

1 **December 8, 2020**

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

4 Vice President van Doorn called the meeting to order at 4:06 p.m.

5 **THE INVOCATION GIVEN BY CHIEF ABBOTT.**

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

7 **ROLL CALL:**

8 **Present:** Directors Acosta, Egkan, Kennedy, 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 D/Cs Mahr and McReynolds, B/Cs Krumwiede and Mann, F/M
12 Fieri, FiM Juul and members of the public and Association.

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14 **PUBLIC ACTIVITIES AGENDA**

15 1. **PUBLIC COMMENT:** Vice President Van Doorn addressed the audience and inquired
16 whether there were any public comments regarding items not on the Agenda. Leticia
17 Stamos and Tom Frew both congratulated the new Board members on their membership on
18 the Board, noting Director Kennedy's win by the largest percentage in the County. There
19 being no other comments, the Public Comment Section was closed.

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21 **PRIORITY ACTION AGENDA**

22 2. **OFFICIAL SWEARING-IN AND SEATING OF NEW BOARD MEMBERS – CHIEF ABBOTT AND**
23 **DISTRICT COUNSEL JAMES:** Chief Abbott noted the District had received confirmation that
24 Directors Acosta, Egkan and Kennedy have been certified as elected. Chief Abbott swore
25 the Directors into office. All Directors were congratulated by Staff and seated Directors in
26 attendance.

27 3. **BOARD ELECTIONS OF OFFICERS FOR 2021 – CHIEF ABBOTT AND COUNSEL JAMES:** Chief
28 Abbott 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 are to assume office at the end of the meeting. Vice

30 President van Doorn turned the meeting over to District Counsel for the election of the
31 officers. District Counsel James called for nominations for President, with Director Munson
32 nominating Director van Doorn, which was seconded by Director Egkan. Director van Doorn
33 accepted the nomination. Director Kennedy nominated Director Egkan, which was declined,
34 with a subsequent nomination by Director Egkan of Director Kennedy. Director Kennedy
35 accepted. Director van Doorn was elected to President for the year 2021 on the following
36 vote: **Ayes:** Directors Acosta, Egkan, Munson and van Doorn; **Abstain:** Kennedy. District
37 Counsel asked for nominations for the election for Vice President. Director van Doorn
38 nominated Director Munson, which nomination was accepted. Thereafter, Director Egkan
39 nominated Director Kennedy, which nomination was accepted. Director Kennedy was
40 elected to Vice President for the year 2021 on the following vote: **Ayes:** Directors: Acosta,
41 Egkan, Kennedy; **Noes:** van Doorn and Munson. At the conclusion of the voting, the
42 meeting was returned to President van Doorn.

44 ACTION AGENDA

45 CONSENT ITEMS:

- 46 4. REVIEW AND ACCEPT REGULAR BOARD MEETING MINUTES FOR OCTOBER 2020
- 47 5. REVIEW AND ACCEPT REGULAR BOARD MEETING MINUTES FOR DECEMBER 1, 2020
- 48 6. REVIEW AND ACCEPT FINANCIAL REPORT FOR OCTOBER 2020
- 49 7. REVIEW AND ACCEPT POLICIES & PROCEDURES

50 Vice President van Doorn inquired whether there were any questions on Consent Items 2-
51 6. There was no discussion on Items 4 and 5. On a motion by Director Egkan, seconded
52 by Director Munson the motion to approve the Consent Agenda Items 4 and 5 as presented
53 passed unanimously. Item 6 was discussed regarding the reimbursement for Strike Teams
54 and the outstanding amounts. On a motion by Director Munson, seconded by Director
55 Acosta the motion to approve the Consent Agenda Item 6 as presented passed unanimously.
56 On Item 7, discussion ensued regarding language in section 222.02 and 222.03 and
57 concerns these sections might violate free speech and also affect how social media may be
58 used on the Association computer on site. D/C McReynolds offered amendments to sections

59 5.2.8.1, 5.2.8.4 and 5.3.3.1.1, which he believed would address the Board's concerns. With
60 those amendments, on a motion by Director Kennedy, seconded by Director Egkan, Item 7
61 was approved unanimously.

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63 **ACTION ITEMS:**

64 8. **REVIEW AND DECLARE VEHICLES SURPLUS, AUTHORIZE FOR SALE – CHIEF MAHR AND CHIEF**

65 **ABBOTT:** D/C Mahr informed the Board that the District had inherited equipment from the
66 Rainbow Subzone that upon review, has been deemed excess inventory. In accordance with
67 NCF Policy Section 217.04 and with the anticipated vehicles' value being greater than
68 \$1000.00, Staff is requesting the Board declare these vehicles as surplus to the District's
69 needs and release them for sale. D/C Mahr explained the District's process for disposing of
70 surplus vehicles and equipment. On a motion by Director Egkan, seconded by Director
71 Kennedy, the motion to declare the vehicles surplus and to authorize disposal of them
72 passed unanimously.

73 9. **CONSIDER AND SELECT REPRESENTATIVE(S) FOR THE NORTH COUNTY DISPATCH BOARD OF**

74 **DIRECTORS – CHIEF ABBOTT:** Chief Abbott informed the Board that as a member agency of
75 NCDJPA, the District has one voting seat on this eight-member Board. North County Fire
76 Protection District Board selects one primary and one alternate to serve in these capacities.
77 Director Munson has served as the primary for a number of years and was recently elected
78 to be the President of the NCDJPA Board. With Director Harris' leaving office, at least the
79 alternative representative should be selected. After discussion, Director Kennedy
80 expressed an interest in serving in the alternate seat. On a motion by Director Egkan, which
81 was seconded by Director Munson the motion to passed unanimously.

82 10. **CONSIDER AND SELECT REPRESENTATIVE(S) TO FIRE MITIGATION FEE COMMITTEE– CHIEF**

83 **ABBOTT:** Chief Abbott informed the Board that Director Munson had been serving as the
84 representative to the Fire Mitigation Fee Committee for a period of years and continued to
85 be interested in serving in this role. After brief discussion, it was the consensus of the Board
86 for Director Munson to continue in this role, after a unanimous vote.

87 11. **REVIEW AND APPROVE SUBSTITUTION OF COLLATERAL PROPERTIES ON LOAN – CHIEF**

88 **ABBOTT:** Chief Abbott informed the Board the Staff has been working to remove an
89 encumbrance from Station 3 so that the property may sell cleanly. He noted there was a
90 security for a loan on Station 5 with Stations 2 and 3 serving as collateral. Since one of the
91 loans on Station 5 has been paid off, the collateral may now be shifted to Station 5. On a
92 motion by Director Munson, seconded by Director Kennedy, the motion to approve the
93 collateral substitution and authorize Staff to execute the necessary documents and to
94 approve Resolution 2020-16, passed unanimously.

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96 **DISCUSSION AGENDA**

97 12. There were no Discussion Agenda Items for the December 8, 2020, Board Meeting.

98 **STANDING DISCUSSION ITEMS:**

99 **LEGAL COUNSEL REPORT:** Counsel James presented his report “Public Officials’ New
100 Social Media Open Meeting Law (Part 1).” Brief discussion ensued regarding public officials’
101 communications, how the new law is affecting their ability to communicate, even involving
102 social media. This is informational only, no action required.

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

105 ● **BOARD RECOGNITION PROGRAM:** None.

106 ● **NEWS ARTICLES:** This is informational only, no action required.

107 ● **COMMENTS:**

108 ● **STAFF REPORTS/UPDATES:**

109 ● **STEPHEN ABBOTT, FIRE CHIEF/CEO:** Chief Abbott informed the Board of the impact
110 of new laws including AB 1705, which will effectively terminate the GEMT Program as it is
111 now constituted. The District submitted a grant request through OES for an emergency
112 generator, as well as submitting a request to the San Diego Fire Foundation supporting for
113 purchase of radios. The District has been informed it will not receive a Type 3 engine from
114 OES. The LAFCO Municipal Service Review should be beginning in January, with the aim
115 of achieving maximum efficiency. The District was unsuccessful on obtaining a SAFER grant

116 for additional firefighter staffing. Chief Abbott noted that the District is overdue for an MSR.
117 Informational only, no further action required. President van Doorn was appointed to the
118 LAFCO Special District Advisory Committee and will begin his tenure in January. Chief
119 Abbott noted the State of California has settled on a five percent permanent budget
120 reduction. The Valley Center revenue effort has failed again. The County has replaced five
121 inmate hand crews with one paid crew. Finally, the County copter will now be paramedic
122 staffed.

123 ● **CHIEF OFFICERS AND OTHER STAFF:** **D/C MAHR:** D/C Mahr congratulated the new
124 Board members and wished them happy holidays. **D/C McREYNOLDS:** D/C McReynolds
125 informed the Board the District that due to an early budgetary approval; the District has
126 started three new firefighters. **F/M FIERI:** F/M Fieri brought the Board up-to-date on the
127 projects in the District, noting they are working with seven individuals who are rebuilding
128 structures from fires. There is a larger, new care facility with 86 beds in Bonsall. He noted
129 the Bonsall Oaks will have a small winery with 60 homes and the District will share
130 jurisdiction with Vista. He updated the Board on the Meadowood and Monserate Winery
131 Projects. F/M Fieri noted the Bureau had just begun the state mandated school inspections
132 with 15 schools to be inspected. Staff continues to drive the District to identify and be familiar
133 with larger projects and community risk areas.

134 ● **BOARD: DIRECTOR ACOSTA:** Director Acosta thanked the public for participating and
135 stated she was looking forward to working with Staff. **DIRECTOR EGKAN:** Director Egkan
136 stated he was also looking forward to his tenure and working with staff and the public.
137 **DIRECTOR KENNEDY:** Director Kennedy stated he was happy to be on the Board and was
138 glad to be of service to the community. **DIRECTOR MUNSON:** Director Munson welcome the
139 new Board members. **DIRECTOR VAN DOORN:** Director van Doorn also welcomed the new
140 Directors to the Board.

141 ● **BARGAINING GROUPS:** Association representative noted this is a dynamic time, that
142 the Board represents the District well and the Association looks forward to working
143 collaboratively with the Board and District.

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

CLOSED SESSION

- OPENING CLOSED SESSION:

At 5:10 p.m., Vice President van Doorn inquired whether there was a motion to adjourn to Closed Session. On a motion by Director Munson, seconded by Director Egkan to enter into Closed Session, which was unanimously approved, President van Doorn read the items to be discussed in Closed Session and the Open Session was closed. A short break ensued after the reading of the Closed Session Items. At 5:25 p.m., and the Board entered Closed Session to hear:

CS-1. **ANNOUNCEMENT — VICE PRESIDENT VAN DOORN:** 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 LEGAL COUNSEL — ANTICIPATED LITIGATION — GOVERNMENT CODE §54956.9 — CHIEF ABBOTT:** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code § 54956.9 – one case.

CS-3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8 — CHIEF ABBOTT:**

PROPERTY LOCATION: 311 Minnesota, Fallbrook, CA 92028;

PARTIES: North County Fire Protection District (Seller);

UNDER NEGOTIATION: Terms of Cell Lease/Purchase

DISTRICT NEGOTIATORS: Chief Abbott, FiM Juul, District Counsel James

CS-4. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8 — CHIEF ABBOTT:**

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

PARTIES: North County Fire Protection District (Seller);

UNDER NEGOTIATION: Terms of Sale

DISTRICT NEGOTIATORS: Chief Abbott, District Counsel James

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173 **CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT**

174 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**

175 NCFPD MANAGEMENT GROUP DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
176 COUNSEL JAMES, SPECIAL COUNSEL BERLINER

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

178 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**

179 FFA NON-SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
180 COUNSEL JAMES, SPECIAL COUNSEL BERLINER

181 **CS-7. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY**

182 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**

183 FFA SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
184 COUNSEL JAMES, SPECIAL COUNSEL BERLINER

185 **CS-8. REPORT FROM CLOSED SESSION — VICE PRESIDENT VAN DOORN**

186 **● REOPENING OPEN SESSION:**

187 On a motion Director Munson, which was seconded by Director Egkan, which passed
188 unanimously, the Board returned Open Session at 7:50 p.m. the following items were
189 reported out to the public:

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

191 **§54956.9 — CHIEF ABBOTT:** No reportable action.

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

193 **§ 54956.8 — CHIEF ABBOTT:** On a motion by Director Munson, seconded by Director Egkan,
194 the Board approved the sale of the tower lease for \$390,000, on terms to be negotiated
195 by Chief Abbott. The motion was approved unanimously.

196 **CS-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE**

197 **§ 54956.8 — CHIEF ABBOTT:** No reportable action.

198 **CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT**

199 **GROUP NEGOTIATIONS – CHIEF ABBOTT:** No reportable action.

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

201 **GROUP NEGOTIATIONS – CHIEF ABBOTT:** No reportable action.

202 CS-7. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY

203 GROUP NEGOTIATIONS – CHIEF ABBOTT: No reportable action.

204 **ADJOURNMENT**

205 A motion was made at 7:55 p.m. by Director Munson and seconded by Director Acosta to
206 adjourn the meeting and reconvene on January 26, 2021, at 4:00 p.m. The motion carried
207 unanimously.

208 Respectfully submitted,

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211 Loren Stephen-Porter

212 Board Secretary

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214 Minutes approved at the Board of Director's Meeting on: January 26, 2021

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