

1 **January 26, 2010**

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 17:01.

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

12 **PUBLIC ACTIVITIES AGENDA**

13 1. **PUBLIC COMMENT:** President Thuner 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. **BOARD RECOGNITION PROGRAM — CHIEF METCALF:** Chief Metcalf presented the report to
17 the Board for their review. After brief review, on a motion by Director Hooper, seconded by
18 Director Schaden, the Board adopted the report as presented.

19 **ACTION AGENDA**

20 ● **CONSENT ITEMS:**

21 3. **APPROVE REGULAR BOARD MEETING MINUTES, DECEMBER 2009**

22 4. **REVIEW AND APPROVE FINANCIAL REPORT DECEMBER 2009**

23 5. **REVIEW AND APPROVE POLICIES AND PROCEDURES**

24 6. **REVIEW AND APPROVE OVERTIME TRACKING REPORT FOR THE SECOND QUARTER 2009/2010**

25 7. **REVIEW AND APPROVE ANNUAL EMERGENCY STATISTICS REPORT**

26 8. **REVIEW AND APPROVE CUSTOMER SATISFACTION SURVEY PROGRAM RESULTS — FOURTH**
27 **QUARTER 2009**

28 9. **REVIEW AND ADOPT ANNUAL HEALTH AND SAFETY REPORT – YEAR 2009**

29 Discussion ensued regarding Item 6, the comments received and the revision of the evaluative
30 tool. B/C Abbott noted that most of the customers respond with very high satisfaction and that
31 most of the useful information is gathered from the comments. He noted that with the
32 increased workload, the Staff is trying not to gather data that does not add benefit to the
33 District or is not utilized. Director Hooper requested an opportunity for the Board to review the
34 revised form before it is put into use. Chief Metcalf agreed to present the form at the next
35 meeting. The Board inquired why Shift B had 1/3 of the number of responses as Shifts A and
36 C. B/C Abbott noted the sending of the notes is a voluntary program, but he would pass the
37 inquiry on the Battalion Chief for B shift. Discussion ensued regarding ALS billing and the
38 revision of fees later in the year. On a motion by Director Hooper, which was seconded by
39 Director Schaden, the motion to approve all Consent Items was unanimously approved as
40 presented.

41 ● **ACTION ITEMS:**

42 10. **REVIEW AND APPROVE THE ANNUAL AUDIT FOR FISCAL YEAR 2009-2010 - DEPUTY CHIEF**
43 **TORCHIA, F/S TIMMERS AND CHIEF METCALF:** Mr. Hosaka appeared to present the Audit report
44 to the Board. He discussed the various types of audit results, noting that North County Fire
45 Protection District received an unqualified audit again this year. He informed the Board the
46 District is in compliance with state and local government accounting standards, although he
47 noted a single issue that remained unresolved from the previous audit. Chief Metcalf informed
48 the Board he will work with District Counsel on the issue. Chief Metcalf acknowledged the
49 work of the Staff for the audit, including Deputy Chief Torchia, F/S Timmers and P/S
50 Rasmussen. On a motion by Director Harris, which was seconded by Director Munson, the
51 Board accepted the report as presented.

52 11. **REVIEW AND APPROVE DESTRUCTION OF DOCUMENTS — D/C MOREL:** D/C Morel presented
53 the request for approval of the destruction of documents. The documents ready for destruction
54 are consistent with the guidelines of District policy on destruction. He noted that there are
55 certain confidential documents in this group. Instead of a registered shredding company, the
56 District will use volunteers to perform the shredding. D/C Morel is working with District
57 Counsel to ensure the appropriate confidentiality agreements are in place prior to the

58 shredding. On a motion by Harris to approve the destruction of documents as presented,
59 which was seconded by Director Munson, the motion passed unanimously.

60 12. **REVIEW AND APPROVE MID-YEAR BUDGET REVIEW AND ADJUSTMENTS — CHIEF METCALF:**

61 Chief Metcalf provided the Board with an overview of the Staff recommendations for a Mid-
62 Year Budget Review with adjustments. He provided a report on the funds noting that the Staff
63 has been unable to receive complete information from the multiple units of the County
64 regarding revenue amounts the District should expect. Therefore, it is difficult to calculate the
65 amount of impact to the District. He noted that the preliminary budget projected a 4%
66 decrease in anticipated revenue and the District planned for a 4% reduction in expenses
67 (approximately \$800,000). In September 2009, the Board adopted a Final Budget for the
68 2009-10 Fiscal Year based on property tax revenue projections provided by San Diego
69 County. Through January 2010, the District had received approximately \$5.8 million in
70 property tax revenue. Based on revenue history, it is anticipated the District will realize less
71 revenue than budgeted for the fiscal year, with the amounts estimated to be between an
72 additional \$500,000, which is in addition to the \$800,000 reduction already accommodated in
73 the budget. Based on the available information and evaluated in comparison with past
74 practice, the Staff recommended planning for a \$500,000 shortfall. Possible reasons for the
75 shortfall were discussed, including error by San Diego County in estimating property tax
76 revenue, taxpayer delay in tax payments, the County holding back property tax to account for
77 the State loan or for their own cash flow and decreases in assessed valuation. Staff is
78 recommending placing operating reserves into specific accounts, such as the Facility and
79 Vehicle Reserves, from the general reserves. This would allow the District to meet and catch-
80 up amounts due to the reserves for this year and free up some funds for the coming year also.
81 The funds would still be available for use; however, Staff would need to bring the matter to the
82 Board for consideration of removal from the specific accounts and give its approval of the
83 same. Staff noted that designation into specific accounts provides some protection if there are
84 future funds requested by the State, such as those required this Fiscal Year. Staff noted that
85 the budget next year will still be a challenge, as the District will be starting with less revenue
86 and increased expenses. Chief Metcalf noted the District staff has continued to do well

87 keeping the costs down. At the conclusion of the discussion, Director Hooper made a motion
88 to approve the recommendation as presented, which was seconded by Director Munson,
89 which passed unanimously.

90 **DISCUSSION AGENDA**

91 13. There were no Discussion Items for the January 26, 2010 Board meeting.

92 ● **STANDING DISCUSSION ITEMS:**

93 ● **LEGAL COUNSEL REPORT:** Counsel James presented his letter “Local Government
94 Agency’s Decision To Layoff Firefighters Is Not Subject To Bargaining Under Meyers-Milias-
95 Brown Act.” Brief discussion ensued regarding Management Rights. This is informational
96 only, no action required.

97 ● **WRITTEN COMMUNICATIONS:** Chief Metcalf noted a new employee has been
98 hired. Informational only, no further action required.

99 ● **BOARD RECOGNITION PROGRAM:** The information submitted was reviewed without
100 discussion. Informational only, no further action required.

101 ● **NEWS ARTICLES:** Chief Metcalf directed the Board’s attention articles noting the
102 Cost Recovery Program, which has been raised because of the institution of the same
103 program by San Miguel.

104 ● **COMMENTS:**

105 ● **STAFF REPORTS/UPDATES:**

106 ● **UPDATE ON STATION CONSTRUCTION:** Deputy Chief Torchia noted the District has not yet
107 heard back on the Health and Wellness Grant and also the Station Construction and the Safer
108 Grants are still pending. He noted that the 23 million in Construction Grants have been
109 released, with seven grants given in California. The next round of awards should be in
110 September. Until then, all construction is on hold. Informational only, no further action
111 required.

112 ● **BILL METCALF, FIRE CHIEF/CEO:** Chief Metcalf noted the economy appears to be slowly
113 recovering, but remains slower in San Diego County. On a solemn note, Chief Metcalf
114 reported the passing of Darryl and Patty Woods’ son, Colyn. The District and staff has been
115 supportive of the family during this difficult time. Informational only, no further action required.

116 ● **CHIEF OFFICERS:** D/C Morel noted the death of another District retiree, Lee Hurdy. The
117 District is working with the family to help them through the event and with funeral preparations.
118 Informational only, no further action required.

119 ● **BOARD:** Director Hooper had to leave at this point due to a family emergency. A quorum
120 remained present. Informational only, no further action required.

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

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

123

124 **CLOSED SESSION**

125 At 6:48 p.m., President Thuner inquired whether there was a motion to adjourn to Closed
126 Session. Director Munson moved to go to Closed Session after a short break, which was
127 seconded by Director Schaden, which motion was passed unanimously. At 6:55 p.m., the
128 Board entered Closed Session to hear:

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

130 **MANAGEMENT GROUP NEGOTIATIONS – CHIEF METCALF:**

131 MANAGEMENT GROUP NEGOTIATORS:

132 NCFPD MANAGEMENT GROUP

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DISTRICT NEGOTIATORS:

CHIEF METCALF

DISTRICT COUNSEL JAMES

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

135 **NON-SAFETY GROUP NEGOTIATIONS – CHIEF METCALF:**

136 NON-SAFETY GROUP NEGOTIATORS

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DISTRICT NEGOTIATORS:

CHIEF METCALF

DISTRICT COUNSEL JAMES

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

139 **SAFETY GROUP NEGOTIATIONS – CHIEF METCALF:**

140 SAFETY GROUP NEGOTIATORS

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DISTRICT NEGOTIATORS:

CHIEF METCALF

DISTRICT COUNSEL JAMES

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• **REOPENING OPEN SESSION:**

On a motion by Director Schaden, which was seconded by Director Munson and which passed unanimously, the Board returned open session at 7:20 p.m. The following items were reported out to the public:

1. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6

MANAGEMENT GROUP NEGOTIATIONS – CHIEF METCALF:

MANAGEMENT GROUP NEGOTIATORS:

DISTRICT NEGOTIATORS:

NCFPD MANAGEMENT GROUP

CHIEF METCALF

No reportable action.

DISTRICT COUNSEL JAMES

2. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6

NON-SAFETY GROUP NEGOTIATIONS – CHIEF METCALF:

NON-SAFETY GROUP NEGOTIATORS

DISTRICT NEGOTIATORS:

CHIEF METCALF

No reportable action.

DISTRICT COUNSEL JAMES

3. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6

SAFETY GROUP NEGOTIATIONS – CHIEF METCALF:

SAFETY GROUP NEGOTIATORS

DISTRICT NEGOTIATORS:

CHIEF METCALF

No reportable action.

DISTRICT COUNSEL JAMES

ADJOURNMENT

A motion was made at 7:25 p.m. by Director Schaden and seconded by Director Munson, to adjourn the meeting and reconvene at the next regular meeting date on, February 23, 2010, at 17:00. The motion carried unanimously.

Respectfully submitted,



Loren Stephen-Porter

Board Secretary

Minutes approved at the Board of Director’s Meeting on: February 23, 2010