

1 **June 23, 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 17:02.

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
10 Secretary Stephen-Porter. In the audience were: Deputy Chief Torchia, Division Chief
11 Goldberg, Battalion Chief Abbott, Administrative Captain Lucore and members of the
12 public and Association.

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14 **PUBLIC ACTIVITIES AGENDA**

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

18 2. **RECOGNITION OF RETIRING EMPLOYEES— CHIEF METCALF:** Two of the retiring
19 individuals were present at the June meeting. Chief Metcalf acknowledged all the
20 efforts the retiring employees Maintenance Supervisor Dan Abeyta (20 years), D/C Dan
21 Goldberg (32 years) and Engineer Richard Needham (36 years), together serving the
22 District for eighty-eight years. Each was presented with an engraved Bell, noting their
23 years of service. They were thanked for their efforts on behalf of the community and for
24 helping to make North County Fire Protection District the organization, it has become.

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26 **ACTION AGENDA**

27 **CONSENT ITEMS:**

28 3. **APPROVE REGULAR BOARD MEETING MINUTES, MAY, 2009**

29 4. **APPROVE FINANCIAL REPORT MAY 2009**

30 5. **APPROVE POLICIES AND PROCEDURES**

31 President Munson inquired whether there were any questions on Items 3-5. There
32 being none, he asked for a motion to approve the consent agenda. On a motion by
33 Director Thuner to approve Items 3-5, which was seconded by Director Schaden, the
34 motion passed unanimously.

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36 **ACTION ITEMS:**

37 6. **REVIEW AND APPROVE DONATION OF USED EXTRICATION SYSTEM – ADMINISTRATIVE**

38 **CAPTAIN LUCORE:** A/C Presented a request to donate used equipment to the Mexican
39 Red Cross. He informed the Board that there are a large number of accidents in the
40 area this would be used, without the equipment available to the service providers. He
41 noted that it would be going to a bonafide government agency. Chief Metcalf added
42 that the District might donate from one public agency to another. A/C Lucore noted it
43 would create a lot of good will between our agencies, with minimal cost to North County
44 Fire Protection District. On a motion from Director Hooper, seconded by Director
45 Schaden, the motion to donate the equipment as presented, passed unanimously. A/C
46 Lucore to handle the arrangements for the donation.

47 7. **APPROVAL OF RESOLUTION 2009-09 ESTABLISHING THE LIMIT OF APPROPRIATIONS**
48 **OF PROCEEDS OF TAX SUBJECT TO LIMITATION FOR FISCAL YEAR 2009/2010 IN**
49 **COMPLIANCE WITH ARTICLE XIII-B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA –**

50 **DEPUTY CHIEF TORCHIA:** Chief Metcalf informed the Board the adoption of this
51 Resolution is an annual housekeeping issue, required by State law. It limits the amount
52 of property tax growth the District may experience in a given year. He informed the
53 Board the District is not in danger of exceeding the maximum amounts. On a motion by
54 Director Harris, seconded by Director Schaden, the motion passed unanimously.

55 8. **REVIEW AND APPROVE RESOLUTION 2009-10 REQUESTING A TEMPORARY TRANSFER**
56 **OF FUNDS FROM THE COUNTY TREASURER TO NORTH COUNTY FIRE PROTECTION DISTRICT –**

57 **DEPUTY CHIEF TORCHIA:** Chief Metcalf informed the Board Resolution 2009-10 is

58 another annual resolution that authorizes the District to obtain a temporary advance
59 from the County on the tax revenue, up to 85% of the expected revenue. He noted the
60 District sometimes uses this while waiting for the December tax apportionment. On a
61 motion by Director Hooper, which was seconded by Director Schaden, the Board
62 unanimously approved the Resolution as presented.

63 9. **REVIEW, APPROVE AND AUTHORIZE THE FIRE CHIEF TO EXECUTE A MEMORANDUM OF**
64 **AGREEMENT WITH THE COUNTY OF SAN DIEGO TO PROVIDE FIRE PROTECTION SERVICES IN**
65 **PORTION OF CSA 135 — CHIEF METCALF:** Chief Metcalf introduced Mike Jones from
66 J. Powers in the audience to observe and answer any questions the Board may have
67 about the proposed agreement. Chief Metcalf informed the Board that J. Powers is
68 developing a peaker plant to cover during peak times of electric use. A map of the
69 proposed area to be covered was presented for review. Currently, the area is the
70 responsibility of CSA 135 to provide coverage, however, they do not have the ability to
71 provide fire coverage. Discussion ensued regarding the tax revenue and negotiations
72 with the County for annexation versus a separate contract. Although the District intends
73 to move forward with an annexation, this may take six to nine months to complete. J.
74 Powers needs to move forward on the construction and has entered into an agreement
75 with the County to provide fire protection for \$40,000 per year. The County has offered
76 the \$40,000 to NCFPD to provide the fire protection, which amount does not include
77 medical aid calls. Mr. Jones noted the check is currently being Fed-Exed to the County.
78 In-depth discussion ensued regarding response times, other projects in the area and
79 annexation. On a motion by Director Harris, which was seconded by Director Thuner,
80 the Board unanimously authorized Chief Metcalf to enter into a contract with the County
81 as presented.

82 10. **REVIEW AND APPROVE PRELIMINARY BUDGET FOR FY 2009/20010; SET PUBLIC**
83 **HEARING DATE TO APPROVE THE FINAL BUDGET DATE, TIME CERTAIN OF 5:15 P.M.,**
84 **SEPTEMBER 22, 2009 — CHIEF METCALF, DEPUTY CHIEF TORCHIA AND BOOKKEEPER**
85 **TIMMERS:** Chief Metcalf presented the Preliminary Budget to Board for review and
86 approval. He noted that the only changes from the figures presented at the May

87 meeting were a set aside of \$300,000 from this year to next to meet an expected Prop
88 1A contingency. Director Hooper inquired about the status of the Rainbow budget and
89 the process for NCFPD's involvement in their budget. Chief Metcalf as per our
90 agreement with Rainbow, monies realized from the Rainbow District must be utilized in
91 Rainbow. Director Hooper inquired whether support of Rainbow resulted in costs to
92 NCFPD. Deputy Chief Torchia noted yes in equipment such as MDCs and radios, but
93 the funds are reimbursed. Director Harris inquired about the open position of the MSO,
94 whether it was for the entire year. B/C Abbott noted that the position will be open for an
95 entire year. On a motion by Director Hooper, which was seconded by Director
96 Schaden, the Board unanimously approved the Preliminary Budget and the setting of
97 the Hearing for the Final Budget as presented.

98 **DISCUSSION AGENDA**

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100 11. There were no discussion items for the June 23, 2009 Board meeting.

101 **STANDING DISCUSSION ITEMS:**

- 102 • **LEGAL COUNSEL REPORT:** Counsel James presented his letter "California
103 Labor Code Provisions Regarding Overtime Compensation and Meal Breaks Do Not
104 Apply to Public Agency Employees." He noted that the rule does not apply to safety
105 individuals. Brief discussion ensued. This is informational only, no action required.
- 106 • **WRITTEN COMMUNICATIONS:** Chief Metcalf presented the written
107 communications with brief discussion. Informational only, no further action required.
- 108 • **BOARD RECOGNITION PROGRAM:** The information submitted was reviewed with
109 discussion about the information. Informational only, no further action required.
- 110 • **NEWS ARTICLES:** Chief Metcalf directed the Board's attention to the press
111 release and letter from the Governor regarding fire season. Informational only, no
112 further action required.
- 113 • **COMMENTS:**
- 114 • **STAFF REPORTS/UPDATES:**
- 115

116 • **UPDATE ON STATION CONSTRUCTION:** Deputy Chief Torchia presented the report
117 to the Board noting that Geocon, Inc., the geotechnical consultant had completed their
118 work on the properties. He expects to have results in three-four weeks. The stimulus
119 grant response is due on July 8th, with approximately 80% of the grant is presently
120 completed. He informed the Board the grant would be submitted on time, with funding
121 for two stations being requested. The total amount sought for the two stations is 5
122 million each. In response to the question, he noted that each station will be judged on
123 its own merit, so that one of the two could be approved. Discussion ensued regarding
124 the process for evaluating the grants, with it noted that it is the same requirements for
125 the AFG grants. Deputy Chief Torchia informed the Board that Caltrans has
126 approached the District about obtaining an easement on the property until 2013. The
127 easement would run the length of the property and would permit Caltrans to widen the
128 road. This will not interfere with the ability to use the property for station development.
129 Informational only, no further action required.

130 • **BILL METCALF, FIRE CHIEF/CEO:** Chief Metcalf noted the District has been
131 working on implementing the Cost Recovery Program. The training has been
132 completed and the District has begun submitting information. As of today, the District
133 has received \$3,000 for the past 10 days of submission. He informed the Board there
134 will probably be some tweaking of the program as it progresses. Chief Metcalf also
135 discussed the media attention the Program received, even though noticed public
136 meetings were held. He noted that most individuals when the Program is explained to
137 them, accept the Program. He opined the media had gone to extraordinary lengths to
138 publize the Program, which in this economic climate, stirred up people's concerns.
139 Chief Metcalf informed the Board with Engineer Needham leaving, the District will need
140 an additional Engineer. The interview will be held on June 24th. Chief Metcalf informed
141 the Board that the Leadership Team had determined to keep the Firefighter vacancies
142 open until the end of the year, filling vacancies with overtime. Thereafter, the District
143 will conduct a full recruitment. Postponement will allow the remainder of the yearly
144 retirements and promotions to occur and the District will hold a single test, allowing the

145 District to save on the expenses of hiring and orienting once, instead of multiple times.
146 Finally, Chief Metcalf the State budget is still not finalized, with the Governor still talking
147 about suspending Prop 1A. Informational only, no further action required.

148 • **CHIEF OFFICERS/SENIOR STAFF:** B/C Abbott noted that the Fallbrook Health Care
149 District has award a grant to purchase an additional five AEDs, which will be used in
150 Staff vehicles. He also noted there is a change in the way Paramedics may administer
151 fluids, not using adult intraosseous, which requires the use of a small drill. Although it is
152 the “gold” standard of care, it may draw some attention. Informational only, no further
153 action required.

154 • **OTHERS:** F/S Timmers noted that an RFP for new auditors, noting that the District
155 will most likely sign with a former auditor. The District has the option of asking for a
156 different lead auditor. Informational only, no further action required.

157 • **BOARD:** Directors Hooper and Harris thanked the retiring individuals for their
158 service to the District. Informational only, no further action required.

159 • **BARGAINING GROUPS:** No comments.

160 • **PUBLIC COMMENT:** No comments.

162 **CLOSED SESSION**

163 At 6:30 p.m., President Munson inquired whether there was a motion to adjourn to
164 closed session. Director Thuner moved to go to closed session after a short break,
165 which was seconded by Director Schaden, which motion was passed unanimously. At
166 6:37 p.m., the Board entered Closed Session to hear:

167 **1. EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957**

168 CHIEF METCALF

DISTRICT COUNSEL JAMES

169 **2. EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957**

170 ENGINEER STEVEN GRESORO

DEPUTY CHIEF TORCHIA

171 **REOPENING OPEN SESSION:**

172 On a motion by Director Schaden, which was seconded by Director Harris, which
173 passed unanimously, the Board returned open session at 7:10 p.m., the following items

174 were reported out to the public:

175 **1. EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957**

176 CHIEF METCALF

DISTRICT COUNSEL JAMES

177 No reportable action.

178 **2. EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957**

179 ENGINEER STEVEN GRESORO

DEPUTY CHIEF TORCHIA

180 On a motion by Director Harris, which was seconded by Director Schaden, the Board
181 unanimously approved Resolution 2009-11 as presented.

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183

ADJOURNMENT

184 A motion was made at 7:12 p.m. by Director Hooper and seconded by Director
185 Schaden, to adjourn the meeting and reconvene on, July 28, 2009, at 17:00. The
186 motion carried unanimously.

187 Respectfully submitted,

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189



190 Loren Stephen-Porter

191 Board Secretary

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193 Minutes approved at the Board of Director's Meeting on: July 28, 2009

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