

1 **April 28, 2009**

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 17:00.

5 **THE INVOCATION GIVEN BY CHIEF METCALF.**

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

7 **ROLL CALL: Present:** Directors Harris, Hooper, Munson, Schaden and Thuner.

8 **Absent:** None.

9 **ALSO PRESENT:** Fire Chief/CEO Metcalf, Attorney James and Board Secretary Stephen-  
10 Porter. In the audience were: Deputy Chief Torchia, Division Chiefs Goldberg and Morel,  
11 Battalion Chief Abbott and members of the public and Association.

## 12 **PUBLIC ACTIVITIES AGENDA**

13 1. **PUBLIC COMMENT:** President Munson addressed the audience and inquired whether  
14 there were any public comments regarding items not on the Agenda. There being no public  
15 comment, the public comment time was closed.

16 2. **PUBLIC COMMENT – COMMUNITY EMERGENCY RESPONSE TEAM UPDATE – FPS JAMES**

17 **BEEBE:** FPS James Beebe presented information to the Board on the status of the CERT  
18 Team and introduced members of the CERT Board to the NCFPD Board. He noted that CERT  
19 is now a 501(c)(3) tax exempt corporation, the CERT structure, educational components,  
20 mapping updates, communication capabilities, mechanism for response and trailer status.  
21 Informational only, no further action required.

22 3. **FIRST QUARTER 2009 REVIEW OF BOARD RECOGNITION PROGRAM — CHIEF METCALF:**

23 Along with President Munson, Chief Metcalf presented the nominees for the Fourth Quarter  
24 2008 winners of the Board Recognition Program. Two of the four were unable to make the  
25 dates due to schedule conflicts and will be invited to return. Both D/C Morel and FF/PM Bracci  
26 were present to receive their awards and gift certificates. After review of the outstanding

27 nominees, the following individuals were selected for acknowledgement in the First Quarter  
28 2009: Management: On a motion by Vice President Thuner, seconded by Director Harris,  
29 Battalion Chief Gary Lane was unanimously approved as the Management recipient; Non-  
30 Safety: On a motion by Vice President Thuner, which was seconded by Director Harris, FPS  
31 James Beebe was unanimously approved for the Non-Safety recipient; and from Safety: On a  
32 motion by Director Hooper, which was seconded by Vice President Thuner, Engineer Brent  
33 Itzaina was unanimously approved as the Safety recipient. They will be invited to the next  
34 quarterly review meeting to receive their awards.

## 35 **ACTION AGENDA**

### 36 CONSENT ITEMS:

- 37 4. APPROVE REGULAR BOARD MEETING MINUTES, MARCH 24, 2009
- 38 5. APPROVE FINANCIAL REPORT MARCH 2009
- 39 6. APPROVE POLICIES AND PROCEDURES
- 40 7. REVIEW EMERGENCY SERVICE OVERTIME TRACKING REPORT FOR THE THIRD QUARTER  
41 2008/2009
- 42 8. REVIEW EMERGENCY STATISTICS REPORT – THIRD QUARTER FY 2008/2009
- 43 9. REVIEW CUSTOMER SATISFACTION SURVEY PROGRAM RESULTS – FIRST QUARTER 2009
- 44 10. REVIEW TRAINING REPORT – THIRD QUARTER FY 2008/2009
- 45 11. REVIEW FIRE PREVENTION REPORT – THIRD QUARTER FY 2008/2009
- 46 12. REVIEW AND APPROVE MINUTES OF NORTH COUNTY FIRE PROTECTION DISTRICT’S HEALTH  
47 AND SAFETY COMMITTEE FOR FIRST QUARTER MEETINGS FOR 2009
- 48 13. REVIEW MAINTENANCE DIVISION REPORT – THIRD QUARTER FY 2008/2009

49 President Munson inquired whether there were any questions on Items 4-13. Director Harris  
50 requested that Items 7 and 10 be pulled from the consent agenda for discussion. On a motion  
51 by Director Harris, seconded by Vice President Thuner, the motion to remove Items 7 and 10  
52 from the Consent Agenda passed unanimously. Vice President Thuner expressed concern  
53 about the decision not to report dollar loss amounts on future Fire Prevention Reports. After

54 an explanation from Chiefs Morel and Metcalf of the rationale, no further discussion was  
55 required. On a motion by Director Harris, seconded by Director Schaden, Items 3-6, 8, 9 and  
56 11-13 passed unanimously. Director Harris made an inquiry regarding the overtime report and  
57 her concerns regarding an apparent discrepancy in the numbers. Discussion ensued, with it  
58 being noted that further clarification would be sought for and provided to the Directors.  
59 Director Harris indicated that it was difficult for her to see information on the pie chart in the  
60 Training Report is difficult to read and she cannot determine what information is being  
61 referenced with regards to new hires. Division Chief Goldberg indicated that he would  
62 communicate these concerns to have this reflected differently in future reports. President  
63 Munson inquired whether there was any other discussion. There being none, he asked for a  
64 motion to approve Consent Agenda Items 7 and 10. On a motion by Vice President Thuner to  
65 approve Items 7 and 10, which was seconded by Director Harris, the motion passed  
66 unanimously.

#### 67 **ACTION ITEMS:**

68 14. **PUBLIC HEARING, TIME CERTAIN 5:15 P.M. ADOPTION OF RESOLUTION 2009-05 RE:**  
69 **IMPLEMENTATION OF COST RECOVERY PROGRAM FOR RESPONSE TO HIGHWAY INCIDENTS:** At 5:25  
70 p.m., the public hearing was opened and President Munson inquired whether there were any  
71 public comments. There being none, the public hearing was closed. Chief Metcalf introduced  
72 the topic, noting that Staff is recommending adoption of Resolution 2009-05, which would allow  
73 the District to recovery for costs of responding to vehicle accidents in specific instances. He  
74 noted that the proposal would be to submit for all individuals, both District residents and out of  
75 District individuals. He noted that approximately half the Departments utilizing this recovery do  
76 not charge residents. Vice President Thuner inquired whether the District staff would be able  
77 to distinguish “public roads,” with Chief Metcalf noting that they are defined and  
78 distinguishable. He noted the collection company would train staff for submissions. If there is  
79 no recovery, there will be no individual billing and no one will go to “collections.” Director  
80 Harris inquired why the stipulation to collect only for accidents on public highways. Chief  
81 Metcalf informed the Board that California law specifically provided for recovery of costs in

82 those situations. Director Hooper indicated he would like to see that the staff has the latitude  
83 not to request cost recovery when it appears insurance would not cover the claim or it would  
84 not be submitted. Chief Metcalf indicated there would be that latitude and the company would  
85 provide training on when to submit for recovery. Director Hooper requested a report to the  
86 Board in one year regarding the cost recovery program. Chief Metcalf noted that the Roseville  
87 Fire Department has an RFP with a piggyback clause, so the District would not have to go  
88 through the lengthy RFP process. On a motion by Vice President Thuner, seconded by  
89 Director Harris, a unanimous Board to approve Resolution 2009-05, directed Chief Metcalf to  
90 locate a recovery company and execute the contract.

91 **15. REVIEW AND CAST VOTE FOR LAFCO OFFICER ELECTION — CHIEF METCALF:** Chief Metcalf  
92 presented the candidates to the Board, providing an overview of each of the candidates as he  
93 knew them. Discussion ensued regarding their LAFCO experience and the SDCA  
94 recommendation for both positions. Ms. Jo MacKenzie was present and introduced to the  
95 Board, giving her background with LAFCO and the CSDA. Chief Metcalf noted that three of  
96 the NCFPD were at the last CSDA meeting to hear the candidates speak and were familiar  
97 with their backgrounds. On a motion by Director Harris, seconded by Vice President Thuner,  
98 the Board unanimously approved the President casting a vote for Mr. John Ingalls as the  
99 regular LAFCO Special District Member. Vice President Thuner noted that the Mission  
100 Conservation District and FPU had voted to approve Ms. Jo MacKenzie as the LAFCO  
101 alternate. On a motion by Director Harris, seconded by Director Hooper, the Board  
102 unanimously voted to approve President Munson casting the District's vote for Alternate  
103 LAFCO Special District Member for Ms. Jo MacKenzie. The Board directed the Board  
104 Secretary to submit the Board's ballots.

105 **16. REVIEW AND APPROVE PROPOSED CHANGES TO CSDA BYLAWS — CHIEF METCALF:** Chief  
106 Metcalf presented the changes to the Board, noting that most of the changes were  
107 housekeeping. Jo MacKenzie, who was part of the committee revising the Bylaws, informed  
108 the Board the substantive changes were in the election process. The changes were  
109 recommended to alleviate conflicts within the election process. On a motion by Director Harris,

110 which was seconded by Director Hooper, the Board unanimously voted to approve the Bylaw  
111 changes as presented and directed the Board Secretary to submit the Board's ballot.

## 112 **DISCUSSION AGENDA**

113  
114 17. There were no discussion items for the April 28, 2009 Board meeting.

### 115 **STANDING DISCUSSION ITEMS:**

116  
117 • **LEGAL COUNSEL REPORT:** Counsel James presented his letter "Fitness-For-Duty  
118 Examinations: Assessing the Legal Rights and Obligations under the Fair Employment and  
119 Housing Act and Related Laws from the Employer and Employee Perspective – Part 2." Brief  
120 discussion ensued regarding balancing the competing interests of ensuring employees are  
121 capable of performing their jobs and the protecting the employees' privacy rights. This is  
122 informational only, no action required.

123 • **WRITTEN COMMUNICATIONS:** There was no discussion about the written  
124 communications. Informational only, no further action required.

125 • **BOARD RECOGNITION PROGRAM:** The information submitted was reviewed with  
126 discussion as in Item #3. Vice President Thuner brought forth a request to reevaluate the  
127 Program. After discussion, President Munson requested that Directors Harris and Thuner,  
128 along with Chief Metcalf and the Board Secretary meet to discuss the program, bring  
129 recommendations back to the Board for the future of the Program. It was the consensus of the  
130 Board to convene this Ad Hoc Committee, with the Board Secretary directed to arrange the  
131 meeting.

132 • **NEWS ARTICLES:** Chief Metcalf brought the labor statistics noted on page 141 to the  
133 Board, with discussion ensuing regarding how to measure accurately. He also noted on page  
134 159, that most organizations having ambulance billings, are collecting at approximately 30-  
135 35%, while NCFPD is collecting at over 50%, with it being at 60% over the last three months.  
136 Chief Metcalf directed the Board to review page 161, which discusses SDG&E plan to begin  
137 settling with insurance companies for the October 2007 fires. Informational only, no further  
138 action required.

139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167

- **COMMENTS:**
  - **STAFF REPORTS/UPDATES:**
    - **UPDATE ON STATION CONSTRUCTION:** Deputy Chief Torchia provided a report on the progress of the District's construction project, noting that a RFP for Geotechnical (eight responses) and a RFQ for Architects (eleven responses) had closed. His staff is reviewing these and expects to have a contract ready for the Board in May. Informational only, no further action required.
    - **BILL METCALF, FIRE CHIEF/CEO:** Chief Metcalf updated the Board regarding the District's sphere of influence and the possibilities and opportunities for annexation in the I-15 and SR 76 area. Chief Metcalf will be meeting with County officials on Friday to discuss options for tax base. Discussion ensued regarding the types of properties and possible expansion of the District. Chief Metcalf discussed legislative actions that may affect the District and noted that on April 27<sup>th</sup>, he had testified to the State Legislature regarding toll road charges and fines. Discussion ensued regarding the fire department bankruptcies and how Districts are faring within the State. Informational only, no further action required at this time.
    - **CHIEF OFFICERS: F/M MOREL:** D/C Morel thanked the Board for the recognition and award, noting it was thanks to the great work of the Fire Safe Council that the program for he was recognized had developed. He noted he had take first and third at the cooking contest at the Avocado Festival. **D/C GOLDBERG:** Division Chief Goldberg informed the Board that his Division is working to ensure that the AFG grant is ready to be submitted in the coming week. Chief Metcalf lauded Chief Goldberg and his staff for their hard work. **B/C ABBOTT:** B/C Abbott brought the Board current on the Swine Flu pandemic and informed the Board what the District and County are doing to combat it. Informational only, no further action required at this time.
    - **BOARD: DIRECTOR HARRIS:** Director Harris inquired the status of the Bond Consultant and the process made to date. Chief Metcalf informed her that the work being done on the Geotechnical and Architects are part of the process and that a consultant cannot be hired until the District knows how much it will need for the Bond. Work is proceeding and as soon as a more definitive number is identified, the information will be brought to the Board. **DIRECTOR HOOPER:** Director Hooper complimented the crews on the positive feedback being received in

168 both the customer service documents and the Board recognition program. Informational only,  
169 no further action required.

- 170 • **BARGAINING GROUPS:** No comments.
- 171 • **PUBLIC COMMENT:** No comments.

## 172 **CLOSED SESSION**

173  
174 At 6:45 p.m., President Munson inquired whether there was a motion to adjourn to closed  
175 session. Vice President Thuner moved to go to closed session after a short break, which was  
176 seconded by Director Hooper, which motion was passed unanimously. At 6:55 p.m., the Board  
177 entered Closed Session to hear:

- 178 • **PERFORMANCE REVIEW – GOVERNMENT CODE § 54957**

179 **DISTRICT NEGOTIATOR COUNSEL JAMES**

- 180 • **REOPENING OPEN SESSION:**

181 On a motion by Director Hooper, which was seconded by Vice President Thuner and which  
182 passed unanimously, the Board returned open session at 7:07 p.m., the following items were  
183 reported out to the public:

- 184 • **PERFORMANCE REVIEW – GOVERNMENT CODE § 54957**

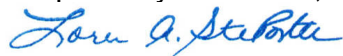
185 **DISTRICT NEGOTIATOR COUNSEL JAMES**

186 No reportable action.

## 187 **ADJOURNMENT**

188  
189 A motion was made at by Director Harris and seconded by Director Hooper, to adjourn the  
190 meeting and reconvene on, May 26, 2009, at 5:00 p.m. The motion carried unanimously.

191 Respectfully submitted,

192 

193 Loren Stephen-Porter, Board Secretary

194 Minutes approved at the Board of Director's Meeting on: May 26, 2009