

1 **SEPTEMBER 22, 2020**

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

4 President Luevano called the meeting to order at 4:07 p.m.

5 **THE INVOCATION GIVEN BY Chaplain Helman.**

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

7 **ROLL CALL:**

8 **Present:** Directors Harris, Hoffman, Luevano, Munson and Van Doorn.

9 **Absent:** None.

10 **Staff Present:** Fire Chief/CEO Abbott, Attorney James and Board Secretary Stephen-
11 Porter. In the audience were: DFC Marovich, FM Juul, D/Cs Mahr and McReynolds, B/C
12 Macmillan, F/M Fieri, and members of the public and Association.

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14 **PUBLIC ACTIVITIES AGENDA**

15 1. **PUBLIC COMMENT:** President Luevano addressed the audience and inquired whether
16 there were any public comments regarding items not on the Agenda. He noted the Board
17 wished to recognize DFC Marovich for his thirty-three years of service to the District with a
18 framed Declaration from the Board. The Declaration was read to the audience. President
19 Luevano thanked DFC Marovich for his guidance in his Division and for the
20 accomplishments he achieved for the District. DFC Marovich thanked the Board for the
21 recognition and made brief comments regarding his time at North County Fire Protection
22 District. There being no further comments, the Public Comment Section was closed.

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24 **ACTION AGENDA**

25 **CONSENT ITEMS:**

- 26 2. **REVIEW AND ACCEPT REGULAR BOARD MEETING MINUTES FOR AUGUST 2020**
- 27 3. **REVIEW AND ACCEPT FINANCIAL REPORT FOR AUGUST 2020**
- 28 4. **REVIEW AND ACCEPT POLICIES & PROCEDURES**
- 29 5. **MONTHLY OPERATIONS ACTIVITY REPORT - AUGUST 2020**

30 President Luevano inquired whether there were any questions on Consent Items 2-5. There
31 being no discussion, President Luevano asked for a motion to approve the Consent Agenda.
32 On a motion by Vice President Van Doorn, seconded by Director Hoffman the motion to
33 approve the Consent Agenda as presented passed unanimously.

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35 **ACTION ITEMS:**

36 6. **PUBLIC HEARING DATE/TIME CERTAIN SEPTEMBER 22, 2020 (4:15 P.M.): REVIEW AND**
37 **APPROVE FINAL BUDGET FOR FY 2020/2021 AND ADOPTION OF RESOLUTION 2020-11 – FM JUUL,**

38 **DFC MAROVICH AND CHIEF ABBOTT:** President open the public hearing, reading the matter to
39 be approved. There were no comments so the public hearing portion was closed. FM Juul
40 presented the Final Budget to the Board noting the changes from the Preliminary Budget.
41 She noted there has been a 4.89% increase from last year's property tax, which resulted in
42 an increase of approximately \$757,341. FM Juul noted the remaining changes were directly
43 related to increase in ambulance revenue, interest income, Fallbrook Regional Health
44 District and anticipated mitigation fees. FM Juul reviewed the increases in expenses over
45 last year that includes increases in salaries for FF/PM, reclassification of the Finance
46 Manager and additional Single Role Medics. Implementation of the Pension Obligation Bond
47 increased the UAL by \$320,000.00, health care costs were up \$115,000.00 and two larger
48 claims for Worker's Compensation. She reviewed the increases in each Divisional area and
49 noted increase in the Facility/CIP of \$400,000.00 toward the purchase and installation of a
50 modular at Station 3. Funding to Reserves was discussed, including the payoff of the loan
51 on Station 5. The Board commended Finance and FM Juul on the clear, concise
52 presentation of a balanced Budget. Director Van Doorn inquired about the reduction in
53 reserves and the reason it occurred this year. After discussion, Chief Abbott noted that the
54 changes to Reserves meets the Finance policies. Discussion ensued regarding modify the
55 Budget to include a contingency to hire three positions for Station 3. These positions were
56 slated to be filed in January. Chief Abbott discussed the rationale for adding this request.
57 The Board requested Chief Abbott bring the matter to the next Board meeting, rather than
58 modifying the Budget. On a motion by Director Munson, seconded by Director Harris the

59 motion to approve the Final Budget and Resolution 2020-11 as presented, passed by the
60 following roll call vote: **Ayes:** Directors Harris, Hoffman, Luevano, Munson and Van Doorn.
61 **Noes:** None.

62 7. **SET PUBLIC HEARINGS DATE/TIME CERTAIN OCTOBER 27, 2020: FOR ADOPTION OF**
63 **UPDATED AMBULANCE FEE SCHEDULE RESOLUTION (4:15 P.M.), FOR ADOPTION OF**
64 **UPDATED COST RECOVERY RESOLUTION (4:25 P.M.) AND FOR ADOPTION OF UPDATED FIRE**
65 **PREVENTION FEES RESOLUTION/ORDINANCE (4:35 P.M.) — D/C MAHR, FM FIERI AND CHIEF**

66 **ABBOTT:** Chief Abbott present the request to set the hearings, noting this is a follow-up
67 from the August discussion to improve revenue capture. The hearings will start at 4:15
68 p.m. and will be ten minutes apart. The complete information will be presented at the
69 October meeting. On a motion by Director Hoffman, seconded by Vice President Van
70 Doorn, the motion to set the three hearings at the time and date requested passed
71 unanimously.

72 8. **REVIEW AND APPROVE RESOLUTION 2020-12 RE: TERMS AND CONDITIONS FOR**
73 **DEPARTMENT RESPONSE AWAY FROM OFFICIAL DUTY STATIONS & ASSIGNED TO AN EMERGENCY**
74 **EVENT — DFC MAROVICH AND CHIEF ABBOTT:** DFC Marovich presented the Resolution to the

75 Board noting that Resolution 2015-03 was initially adopted to allow the District receive
76 reimbursement portal-to-portal at our present rate of pay for each named employee. With
77 adoption of Resolution 2020-12, the District is adding the Fire Marshal and Medical Service
78 Officer to the list of response personnel who will be included the portal-to-portal
79 reimbursement. On a motion by Director Hoffman, seconded by Vice President Van Doorn,
80 the motion to approve Resolution 2020-12 as presented passed unanimously.

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82 **DISCUSSION AGENDA**

83 9. There were no Discussion Agenda Items for the September 22, 2020, Board Meeting.

84 **STANDING DISCUSSION ITEMS:**

85 ● **LEGAL COUNSEL REPORT:** Counsel James presented his report “Special Taxes
86 by Voter Initiative Not Restricted by Proposition 13 or Proposition 218.” Brief discussion
87 ensued with him noting the manner this decision may impact the District for future measures.

88 Director Harris inquired the status of the current CFD. Counsel James informed the Board
89 since it was not funded, it is essentially defunct. This is informational only, no action
90 required.

91 ● **WRITTEN COMMUNICATIONS:** Brief discussion ensued regarding the items,
92 Informational only, no action required.

93 ● **BOARD RECOGNITION PROGRAM**

94 ● **NEWS ARTICLES:** Brief discussion ensued regarding articles. This is informational
95 only, no action required.

96 ● **COMMENTS:**

97 ● **STAFF REPORTS/UPDATES:**

98 ● **STEPHEN ABBOTT, FIRE CHIEF/CEO:** Chief Abbott noted that the matter of addition to
99 the Budget came up after the publishing of the Board packet but did not qualify for an
100 emergency or urgent matter under the Government Code. He discussed the rationale for
101 the early onboarding of the new staff, noting they are either current or past employees. He
102 stated he could not make a job offer until funding was authorized. After a conversation with
103 Ed Sprague at LAFCO, who is the new Fire Services Coordinator, Chief Abbott noted that
104 North County Fire Protection District can expect the Municipal Service Review to begin in
105 January 2021. With the work being done for the facilities, Station 3 and revenue capture,
106 the District will be in a good position when the review starts. Chief Abbott noted we have
107 one individual out with COVID at this time and potentially one other person. Chief Abbott
108 updated the Board of the status of out of District Strike Teams and personnel. Informational
109 only, no further action required.

110 ● **CHIEF OFFICERS AND OTHER STAFF: DFC MAROVICH:** DFC Marovich thanked the Board
111 for the presentation, stating he was “just doing his job.” He thanked the Board for their
112 support during his tenure as DFC. He opined they pushed him to excel and for the finance
113 division to be the best it could. He commended the Board on their performance and
114 involvement. **D/C McREYNOLDS:** D/C McReynolds informed the Board the District had
115 training in Bonsall with FF/PM Sam Russell taking the lead. He commended the cadre on
116 their performance. He noted the Human Resources Division had recruited for FF/PM

117 position with a list of nine highly qualified candidates.

118 ● **BOARD: DIRECTOR HARRIS:** Director Harris stated she was excited and sad to be
119 ending her tenure after sixteen year. She noted the relationship she developed with DFC
120 Marovich and lauded his work on behalf of the district, staff and Board. **DIRECTOR HOFFMAN:**
121 Director Hoffman thanked DFC Marovich for his thirty-three years of work, stating DFC
122 Marovich should be proud of his accomplishments. He stated it was an honor to serve with
123 DFC Marovich. He thanked the remaining staff for helping to pick up the work when he
124 leaves. **PRESIDENT LUEVANO:** President Luevano echoed the words of the other Directors
125 stated the Union and staff have a lot to be thankful for all the work done by DFC Marovich
126 and his Division. **DIRECTOR VAN DOORN:** Director Van Doorn also echoed the words of the
127 previous Directors, thanking DFC Marovich for his work. He expressed a concern that the
128 recent efforts of the County to return to open business practices at this time. He expressed
129 concerns if the Board would go back to open meetings and encouraged everyone to do what
130 is right and wear a mask, stay at home and appreciate the fact you are on the front lines.

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

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

134 **CLOSED SESSION**

135 ● **OPENING CLOSED SESSION:**

136 At 5:10 p.m., President Luevano inquired whether there was a motion to adjourn to Closed
137 Session. There being no objection, President Luevano read the items to be discussed in
138 Closed Session and the Open Session was closed. A short break ensued after the reading
139 of the Closed Session Items. At 5:16 p.m., and the Board entered Closed Session to hear:
140 CS-1. **ANNOUNCEMENT — PRESIDENT LUEVANO:** An announcement regarding the items to be
141 discussed in Closed Session will be made prior to the commencement of Closed Session.
142 CS-2. **CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION — GOVERNMENT CODE**
143 **§54956.9 — CHIEF ABBOTT:** Initiation of litigation pursuant to paragraph (4) of subdivision (d)
144 of Government Code § 54956.9 – one case.

145 **CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE**

146 **§ 54956.8 — CHIEF ABBOTT:**

147 PROPERTY LOCATION: 4157 Olive Hill Road, Fallbrook, CA 92028;

148 PARTIES: North County Fire Protection District (Seller);

149 UNDER NEGOTIATION: Terms of Sale

150 DISTRICT NEGOTIATORS: Chief Abbott, District Counsel James

151 **CS-4. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT**

152 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**

153 NCFPD MANAGEMENT GROUP DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT

154 COUNSEL JAMES, SPECIAL COUNSEL ROGERS

155 **CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY**

156 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**

157 FFA NON-SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT

158 COUNSEL JAMES, SPECIAL COUNSEL ROGERS

159 **CS-6. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY**

160 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**

161 FFA SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT

162 COUNSEL JAMES, SPECIAL COUNSEL ROGERS

163 **CS-7. EVALUATION OF PERFORMANCE — Government Code § 54957:**

164 Fire Chief/CEO DISTRICT NEGOTIATOR: DISTRICT COUNSEL JAMES

165 **CS-8. REPORT FROM CLOSED SESSION — PRESIDENT LUEVANO**

166 ● **REOPENING OPEN SESSION:**

167 On a motion by Director Hoffman, which was seconded by Vice President Van Doorn, which
168 passed unanimously, the Board returned Open Session at 6:00 p.m. the following items were
169 reported out to the public:

170 **CS-2. CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION — GOVERNMENT CODE**

171 **§54956.9 — CHIEF ABBOTT:** No reportable action.

172 **CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE**

173 **§ 54956.8 — CHIEF ABBOTT:** No reportable action.

174 CS-4. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT

175 GROUP NEGOTIATIONS – CHIEF ABBOTT: No reportable action.

176 CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY

177 GROUP NEGOTIATIONS – CHIEF ABBOTT: No reportable action.

178 CS-6. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY

179 GROUP NEGOTIATIONS – CHIEF ABBOTT: No reportable action.

180 CS-7. EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957: No reportable action.

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182 **ADJOURNMENT**

183 A motion was made at 6:04 p.m. by Director Harris and seconded by Vice President Van
184 Doorn to adjourn the meeting and reconvene on October 27, 2020, at 4:00 p.m. The motion
185 carried unanimously.

186 Respectfully submitted,

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188 _____

189 Loren Stephen-Porter

190 Board Secretary

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192 Minutes approved at the Board of Director's Meeting on: October 27, 2020

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Official Seal