



**RANCHO SANTA FE FIRE PROTECTION DISTRICT
REGULAR MEETING
BOARD OF DIRECTORS MINUTES – August 8, 2012**

President Ashcraft called to order the regular session of the Rancho Santa Fe Fire Protection District Board of Directors at 1:00 pm.

Pledge of Allegiance

Director Malin led the assembly in the *Pledge of Allegiance*.

1. Roll Call

Directors Present: Ashcraft, Hillgren, Malin, Tanner

Directors Absent: Hickerson

Staff Present: Tony Michel, Fire Chief; Darrin Ward, Deputy Chief; Mike Gibbs Sturtevant, Battalion Chief; Bret Davidson, Battalion Chief; Chris Galindo, Battalion Chief; Renee Hill, Deputy Fire Marshal; and Karlana Rannals, Board Clerk

Other Present: Stephen J. Fitch, Esq., District' attorney (*arrived at 1:20 pm*)

2. Special Presentations

- a. Retirement Recognition – Chief Michel welcomed recently retired district personnel Captain Dan Carey and Engineer John Kinney to the meeting. He thanked them for their years of dedicated service to the District. He presented each with a retired district badge and identification card.
- b. Introductions – Firefighter/Paramedic – Chief Davidson introduced the newest personnel hired June 2012:
 - i) John Carey, Firefighter/Paramedic (son of retired Captain Dan Carey)
 - ii) Nathan Sanford, Firefighter/Paramedic

President Ashcraft on behalf of the Board of Directors congratulated and thanked the retirees for their years of service of offered best wishes in their new chapter. He also welcomed the new personnel and wished them well in their new position.

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

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to waive reading in full of all resolutions/ordinances.

4. Public Comment

No one requested to speak to the board.

5. Consent Calendar

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to approve the Consent Calendar as submitted.

a. *Board of Directors Minutes*

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to approve the following:

Board of Directors minutes of July 3, 2012

b. *Receive and File*

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to and file:

i) Monthly/Quarterly Reports

(1) List of Demands

Check 23054 thru 23172 for the period July 1 – 31, 2012 totaling:	\$ 608,829.45
Payroll for the period July 1 – 31, 2012	<u>\$ 514,820.92</u>
	\$1,123,650.37

(2) Activity Reports – June/July 2012

- Operations
- Training
- Fire Prevention
- Fairbanks Ranch Station Replacement

(3) District Articles

(4) Correspondence – letters/cards were received from the following members of the public:

- Friis-Pettitt

6. Old Business

a. *None*

7. New Business

a. *Appeal – Fire Code Ordinance No. 2011-01 Requirements*

Mr. Mahmoud “Bobby” Zarei owner of property located at Trailside Road, APN: 267-148-16-00 and his legal counsel, Steven Saylor requested consideration from the Board of Directors a variance to the district’s (dead end) road requirements as required in Fire Code Ordinance No. 2011-01.

They distributed to the Board of Directors a summary of the important dates to their project, noting that when the project (TPM 211096) lot split was filed on August 30, 2007 secondary access was not required. The secondary access requirement became effective January 30, 2008. The property owner offered to mitigate and improve the hazard in other ways that include 1) proposing an emergency access road; and 2) removing the vegetation fifty feet, in all directions, which he believes will substantially improve and reduce the fire hazard. He has had conversations with his neighbors for vegetation management; however, he does not have an easement to abate private property.

He noted in his discussion that the County of San Diego in their review of his project took a long time to respond to him. The property owner was reminded that the fire district does not have jurisdiction for land use issues.

Mr. Zarei, with assistance from legal counsel shared maps and photos of the property describing the proposed mitigation, and responded to questions from the board.

Chiefs’ Michel and Galindo summarized the staff report provided. Each acknowledged that Mr. Zarei’s project incurred timing issues resulting from code changes. The previous Fire Marshal, Cliff Hunter, and the fire prevention staff has worked with Mr. Zarei and his consultants on a variety of issues from 2007 until 2010. They reported that the property owner continued to submit a Fire Protection Plan that was ultimately

approved with a secondary access route in January 2010. In May 2012, Mr. Zarei contacted the fire district to inform the staff that he could not gain the rights to the secondary access route. He offered other options to mitigate the secondary access requirement; however, these options are not beyond the current code and therefore have been denied by the Fire Chief. Chief Michel based on his professional opinion recommended to the Board of Directors that they deny the request for a variance to the district's "dead-end road" requirements. Staff responded to questions from the board.

The board members asked additional questions of Mr. Zarei and district personnel about the secondary access, the proposed abatement and other possible options. At the conclusion of the discussion and by consensus, the Board of Directors agreed to delay any decision for up to sixty days to allow the property owner to secure the necessary easements for the vegetation management option, or other mitigating factors offered that are acceptable by the district.

The board clerk informed Mr. Zarei and Mr. Sayler that the district has agenda noticing requirements and that items scheduled for the board meetings must be forwarded to the district office no less than 10 days in advance of the meeting. This will allow the staff time to put together all meeting material and remain in compliance with the Brown Act.

There was no action taken by the Board of Directors.

Ten-minute recess

President Ashcraft requested that the board convene to closed session since legal counsel was present to discuss:

- (a) Potential Litigation (1) Case – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: one (1) case

He noted that the second item for discussion would be discussed near the end of the meeting. There were no objections from the board.

10. Closed Session (out of order)

Pursuant to section 54956.9, the board met in closed session from 2:15 – 2:30 pm to discuss the following:

- a. Potential Litigation (1) Case – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: *one (1) case*
All board members, staff and others present listed and attended the closed session.

Upon reconvening to open session, President Ashcraft reported that the matter listed was discussed with legal counsel and there was no action taken.

7. New Business (cont.)

- b. *Fairbanks Ranch Fire Station Construction Change Order*

Chiefs' Michel and Galindo summarized the negotiations with Ledcor regarding the number of days late in the completion of construction for the Fairbanks Ranch Fire Station. The results of the negotiations were a reduction in the contract price of \$86,500 and a revised completion date of March 8, 2012. This reduction adjusts the total cost of construction to \$4,651,525 and they recommended the board approve Ledcor change order no. 920043.

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR HILLGREN, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to approve change order no. 920043 as presented.

c. *Fire Prevention – New Position Classification*

Chief Galindo summarized the staff report provided. He reported that since the creation of the position, the District has been successful in instituting components necessary for maintaining and enforcing a comprehensive Vegetation Management Program as well as effective maintenance for the District's "Shelter in Place" communities. Because of the recent retirement of the District's Urban Forester, staff conducted an analysis of the position requirements and the Fire Prevention Bureau's workload and recommends that the existing positions of Urban Forester and Fire Prevention Specialist be consolidated to create a new position (Fire Prevention Specialist II/Forester). The proposed salary range for the Fire Prevention Specialist II is \$5039 – \$6125 (per month).

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR TANNER, CARRIED 4 AYES; 0 NOES; 1 ABSENT; 0 ABSTAIN to approve the classification and salary range for the position of Fire Prevention Specialist II/Forester as presented.

8. Resolution/Ordinance

a. Resolution No. 2012-12

Ms. Rannals reported that this resolution is required for each financial institution to update signatures on the bank accounts.

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR TANNER, and APPROVED Resolution No. 2012-12 *entitled* a resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Authorizing Signers on District Bank Accounts on a roll call vote:

AYES:	Ashcraft, Hillgren, Malin, Tanner
NOES:	None
ABSTAIN:	None
ABSENT:	Hickerson

9. Oral Report

a. *Fire Chief – Michel*

- i) Cooperative Efforts: there is no report.
- ii) Fire Prevention Week (*October 7-13, 2012*): he informed the board members that there are activities planned and an open house will be scheduled for the opening of the new Fairbanks Ranch Fire Station. There has not been a date determined, but it will be in the month of October.
- iii) IAFC Conference – Denver, CO: he attended July 31 – August 3, 2012 and reported that it was a good conference and that he made contacts with vendors that will benefit the fire district.
- iv) District Activities
 - (1) County Fire Authority Briefing: he and Director Malin attended the informational meeting with other fire districts and volunteer fire agencies that discussed the deployment study, prepared by the consultant Citygate.
 - (2) IAAP – Education Forum & Annual Meeting – Dallas, TX (*July 22-25, 2012*): he congratulated Karlana Rannals on her installation as International President of this association. He attended and participated as a member of the introduction team on the evening of the banquet.

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- (3) Special Districts Conference – San Diego (*September 24-27, 2012*): he asked if any board member wanted to attend the conference since it was local. The board members agreed to look at their respective calendars and get back with him to take advantage of early registration.
- (4) CalPERS Conference – Indian Wells (*October 22-24, 2012*): he asked if any board member wanted to attend the conference. Board members will review their calendars and agreed to notify the board clerk if they will attend.
- b. *Operations – Chief Ward*
 - i) Chief Ward reported 229 calls for service the previous month. He reported there were no significant calls to report on that District personnel responded to:
 - ii) Distributed a monthly weather outlook for August.
- c. *Training – Battalion Chief Davidson*
 - i) Chief Davidson summarized the following training activity for all personnel:
 - (1) Confined Space
 - (2) Strike Team Leader
 - (3) New Hire: two individuals participated in a mini-academy to begin their one-year probationary position.
- d. *Fire Prevention*
 - i) *Fire Marshal (Chief Galindo)*
 - (1) He continues to complete his work on the construction of the replacement station. He anticipates that the final bill will be paid to the contractor within thirty-days.
 - ii) *Deputy Fire Marshal (Renee Hill)*
 - (1) Weed abatement: there were no forced abatements the previous month.
- e. *Administrative Manager – Rannals*
 - i) No report.
- f. *Board of Directors*
 - i) North County Dispatch JPA – Update: Ashcraft - there was no report. The next meeting is scheduled for August 23.
 - ii) County Service Area – 17 – Update: Hickerson –Chief Michel reported that Director Hickerson attend the CSA-17 Advisory meeting. Since Director Hickerson was not present at the board meeting, he provided the update for the quarterly meeting and informed the board members that two public comment meetings will be held about the release of the RFP for transport services.
 - iii) Comments
None

10. Closed Session

Pursuant to section 54957.6, the board met in closed session from 4:30 – 5:15 pm to discuss the following:

b. CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: Jim Ashcraft, Randy Malin, and assigned Staff

Represented Employees: Rancho Santa Fe Professional Firefighters Association – Local 4349

Represented Employees: Rancho Santa Fe Miscellaneous Employees

Unrepresented Employees: Fire Chief; Battalion Chief (4); Administrative Manager

Under Negotiation: Compensation

All board members listed attended the closed session.

Upon reconvening to open session, President Ashcraft reported that the matter listed was discussed with and direction was provided to the negotiators. There was no action taken.

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11. Adjournment

Meeting adjourned at 5:20 pm.

Karlana Rannals
Secretary

James H Ashcraft
President