

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.

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

