

**VISTA FIRE PROTECTION DISTRICT
Regular Board of Directors Meeting
Minutes – October 12, 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

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.

Pledge of Allegiance

Ms. Vanessa Arizaga led the assembly in the Pledge of Allegiance.

1. Roll Call

Directors Present: Elliott, Fougner, Gomez (*arrived at 5:53 pm*), Ploetz

Directors Absent: Miller

Staff Present: Karlena Rannals, Administrative Manager, Ned Vander Pol, Fire Chief; Deputy Chief Craig Usher, and Jeremy Nichols, Fire Inspector

2. Approval of this Meeting’s Agenda

MOTION BY DIRECTOR FOUIGNER, SECOND BY DIRECTOR PLOETZ, and CARRIED 3 AYES; 0 NOES; 2 ABSENT; 0 ABSTAIN to approve the agenda as submitted, with consensus to change the discussion order of the agenda.

3. Motion Waiving Reading in Full All Resolutions/Ordinances

MOTION BY DIRECTOR FOUIGNER, SECOND BY DIRECTOR ELLIOTT, and CARRIED 3 AYES; 0 NOES; 2 ABSENT; 0 ABSTAIN to waive reading in full all resolutions and ordinances.

4. Open Discussion with the Board (Public Comment)

Vanessa Arizaga and Jose Lopez attended the meeting informing the board members that they were attending as a part of their government class, and this meeting was one of six that he must attend for credit. President Fougner welcomed them both on behalf of the Board. No one requested to speak to the Board.

5. Approval of the Minutes

MOTION BY DIRECTOR PLOETZ, SECOND BY DIRECTOR ELLIOTT, CARRIED 3 AYES; 0 NOES; 2 ABSENT; 0 ABSTAIN to approve the Board of Directors Meeting minutes held September 14, 2022.

6. Fire Department Reports

a. *District Fire Inspector:* Fire Inspector Nichols summarized the previous month’s activities and reported he responded to seven (7) public service requests and that he had evaluated all emergency roads. He reported that there is one road in which he will contact the weed abatement contractor. He will continue to replace the “Fire Lane” signs as needed and stated that he is creating a map to show where all the “Fire Lane” signs are located.

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Director Ploetz reported that he and Inspector Nichols saw that a property owner had created his own bypass from an access road to their home that included padlocks. Chief Vander Pol informed the board that if a gate is locked with padlocks, and an engine needed to gain access, the firefighters would just cut off the locks.

- b. *Fire Marshal:* Deputy Chief Usher summarized the previous month's report and reported on the following topics:
 - i. New Projects Reviewed: Twenty plus homes on Elevado Road are planned
 - ii. Mar Vista De-annexation: A hearing is planned at LAFCO for November. However, it was told that the final Certificate of Filing would not be complete until after the first of the year.
 - iii. Fire Lane Signs: more signs were bought, and their locations are being tracked.
 - iv. The NEXUS study paid for by San Diego County Fire Authority is almost complete. As a part of the study, he attended a meeting to discuss the allowable expenses that can be used from Fire Mitigation Fees collected. Ms. Rannals was requested to send to the Board the PowerPoint of the study delivered to the County Fire Chiefs.
 - v. On Sunday, October 9th a Fire Prevention event was held at Station 5. Approximately 250 – 300 citizens attended.
 - vi. He has tried to schedule the presentation at Vista Valley County Club as asked.
 - vii. Weed Abatement: there is a potential of nine (9) forced abatements. The staff is seeking bids to complete the work.
 - viii. A new Fire Inspector will start with the City on October 25th.
- c. *Fire Chief Update:*
 - i. Fire Department Performance: Chief Vander Pol that there was no other information to report on the response time reports sent for July & August 2022.
 - ii. Agency Update:
 - 1. The accreditation process is complete, and the department's accreditation was renewed.
 - 2. The result for the SAFER Grant application is pending.
 - 3. He promoted a Captain and Engineer on October 12.
 - 4. The City is experiencing a hiring challenge. The Fire Department currently has ten (10) vacancies between unfilled positions and injuries.
 - 5. Fire Station Development: the City Council awarded the Design/Build project for the construction of Station 3 to Erickson Hall. The goal is to have the project completed by September 2024. The Chief was asked to present an update on the construction of the fire station to include a cash flow projection and community awareness at the December meeting.

7. Officers' Reports

- a. *Accounts Payable:* MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR PLOETZ, and CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN approving the September 2022 Accounts Payable and Payroll Requests that included the Treasurer's certification for the availability of funds.
- b. *Treasurer's Report:* Director Elliott summarized the reports in the absence of the Treasurer reporting the investment totals and rates of return highlighting the investment totals and rates of return for the period ending September 30, 2022.
- c. *Administrative Manager's Report:* Ms. Rannals reported that there was no other information to the monthly report provided. She also reported on the following topics as information or seeking direction:
 - i. Redistricting Update: She spoke with Elizabeth Stitt, Redistricting Partners about the final steps to implement the creation of districts for the 2024 election cycle. The Mar Vista de-annexation was discussed and dependent upon the timing of its completion by LAFCO the variance of the census block

could cause the deviation to exceed 10%. Director Elliott contacted LAFCO to determine when the matter would be calendared. LAFCO plans to hold a public hearing November 7th; however, Chief Vander Pol reported that it is not on the calendar for the Vista City Council to consider this calendar year. At the conclusion of the discussion, the Administrative Manager was requested to communicate with Redistricting Partners to go ahead with the approved map adopted at the August 2022 meeting, and forward to the San Diego County Registrar of Voters anytime between November 9 and November 30.

- ii. FY22 Audit: She reports that the auditor is on track to provide the results of the FY 22 independent audit scheduled at the November meeting.
 - iii. FY23 Budget: She reports that the opening charges in current secured property tax exceeds the FY23 budgeted amount by \$123,000.
 - iv. Accounting & Finance Responsibility Transition: She reports that she and Director Elliott met with Jeff Golden to discuss the transition of the fiscal responsibility. He would like to end his tasks by January 1. Ms. Rannals reports that she will continue to collaborate with him in November noting that she will need to buy the necessary software (QuickBooks) to perform the financial tasks.
- d. Legal Affairs: Mr. Pfister was unable to attend due to a schedule conflict.

8. Committee Reports

- a. *Community Wildfire Protection Plan*: Director Ploetz summarized the report included with the agenda. He commended Deputy Chief Usher on the document as a good plan of action with target dates. The goal is to align the plan with the fiscal year, review annually, and if monies are needed, those expenses can be budgeted.
- b. *Response Times*: Chief Vander Pol reported that Director Miller has requested a proposal from Fire Stats. This agenda item will to the next meeting for discussion.
- c. *District Website*: This agenda item was discussed under New Business.

9. Public Hearing

- a. *Ordinance No. 2023-01*: President Fougner opened and closed the public hearing. Ms. Rannals informed the Board that she had not received any written correspondence about the proposed ordinance.

10. New Business

- a. *Ordinance No. 2023-01*: Deputy Chief Usher summarized the staff report included with the draft ordinance. He reviewed the process, which took approximately six months to review and change the code for the local area. The county-wide ad hoc committee at the conclusion of their review sent all recommendations to the County Fire Marshal's and Fire Chief's for concurrence. The red-lined copy previously sent to the Board showed the changes from the current code to an updated consolidated fire code. Chief Usher responded to questions from the board.

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR PLOETZ, and CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to adopt Ordinance No. 2023-01 *entitled* An Ordinance of the Vista Fire Protection District Which Adopts The 2023 California Fire Code and the 2021 International Fire Code with Certain Amendments, Additions, And Deletions.

President Fougner requested that the board clerk publish a *Notice of Ordinance Adoption* pursuant to all applicable codes.

Ten-minute recess

- b. *Resolution No. 2022-11:* Ms. Rannals informed the board of the need to update the meeting time and place required by the Health and Safety Code. She recommended adoption of the resolution as presented.

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR FUGLER, and CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to adopt Resolution No. 2022-11 – *entitled* A Resolution of the Board of Directors of the Vista Fire Protection District Establishing Time and Place of Regular Meetings, Holiday, and Emergencies.

- c. *Resolution No. 2022-12:* Ms. Rannals informed the board that a resolution is requested to adopt an official seal of the District. The board members conveyed their appreciation to Director’s Gomez and Ploetz for the creation of a new District seal.

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR GOMEZ, and CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to adopt Resolution No. 2022-12 – *entitled* A Resolution of the Board of Directors of the Vista Fire Protection District Adopting a District Seal.

- d. *Resolution No. 2022-13:* Ms. Rannals reported she had conferred with Director Elliott as requested from the last meeting to decide the individuals with signature authority for the District. The names listed on the resolution is a result of the conversation, with her noting that Mr. Jeff Golden will remain as a signature until the monetary responsibility is transferred and the transition is complete from the Treasurer to the Administrative Manager’s position. Once the resolution is approved, she will start scheduling the meetings with the various financial institutions to update all signatures.

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR GOMEZ, and CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to adopt Resolution No2022-13 – *entitled* A Resolution of the Board of Directors of the Vista Fire Protection District Designating Officers & Employee with Authority to Invest, Transfer, and Expend Funds, Establishing Signature Authority for Banking Purposes and Establishing Fund Controls

- e. *Budget Authorization:* Ms. Rannals summarized the staff report provided. The District does not have a current agreement with the City of Vista as the Sixth Supplemental Amendment expired June 30, 2022. It was recommended at the last meeting, and in good faith, that the services were performed, and staff sought authorization to pay the first quarter services should the District receive an invoice for added fire inspector services.

MOTION BY DIRECTOR FUGNER, SECOND BY DIRECTOR GOMEZ, and CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to authorize payment without prejudice (*that the District has a right to request a refund if upon completion of an audit an overpayment is determined*), should an invoice from the City of Vista be sent.

- f. *Contract Renewal – Landscaping Contract:* Ms. Rannals summarized the staff report provided. The current contract expires December 1, 2022. She reported that thru her research, there is a need to develop a purchasing policy prior to the District seeking contract services for emergency access road maintenance, weed abatement, and as needed services to the Vista FPD. She reported that there isn’t enough time to develop a policy, create and distribute a formal bid, and award a contract before December 1.

She requested direction from the Board. At the conclusion of the discussion, she was requested to contact the current provider and see if there was a desire to extend the current contract at the current price for a specified period time. Ms. Rannals will report her findings at the next meeting.

- g. *District Website*: President Fougner reported that the ad hoc committee met to discuss design and content. The vendor “Streamline” seems easy to navigate and update. Director Ploetz will take the lead on the project and give direction and support to the Administrative Manager. Periodic reports will be provided to the board.

11. Continuing Business

- a. *District Fees AB38 Defensible Space Inspections*:
 - i. *AB38 Defensible Space Inspections*: Deputy Chief Usher reported that effective July 2022, AB838 requires that any property owner in a high or very-high hazard area, that if the owner wishes to sell their property a report must be obtained acknowledging that the property meets the fire safety standards. The City has received several requests and the City has amended their fee schedule to include this \$50 inspection fee.
 - ii. *Inspection Fees*: Deputy Chief Usher sought direction from the Board about the need for a separate District Fee Ordinance. He asked that this topic be resolved, noting a legal opinion may be needed. President Fougner agreed to follow-up with legal counsel, make the determination whether an ordinance was needed and give direction to staff. However, he agreed with staff that a separate ordinance was most likely needed.
- b. *Eighth Supplemental Agreement*: Deputy Chief Usher informed the board that he realized that the contract expired on June 30, 2022 and wished to bring it to the board attention in September. However, due to his deployment to a fire in northern California, he was not able to attend the meeting. The request to increase the ceiling from \$5,000 to \$7,500 was brought to the board noting that the inspector’s compensation (salary, benefits, pension) was greater than the current ceiling. Board members informed Chief Usher that the contract was specific, and it says “Salary” only. Chief Usher acknowledged the contract language, and as a result, the City has started an audit. At the conclusion of the discussion the board agreed that an audit going back three (3) years was appropriate. The Board asked that the City representative coordinate with the District’s Administrative Manager on the audit findings and give any proposed change to the supplemental agreement to her. The board requested a report on the audit findings be scheduled for the December meeting.
- c. *Emergency Access Roads*: Director Ploetz informed the board that there was no other information to report.

12. Closed Session

Due to the absence of Director Miller, the need for closed session was deferred.

13. Directors’ Announcements & Written Communications

- a. *County of San Diego – Department of General Services*: The correspondence was provided as information only.
- b. *Director Gomez*: inquired about a presence at the Día De Los Muertos at Rancho Guajome Adobe scheduled for October 29th. He was informed by the Fire Chief that participation was planned.

- c. *Director Fougner*: he informed the board that he will not attend the November 9th board meeting due to a planned vacation.

14. Motion for Adjournment

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR PLOETZ, and CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to adjourn at 7:43 pm.



Karlena Rannals
Board Clerk/Administrative Manager



James Elliott
Vice President