

**VISTA FIRE PROTECTION DISTRICT
Regular Board of Directors Meeting
Minutes – April 13, 2022**

These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were considered.

REGULAR AGENDA

President Fougner called to order the regular session of the Vista Fire Protection District Board of Directors at 6:00 pm.

Pledge of Allegiance

Director Ploetz led the assembly in the Pledge of Allegiance.

1. Roll Call

Directors Present: Elliott, Fougner, Gomez, Miller, Ploetz

Directors Absent: None

Staff Present: Ned Van der Pol, Fire Chief; Karlena Rannals, Administrative Manager, Jeremy Nichols, Fire Inspector, and Matthew Bertolucci, Legal Counsel.

2. Approval of this Meeting's Agenda

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR PLOETZ, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to approve the agenda as submitted, with consensus to discuss Items 8 A and 8 B after Closed Session.

3. Open Discussion with the Board (Public Comment)

No one requested to speak to the Board.

4. Approval of the Minutes

MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR ELLIOTT, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to approve as corrected the Board of Directors Meeting minutes held March 9, 2022, noting a spelling correction on Page 3.

5. Fire Department Reports

a. District Fire Inspector: Fire Inspector Nichols summarized the previous month's activities, noting that all emergency roads were evaluated, and he responded to several public service requests. He also reported that the annual Weed Abatement Program will begin April 15, 2022, with the distribution of initial letter.

b. Fire Marshal: Chief Van der Pol summarized the monthly report reporting again noting that the weed abatement letters are to be mailed beginning April 15, and it will include the adopted Vista Fire Protection District cover letter.

c. Fire District Performance Report: Chief Van der Pol reviewed the February 2022 response times noting only one call more than ten minutes, and this emergency response to this part of the district is a known problem.

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- d. Fire Chief Update: Chief Van der Pol reported the following:
 - i. BLS Ambulance added to the inventory of resources. The ambulance is responding from Vista Station 6; however, the ambulance is staffed with personnel from North County Fire Protection District.
 - ii. Fire Inspector Mike McFadden Memorial Service is planned for Saturday, April 23, 2022, at North Coast Church beginning at 10am.
 - iii. A Badge Ceremony is planned for Wednesday, April 20 at the Avo Playhouse commencing at 3:30 pm. A total of 35 individuals will receive their badge. All board members are invited to attend.
 - iv. Upcoming personnel training includes:
 - 1. Wildland Training – hosted by Valley Center Fire Protection District, April 25-27
 - 2. Fire School – hosted by Camp Pendleton, June 6 – 10
 - 3. Other Continuing Education included, RT130 and Fire Shelter training.Chief Van der Pol responded to questions from the Board.

6. Officers' Reports

- a. Accounts Payable: MOTION BY DIRECTOR PLOETZ, SECOND BY DIRECTOR MILLER, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN approving the March 2022 Accounts Payable and Payroll Requests that included the Treasurer's certification for the availability of funds.
- b. Treasurer's Report: Director Elliott reviewed the reports in the absence of the Treasurer. The following topics were discussed:
 - i. Preliminary Budget: he informed the board for planning purposes that a preliminary budget will be presented in June, with a final adoption planned for August/September. Ms. Rannals informed the Board that a budget requirement pursuant to the Health and Safety Code was to publish a *Notice of Public Hearing* in a newspaper of general circulation for the adoption of the final budget, which would occur prior to the final budget adoption. Board members requested that staff determine what newspapers are considered "general circulation" in the district and provide an update at the next meeting.
 - ii. FY21 Independent Audit: he reported that the FY21 Independent Audit is in draft mode. It is his goal that the document will be presented and accepted at the May meeting.
 - iii. Fire Mitigation Fee: no update
 - iv. Investment: he attended the Investment Seminar hosted by San Diego County Treasurer's Office. He reported that in general there is no relief in sight for the economy. Interest rates are rising, and the yield is going up. In summary the district is okay for now.
- c. Administrative Manager: President Fougner summarized the employment contract process and was pleased to present to the Board for ratification the final document. Ms. Rannals responded to questions from the Board. MOTION BY DIRECTOR FOUIGNER, SECOND BY DIRECTOR PLOETZ, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to ratify the employment contract between Vista Fire Protection District and Karlena Rannals to serve as the District's Administrative Manager.
 - i. Ms. Rannals conveyed her appreciation for the opportunity. She then summarized her activities since April 1 that included:

1. Submitting a draft policy creating a retention schedule
 2. Submitted initial draft board policies as board members and board meetings
 3. Contacted the Clerk of Board, San Diego County Board of Supervisors regarding the Conflict-of-Interest forms that included updating contact information
 4. Reviewed and commented on the audit report
 5. Started research for creating emails for board members and staff of the district.
- d. Legal Affairs: Mr. Bertolucci reported on two requests from the previous board meeting:
- i. Expenditures of Fire Mitigation Fees for use outside the District. His conclusion was yes; however, the District should be careful. He reminded the board members that the fees are only used for certain purposes. The overall intent of the program is for one-time capital purchases such as facilities or apparatus.
 - ii. Hybrid Meetings: The District has the option to continue meeting remotely as long as the State of California remains in a “state of emergency.” He stated that he would continue his remarks when the New Business matter was discussed later in the agenda.

7. Committee Reports

- a. Fuel Modification: Chief Van der Pol reported that a meeting was held to discuss the final draft of the Anchor Point study. The Fire Inspector, Operations Chief, Fire Marshal and Fire Chief have all reviewed and provided their comments. He anticipates that it will be an agenda item for the June meeting.
- b. Panoramic Property: Director Elliott reported that the property has been listed in the MLS. The property will also be advertised on the commercial real estate site LoopNet. The asking price is \$465,000. Mr. Bertolucci informed the board that he would check to ensure that the requirements from the “Surplus Land Act” were completed.
- c. Response Times: Chief Van der Pol reported that he met with representatives of FireStats to discuss and present a proposal to perform work that will help characterize fire department performance in the District. FireStats in their proposal presented a scope of work that will perform an analysis using response data provided by the department. Chief Van der Pol noted that a baseline was established in 2005 for the standards of cover. He does not anticipate learning anything new from the analysis that they do not already know; however, the Board of Directors believe that that they are performing their due diligence. They believe that the work performed by FireStats is like an audit, and that the citizens of the fire district would know that they are getting excellent value for the contract.

MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR MILLER, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to authorize the Fire Chief to execute a contract with FireStats for a response time analysis for a cost not to exceed \$11,500.

- d. Redevelopment of Station 3: President Fougner report that he received the draft *Contract for Services Amendment* from the City of Vista. Upon review, he reported that he had concerns with the proposed language submitted. He has discussed his concerns with the City Manager and the City has agreed to further refine what the project is going to look like. With the uncertainty of the final design, the

subcommittee is seeking to know upfront what the District is receiving for the money invested. Chief Van der Pol summarized his concerns about the contract being too specific. Currently there are unknowns and having a restriction before starting the design/build he believes is too limited. The board members understood his concerns; however, they have a fiduciary responsibility to ensure that the money committed is appropriate for the project.

9. Continuing Business

- a. Emergency Access Roads: Director Ploetz reported that overall, the emergency access roads are in good shape. He contacted the vendor for all roads in which the weeds were high and required abatement.

10. New Business

- a. Participation by Video Conferencing: Director Miller discussed his desire to allow for hybrid meetings which would have a greater opportunity for the public to participate. Mr. Bertolucci reported that hybrid meeting is an option subject to Government Code Section 54953. There are fewer requirements under the state of emergency, such as identifying the address of each board member participating. There is a list that will be sent to the Administrative Manager for distribution. However, prior to the State of Emergency, board members have always had an option to participate remotely and are subject to having the meeting at their location open to the public.

At the conclusion of the discussion, the desire was to approach creating hybrid meetings incrementally. President Fougner announced that there is a presentation planned for the next board meeting in which he anticipates that the public will be invited to participate. He also requested that staff report at the next meeting the requirements.

Ten-minute recess

8. Closed Session

Pursuant to the following section, the board met in closed session from 8:28 pm – 8:43 pm, and discussed the following:

- a. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9). *One (1) matter*
All board members listed, Matt Bertolucci (legal counsel), Chief Van der Pol and Administrative Manager Rannals attended and participated in the discussion.

Upon reconvening, President Fougner reported that the matter discussed required board action to approve a contract with *Redistricting Partners* to convert the District to district/division-based elections from the at-large voting process.

MOTION BY DIRECTOR FUGNER, SECOND BY DIRECTOR GOMEZ, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to authorize the President to execute a contract with *Redistricting Partners* for the cost of \$25,000.

11. Directors' Announcements & Written Communications

a. Director Gomez:

- i. he distributed a graphic for consideration to be used for logo wear for board and staff. The board members agreed to proceed with the graphic presented.
- ii. Inquired how the District could implement the FireWise program throughout the District. Chief Van der Pol responded that a "community" such as a homeowners would need to start it, and then the District could support the program.

12. Motion for Adjournment

MOTION BY DIRECTOR MILLER, SECOND BY DIRECTOR ELLIOTT, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to adjourn at 8:46 pm.

Karlana Rannals
Administrative Manager

Robert Fougner
President