

1 **December 10, 2019**

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 4:00 p.m.

5 **THE INVOCATION GIVEN BY DFC MAROVICH.**

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:** DFC Marovich, Attorney James and Board Secretary Stephen-Porter. In  
11 the audience were: D/Cs Mahr and McReynolds, F/M Fieri and members of the public and  
12 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. There being no  
17 comments, the Public Comment Section was closed.

18 2. **CHALLENGE COIN AWARD – D/C McREYNOLDS AND DFC MAROVICH:** D/C McReynolds  
19 presented Mr. Bart Harris to the Board, noting the assistance he had provided to the  
20 firefighters while they were rescuing a hiker off of Monserate Mountain. Mr. Harris  
21 volunteered to stay with District equipment during the rescue, which lasted for 1.5 hours.  
22 Recognizing his contribution to the District, Mr. Harris was provided with an award and  
23 Challenge Coin. The Board thanked him for his assistance on this difficult rescue.

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25 **ACTION AGENDA**

26 **PRIORITY ACTION ITEMS:**

27 3. **BOARD ELECTIONS OF OFFICERS FOR 2020 – DFC MAROVICH AND COUNSEL JAMES:** DFC  
28 Marovich informed those present that this is the time of the year the Board is to select officers  
29 for the coming year. The new officers assume office at the end of the meeting. President

30 Luevano turned the meeting over to District Counsel for the election of the officers. District  
31 Counsel James called for nominations for President, with Director Munson nominating  
32 Director Luevano, which was seconded by Director Hoffman. Director Luevano accepted  
33 the nomination. There being no further nominations, Director Luevano was elected to  
34 President for the year 2020. District Counsel asked for nominations for the election for Vice  
35 President. Director Luevano nominated Director Van Doorn, which nomination was  
36 accepted. Thereafter, Director Munson nominated Director Harris, which nomination was  
37 declined. As there were no other nominations for Vice President, Director Van Doorn was  
38 elected to Vice President for the year 2020.

### 39 CONSENT ITEMS:

- 40 4. REVIEW AND ACCEPT REGULAR BOARD MEETING MINUTES FOR OCTOBER 2019
- 41 5. REVIEW AND ACCEPT FINANCIAL REPORT FOR OCTOBER 2019
- 42 6. REVIEW AND ACCEPT POLICIES & PROCEDURES

43 President Luevano inquired whether there were any questions on Consent Items 4-6. There  
44 was brief discussion on the new policy process. Thereafter, President Luevano asked for a  
45 motion to approve the Consent Agenda. On a motion by Director Harris, seconded by  
46 Director Hoffman the motion to approve the Consent Agenda as presented passed  
47 unanimously.

### 48 ACTION ITEMS:

- 49 7. CONSIDER REPRESENTATIVE(S) TO NCDJPA BOARD OF DIRECTORS – DFC MAROVICH:

50 DFC Marovich presented the option to change NCDJPA representatives from the District,  
51 noting that Director Munson is the primary representative and Director Harris is the  
52 secondary. Director Munson was just elected as Vice President to NCDJPA Board.

53 On a motion by Director Harris, seconded by Vice President Van Doorn, the motion to leave  
54 Director Munson and Director Harris as the District representatives to NCDJPA, which  
55 passed unanimously.

- 56 8. SALE OF SURPLUS VEHICLES – D/C MAHR AND DFC MAROVICH: D/C Mahr presented a  
57 request to declare one 1997 HME Type 1, one 1990 General-Spartan Type 1 and one 2009  
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59 Pierce Mini-Pumper/Squad as being surplus, as they no longer serve the needs of the  
60 District. As they are worth more than the \$1000.00, they would go to auction for disposal.  
61 On a motion by Director Hoffman, seconded by Director Harris, the motion to declare the  
62 presented vehicles as surplus and dispose of them via approved methods passed  
63 unanimously.

64 9. **CONSIDER AND SELECT NOMINEES FOR SAN DIEGO LAFCO 2019 SPECIAL DISTRICTS**  
65 **ADVISORY COMMITTEE MEMBERS — DFC MAROVICH:** DFC Marovich presented the LAFCO  
66 Special District Advisory Committee ballot to the Board for selection of eight nominees. On  
67 a motion by Director Harris, seconded by Vice President Van Doorn, the Board agreed to  
68 vote for Mr. Sims, Mr. Bebee, Mr. Gordon, Mr. Thomas, Mr. Lau, Mr. Kennedy, Ms. Thorner  
69 and write-in Fred Cox with the motion passing unanimously. Direction was given to the  
70 Board Secretary submit the ballot on behalf of the Board.

71 10. **SET SPECIAL BOARD MEETING TO CERTIFY PROPOSITION “A” ELECTION RESULTS AND**  
72 **ADOPT ORDINANCE 2019-02 AUTHORIZING THE LEVY OF TAXES FOR CFD 2019-01 - DFC**  
73 **MAROVICH AND B/S STEPHEN-PORTER:** Board Secretary Stephen-Porter requested the Board  
74 set a Special Board meeting on December 12, 2019 to certify the results of the Proposition  
75 A election. She noted that DTA had promised to have the results within sufficient time to  
76 allow the District to meet the statutory deadlines for the meeting so it would not be postponed  
77 again. On a motion by Director Harris, seconded by Director Hoffman, the motion to set a  
78 Special meeting to certify the results of Proposition A election passed unanimously.

## 80 **DISCUSSION AGENDA**

81 11. There were no Discussion Agenda Items for the December 10, 2019, Board Meeting.

### 82 **STANDING DISCUSSION ITEMS:**

83 ● **LEGAL COUNSEL REPORT:** Counsel James presented his report “Public Agency  
84 Access to Data Does Not Make the Data Disclosable Under PRA.” Brief discussion ensued  
85 regarding the complicated nature of PRA requests. This is informational only, no action  
86 required.

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

90 ● **BOARD RECOGNITION PROGRAM**

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

93 ● **COMMENTS:**

94 ● **STAFF REPORTS/UPDATES: DFC MAROVICH:** DFC Marovich informed the Board that  
95 Finance had just completed a major audit, with findings expected in late January. The  
96 Division is also involved another GEMT audit and appeal. He feels confident their processes  
97 are financially sound.

98 ● **CHIEF OFFICERS AND OTHER STAFF: D/C MAHR:** D/C Mahr notified the Board the new  
99 Customer Service/Social Media Specialist has come on Board. He discussed her  
100 qualifications and contributions. D/C Mahr updated the Board of the recent accident  
101 involving the ambulance, noting the ambulance did well and thanks to the high-quality  
102 training, the staff received light injuries and are back to work. **B/C WILSON:** B/C Wilson  
103 informed the Board he was retiring and this would be his last meeting. The Board wished  
104 him well.

105 ● **BOARD: DIRECTOR HARRIS:** Director Harris thanked B/C Wilson for his service and  
106 said she was sorry to see him go. **DIRECTOR HOFFMAN:** Director Hoffman thanked everyone  
107 for their hard work on Proposition A, regardless of the outcome. **DIRECTOR MUNSON:** Director  
108 Munson brought forward a concern that was given to him and requested the Division  
109 handling that matter meet with him.

110 ● **BARGAINING GROUPS: A/P LEWIS:** A/P Lewis updated the Board on the home project  
111 for Stormy and other activities in his name.

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

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## CLOSED SESSION

### ● OPENING CLOSED SESSION:

At 4:40 p.m., President Luevano inquired whether there was a motion to adjourn to Closed Session. On a motion to adjourn to Closed Session by Director Hoffman, seconded by Director Harris, President Luevano read the items to be discussed in Closed Session and the Open Session was closed. At 4:45 p.m., and the Board entered Closed Session to hear:

#### CS-1. ANNOUNCEMENT — PRESIDENT LUEVANO:

*An announcement regarding the items to be discussed in Closed Session will be made prior to the commencement of Closed Session.*

#### CS-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE

##### § 54956.8 — DFC MAROVICH:

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

PARTIES: North County Fire Protection District (Seller)

UNDER NEGOTIATION: Terms of Purchase;

DISTRICT NEGOTIATORS: DFC Marovich, District Counsel James

#### CS-3. EVALUATION OF PERFORMANCE – Government Code § 54957 – DFC

##### MAROVICH:

*Engineer/PM Erin S. McInerney* DISTRICT NEGOTIATORS: CHIEF ABBOTT, CHIEF MAROVICH

#### CS-4. EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957 – DFC MAROVICH AND

##### COUNSEL JAMES:

*Fire Chief/CEO* DISTRICT NEGOTIATORS: DISTRICT COUNSEL JAMES

#### CS-5. REPORT FROM CLOSED SESSION — PRESIDENT LUEVANO:

### ● REOPENING OPEN SESSION:

On a motion by Director Hoffman, which was seconded by Vice President Van Doorn and which passed unanimously, the Board returned Open Session at 5:05 p.m., the following items were reported out to the public:

#### CS-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8

##### — DFC MAROVICH:

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

146 PARTIES: North County Fire Protection District (Seller)

147 UNDER NEGOTIATION: Terms of Purchase;

148 DISTRICT NEGOTIATORS: DFC Marovich, District Counsel James

149 No reportable action.

150 CS-3. **EVALUATION OF PERFORMANCE – Government Code § 54957 – DFC**

151 **MAROVICH:**

152 *Engineer/PM Erin S. McInerney* DISTRICT NEGOTIATORS: CHIEF ABBOTT, CHIEF MAROVICH

153 Resolution 2019-19 approved as presented approving Disability Retirement with the  
154 following vote: **Ayes:** Directors: Harris, Hoffman, Luevano, Munson and Van Doorn; **Noes:**

155 None.

156 CS-4. **EVALUATION OF PERFORMANCE – GOVERNMENT CODE § 54957 – DFC MAROVICH AND**

157 **COUNSEL JAMES:**

158 *Fire Chief/CEO* DISTRICT NEGOTIATORS: DISTRICT COUNSEL JAMES

159 No reportable action.

160 12. **REVIEW AND APPROVE EMPLOYMENT CONTRACT AND EXECUTIVE COMPENSATION FOR**

161 **CHIEF ABBOTT — DISTRICT COUNSEL JAMES AND DFC MAROVICH:** DFC Marovich and District

162 Counsel James presented the request for review and approval of Chief Abbott's employment  
163 contract and Executive Compensation. Counsel James noted Chief Abbott had conveyed  
164 several small changes to him, but they were not recalled. If Chief Abbott wishes to pursue  
165 the changes further, he may bring them back to the Board. Otherwise, his contract would  
166 renew via Section 2.0. on his anniversary date of January 1<sup>st</sup>. With regards to compensation,  
167 the Board reviewed comparable compensation. On a motion by Vice President Van Doorn,  
168 seconded by Director Munson, the motion to set Chief Abbott's Executive Compensation at  
169 \$194,000.00/year with retroactive pay to November 1, 2019, which passed by the following  
170 vote: **Ayes:** Directors: Hoffman, Luevano, Munson and Van Doorn; **Noes:** Director Harris.

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## ADJOURNMENT

A motion was made at 5:15 p.m. by Director Harris and seconded by Director Hoffman to adjourn the meeting and reconvene on January 28, 2020, at 4:00 p.m. The motion carried unanimously.

Respectfully submitted,



Loren Stephen-Porter

Board Secretary

Minutes approved at the Board of Director's Meeting on: January 28, 2020

Official Seal