

***San Miguel Consolidated Fire Protection District***  
**Regular Meeting of the Board of Directors**  
**April 13, 2016**

***Minutes***

President McKenna called the meeting to order at 5:30pm.

Board Members Present: Directors Ek, Johnston, Kiel, McKenna, McMillan and Rickards

Board Member Absent: Vacio

Staff Present: Fire Chief Howell, Administrative Officer/CFO O'Dell, Finance Officer Harris, Battalion Chiefs Hunt, Kiszka and Navarro, Deputy Fire Marshal Morgan, Administrative Assistant Roos and Logistics Officer Camarena

**Approval of Agenda:** By Board consensus, the Agenda was approved.

The Agenda for the Regular Board Meeting of April 13, 2016, was posted at the District Headquarters on Friday, April 8, 2016, at 5:00pm.

**Pledge of Allegiance:** Fire Chief Howell led the Pledge of Allegiance.

**Public Communications:** Former Director and District resident Criss Brainard addressed the Board regarding Agenda Item #10.

**SPECIAL RECOGNITION**

1. Service Awards – Fire Chief Howell and the Board of Directors recognized Director Dave Rickards for his 15 years of service with the District.
2. 2015 Excellence in the Fire Service Award – Fire Chief Howell and the Board of Directors recognized Administrative Officer/CFO Darilyn O'Dell. A brief recess for refreshment was held from 5:40pm to 5:52pm.

**CONSENT AGENDA ITEMS:**

Upon a motion by Director Rickards, second by Director Ek, and vote (Ek, Johnston, Kiel, McKenna, McMillan and Rickards in favor; Vacio absent), the Consent Agenda was approved:

3. Approve the Minutes: Regular Meeting of March 9, 2016  
Special Meeting of April 6, 2016
4. Approve Board Member Stipend Payments.

5. Resolution 16-1 – A Resolution of the Board of Directors of the San Miguel Consolidated Fire Protection District to Participate in the San Diego County Fire Mitigation Fee Program.

**ACTION AGENDA ITEMS:**

6. Board Workshop – By Board consensus, the Board Workshop will be held May 19, 2016, at 10:00am.

Director Kiel and District Counsel Joseph Sanchez asked that their comments be included in the Minutes verbatim:

Director Kiel: I guess I want some clarification as to specifically what we are going to be discussing at that meeting. [President McKenna speaks.] What does that mean? Are we going to have access to all of the spreadsheets that we used to generate it? Are we going to, what we are going to discuss, I mean that's a very broad term, the microstudy. What are we going to specifically discuss? [President McKenna speaks.] When will the Board, um, have access to the background and the spreadsheets that were used to generate the one that has already been. [President McKenna speaks.] [Director Rickards speaks.] Actually can we get it a week prior? So the Board has a chance to really look at it in some detail? [CFO O'Dell speaks.] How so? [CFO O'Dell speaks.] You know, I was going to save this for Director Comments, but I, personally, I don't feel the last meeting we held was in conformance with the Brown Act. I went through and reviewed it and I didn't see anything that we discussed at that meeting that was applicable to be held in Closed Session. And I wanted to have these comments recorded verbatim, for the next Minutes please. I believe we violated the Brown Act on the last meeting and I just wanted that to be on record.

Attorney Sanchez: I'm not going to get into the details of what was discussed, and I can't get into the details, of what was discussed in the Closed Session, but I can say that the issue was looked into, researched and that I feel confident that the subject matter and the items that were discussed were appropriate and appropriately noticed under the Brown Act and disagree with your comments.

Director Kiel: Who, the provision I read, justifying that, was talking about discussing with the Negotiator specific labor agreements. Who was the Negotiator and what were the specific labor ....

Attorney Sanchez: I don't think it's appropriate to get into this discussion at this meeting. You can put your comments on the record.... But I don't think it's an appropriate forum for ....

Director Kiel: I'm not discussing what we talked about, I'm just citing the Brown Act and the reason that it was given that it was appropriate to use.

7. Resolution 16-2 – A Resolution of the Board of Directors of the San Miguel Consolidated Fire Protection District Declaring a Certain Asset of the District to be Surplus and Authorizing Disposal of Said Asset. Upon a motion by Director Kiel, second by Director Rickards, and vote (Ek, Johnston, Kiel, McKenna, McMillan and Rickards in favor; Vacio absent), Resolution 16-2 was approved, contingent on the approval of Agenda Item #9.
8. Upon a motion by Director Kiel, second by Director Rickards, and vote (Ek, Johnston, Kiel, McKenna, McMillan and Rickards in favor; Vacio absent), the vehicle accident claim submitted by Jesus Sustaita Santillan, 563 Osage Street, Spring Valley, California 91977, was rejected.
9. Upon a motion by Director Rickards, second by Director Johnston, and vote (Ek, Johnston, Kiel, McMillan and Rickards in favor; McKenna opposed; Vacio absent), to amend the existing contract with Hunter Steel Construction for Station 19 (Pepper Drive) Construction Project was approved.

President McKenna requested to go on record that although she respects this Board's majority vote to move forward with this project, that she is fundamentally opposed to it.

#### **INFORMATIONAL AGENDA ITEMS:**

10. CAL FIRE Cooperative Agreement Position Adjustments – The Board of Directors reviewed the CAL FIRE Contract Oversight Committee recommendations to hire 1 additional FAE/PM and/or upgrade 2 FAE positions to FAE/PM through attrition. By Board consensus, this item will be agendized for action at the next Regular Board Meeting.
11. Station 19 (Pepper Drive) Construction.
  - a. Fire Chief Howell distributed a handout and provided a construction update.
  - b. Fire Chief Howell reported there were no new expenditures.
  - c. Fire Chief Howell reported on calls into CSA 115 during the first quarter.
12. Fire Chief Howell provided a brief update on the Zone 2 Contract.
13. Fire Chief Howell provided an update on the new engine purchase, noting there is a 70-day delay from Spartan, the manufacturer.
14. Reports:
  - a. Committee Reports: None.
  - b. Directors Reports: Director Rickards reported that he would like to transition out of being the CSA-69 representative. Director Ek is the Alternate representative, and will look into the paperwork needed to be the Primary representative.

Director McMillan asked for a breakdown of Administrative Costs of the LG-1 Contract. He would like to know what positions are covered, any direct costs, and whether Unit Chief Tony Mecham still wants 4-person staffing on truck companies.

Director Rickards requests that Fire Chief Howell provide an update on the Training Facility at the next Regular Board Meeting.

- c. Monthly Activity Report: Fire Chief Howell reported on estimates he received for obtaining structural analyses.

Fire Chief Howell also reported that he will be working with CFO O'Dell on the surplus property sale.

- d. Correspondence: None.

- e. Action Plan Recap:

- Breakdown of LG-1 Contract Administrative Fee.
- Provide 4-person truck staffing report at next meeting.
- Update on Training Facility.
- CSA 69 paperwork for Director Ek to assume Primary Representative.
- Agendize Cooperative Agreement position adjustments for action at next meeting.

**Next Meeting:** The next meeting of the Board of Directors will be a Regular Meeting on Wednesday, May 11, 2016, at 5:30pm, at District Headquarters.

President McKenna adjourned the meeting at 7:09pm.

Prepared and Submitted by:

*Nancy Roos*

Administrative Assistant  
Board Recording Secretary