local Food Pantry, which is largely staffed by volunteers who are seniors and thus, were unable to provide their typical volunteer services. Schools closed, and the support services that help these kids and their families suddenly couldn't access this group to provide programming. Seniors were told to stay home and stay safe, yet the "Friendly Village" relies on senior volunteers, and two of our largest nonprofits support a large number of seniors as well. Soon, the senior lunch program, the senior transportation services, and the adult day care were put on hold. The Health District funds each of these services and was in a unique position to see where resources were missing and where they were not being utilized. In response, the Board of

(Health District continued on Page 4)



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INSIDE THIS ISSUE:

- Fallbrook Regional Health District
- SD-CSDA Virtual Quarterly Meeting
- President's Message
- Treasurer's Report
- Report from Our CSDA Rep
- Report from Our Membership Chair



San Diego Chapter

Virtual

November 19th
6:00 PM (Pacific Time)

Location:

Zoom Meeting Site: <https://us02web.zoom.us/j/88477471627?pwd=ZSs2cHJiYURNMUI2QWRMQkQ0M2VvUT09>

Meeting ID: 884 7747 1627

Password: 884534

Phone Numbers: 1 669.900.6833
1 346.248.7799
1 253.215.8782

Please **DON'T** send in your RSVP form to our CSDA Treasurer, Rich Stevenson at Sweetwater Authority.

RSVP Deadline:
None. Nada. Zip.



Join us for a dynamic, interactive, and educational evening as SDCSDA presents:

Airport Development Plan: Replacing Terminal One

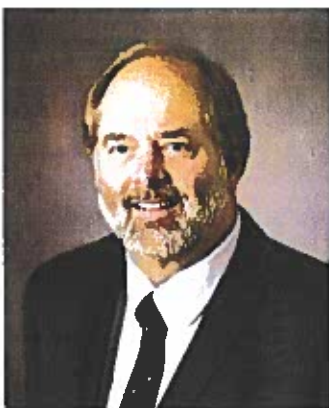
Dennis Probst
Vice President of Development
San Diego County Regional Airport Authority

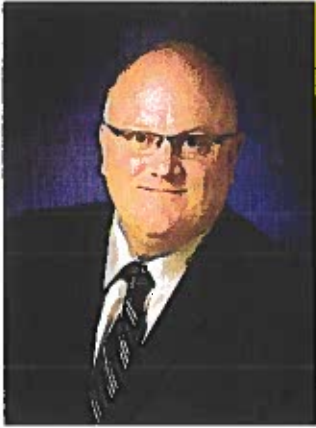
Dennis Probst is the Vice President of Development for the San Diego County Regional Airport Authority. In this role, Probst oversees all aspects of planning, environmental affairs, capital improvements and facilities development.

Major projects completed under Probst's leadership include the new international arrivals facility and Terminal 2 Parking Plaza. Probst is also overseeing the largest planned development program in the airport's history, the Airport Development Plan, which envisions the replacement of Terminal 1 and other improvements.

Probst came to the Airport Authority in December 2017 from the Metropolitan Airports Commission (MAC), where he most recently served as Chief Operating Officer. In that role, he was responsible for airport planning and development activities, information technology functions, and management and operation of Minneapolis-St. Paul International and six general aviation airports in the Twin Cities metropolitan area.

Mr. Probst holds a Bachelor of Science degree in civil engineering, a Bachelor of Arts architecture degree and a master of architecture degree from Iowa State University.





President Tom Kennedy's Message

Greetings San Diego CSDA Chapter Members:

I hope that this newsletter finds all of you safe and healthy in this rather unusual year of 2020. Looking back at my messages to all of you from "before COVID", I was struck by how none of us could have predicted the twists and turns that would come before us in this most unusual year. What was unthinkable has become "normal" and each of us, and our respective agencies, has had to adapt our lifestyles and our organizations to meet the challenge.

Once the full scale of the situation became clear, I have observed the whole of our special districts group come together to focus on what we do best – serve our communities. As I have noted throughout this year, I could not be more proud of the resiliency and professionalism demonstrated across the board by our members as they focused on providing essential services in uncertain times.

Now as our election season comes upon us, we will continue to meet the needs of our communities even as the larger political landscapes go through a transformation. Politicians come and go, but the work of Special Districts carries on despite any obstacles thrown our way. All of us look forward to a return to "normal", but it looks like we have a long road ahead of us before we get there.

This year will also mark changes at the San Diego CSDA Chapter. We have new candidates stepping up to present themselves for election to our Executive Board. Shortly you will all receive ballots for our election of a new President and First Vice President. Jim Peasley and I will be stepping aside to allow others to take the Chapter into the future. Make sure to vote!

Even through this year of change and uncertainty, our work as a Chapter remains as it was - to bring our membership together to advance the interests of special districts as a whole. Due to the ongoing COVID situation we will be holding our fall 2020 meeting virtually, again, so be on the lookout for meeting information. At our November 19th chapter meeting we will have Dennis Probst, Vice President of Development for the Airport Authority address our group. As you all know the airport has been undergoing significant upgrades with more in the works, so I am confident that his presentation will be of great interest to all.

It has been my honor and pleasure to serve as Chapter President for the last four years and I look forward to continuing to serve the Chapter as Immediate Past President on the Executive Board. Our new leadership will help steer the Chapter through to the end of the COVID situation – whenever that will be - and ensure that our group of Special Districts remains ready to meet the needs of our communities despite whatever 2021 brings upon us. It can't get worse, can it?

~ Tom

DID YOU KNOW??

The world's total population is more than 7.5 billion. And obviously, that number sounds *huge*. However, it might feel a little more manageable once you learn that if every single one of those people stood shoulder-to-shoulder, they could all fit within the 500 square miles of Los Angeles, according to *National Geographic*.



Health District (continued from page 1)

Directors made additional grants funds available, so we funded staff from the Boys & Girls Club to cover unfilled positions at the Food Pantry. We helped the senior care advocates and transportation programs at the Foundation for Senior Care to reorganize and provide seniors with grocery delivery and get connected to online services. Funding to the local senior center went from prepping congregate lunches to curbside pickup. While those dealing with cancer were connected to groceries, basic toiletries and other essentials without the need to leave their homes. We helped the Urgent Care center stay open and gain the ability to provide telemedicine visits too.



Third, we washed produce – Fallbrook is the Avocado Capital (*unofficially*), and our local growers wanted to donate produce to the hungry. However, the Food Pantry, inundated with those in-need and not having enough volunteers, had to turn donations away for lack of space and volunteers to manage the process. So, the Health

District rerouted the donated produce to the District office, where we accepted and washed the produce before it was repackaged and distributed back out to those in need.

Fourth, information is key - Our remote District staff went online and made sure our website was a one-stop shop for local, regional, state and national COVID-19 information. We monitored valid information sources, promoted local resources, and used our social media connections to help the community get and understand the best information possible.

Those first three months were all about triage and reorganization, but that was just to catch our breath. June saw our partnership with North County Fire Protection District and CalFire evolve into the area's largest testing site. Since June 15th we've held bi-monthly, drive-in testing sites at the District's, still under development, wellness center. We were able to secure over 2,000 face shields, masks, and touchless thermometers so that our small businesses could reopen safely. Obviously, we are not done yet. Flu season is around the corner and we'll soon be holding joint COVID testing and Flu Shot clinics. We are still promoting other health screening events and looking for new ways we can engage the community. When the District closed and subsequently sold the old Fallbrook Hospital building in 2017, we began reshaping what and how the District's mission would be fulfilled. In June we celebrated the District's 70th Anniversary, and we are proud to continue to be able to serve as a partner and leader to our community during these strange days. Our ability to connect, provide, and guide is what we are doing every day to ensure the health and wellbeing of our community.



Treasurer's Report

July 1, 2020 through September 30, 2020

Income for the period was from the 2020-21 Membership Payments \$6,800.00 for a total of \$6,800.00.

Expenditures for the period were \$0.00 due to no activity for the period.

The fund balances as of September 30, 2020 were as follows: the Grant Scholarship Fund balance received 50% of annual membership payments and increased by \$3,400.00 to a balance of \$19,814.94; the Speaker Program fund remained unchanged with a balance of \$2,500.00; and the General Fund balance after adjustments for income, transfer to Grant Scholarship fund, and expenses increased by \$3,400.00 to a balance of \$15,259.64 for a total Fund balance of \$37,574.58. The bank balance as of September 30, 2020 was \$37,574.58.

Respectfully Submitted,
Rich Stevenson, CSDA Treasurer

Happy Fall Y'all!



A Report from Our CSDA Representative



Jo MacKenzie

2021 CSDA MEMBERS ONLY BENEFITS:

- Free Webinars – all webinars are FREE and unlimited once your membership renewal has been received, beginning January 1, 2021, your agency's board members, and ALL staff members can access FREE live and on-demand webinars all year long!
- Free Salary Survey – The CSDA Administrative Salary & Benefits Survey and access to all online results will be FREE for all CSDA members who provide data
- Free Access – All CSDA member benefits are available to your entire district's staff and board members. Just update your board members and staff either on the Dues Form or at membership@csda.net

A Report from Our 2nd VP and Membership Chair



Elaine Sullivan

Opportunities abound! Do you want to enhance your resume? Do you want to contribute to your industry? **Do you want to make a difference?** Do you want to make policy? Do you want to be an influencer? Your experience makes a difference! Don't keep it all to yourself, mentor others; start with contributing to your local CSDA board of directors. Share your knowledge and make a difference? It can also lead to State committees and Board memberships - put yourself out there!

Public Service Announcement

Fair Political Practices Commission:

- You must file Form 700, Economic Interest (even if you have none)
- It must be filed no later than 30 days upon ASSUMING office or after LEAVING office.
- FPPC: "Late statements are subject to a late fine of \$10 per day per position up to \$100 for each day the statement is late."



RUN FOR SOMETHING



The election of President, First Vice President and Treasurer shall be held in even years. And the duties for these positions are:

President - (1) preside over all meetings, (2) oversee the Scholarship/Grant Committee, and (3) sign checks in the absence of the Treasurer.

First Vice President - (1) be responsible for speaker/program for the regular meetings, (2) act in the place of the President as necessary, and (3) be the chairperson of the *Nomination Committee* in alternate years when not standing for election.

Treasurer - (1) be responsible for collecting and depositing all funds, (2) dispense funds as specified by the Board of Directors, and (3) keep current records showing the names and addresses of all it members.

5 Thanksgiving Facts to Impress Your Family and Friends!

1. The first Thanksgiving celebration lasted three days. The settlers' first corn harvest in 1692 proved so successful that Governor William Bradford reportedly invited the Plymouth colonists' Native American allies to enjoy the fruits of their labor. Members of the Wampanoag tribe came bearing food to share. They had so much bounty, the revelers decided to extend the celebration for three days.
2. **Thomas Jefferson refused to declare Thanksgiving a holiday.** Presidents originally had to declare Thanksgiving a holiday every year, up until Lincoln made it a national holiday during his tenure. However, Jefferson refused to recognize the event, because he believed so firmly in the separation of church and state. Since Thanksgiving involved prayer and reflection, he thought designating it a national holiday would violate the First Amendment. He also thought it was better suited as a state holiday, not a federal one.
3. **In 1939, Thanksgiving was celebrated on the third Thursday in November - not the fourth.** You might think President Roosevelt could predict the future, as he channeled a "Black Friday" mindset when he decided to move Thanksgiving during his presidency. Even though the holiday had been celebrated on the fourth Thursday since Lincoln officially recognized the federal holiday decades before, Roosevelt bumped it up a week, and effectively added seven more shopping days to the holiday season to boost the economy. That angered football coaches who had Thanksgiving games already scheduled and calendar-printers who now had incorrect dates. Americans, to say the least, didn't love the change, so it was officially switched back in 1942.
4. **A Thanksgiving mix-up inspired the first TV dinners.** In 1953, a Swanson employee accidentally ordered a colossal shipment of Thanksgiving turkeys (260 tons, to be exact). To deal with the excess, salesman Gerry Thomas took inspiration from the prepared foods served on airplanes. He came up with the idea of filling 5,000 aluminum trays with the turkey – along with cornbread dressing, gravy, peas, and sweet potatoes to complete the offering. The 98-cents meals were a hit, especially with kids and increasingly busy households.
5. **Americans prepare 46 million turkeys for Thanksgiving each year.** Thanksgiving without turkey would be like Christmas without a tree, and most American families wouldn't dream of foregoing the almighty bird. While not super popular the rest of the year, turkey is a huge hit for holidays, probably because it can serve large gatherings. On Christmas, an additional 22 million families host an encore with yet another turkey.



CSDA San Diego Chapter - Board of Directors

President	Tom Kennedy, Rainbow MWD, tkennedy@rainbowmwd.com
1st VP	Jim Peasley, Padre Dam MWD, jpeasley@padre.org
2nd VP	Elaine Sullivan, Leucadia Wastewater District, esullivan@lwwd.org
Secretary/Newsletter Editor:	Diana Towne, Rincon del Diablo MWD, dtowne@rinconwater.org
Treasurer	Rich Stevenson, Sweetwater Authority, rstevenson@sweetwater.org
Past President	Kathleen Hedberg, Helix Water District, kchedberg@cox.net
State CSDA Rep	Jo MacKenzie, Vista Irrigation District, mackgroup@cox.net

CSDA San Diego chapter newsletter is printed quarterly. If you have any comments or suggestions, please direct them to Diana Towne, SDCSDA Board Secretary at: dtowne@rinconwater.org.

INVESTIGATIONS

Pilot suffers minor injuries in hard landing at Fallbrook Airpark

After making a successful landing, the pilot, who was alone in the two seat aircraft, "ran out of runway," fire officials said.



Credit: KFMB

Author: City News Service
Published: 10:56 AM PST November 11, 2020
Updated: 12:13 PM PST November 11, 2020



SAN DIEGO COUNTY, Calif. — A private pilot suffered minor injuries Wednesday morning when the light plane he was flying made a rough emergency landing at a northern San Diego County general-aviation airport, authorities reported.

The single-engine Bellanca Citabria was having engine trouble when it touched down at Fallbrook Community Airpark on South Mission Road shortly before 10 a.m., according to the North County Fire Protection District and the Federal Aviation Administration.

After making a successful landing, the pilot, who was alone in the two-seat aircraft, "ran off the runway" and ended up roughly 50 feet past the end of the paved surface, NCFPD Capt. Joe Choi said.

Paramedics took the pilot to Palomar Medical Center for treatment of superficial injuries.

Wildfire spotting network grows to 610 cameras in California

SAN DIEGO —

Wildfire spotting network grows to 610 cameras in California

Infinite Scroll Enabled

As the threat of wildfires has grown to a staggering level in California, so has its network of high-tech cameras watching the backcountry to spot the first outbreak of flames and help firefighters battle them until they are contained. The 610th ALERTWildfire camera was installed in California last month, according to the program office at the Scripps Institution of Oceanography at the University of California, San Diego. The size of the multi-state system almost doubled in the past four months, primarily in California, where more than 4.1 million acres have burned this year. There are also 41 cameras in Nevada, nine in Oregon, six in Idaho and one in Washington. Geoscientist Neal Driscoll, director of the ALERTWildfire program at UCSD, said the system allows first responders to begin fighting fires at their outset. "These cameras save critical time by allowing rapid confirmation of 911 calls and accurate location of new fires using the ALERTWildfire web-based interface, time that would otherwise be spent sending engines to mountaintops or launching aircraft to confirm fire ignition and location," he said in a statement. The network began in the Lake Tahoe region as a pilot project of the Nevada Seismological Laboratory at the University of Nevada, Reno. UCSD and the University of Oregon then became partners. Funding has come from San Diego Gas & Electric, Pacific Gas & Electric, Southern California Edison and the California Department of Forestry and Fire Protection.

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Select Language - Powered by [Google Translate](#)

Village News - Also serving the communities of De Luz, Rainbow, Camp Pendleton, Pala and Pauma

NCFPD recognizes outgoing directors, approved new fee schedules

By [Jeff Pack](#)
Staff Writer

To kick off the meeting of the North County Fire Protection District on Tuesday, Oct. 27, Chief Stephen Abbott began by speaking about and recognizing each of the retiring board members, directors Ruth Harris, Bob Hoffman and Fred Luevano.

Harris was elected to the board in 2004 and finished her 16th year as a director. Hoffman and Luevano were elected to their position in 2016 and are finishing their fourth year.

"Know that your service is appreciated, it doesn't go unknown," Abbott said.

The board then approved the Consent Agenda which included reviewing and accepting policies and procedures in career development, reviewed the monthly operations activity report for September, and reviewed and accepted the first quarter emergency service overtime tracking report.

According to that report, "overtime expenditures are at approximately 52.21% of budgeted amounts, with \$320,000 outstanding for mutual aid, which will reduce overtime to 22.08% when reimbursed; the adjustment will bring overtime 3% below the current quarter percentage."

The board also reviewed and accepted the third quarter customer satisfaction survey program which reported a score of 98% in the "excellent" range, with 27% (81) surveys returned.

The calendar was completed with an annual overview of district facilities that included the needs and direction for the remainder of 2020.

In action items, there was a public hearing regarding the proposed approval of a resolution adopting the ambulance fee schedule and ambulance transport revenue policy by Deputy Chief Kevin Mahr and Chief Abbott.

It was approved unanimously.

They also approved adopting the proposed cost recovery fee schedule and cost recovery policy.

"The only charge that's being added is for false alarms," Chief Abbott said.

The board also reviewed and approved a revised ordinance adopting the fire prevention fee schedule and fire prevention fee policy and appendices.

Chief Abbott presented and the board ultimately approved a plan policy for facilities replacements.

The board also approved the filling of three positions in December at a cost of \$30,000.

They also reviewed and approved a resolution adopting an updated pay schedule which was amended due to additions and changes in job classifications.

Finally, the directors reviewed and approved nominations for the LAFCO Special District Advisory Committee.

Jeff Pack can be reached by email at jpack@reedermedia.com.

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Village News - Also serving the communities of De Luz, Rainbow, Camp Pendleton, Pala and Pauma

Firefighters quickly snuff out small fire in Bonsall

By [Jeff Pack](#)
Staff Writer



North County Fire Protection District

A small fire was quickly contained by firefighters Thursday, Oct. 29 in the area of Vista Del Mar and Dentro De Lomas roads in Bonsall.

North County Fire Protection District Captain John Choi said that a small fire that broke out Thursday, Oct. 29 in Bonsall was quickly contained by firefighters and crews were mopping up as of 10:30 a.m.

Cpt. Choi said the fire burned an 80-foot by 100-foot section of a construction erosion control site in the area of Vista Del Mar and Dentro De Lomas Road.

"The fire burned all the way up to a channeling fence," Cpt. Choi said. "Crews were able to stop the rate of spread."

"CalFire Oceanside, North County Fire, and Vista participated in the full extinguishment of this fire. We've reduced the response to just a couple of engines and a water tender and two battalions are on scene in unified command."

Cpt. Choi said no injuries were reported and there has been no determination on what started the fire.

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Village News - Also serving the communities of De Luz, Rainbow, Camp Pendleton, Pala and Pauma

Egkan ready to serve North County Fire Protection District

By [Jeff Pack](#)
Staff Writer



Village News/Courtesy photo

Jeff Egkan is running unopposed for the District 4 seat on the North County Fire Protection District board of directors.

Jeff Egkan in District 4, along with Cindy Acosta in District 5, is running unopposed in the upcoming election for a director seat on the North County Fire Protection District board of directors.

In District 1, however, candidates Lee De Meo and David Kennedy will be put to a vote to decide who joins Egkan and Acosta on the board that will certainly be overhauled when it's all said and done.

Village News posed questions to all the candidates, De Meo and Kennedy had their answers published in previous editions of the newspaper, and Egkan responded as well. Acosta has not responded.

Though he isn't challenged in this race, Village News thought it would be beneficial for the public to read his responses and understand a little more about the future NCFPD director.

Why do you feel you are uniquely qualified to represent your district on the NCFPD board?

Egkan: I believe it is our responsibility to be civically engaged. That engagement can take many forms, including volunteerism, support for local businesses and participation on local boards. As residents of Fallbrook in unincorporated San Diego County, our local boards are essentially our city council. All of our local boards and districts – school, planning and health are important. Because our police services are county-controlled, our local fire district is the only public safety agency that we have control of, and therefore it is extremely important.

I have been engaged in my community for the past few years, both politically and through volunteering, most recently with the Fallbrook Food Pantry. My political activities have included outreach through email, calls and knocking on numerous doors throughout Gird Valley and Rancho Monserate. From these conversations with hundreds of residents, I have a good sense of local concerns. As a NCFPD board director I will continue to speak to the community to keep abreast of, and try to respond to, concerns related to fire safety and medical emergencies.

Proposition A not passing was a huge blow to the district. How can you help guide the district through future funding issues?

Egkan: The defeat of Proposition A in 2019 was indeed a huge blow to the district. Proposition A would have raised \$20 million and the cost to each property owner would have been only \$60 per year. Unfortunately Proposition A was a parcel tax, not a general obligation bond, and therefore required two-thirds voter approval, whereas general obligation bonds require only 55% approval to pass. It is difficult to get two-thirds of voters to agree on anything, much less a tax increase, even a relatively small one. Proposition A did receive about 58% approval, which would have meant passage had it been a general obligation bond.

Proposition A funds would have been used strictly for repairs and remodeling of existing facilities and construction of a new fire station. Station 4 at Pala Mesa is an old doublewide trailer and its limitations impact both emergency response times and the safety of personnel. Station 4 is responsible for nearly all of District 4, stretching from Lake Rancho Viejo, the new communities east of Interstate 15, all the way down to Gird Valley and Live Oak Park Road.

In the last 15 years, I have worked on six bond campaigns, both for and against. Most recently I was vice president of a state-registered ballot committee.

If it becomes necessary to address long-term facility needs through a bond, I feel that my experience will be an asset to that effort.

What are the top three issues facing the district in the coming years?

Egkan: As I previously mentioned, the district faces challenges in funding of deferred facility maintenance, and it will eventually need to replace the inadequate building that houses Station 4.

The second challenge, related to the previous, is the closure in 2014 of our hospital. All of the three area hospitals are a minimum 25-minute drive. This increased travel, including the additional time away from the district for the paramedic and EMT, puts a financial burden on the district. Maintaining this increased cost has exacerbated the issue of deferred maintenance. Unlike many fire districts that contract private ambulance services, NCFPD trains and staffs its own paramedic and ambulance services. Private ambulance services typically charge much more for transport, sometimes twice as much as currently charged by NCFPD, so maintaining that local control not only means better quality, it is a good value for district residents.

The third challenge is the dramatic increase in wildfires throughout the state. When, due to mutual-aid agreements, our district firefighter crews are away, it can leave our local resources stretched thin. There is no longer a fire season as evidenced by the November Camp Fire and our own Lilac Fire in December. We need to make sure that we have adequate staffing to cover both the mutual aid requirements and a growing population throughout the year.

What are three things you would like to accomplish or shore up with the district if you are elected?

Egkan: Aside from the aforementioned issues, I would like to see enhanced communication between the community and the district. One advantage I see to the recent redistricting is that the new by-district versus at-large system can facilitate dialogue with residents. While all communities share certain fire and emergency concerns, there are concerns specific to each neighborhood or community. I have started reaching out to the communities that comprise District 4 to talk about these issues.

Related to that issue, I'd like to make sure that there is dialogue between all district stakeholders. To make an objective and informed decision on behalf of the district, it is important to first hear from multiple perspectives.

Long-term I'd like to ensure that we retain both district independence and retain local control over our emergency medical response. There is fire service consolidation throughout the state and maintaining local control will retain our community connection to our fire services and retain the service and value provided by our medical emergency response.

What do you bring to the board personally or professionally that is currently lacking or will add to the board in your opinion?

Egkan: I currently operate and manage our small avocado grove here in Fallbrook. Additionally, my wife and I have recently developed a wedding and event venue on our property in Big Bear. As a small-business owner, I am familiar with working with budgets, albeit one with fewer zeros. In developing a new business, I am aware of the need for prudence, while staying mindful of opportunities for growth.

Over the past 15 years, I've had the opportunity to work with both major parties and independents. I am looking forward to working alongside the other board directors in serving our community.

Jeff Pack can be reached by email at jpack@reedermedia.com.

Connect With Us

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7 Residents, 3 Dogs Displaced After Fire Damages Fallbrook Home

Todd Maddison, NeighborOceanside-Camp Pendleton, CA|Oct 19

[Coronavirus Hospitalizations Up Nearly 50 Percent From Last Month](#)
Spurred by ring



The blaze happened at a single-story house in the 2200 block of South Stage Coach Lane, just east of Fallbrook Union High School, North County Fire Capt. John Choi said. (Shutterstock)

FALLBROOK, CA — A blaze at a Fallbrook home Tuesday morning caused one resident to suffer smoke inhalation and displaced seven residents and three dogs, authorities said.

The blaze was reported at 8:05 a.m. at a single-story house in the 2200 block of South Stage Coach Lane, just east of Fallbrook Union High School, North County Fire Capt. John Choi said.

Crews responded to the home and found smoke and flames coming from the front of the structure, Choi said. Firefighters entered the home and knocked down the flames within 15 minutes.

All seven residents and their three dogs were able to make it out of the home, but one person was treated on scene for smoke inhalation, he said. Investigators determined the fire sparked in one of the house's bedrooms, but the cause of the fire remained unclear.

The American Red Cross was called to the scene to help the displaced residents — six adults and one child — arrange for temporary lodging, Choi said.

— *City News Service*

The rules of replying:

- **Be respectful.** This is a space for friendly local discussions. No racist, discriminatory, vulgar or threatening language will be tolerated.
- **Be transparent.** Use your real name, and back up your claims.
- **Keep it local and relevant.** Make sure your replies stay on topic.
- Review the [Patch Community Guidelines](#).

[See more local news](#)

Local Events

[See more events](#)

Neighbor Posts

Oceanside Unified District Parent Advisory Committee Meeting!

The first of the school year, everyone is invited to attend.

Last week's Vista Unified Board meeting had over 19,000 parents attending - that's about HALF of all their parents.

Power restored to Fallbrook residents impacted by public safety shutoffs

Author: Evan Noorani (KFMB), City News Service

If the current weather forecast holds, SDG&E does not anticipate the need for further Public Safety Power Shutoffs on Tuesday.

SAN DIEGO COUNTY, Calif. — Strong Santa Ana winds forecast for San Diego County Monday and Tuesday, come with dangerous fire weather conditions, the National Weather Service said. To reduce the risk of wildfire in some parts of North County, [SDG&E notified approximately 21,480 residents](#) over the weekend that it would possibly have to turn off power Monday and Tuesday.

About 10 a.m. Monday, the utility shut off power to nearly 3,000 customers in Fallbrook. Around 5 p.m., SDG&E announced power had been restored for those residents.

"If the current weather forecast holds, SDG&E does not anticipate the need for further Public Safety Power Shutoffs on Tuesday," the utility reported on its website.

Power shutoffs are approved by state regulators as a safety tool to mitigate fire risk during dangerous weather conditions.

The winds are expected to calm by Tuesday night, then temperatures throughout the county will warm to slightly above average by Thursday, forecasters said.

"We're going to monitor extremely closely, continuously into the night and into the day tomorrow, until the threat passes," said Brian D'Agostino, the Director of Fire Science at SDG&E.

D'Agostino said customers in Deluz, Fallbrook and Camp Pendleton could see strong winds over the next two days. He said high winds will be combined with extremely low relative humidity.

This all happening on the 17th anniversary of the Cedar Fire, one of the largest wildfires in California history, fueled largely by Santa Ana winds. It started south of Ramona and quickly moved to San Diego burning more than 273,000 acres back in October of 2003. It destroyed more than 2800 buildings, the majority of them homes. 15 people were killed including a firefighter.

The Cedar Fire is a reminder of just how important it is take precautions.

"During Santa Ana's peak wind gusts can usually get into 30 to 35 [miles per hour]. Our models are indicating it's going to be way stronger than that," said D'Agostino.

He said residents should plan ahead and have cell phones, backup batteries and laptops fully charged.

"These winds could be damaging and will create a period of critical fire weather conditions in favored areas through Tuesday," NWS said.

Strong west winds will blow over the mountains and parts of the deserts with maximum

gusts of 50-60 mph in wind-prone locations, the NWS said.

The weather service said the strength of wind is highly uncertain for San Diego County.

"Highest winds may not surface at lower elevations, but remain stuck on the ridges and over far northwest parts of the county, where gusts could reach 60 mph," NWS said.

"Still, locally gusty winds and low relative humidity will lead to enhanced fire weather conditions Monday through Tuesday."

A wind advisory was scheduled to be in effect from 2 a.m. to 5 p.m. Monday for the San Diego County coastal areas and valleys, the NWS said.

"Customers who were notified should be prepared to activate their personal emergency plan to keep their family and pets safe," SDG&E said. "SDG&E will continue to provide customers with updates when there is more certainty about forecasted weather conditions."

Three CalPERS health plans are in a 'death spiral.' Saving them could involve price hikes

By McClatchy

Medi-Cal is the state's largest health insurer, covering 1 in 3 Californians

Medi-Cal is the state's largest health insurer and provides coverage to 1 in 3 Californians. Largely due to the expanded eligibility requirements under the Affordable Care Act, more than 13 million people — including single adults, families, senio

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Three of the best health plans California state workers and retirees can buy are speeding toward collapse, according to CalPERS insurance experts.

The plans may be salvaged, but a proposed solution likely will involve price increases for young, healthy workers, Health Plan Research and Administration Division Chief Marta Green has told the CalPERS board.

The board is expected to hear details of the proposal, including projected prices, at a meeting in three weeks.

The California Public Employees' Retirement System provides health insurance to about 1.5 million people, including current and retired state workers, other public employees and their dependent family members.

Open enrollment just ended for next year's plans. The proposed changes wouldn't take effect until 2022.

The three troubled plans are PERSCare, Anthem Traditional HMO and Blue Shield Access+.

They have bigger networks of doctors and hospitals than other plans and cover greater shares of medical costs. They're also more expensive.

The plans' benefits have attracted some of the least healthy workers and retirees, who need more medical treatment than healthier members. When insurers have to pay big medical bills, they raise premiums. Price hikes in turn push healthier people out of the plans and into cheaper plans.

"As a result, a few of our plans are in what's called a death spiral," Green told the board in a Sept. 15 meeting, [according to a transcript](#). "A cycle in which premiums increase from one year to the next, members then leave that plan because of those increases, and then the premiums consequently increase even more because risk is worse."

The spiral started just two years ago, when CalPERS ended a complicated program that shifted money from lower-risk plans to the higher-risk plans to try to stabilize prices. Prices went up after the program ended, and 34,000 people exited Blue Shield Access+. Ten thousand left PERSCare and 5,000 left the Anthem HMO.

Green is expected to propose bringing back a simpler version of the risk adjustment program at a Nov. 17 meeting.

Price increases

PERSCare, a broad-network PPO that covers about 93,000 people, will cost \$1,112 per month next year for a single state worker. Projections show the plan would cost \$1,841 per month by 2026.

Anthem Traditional HMO, with about 18,000 policyholders, will cost \$1,200 per month next year. It would cost \$2,202 by 2026 without changes, [according to the projections](#).

Blue Shield Access+, a broad-network HMO covering about 89,000 people, would jump from \$939 to \$1,302 per month.

State workers don't pay those totals. They pay a portion spelled out in union agreements. For the 2021 plans, the state is contributing \$607 to \$645 per month [for most workers](#). Workers are responsible for the rest. SEIU Local 1000 members and state attorneys receive another \$260 per month.

The prices for the expensive plans are becoming inflated, Green said. Their benefits aren't as good as their prices suggest. Meanwhile, the cheaper plans — with narrower networks and higher deductibles — are becoming underpriced.

Green told the board her November proposal will align plans' prices with their value. It uses a form of risk adjustment known as portfolio rating.

Cheaper plans would get a price bump in 2022, unless the board uses cash infusions to phase in the increases over two years.

PERS Select, CalPERS' second-cheapest plan at \$527 per month, would jump to \$755 in 2022 without phase-in, according to projections. About 99,000 people are enrolled in the PPO plan.

Prices would also jump for Anthem Select and Health Net SmartCare, while rates would drop for the expensive plans. Then all of the plans would start gradually ticking upward from year to year, according to the projections.

More changes

The projections show Kaiser's HMO would be the cheapest HMO under the new system.

Devara Berger, who was a manager working on health legislation at CalPERS before she retired in 2013, said she's concerned Kaiser could end up without competition under the proposed change, which could drive up prices over time.

"I'm very concerned about how this is going to change our health plan makeup down the road," Berger said.

Green told the board the new system would ensure plans have to compete based on quality and value, rather than their ability to attract young and healthy people to their plans.

Henry Jones, the board's president, told Green he's seen major shifts to how CalPERS manages its health plans in just the last 12 years.

"If our ultimate goal is to make sure that our members are getting healthier and the cost is affordable, how do we evaluate if every two or three years we're changing some significant components of these plans," Jones asked, according to the September transcript.

Green, who started her job at CalPERS a year ago following seven years at the Department of Managed Health Care, said the proposal is simpler and more transparent than the last risk adjustment program. She said it's similar to the approach used by Covered California, the state of Washington and other large systems.

"Does that mean like we'd never recommend a change in the future? No," she told Jones. "But I think it's a much more stable platform than the one we have today."



The California Public Employees' Retirement System is a \$380 billion public pension fund.
Jay Mather Sacramento Bee file

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: DECEMBER 8, 2020
SUBJECT: COMMENTS, REPORTS AND UPDATES

● **STAFF COMMENTS/REPORTS/UPDATES:**

● **STEPHEN ABBOTT, FIRE CHIEF/CEO:**

● **CHIEF OFFICERS & STAFF:**

● **BOARD:**

● **BARGAINING GROUPS:**

● **PUBLIC COMMENT:**

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: DECEMBER 8, 2020
SUBJECT: CLOSED SESSION

CS-1. ANNOUNCEMENT — VICE PRESIDENT VAN DOORN:

- An announcement regarding the items to be discussed in Closed Session will be made prior to the commencement of Closed Session.

CS-2. CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION — GOVERNMENT CODE §54956.9 — CHIEF ABBOTT:

- Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 – one case.

CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8 — CHIEF ABBOTT:

- PROPERTY LOCATION: 311 Minnesota, Fallbrook, CA 92028;
PARTIES: North County Fire Protection District (Seller);
UNDER NEGOTIATION: Terms of Cell Lease/Purchase;
DISTRICT NEGOTIATORS: Chief Abbott, FM Juul, District Counsel James

CS-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8 — CHIEF ABBOTT:

- PROPERTY LOCATION: 4157 Olive Hill Road, Fallbrook, CA 92028;
PARTIES: North County Fire Protection District (Seller);
UNDER NEGOTIATION: Terms of Purchase;
DISTRICT NEGOTIATORS: Chief Abbott, District Counsel James

CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT GROUP NEGOTIATIONS – CHIEF ABBOTT:

- NCFPD MANAGEMENT GROUP DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner

CS-6. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY GROUP NEGOTIATIONS – CHIEF ABBOTT:

- FFA NON-SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner

CS-7. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY GROUP NEGOTIATIONS – CHIEF ABBOTT:**

➤ FFA SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special
Counsel Berliner

CS-8. **REPORT FROM CLOSED SESSION — PRESIDENT VAN DOORN**