

1 January 18, 2011

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

4 President Thuner 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:**

8 **Present:** Directors Harris, Hooper, Munson, Schaden and Thuner.

9 **Absent:** None.

10 **Staff Present:** Fire Chief/CEO Metcalf, Attorney James and Board Secretary Stephen-
11 Porter. In the audience were: Deputy Chief Torchia, Battalion Chief Abbott, D/C Lane, B/C
12 Lucore, F/S Timmers and members of the public and Association.

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14 **PUBLIC ACTIVITIES AGENDA**

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

18 2. **EMPLOYEE BADGE PINNING CEREMONY — CHIEF METCALF:** Chief Metcalf informed
19 the Board he was pleased to congratulate two members on their promotions within the
20 District. Chief Metcalf introduced newly promoted D/C Lane, the new Operations Chief,
21 providing a background of his history with the District and prior to coming to NCFPD. Chief
22 Lane was pinned by his wife, Jennifer. In addition, Chief Metcalf congratulated newly
23 advanced Battalion Chief Lucore on his promotion from Administrative Capitan. Chief
24 Lucore was pinned by his wife, Jennifer. Both were congratulated by the Board and Senior
25 Staff.

26 3. **FOURTH QUARTER 2010 AWARDS FOR BOARD RECOGNITION PROGRAM — CHIEF**
27 **METCALF AND B/S STEPHEN-PORTER:** Ms. Stephen-Porter presented the report to the Board
28 for their selection of employees for the quarter. It was noted there was an employee of
29 interest noted on the Satisfaction Survey and information regarding that call was requested

30 to be brought to the next meeting. Until that is available, the decision on the recognition
31 selection is postponed.

32 **ACTION AGENDA**

33 **CONSENT ITEMS:**

- 34 4. **APPROVE REGULAR BOARD MEETING MINUTES, DECEMBER 2010**
- 35 5. **REVIEW AND ACCEPT FINANCIAL REPORT FOR DECEMBER 2010**
- 36 6. **REVIEW AND ACCEPT POLICIES & PROCEDURES**
- 37 7. **SECOND QUARTER F/Y 2010/2011 OVERTIME REPORT**
- 38 8. **FOURTH QUARTER 2010 CUSTOMER SATISFACTION SURVEY**

39 President Thuner inquired whether there were any questions on Items 4-8. There being
40 none, she asked for a motion to approve the consent agenda. On a motion by Director
41 Harris to approve Items 4-8, which was seconded by Director Hooper, the motion passed
42 unanimously.
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44 **ACTION ITEMS:**

- 45 9. **PUBLIC HEARING DATE — DATE/TIME CERTAIN FOR ADOPTION OF THE CALIFORNIA FIRE**
46 **CODE, 2010 EDITION AND 2009 INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS,**
47 **ADDITIONS AND DELETIONS – JANUARY 18, 2011 AT 5:15 P.M. - FINAL READING OF ORDINANCE**
48 **2011-01 — D/C MOREL:** President Thuner called the Public Hearing to order at 5:15 p.m.,
49 asking if there were any public comments. There being no public comments, the hearing
50 was closed. D/C Morel presented the Ordinance for the second and final reading, giving a
51 quick overview of the changes from previous Codes. D/C Morel noted that most changes
52 are in the area of commercial building and in some instance, NCFPD's Ordinance is
53 somewhat more restrictive than the State Code. He urged the Board to adopt the
54 Ordinance, indicating this would bring consistence between the District and local, County
55 and State Fire codes. He noted that during the period since publication, he has received
56 no public comments, nor has he heard from anyone that there are any concerns. On a
57 motion by Director Hooper, which was seconded by Director Munson, the Board
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59 unanimously approved Ordinance 2011-01 as presented and directed publishing as
60 required.

61 **10. REVIEW AND APPROVE FINANCIAL AUDIT FOR FY 2009/2010 — CHIEF TORCHIA, F/S**

62 **TIMMERS AND CHIEF METCALF:** Chief Torchia introduced the representative from Hosaki,
63 Nagel and Associates to provide an overview of the Audit. It was noted that the Audit gave
64 an unqualified opinion, with no current year findings. He noted the District had low debt,
65 one capital lease and was in sound financial shape with no large expenditures. The
66 representative thanked the Staff for the time and effort expended it preparing for the audit,
67 including the account comparison compiled by Ms. Timmers. Chief Metcalf acknowledged
68 the work by Chief Torchia, Ms. Timmers and Rasmussen. On a motion by Director
69 Munson, which was seconded by Director Harris, the Board unanimously approved the
70 Audit as presented.

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72 **DISCUSSION AGENDA**

73 **11. OVERVIEW OF THE CALIFORNIA PUBLIC EMPLOYEE RETIREMENT SYSTEM (CALPERS)**

74 **BENEFIT PROVIDED TO DISTRICT EMPLOYEES — CHIEF TORCHIA:** Chief Torchia presented a
75 report giving an overview of the CalPERS Retirement System Benefits as provided to
76 District employees. He noted that through CalPERS, the District shares the investment
77 benefits and risks by investing in a larger pool of funds. Chief Torchia noted that CalPERS
78 looks for a return on its investments of 7.75%, assumes an increase in salaries of 3.25%
79 and assumes that staffing will remain consistent when planning for its investments. He
80 discussed the difference in funding between the two groups at the District, the Safety and
81 the Miscellaneous Employees Groups. He also reviewed the purpose, amounts and
82 payment plans for the side funds for each of the groups. Chief Metcalf noted that by State
83 law, once a benefit has been agreed to by the District and the workers, the benefit cannot
84 be voluntarily relinquished. The only item that may be changed is the EPMC (Employer
85 Paid Members Contribution) or revising the plan for newly hired employees. This would
86 result in a blended retirement program, such as the one employed by the Orange County
87 Fire Authority. The District leaving the CalPERS system would be very difficult, as it would

88 require those payment owed to the system to continue. Informational only, no further
89 action required.

90 12. **PROPOSED REVISIONS OF BOARD OF DIRECTOR OPERATIONS POLICY — DIRECTOR**

91 **THUNER**: The Board reviewed the report from Ms. Stephen-Porter. It was noted that
92 obtaining an opinion from the FPPC may be of some advantage to Director Harris or the
93 District at a future time if concerns are raised about a conflict. Ms. Stephen-Porter to bring
94 the response to the Board for review when it is received.

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96 **STANDING DISCUSSION ITEMS:**

97 ● **LEGAL COUNSEL REPORT**: Counsel James presented his letter “The Top 5
98 FLSA Mistakes Special Districts Make Part 2.” Brief discussion ensued regarding the
99 exempt classification. This is informational only, no action required.

100 ● **WRITTEN COMMUNICATIONS**: Brief discussion ensued regarding the items,
101 including the proposed Budget from the Governor. Informational only, no action required.

102 ● **BOARD RECOGNITION PROGRAM**: See Item #3.

103 ● **NEWS ARTICLES**: Brief discussion ensued regarding the retirement articles and
104 proposed changes in the Fire Services by Governor Brown. This is informational only, no
105 action required.

106 ● **COMMENTS**:

107 ● **STAFF REPORTS/UPDATES**:

108 ● **UPDATE ON STATION CONSTRUCTION**: Chief Torchia informed the Board the financing
109 had been completed. In the next several weeks, the Architect will be submitting plans and
110 permits to the County for approval. Development of the Fire Protection Plan is currently
111 underway. Chief Torchia and District Counsel are working to resolve the issues on the
112 parking lot encroachment. The Bonsall Planning Group preferred the Mission-look and the
113 District is planning to move forward with that elevation. Informational only, no further
114 action required.

115 ● **BILL METCALF, FIRE CHIEF/CEO**: Chief Metcalf discussed his concerns over the
116 outlook on the State Budget and the impact on the Fire Service. He noted CalFire is

117 looking to go from a 4-person to 3-person standard on their engines. They are also
118 seeking to realize a 10-15% reduction in the Budget through other economies. Chief
119 Metcalf opined that the District could expect to see changes in the definitions of SRA/LRA
120 (State Responsibility Area/Local Responsibility Area). He noted that currently, the
121 District's LRA is about 4 miles, mostly downtown. He expects the changes would expand
122 the District responsibilities. Although there is a promised shift in revenue to "local
123 government," it is uncertain how much of that shift would devolve to the District. Chief
124 Metcalf expects there to be fewer CalFire stations open year round and seasonal only
125 staffing, with increases local Amador contracting. Chief Metcalf reminded the Board of the
126 upcoming District Awards Banquet. Chief Metcalf noted that the "crash tax" is back in the
127 news, with possible legislative action to prevent further adoptions. There has been no
128 discussion of retroactive application. Chief Metcalf informed the Board the District believes
129 it may receive news that it has been approved for an AFG (Aid to Firefighters Grant) for
130 upgrades for a microwave tower to improve station and dispatch communication, and to
131 save \$35,000/year in T-1 telephone lines. Informational only, no further action required.

132 ● **CHIEF OFFICERS: D/C MOREL:** D/C Morel noted that the District had received a Fire
133 Prevention Grant for Smoke Detectors, especially for mobile homes and the elderly. This
134 was accomplished in coordination with the Fire Safe Council. The District has also been
135 invited to host a County-wide CERT drill in May. **B/C ABBOTT:** B/C Abbott noted that the
136 District is participating in a joint trial regarding 12-lead monitors that may lead to future
137 purchase savings. He also noted the District has begun a new program that combines
138 with other local services to provide health care and other services outside of the Fire
139 Service venue. He noted this includes approximately 150 other organizations in the local
140 area. **MS. TIMMERS:** Ms. Timmers noted that at a recent workshop, the District learned that
141 OES reimbursements for administrative costs will be reduced from 17% to 10%. In
142 addition, SSI payments dropped 1% for the one year. Informational only, no further action
143 required.

144 ● **BOARD: DIRECTOR HOOPER:** Director Hooper made comment about the news story
145 on the multistory building in Campus Park West. Informational only, no further action

146 required.

147 ● **BARGAINING GROUPS:** No comments.

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

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150 **CLOSED SESSION**

151 At 6:45 p.m., President Thuner inquired whether there was a motion to adjourn to Closed
152 Session. Director Hooper moved to go to Closed Session after a short break, which was
153 seconded by Director Harris, which motion was passed unanimously. At 6:55 p.m., the
154 Board entered Closed Session to hear:

155 1. **LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6**

156 ➤ NCFPD MANAGEMENT GROUP CHIEF METCALF, DISTRICT COUNSEL JAMES

157 2. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6**

158 ➤ FFA NON-SAFETY GROUP NEGOTIATORS CHIEF METCALF, DISTRICT COUNSEL JAMES

159 3. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6**

160 ➤ FFA SAFETY GROUP NEGOTIATORS CHIEF METCALF, DISTRICT COUNSEL JAMES

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162 ● **REOPENING OPEN SESSION:**

163 On a motion by Director Hooper, which was seconded by Director Munson and which
164 passed unanimously, the Board returned open session at 7:08 p.m., the following items
165 were reported out to the public:

166 1. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6**

167 ➤ NCFPD MANAGEMENT GROUP CHIEF METCALF, DISTRICT COUNSEL JAMES

168 **ACTION:** No reportable action.

169 2. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6**

170 ➤ FFA NON-SAFETY GROUP NEGOTIATORS CHIEF METCALF, DISTRICT COUNSEL JAMES

171 **ACTION:** No reportable action.

172 3. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6**

173 ➤ FFA SAFETY GROUP NEGOTIATORS CHIEF METCALF, DISTRICT COUNSEL JAMES

174 **ACTION:** No reportable action.

ADJOURNMENT

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176 A motion was made at 7:18 p.m. by Director Hooper and seconded by Director Munson to
177 adjourn the meeting and reconvene on, February 22, 2011, at 17:00. The motion carried
178 unanimously.

179 Respectfully submitted,

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182 Loren Stephen-Porter

183 Board Secretary

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185 Minutes approved at the Board of Director's Meeting on: February 22, 2011

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