



## VISTA FIRE PROTECTION DISTRICT Regular Board of Directors Meeting Minutes – December 14, 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.*

### **CLOSED SESSION**

Pursuant to the following section, the board met in closed session from 4:00 – 4:30 pm to discuss the following:

Conference with negotiators for the following real property (\$54956.8)

2319 Panoramic, Lot 1, Vista

Negotiating Parties: Jim Elliott, Director; Read Miller, Director

Under Negotiation: Both Price and Terms of Payment

*All board members listed and Karlena Rannals, Administrative Manager participated in this discussion.*

### **REGULAR AGENDA**

Director Fougner called to order the regular meeting of the Vista Fire Protection District Board of Directors at 5:00 PM at the “Smart Space” conference room located at 450 South Melrose Drive, Vista CA. *Since Director Miller participated via Zoom, all votes taken were conducted via roll call.*

#### 1. Pledge of Allegiance

Director Elliott led the assembly in the Pledge of Allegiance.

#### 2. Oath of Allegiance – New Elected Board Members

James F. Elliott and Read Miller were sworn-in as members of the Vista Fire Protection District for terms prescribed by law. Angie LaCarte, Notary Public, administered the *Oath of Allegiance*.

#### 3. Election of Officers

Pursuant to Fire District Law 1987, Section 13853, the District Board shall elect a president, vice-president and a Secretary/Clerk.

1. MOTION BY DIRECTOR FOUNGNER, SECOND BY DIRECTOR MILLER, and CARRIED 5-0 to nominate and elect the following officer:

President                                  James F. Elliott

2. MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR FOUNGNER, and CARRIED 5-0 to nominate and elect the following officer:

Vice President                                  John Ploetz

3. MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR PLOETZ, CARRIED 5-0 to nominate and appoint the following:

Board Clerk/Secretary                                  Karlena Rannals

Director Gomez commended Director Fougner for his service and serving as president the last two years. His time, commitment and expertise has been a great asset to the Board of Directors.

Director Fougner thanked the Board for the opportunity to serve and reviewed the Board’s three biggest accomplishments in the last two years that include, 1) the completion of the California Voting Rights Act and the creation of districts starting in 2024; 2) the 7<sup>th</sup> Supplemental Amendment regarding the reconstruction and financial commitment of Fire Station 3; and 3) the successful hire of an Administrative Manager.

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4. Roll Call

Directors Present: Elliott, Fougner, Gomez, Ploetz

Directors Present via Zoom: Miller

Directors Absent: None

Staff Present: Karlena Rannals, Administrative Manager, Deputy Chief Craig Usher (via phone), and Fred Pfister, Legal Counsel

5. Motion waiving reading in full of all Resolutions/Ordinances

MOTION BY DIRECTOR PLOETZ, SECOND BY DIRECTOR GOMEZ, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to waive reading in full of all resolutions and/or ordinances.

6. Open Discussion with the Board (Public Comment)

No one requested to speak to the Board.

7. Announcement of Closed Session

President Elliott announced that direction was given to the negotiating parties. No action was taken by the board.

8. Approval of the Minutes

MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR PLOETZ, CARRIED 4 AYES; 0 NOES; 0 ABSENT; 1 ABSTAIN (Fougner) to approve the Board of Directors meeting minutes held November 9, 2022.

9. Fire Department Reports

a. *District Fire Inspector*

b. *Fire Marshal District Update*

c. *Fire Chief Update: Interim Chief*

i. Fire Department Performance: October 2022

There was no supplemental information given.

10. Officers' Reports

a. *Accounts Payable*: MOTION BY DIRECTOR PLOETZ, SECOND BY DIRECTOR FOUGNER, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN approving the November 2022 Accounts Payable and Payroll Requests that included the Treasurer's certification for the availability of funds.

b. *Investment Report*: President Elliott summarized the reports noting that he and the Administrative Manager met with Zions to discuss investment strategy and a communication plan. The representatives agreed to meet quarterly.

c. *Administrative Manager's Report*: Ms. Rannals reported that there was no other information to the monthly report provided. She provided an update on status of District operations:

i. *Office Start Up Costs*: She included with her report monies spent to date of the up to \$5,000 authorized at the previous meeting.

ii. *Accounting & Finance Responsibility Transition*: the transition is moving forward. Jeff Golden will complete the payroll year in December and issue W-2's, 1099's and complete the year end reports in January 2023.

- iii. Redistricting Partners: Creation of Divisions: she received confirmation on December 6<sup>th</sup> from the Registrar of Voters office that they received the maps and resolution.
- iv. Fire District's Association of California (FDAC): Deputy Chief Davidson inquired if the District was interested as a member of FDAC. The cost is \$250 annually. At the conclusion of the discussion, the Board left it up to the Administrative Manager to determine if she would receive any value by the being a member of FDAC, and if so, had no objections of being a member.
- v. She informed the Board of the passing of Joan Thurman, the District's former CPA and Board Clerk. The board members requested that she forward any information regarding any type of service planned.
- d. *Legal Affairs*: Mr. Pfister reported that with the end of virtual meetings, he has information that he plans to distribute at the January meeting for board members to participate remotely, and how the public can participate.

11. Ad Hoc Committee Reports

- a. *District Website*: No report.
- b. *Emergency Access Roads*: No report; however, Director Ploetz reported that the ride along planned with Fire Inspector Nichols was very helpful.

12. Continuing Business

a. *Reconstruction of Fire Station 3*

Deputy Chief Usher summarized his staff report provided, noting that the cash flow projections will spend the most restrictive funds first. He will provide additional information as it becomes available.

b. *Inspection Fees Audit*

Deputy Chief Usher summarized his staff report noting that the audit was complete for the previous three fiscal years for inspection fees collected. Based on the contract language and outlined formula, Vista Fire Protection District is due \$3,209.09. He reported that the Administrative Manager has generated an invoice and this will be paid in January 2023.

c. *Resolution No. 2022-14*

Ms. Rannals reported that changes were offered by the District's legal counsel and the City of Vista's legal counsel did not have a chance to review the proposed changes. She requested that the Board defer the item to the January meeting. There was no action taken by the Board of Directors.

d. *Sixth Supplemental Agreement*

Ms. Rannals summarized her staff report on the potential overpayment of costs paid by the Vista Fire Protection District to the City of Vista for Fire Inspection Services. Based upon the contract language for the 3-year period, the estimated overpayment for services is \$44,285.85. In the absence of Deputy Chief Usher to answer questions, there was a request to discuss with the District's legal counsel citing attorney/client privilege. MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR PLOETZ, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to discuss in Closed Session pursuant to § 54956.9(b) significant exposure to litigation. All board members, legal counsel and the Administrative Manager met in closed session from 7:15 – 7:40 pm. Upon reconvening, President Elliott reported that he and Director Fougner will arrange a meeting with Deputy Chief Usher to discuss the potential overpayment for services.

13. New Business

a. *Ordinance No. 2023-02*

Ms. Rannals summarized the staff report provided. She reports that although the District contracts with the City of Vista for fire prevention services in which fees are collected for plan review and inspections a separate ordinance is necessary. The schedule of fees is the same as the City of Vista with some fees specific for administrative services such as returned check and copy fees to be charged by the District. She responded to questions from the Board. The Board agreed to proceed with the ordinance adoption and scheduled the public hearing and final adoption for January 11, 2023. President Elliott also requested that the Board Clerk proceed with all required noticing requirements.

b. *Resignation of District Treasurer*

Ms. Rannals reported that she received a letter of resignation (copy included with the agenda material) from Jeffrey Golden resigning his position as District Treasurer effective December 31, 2022. She informed the board that in accordance with the Health and Safety Code, the Treasurer role will default back to the Treasurer for the County of San Diego.

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR FOUIGNER, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to accept the resignation of Jeffrey Golden as Treasurer of the Vista Fire Protection District. All board members conveyed their appreciation to Mr. Golden for his many years of service.

c. *Payroll Services - Contract*

Ms. Rannals summarized the staff report provided. She reports that since the Board has accepted the resignation of the District's Treasurer effective December 31, 2022, there is a need to secure a payroll service since it is currently issued via the CPA firm. She researched a few third-party software companies and believes that ADP is the best fit for the District. The estimated annual cost is \$1,100 for such service, with discounts offered for the first year. In addition, for a smooth transition, she has confirmed that Mr. Golden will calculate the December payroll for hours worked thru a date to be determined. This will allow for a clean transition with a new payroll service.

Staff recommended the following and responded to questions from the board:

1. Board of Directors authorize the Administrative Manager to contract with ADP for payroll services effective January 1, 2023
2. Authorize the payment of the monthly service fee
3. Authorize the payment for all compensation thru December 23, 2022, with the current provider by December 31, 2022; and
4. Terminate services with the current provider (Copeland, Miranda, and Benner CPA's) not later than January 31, 2023.

MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR FOUIGNER, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to accept staff's recommendation as listed.

d. *Board of Directors Meeting Calendar*

Ms. Rannals reviewed the meeting schedule for calendar year 2023. The Board members agreed that the monthly meeting day (second Wednesday) was okay, but desired to change the meeting time from 5:00 pm to 10:00 am. Staff was given direction to update the necessary resolution at the January meeting and the new meeting time would become effective with the February 8, 2023 meeting.

e. *District Representation and Ad Hoc Committee and Area of Responsibility Assignments*

President Elliott distributed a draft “area of responsibility” for discussion. He reviewed with each board member and staff to determine their area(s) of interest. The following is a list of agreed appointments and committee assignments:

Ad Hoc Committee Assignments	John Ploetz	Robert Fougner	Read Miller	Daniel Gomez	Jim Elliott	Karlana Rannals	Community Member
Community Wildfire Protection Plan/Fuel Modification	✓		✓				
Emergency Access Roads	✓		✓				
Finance/Audit/Treasury Investments					✓	✓	
Legal		✓					
Insurance		✓				✓	
LAFCO					✓		
Response Times			✓	✓			
Website	✓					✓	
Community Education/Outreach				✓			
Public Works	✓						Jerry Hill
Panoramic Estates			✓		✓		
Reconstruction Fire Station 3 <b>Pending</b>							
District Stakeholder <b>Pending</b>							

14. Directors’ Announcements & Written Communications

*Director Gomez:* suggested that the VFPD Board of Directors adopt a fire station and take some food for the Christmas holiday. The board members agreed to personally take food to a station. The Board will coordinate with the Administrative Manager as to which station the board members plans to adopt to ensure that all are covered.

15. Motion for Adjournment

MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR FOUGNER, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to adjourn at 7:42 pm.

  
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 Karlana Rannals  
 Board Clerk

  
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 James F. Elliott  
 President