

1 **April 25, 2023**

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

4 President Acosta called the meeting to order at 5:00 p.m.

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

6 **ROLL CALL:**

7 **Present:** Directors Acosta, Egkan, Munson, Pike and Shaw (Shaw present at 5:01 p.m.)

8 **Absent:** None.

9 **Staff Present:** Chief McReynolds, General Counsel Steinke, Special Counsel James, DFC Mahr,  
10 D/C MacMillan, Finance Manager Juul, FM Fieri, IT Specialist Swanger, B/C Krumwiede, MSO  
11 Murphy, Captain Jones, Public Outreach/Communications Specialist Vargas, HR Specialist Goss,  
12 FF/PM Lian, Captain Harrington, Board Clerk Canpinar, and members of the public and association.

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14 **CHANGES TO THE AGENDA:**

15 Chief McReynolds requested agenda Discussion items 17 and 18 immediately follow the Public  
16 Activities Agenda as a courtesy to guest speakers.

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18 **PUBLIC ACTIVITIES AGENDA**

19 1. **PUBLIC COMMENT:** President Acosta inquired if there were any public comments regarding  
20 items not on the agenda. Luisa Veltmann-Cano stepped to the podium and introduced herself to the  
21 Board as an advocate of the Dark Sky initiative. Ms. Veltmann-Cano provided an overview of the Dark  
22 Sky initiative, described various concerns of light pollution and asked the Board to consider placing  
23 this item on a future meeting agenda for further discussion. President Acosta thanked Ms. Veltmann-  
24 Cano for taking the time to address the Board.

25 President Acosta then inquired whether there were any additional public comments regarding  
26 items not on the agenda. There being no more public comment, the public comment section was  
27 closed.

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29 2. **RECOGNITION OF FALLBROOK UNION HIGH SCHOOL STAFF AND STUDENTS:** Chief McReynolds  
30 recognized Fallbrook Union High School staff and students with a Challenge Coin for creating the  
31 Wildfire Preparedness Symposium video.

32 3. **UNIT CITATION AND COURAGE AWARD:** Chief McReynolds presented unit citation awards to  
33 EMT Fiore and EMT Arango, and a courage award to EMT Arango for exemplary actions and  
34 dedication to duty and service during their perilous incident on December 24, 2022.

35 4. **FIRST QUARTER 2023 AWARDS - BOARD RECOGNITION PROGRAM:** Chief McReynolds  
36 presented the individuals who were recognized in the first quarter of 2023 for the Board Recognition  
37 Program. On a motion by Director Pike seconded by Vice President Egkan, the Board voted  
38 unanimously to recognize all first quarter employee recognition nominations.

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#### **DISCUSSION AGENDA**

41 17. **MOVED ITEM: PRESENTATION BY STRADLING, YOCCA, CARLSON & RAUTH ON DISCLOSURE**  
42 **RESPONSIBILITIES UNDER THE FEDERAL SECURITIES LAW:** Mr. Reed Glyer provided a slide show  
43 presentation and overview of disclosure responsibilities under the Federal Securities Law.

44 18. **MOVED ITEM: DIVERSITY, EQUITY AND INCLUSION UPDATE:** Captain Jones presented  
45 information about the assessment of the current Diversity, Equity and Inclusion (DEI) practices, and  
46 identified strengths and areas for improvement. Board discussion ensued. Director Pike expressed  
47 interest in being a part of the DEI working group moving forward with the approval of the Board;  
48 there were no objections.

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#### **ACTION AGENDA**

##### **CONSENT ITEMS:**

52 5. **REVIEW AND ACCEPT REGULAR BOARD MEETING MINUTES FOR MARCH 28, 2023.**

53 6. **REVIEW AND ACCEPT FINANCIAL REPORT FOR MARCH 2023.**

54 7. **REVIEW AND ACCEPT POLICIES & PROCEDURES:** None.

55 8. **REVIEW AND ACCEPT THE MONTHLY OPERATIONS ACTIVITY REPORT.**

56 9. **REVIEW AND ACCEPT FIRST QUARTER 2023 CUSTOMER SATISFACTION SURVEY.**

57 President Acosta inquired whether there were any questions on Consent Items 5-9. There  
58 being no discussion, President Acosta asked for a motion to approve the Consent Agenda. On a  
59 motion by Director Pike seconded by Vice President Egkan, the motion to approve the Consent  
60 Agenda passed unanimously.

61 **ACTION ITEMS:**

62 10. **REIMBURSEMENT RESOLUTION 2023-03 FOR CONSTRUCTION OF FIRE STATION 4:** Chief  
63 McReynolds explained how Resolution 2023-03 is required by the IRS, as it declares a public agency's  
64 official intent to reimburse the general fund for project expenses paid by the agency prior to the  
65 availability of the proceeds from the debt issue. Board discussion ensued. On a motion by Director  
66 Munson seconded by Director Shaw, the motion to approve Reimbursement Resolution 2023-03 which  
67 will provide cost reimbursements associated with the construction of a permanent Station 4 passed  
68 unanimously.

69 11. **EMERGENCY FIRE APPARATUS ENGINE REPAIR – RESOLUTION 2023-05:** DFC Mahr advised the  
70 Board this was a catastrophic engine failure. The Fleet Maintenance Supervisor indicated there were  
71 several options to repair the vehicle, with a full replacement being the best option. Board discussion  
72 ensued. On a motion by Vice President Egkan seconded by Director Pike, the motion to approve  
73 Resolution 2023-05 authorizing staff to proceed with an engine replacement in an amount not to  
74 exceed \$75k passed unanimously.

75 12. **SET PUBLIC HEARING DATE/TIME CERTAIN MAY 23, 2023 (5:05 P.M.) – ADOPTING A RESOLUTION**  
76 **ESTABLISHING A MULTI-YEAR FACILITIES AND EQUIPMENT PLAN FOR THE FIRE MITIGATION FEE PROGRAM:**  
77 Chief McReynolds reviewed the staff report and informed the Board the public hearing and subsequent  
78 Resolution is required to participate in the Fire Mitigation Fee Program. On a motion by Director Pike  
79 seconded by Director Munson, the motion to set a public hearing for May 23, 2023, at 5:05 p.m. and  
80 adopt a Resolution establishing a multi-year facilities and equipment plan for the fire mitigation fee  
81 program passed unanimously.

82 13. **BOARD OF DIRECTORS MEETING POLICY REVISION:** Chief McReynolds noted that our District  
83 Board Policy did not properly identify a procedure for Directors to bring agenda items to the Board for  
84 consideration. Director Pike requested two modifications: 1. Add section 3.3.4.: The agenda shall be  
85 set the by Board President in consultation with the Fire Chief; 2. Strike the last three words on section

86 4.4.11. and replace with, “proceed to a vote on the main motion.” Board discussion ensued. On a  
87 motion by Vice President Egkan seconded by Director Pike, the motion to approve the amended Board  
88 of Directors Meeting Policy with changes reviewed and approved by general counsel passed with the  
89 following vote: **Ayes:** Acosta, Egkan, Pike and Shaw; **Noes:** Munson.

90 14. **ORGANIZATIONAL STATEMENTS REVISION:** Chief McReynolds opened the floor for the Board to  
91 discuss the proposed changes to the Mission, Vision, and Values statements. Director Pike requested  
92 section 2.1. include the language, “up to two members.” FF/PM Lian and Captain Harrington stepped  
93 to the podium to talk about how the working group was formed, how it was a diverse group of  
94 employees comprised of 1<sup>st</sup> day employees to the most senior of staff and described the extent to  
95 which all ideas and opinions were respected and valued. Board discussion ensued. On a motion by  
96 Director Pike seconded by Director Shaw, the motion to approve the revised Organizational Statement  
97 Policy and Motto passed unanimously.

98 15. **STATION 3 DESIGN AND CONSTRUCTION AWARD CONTRACT:** Chief McReynolds provided a  
99 background and update on the Station 3 renovation. He advised the Board the station will have 2 bays,  
100 accommodate 4 employees, and will not include an ambulance. Director Egkan asked if the 5<sup>th</sup> Street  
101 and Rainbow entrance/exits will still be used, to which Chief McReynolds indicated they would. Chief  
102 McReynolds also informed the Board that Cal Fire has requested to use a portion of the northern side  
103 of the property to store a dozer. Board discussion ensued. On a motion by Director Munson seconded  
104 by Director Pike, the motion to allocate \$3.5M of funding toward the estimated cost of the Station 3  
105 renovation with an additional \$350k in owner allowance, authorizing Staff to execute a contract with  
106 TELACU Construction Management (TCM) for the first phase of design/build services in the amount of  
107 \$387,762.00, passed unanimously.

108 16. **INDUSTRIAL DISABILITY RETIREMENT RESOLUTION 2023-04 – DELEGATION OF AUTHORITY:**  
109 General Counsel Steinke described the procedure in which the District currently processes Industrial  
110 Disability Retirement Resolutions for submittal to the California Public Employees Retirement System  
111 (CalPERS). General Counsel Steinke advised the Board that current law grants the Fire Chief and/or  
112 their designee the authority to file disability retirement Resolutions without having to bring the item to  
113 the Board. Board discussion ensued. On a motion by Director Pike seconded by Vice President Egkan,

114 the motion to adopt Resolution 2023-04 granting the Fire Chief and/or the Deputy Fire Chief the ability  
115 to file Industrial Disability Retirement Resolutions passed unanimously.

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117 **STANDING DISCUSSION ITEMS:**

118 ● **LEGAL COUNSEL REPORT:** General Counsel Steinke's report, "Legislation Updates: AB 40,  
119 AB 296 and AB 55," was presented. It is informational only; no action required.

120 ● **WRITTEN COMMUNICATIONS:** Information only; no action required.

121 ● **BOARD RECOGNITION PROGRAM:** Information only; no action required.

122 ● **NEWS ARTICLES:** Information only; no action required.

123 ● **COMMENTS:** Information only; no action required.

124 ● **STAFF REPORTS/UPDATES:**

125 ● **KEITH McREYNOLDS, FIRE CHIEF/CEO:** Chief McReynolds informed the Board of the following  
126 items:

127 ○ The annual report is live on the website and will be completed in the first quarter of  
128 each calendar year.

129 ○ The joint solar battery back-up project with Rainbow MWD at the Sumac site is up and  
130 running. Should the power go out, the microwave will continue to operate  
131 uninterrupted.

132 ○ Vista is looking to staff two BLS ambulances. The service agreement with BLS 116  
133 will last through the end of the calendar year.

134 ○ The District is still in the application process of applying for a .GOV domain name  
135 (NCFIRECA.GOV).

136 ○ Aside from a significant vehicle incident on the freeway in the afternoon, the Avocado  
137 Festival was a success.

138 ○ DFC Mahr has submitted paperwork for his retirement in July.

139 ● **CHIEF OFFICERS AND OTHER STAFF: BOARD CLERK CANPINAR:** Board Clerk Canpinar advised  
140 the Board of the following items: 1. AB 1234 and Sexual Harassment mandatory coursework still  
141 needs to be completed by two Board members; 2. A Brown Act training will be scheduled and  
142 provided by General Counsel Steinke of BW&S in the next few months; 3. SDLA Conference

143 registration is open for those interested in attending. **F/M FIERI:** F/M Fieri reported engine companies  
144 participated in career day at William Frazier Elementary School and crews played dodgeball at the  
145 Boys and Girls Club. Avocado Festival activities included participation from Fire Safe Council, CERT,  
146 DART, the labor groups and Community CPR. Several homeless outreach referrals were given out.  
147 State mandated inspections are currently being finalized. June 1, 2023, is the deadline for defensible  
148 space inspections, with mailers being sent out next week. Three properties were red tagged, one of  
149 which was 1581 South Mission Road, and four structures at 1295 E. Mission Road were demolished.  
150 These properties may continue to see transient activity. **D/C MACMILLAN:** D/C MacMillan provided  
151 an update to the Station 2 renovation. **FM JUUL:** FM Juul notified the Board the finance department  
152 has fully implemented the new financial software and indicated the preliminary budget coming out in  
153 May will look slightly different.

154 ● **BOARD: DIRECTOR PIKE:** Director Pike thanked the Board and Staff for their support  
155 throughout the LAFCO Commission nomination. **VICE PRESIDENT EGKAN:** Vice President Egkan  
156 congratulated Director Pike on running against an incumbent in the LAFCO election, and provided  
157 an update to the LAFCO Special District Advisory Board's progress on the Fallbrook Public Utility  
158 District and Rainbow Municipal Water District's efforts to detach from the San Diego County Water  
159 Authority.

160 ● **BARGAINING GROUPS:** Captain Harrington expressed gratitude to the Board for their  
161 consistent dedication representing the District at local events.

162 ● **PUBLIC COMMENT:** There were no additional public comments.

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### **CLOSED SESSION**

165 At 7:22 p.m., President Acosta inquired whether there was a motion to adjourn to Closed Session.

166 There being no objection, President Acosta read the items to be discussed in Closed Session and

167 Open Session was closed. A short break ensued after the reading of the Closed Session items. At

168 7:35 p.m. the Board entered Closed Session to hear:

169 **CS-1. ANNOUNCEMENT – PRESIDENT ACOSTA:** An announcement regarding the items to be

170 discussed in Closed Session will be made prior to the commencement of Closed Session.

171 **CS-2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (GOVERNMENT CODE**  
172 **§54956.9(d)(2))**  
173 **CS-3. CONFERENCE WITH LABOR NEGOTIATOR (GOVERNMENT CODE §54957.6)**  
174 **CS-4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (GOVERNMENT CODE**  
175 **§54596.9(d)(1)) – AMERICAN MEDICAL RESPONSE WEST V. CALIFORNIA DEPARTMENT OF HEALTH CARE**  
176 **SERVICES, et al. (SACRAMENTO SUPERIOR COURT, CASE NO.: 34-2021-8003757)**  
177 **CS-5. REPORT FROM CLOSED SESSION – PRESIDENT ACOSTA:**

178 ● **REOPENING OPEN SESSION:**

179 On a motion by Director Pike seconded by Director Egkan, which passed unanimously, the Board  
180 returned to Open Session at 9:02 p.m. and the following items were reported out to the public:

181 **CS-2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (GOVERNMENT CODE**

182 **§54956.9(d)(2)):** There was no reportable action.

183 **CS-3. CONFERENCE WITH LABOR NEGOTIATOR (GOVERNMENT CODE §54957.6):** On a motion by

184 Director Munson seconded by President Acosta, the motion to approve two side letters removing  
185 the working cap for both Management and Safety Bargaining Groups on a 1-yr trial period passed  
186 unanimously.

187 **CS-4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (GOVERNMENT CODE**

188 **§54596.9(d)(1)) – AMERICAN MEDICAL RESPONSE WEST V. CALIFORNIA DEPARTMENT OF HEALTH CARE**

189 **SERVICES, et al. (SACRAMENTO SUPERIOR COURT, CASE NO.: 34-2021-8003757):** There was no  
190 reportable action.

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**ADJOURNMENT**

193 A motion was made at 9:03 p.m. by Director Pike seconded by Vice President Egkan to adjourn the  
194 meeting and reconvene on May 23, 2023, at 5:00 p.m., which motion carried unanimously.

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200 Respectfully submitted,

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Mavis Carpinar

203 Mavis Carpinar

204 Board Clerk

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206 Minutes approved at the Board of Director's Meeting on:

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**MAY 23 2023**

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