

NORTH COUNTY FIRE PROTECTION DISTRICT

www.ncfireprotectiondistrict.org

330 S. Main Avenue

Fallbrook, California 92028-2938

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BOARD OF DIRECTORS

RUTH HARRIS
BOB HOFFMAN
FRED LUEVANO
KENNETH E. MUNSON
JOHN VAN DOORN

STEPHEN J. ABBOTT- Fire Chief/CEO - sabbott@ncfire.org
ROBERT H. JAMES - District Counsel Robert James - roberthjameslaw@gmail.com
LOREN A. STEPHEN-PORTER - Executive Assistant/Board Secretary - lstephen@ncfire.org

TO: BOARD OF DIRECTORS

FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO

SUBJECT: BOARD MEETING PACKAGE

DATE: December 12, 2019

Enclosed is your Board package for the ***Special December Board Meeting***. We have tried to include the information you will need to effectively consider and act on agenda items. The Board meeting will be held at **FALLBROOK PUBLIC UTILITY DISTRICT, 990 EAST MISSION ROAD, FALLBROOK, CALIFORNIA.**

Please note this month's meeting is scheduled for ***Thursday, December 12, 2019***, beginning at 5:00 p.m.

It is our goal to be prepared to respond accurately to Board questions and concerns. You can help us achieve this goal by contacting me ***prior to*** the Board meeting with your questions and concerns. This will allow time for the Staff and me to provide the appropriate information for review at the Board meeting.

To ensure a quorum is present, please call Loren in advance of the meeting if you will be unable to attend. She may be reached at (760) 723-2012.

Respectfully,



Stephen Abbott
Fire Chief/CEO



PROUDLY SERVING THE COMMUNITIES OF FALLBROOK, BONSALE AND RAINBOW



NORTH COUNTY FIRE PROTECTION DISTRICT

AGENDA FOR SPECIAL BOARD MEETING

DECEMBER 12, 2019 - 4:00 P.M.

**FALLBROOK PUBLIC UTILITY DISTRICT
990 EAST MISSION ROAD
FALLBROOK CALIFORNIA**

LOCATION:

PUBLIC ACTIVITIES AGENDA

*For those joining us for the Public Activities Agenda, we invite you to stay for the remainder of the business meeting.
Please feel free to depart at the close of the Public Activities Agenda.*

- CALL TO ORDER**
- ROLL CALL**
- INVOCATION**
- PLEDGE OF ALLEGIANCE**

1. **PUBLIC COMMENT — PRESIDENT LUEVANO:** (pgs.1-2)
 ➤ **STANDING ITEM:** *Members of the Public may directly address the Board of Directors on items of interest to the Public provided no action will be taken on non-agenda items. The Board President may limit comments to three minutes per speaker (Board of Directors Operations – Elections, Officers and Terms SOG § 3.2.6.3.)*

ACTION/DISCUSSION AGENDA

All items listed under the Action Items Agenda will be presented and discussed prior to the Board taking action on any matter. Members of the public may comment on items at the time they are presented. Time Certain Items will commence precisely at the time announced in the Agenda.

2. **ADOPTION OF RESOLUTION 2019-20 - DECLARING THE RESULTS OF THE SPECIAL ELECTION FOR NORTH COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT No. 2019-02 (FIRE STATION CONSTRUCTION AND CAPITAL REPLACEMENT), ON THE PROPOSITIONS WITH RESPECT TO (I) THE ANNUAL LEVY OF SPECIAL TAXES TO PAY THE COSTS OF CERTAIN PUBLIC FACILITIES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT AND (II) THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT — DFC MAROVICH AND B/S STEPHEN-PORTER** (pgs. 3-6)
 ➤ **NEW ITEM:** *ANNOUNCEMENT OF RESULTS OF PROPOSITION A ELECTION AND ADOPTION OF RESOLUTION 2019-20.*

STANDING DISCUSSION EVENTS: *All Events listed under the Standing Discussion Events are presented every meeting.*

- **COMMENTS/QUESTIONS:** (pgs. 7-8)
- **STAFF:**
 - DFC Marovich
 - Other Staff
- **BOARD**
- **BARGAINING GROUPS**
- **PUBLIC COMMENT**

ADJOURNMENT

SCHEDULED MEETINGS

The next regularly scheduled Board meeting is: **Tuesday, January 28, 2020, 4:00 p.m. at FPUD.**

CERTIFICATION OF AGENDA POSTING

I certify that this Agenda was posted in accordance with the provisions of the Government Code § 54950 et. seq. The posting locations were: [1] the entrance of North County Fire Protection District Administrative Offices, [2] Fallbrook Public Utility District Administrative Offices and [3] the Roy Noon Meeting Hall. The Agenda was also available for review at the Office of the Board Secretary, located at located at 330 S. Main Avenue, Fallbrook (760) 723-2012. Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet, are available for public inspection in the Office of the Board Secretary, located at 330 S. Main Avenue, Fallbrook (760) 723-2012, during normal business hours or may be found on the District website at <https://www.ncfire.org>, subject to the Staff's ability to post the documents before the meeting. The date of posting was **December 11, 2019.**"

Board Secretary Loren Stephen-Porter

Date: December 11, 2019

Note: The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, District business. If you need assistance to participate in this meeting, please contact the District Office 72 hours prior to the meeting at (760) 723-2012.



**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: DECEMBER 12, 2019
SUBJECT: PUBLIC COMMENT

PUBLIC COMMENT:

1. *Members of the Public may directly address the Board of Directors on items of interest to the Public provided no action will be taken on non-agenda items. The Board President may limit comments to three minutes per speaker (Board of Directors Operations – Elections, Officers and Terms SOG § 3.2.6.3.).*

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**NORTH COUNTY FIRE
PROTECTION DISTRICT**

ADMINISTRATION

TO: BOARD OF DIRECTORS
FROM: B/S STEPHEN-PORTER AND DFC MAROVICH
DATE: DECEMBER 12, 2019
SUBJECT: ELECTION RESULTS

RECOMMENDATION:

To certify the election results and adopt Resolution 2019-20 based on the final tally of the ballots.

BACKGROUND:

On July 25, 2019, the Board of Directors (the "Board") of the North County Fire Protection District (the "District") adopted Resolution No. 2019-14 calling a special election on the propositions with respect to the annual levy of special taxes on taxable property within North County Fire Protection District Community Facilities District No. 2019-02 (Fire Station Construction and Capital Replacement) (the "Community Facilities District") to pay the costs of certain facilities to be provided by the Community Facilities District and the establishment of an appropriations limit for the Community Facilities District.

DISCUSSION:

As reported to me by DTA, 3,483 out of 6,055 votes voted in the special election on Proposition A regarding the annual levy of special taxes on taxable property within the Community Facilities District to pay the costs of facilities to be provided to the Community Facilities District and the establishment of an appropriations limit in the amount of \$20,000,000 for the Community Facilities District were voted in favor, therefore, the proposition failed.

FISCAL ANALYSIS:

None.

SUMMARY:

It is recommended that the Board adopt Resolution 2019-20, certifying the election results of Proposition A, which failed to pass with the required majority.

NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2019-20



RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DECLARING THE RESULTS OF THE SPECIAL ELECTION FOR NORTH COUNTY FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT No. 2019-02 (FIRE STATION CONSTRUCTION AND CAPITAL REPLACEMENT), ON THE PROPOSITIONS WITH RESPECT TO (I) THE ANNUAL LEVY OF SPECIAL TAXES TO PAY THE COSTS OF CERTAIN PUBLIC FACILITIES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT AND (II) THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

WHEREAS, on July 25, 2019, the Board of Directors (the “Board”) of the North County Fire Protection District (the “District”) adopted Resolution No. 2019-14 calling a special election on the propositions with respect to the annual levy of special taxes on taxable property within North County Fire Protection District Community Facilities District No. 2019-02 (Fire Station Construction and Capital Replacement) (the “Community Facilities District”) to pay the costs of certain facilities to be provided by the Community Facilities District and the establishment of an appropriations limit for the Community Facilities District; and

WHEREAS, the Board has received a statement from the Secretary of the District, who pursuant to Resolution No. 2019-14, the resolution calling the election, was authorized to conduct the special election and act as the election official therefor, with respect to the canvass of the ballots returned in and the results of the special election, certifying that less than two-thirds of the votes cast upon the propositions submitted to the voters in the special election were cast in favor of approving all such propositions;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT AS FOLLOWS:

Section 1. Findings. The Board finds that: (i) there were at least 12 persons registered to vote within the boundaries of the Community Facilities District at the time of the close of the protest hearing on July 25, 2019, and pursuant to Section 53326 of the California Government Code (“Section 53326”) the votes in the special election were, therefore, to be by the registered voters within the Community Facilities District; (ii) pursuant to Section 53326 and Resolution No. 2019-14, the resolution calling the election, the Secretary or her designee distributed the ballot for the special election to the registered voters via first class mail, in accordance with applicable law, with return postage prepaid; (iii) the special election has been properly conducted in accordance with all statutory requirements and the provisions of Resolution No. 2019-14; (iv) less than two-thirds of the votes cast in the special election on each such proposition were cast in favor thereof, and pursuant to Sections 53328 of the California Government Code, all such propositions failed.

Section 2. Declaration of Results. 3,483 out of 6,055 votes voted in the special election on the propositions with respect to the annual levy of special taxes on taxable property within the Community Facilities District to pay the costs of facilities to be provided to the Community Facilities District, and the establishment of an appropriations limit in the amount of \$20,000,000 for the Community Facilities District were voted in favor thereof, and all such propositions failed.

Section 3. Effect of Elections. The Board shall take no further action with respect to authorizing the special taxes within the Community Facilities District for one year from the date of the election.

APPROVED, SIGNED AND ADOPTED at the Special Meeting of the Board of Directors of the North County Fire Protection District held on **12th day of December 2019**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

Fred Luevano, Board President

I HEREBY CERTIFY that foregoing is a true and correct copy of the Resolution duly and regularly adopted by the Board of Directors of the North County Fire Protection District at the meeting thereof held on the **12th day of December 2019**, and that the same now appears on record in my office.

IN WITNESS THEREOF, I hereunto set my hand and affixed by official seal this **12th day of December 2019**.



Loren A. Stephen-Porter, Board Secretary

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: DECEMBER 12, 2019
SUBJECT: COMMENTS, REPORTS AND UPDATES

● **STAFF COMMENTS/REPORTS/UPDATES:**

● **STEVEN MAROVICH, DEPUTY FIRE CHIEF:**

● **CHIEF OFFICERS & STAFF:**

● **BOARD:**

● **BARGAINING GROUPS:**

● **PUBLIC COMMENT:**

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