

**San Miguel Consolidated Fire Protection District
Regular Meeting of the Board of Directors
July 10, 2019**

Minutes

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

Board Members Present: Directors Ek, Kiel, McKenna, Nelson, Raddatz and Rickards

Board Members Absent: Director Vacio

Staff Present: Fire Chief Brainard, Officer/Finance Officer Harris, Deputy Fire Marshal Grimes and Administrative Assistant Rians

Approval of Agenda: Director Kiel requested Consent Agenda item #4 be pulled for individual discussion. [By Board Consensus, the agenda was approved.](#)

The Agenda for the Regular Meeting of July 10, 2019 was posted at District Headquarters on Friday, July 5, 2019, at 5:00 pm.

Pledge of Allegiance: Chief Brainard led the Pledge of Allegiance.

Public Communications: Resident Michael Bryant was in attendance to discuss Agenda item #4.

San Miguel Fire Captain Bayne appeared in front of the Board to express his gratitude for their approval of the Wellness Program. A serious medical issue was discovered during his Wellness exam and Captain Bayne could have suffered a major medical complication had it not been discovered.

SPECIAL PRESENTATION

1. The Fire Chief will make a presentation of the Employee of the Year for 2019.

Chief Brainard presented Captain John Fiehler with the annual “Excellence in the Fire Service” (Employee of the Year) award.

CONSENT AGENDA ITEMS

[Upon a motion by Director Rickards, second by Director Kiel, and vote \(unanimously in favor with Vacio absent\), the Consent Agenda was approved with item #4 being pulled for discussion.](#)

2. Approve the Minutes: Regular Meeting of June 12, 2019
3. Approve Board Member Stipend Payments.
4. Approve the weed abatement fixed special assessments (Fire Prevention Services) for Fiscal Year 2019/2020.

Director Kiel discussed his desire to waive the Admin fee associated with forced abatement, as it would eliminate any possibility of the District appearing to profit from sending properties to forced abatement. Director Nelson responded and cited Prop 13, stating that the Admin fee is necessary to attempt to get Fire Prevention to a cost-neutral status. Director Rickards acknowledged staff and travel time involved in the weed abatement process, and Chief Brainard clarified approximately 2 hours of staff time per force-abated property – that the cost was calculated and attributed to actual hard cost to the District. Chief Brainard clarified that this fee is only charged after the property owner has received adequate notice and has failed to bring their property into compliance within an allotted amount of time. Chief Brainard also shared that property owners occasionally bring their property into compliance late into the process, so the fee doesn't necessarily reflect that a property has made it all the way to the forced abatement process.

Director McKenna requested clarification on the Forced Abatement handout provided, showing 38 forced abatements having received this Admin charge. She further voiced her support in the feedback provided by Directors Rickards and Nelson, concurring that increasing fees in accordance with the law is our sole means of recouping costs.

Resident Michael Bryant, who has addressed the Board regarding weed abatement in the past, asked if the contract with Fire Prevention Services, Inc has been renewed. Chief Brainard clarified it is an annual contract, beginning December 31, 2015, and renewing annually for up to five years. He shared that the option to renew would likely go before the Board prior to the current contract expiring December 31, 2020.

Director Raddatz then spoke, stating we have obligation to charge for the services that we can, especially for individuals that are not getting their properties into compliance. Director Nelson requested clarification from Deputy Fire Marshal Grimes, stating that many of the forced abatement properties appear to be owned by LLCs. DFM Grimes referred the question to Kenny Osborn, owner of Fire Prevention Services, Inc., who clarified that LLCs are unable to write off costs of abatement, but they can write off tax bills, resulting in many leaving their properties out of compliance and getting force abated year after year.

Director McKenna spoke again to clarify that the District is not profiting off weed abatement. Director Nelson then spoke that property owners are endangering their neighbors by not complying. Director Kiel clarified his prior point that the District collects more admin charges the more properties that go to forced abatement. Director Rickards added that the abatement process has very specific guidelines. Property owners are notified on 3 separate occasions and given adequate time to bring their property into compliance. Chief Brainard reminded the Board that he has added a 2-week stay to forced abatement orders for staff and engine companies to make final attempts to contact property owners.

Director McKenna asked Counsel how often they are pulled into forced abatement issues and is the District able to make property owners responsible for legal fees in instances where they are resistant to bringing their property into compliance. District Counsel responded that weed abatement issues have never gotten to the point of any legal fees, and further that he has probably spent less than an hour of his time on weed abatement issues in the last ten years. He also noted that the current Board elected to go to the flat

Admin fee instead of a percentage of overall forced abatement cost, as it was typically a smaller dollar amount for property owners.

Upon a motion by Director McKenna, second by Director Ek, and vote (Ek, McKenna, Nelson, Raddatz and Rickards in favor, Kiel opposed, and Vacio absent), the weed abatement fixed special assessments (Fire Prevention Services) for Fiscal Year 2019/2020 was approved.

5. Resolution 19-13 – A Resolution of the Board of Directors of the San Miguel Consolidated Fire Protection District Identifying the Terms and Conditions for Fire Department Response Away From Their Official Duty Station and Assigned to an Emergency Incident. The Board of Directors will consider approving this Resolution.

ACTION AGENDA ITEMS

6. Public Hearing – Public Hearing #1 to Receive Public Comment on Proposed Fire Prevention Fee Schedule and Direct Staff to Publish the Ordinance and Have Second Public Hearing Put on the Second July Board Meeting’s Agenda for Adoption of the Ordinance.

Director Raddatz opened the public hearing at 6:02 pm and, with no public present to comment, closed the public hearing at 6:03 pm.

Upon a motion by Director Nelson, second by Director Ek, and vote (Ek, McKenna, Nelson, Raddatz and Rickards in favor, Kiel opposed, and Vacio absent), the weed abatement fixed special assessments (Fire Prevention Services) for Fiscal Year 2019/2020 was approved.

INFORMATIONAL AGENDA ITEMS

7. HCFA Annual Statistical Report

Chief Brainard distributed two handouts, sharing statistics and response data. Director Kiel requested to see these informational handouts prior to Board meetings, possibly when the Board Agenda Packets get distributed. Director Nelson asked for clarification on the data showing San Miguel responses, specifically for Engine 19 responding to calls outside of the District.

8. Reports

- a. Committee Reports

Director Kiel shared that he will be attending the HTFA meeting tomorrow with information to share next month, and Director Rickards shared he will not have a committee report until after the CSA 69 meeting is held in September.

- b. Directors’ Reports
None

- c. Chief’s Report / Monthly Activity Report

Chief Brainard shared effective July 22, 2019, the Deputy Chief position will be eliminated with Gehrig Browning becoming Division Chief over Operations, Jim Marugg becoming Division Chief over Training & EMS, Jason Floyd assuming Battalion Chief C shift, and the Training Battalion Chief remaining but left unfilled. A new organizational chart will be forthcoming.

The Strategic Plan rollout will be presented at the next Board Meeting

Federal Fire will honor their reimbursement process moving forward. Chief Brainard expects reimbursement changes being implemented once the contract expires.

Extensive fuel reduction has been performed in Crest thanks to extra funds available from CalFire. Chief Brainard shared a map which illustrates what fuel reduction work has been completed and what is still scheduled to be done.

This Friday at 0900 hours, we will hold an Engine Roll-in Ceremony at Station 16 – the Board and public are encouraged to attend.

Director McKenna asked Chief Brainard when he anticipates bringing the filling of the Training Battalion Chief position to the Board – Chief Brainard said he is waiting to see where there may be other needs for apparatus and compensation. The earliest he anticipates bringing it to the Board would be once the final budget is brought to the Board for review in September.

- d. Association of San Miguel Firefighters Communications
President Jack Grogger acknowledged Union absence at the past few Board meetings and explained the Local has been busy but will be making concentrated efforts to have a regular presence at Board meetings. He reported personnel have been involved in the following: Strategic Planning, Outfitting the two new Engines (on and off duty), Traveling to neighboring agencies and to Pierce for pre-construction of the new truck, working on the development of a Peer Support program, Establishing a negotiations team, giving Station 22 a facelift (acknowledged spearheading by Captain Fiehler), training probationary firefighters, and developing a Health & Safety Committee. President Grogger also reported that some IAFF members will be attending an upcoming convention. Lastly, President Grogger acknowledged the great lines of communication with Chief Officers and recognized both “sides” proactively working to identify and correct issues before they become detrimental.

Vice President Jeff Shinn then addressed the Board to express his gratitude for them approving the Wellness Program, with specific acknowledgement of the program identifying Captain Bayne’s health issue.

- e. Association of San Miguel Chief Officers Communications
Battalion Chief Fuller concurred with Union President Grogger that there is a good working relationship between staff and labor. Encouraged for future. Progress in re-establishing relationships with Auto Aid – Heartland. Seamless operations haven’t seen in a long time. Relationships divided during Cal Fire. Encouraged

involvement in regional training County wildland drill – good presence IC for entire event was Captain Nava. Improved relationships in whole region. Support and involvement of HRT fire academy helps us have recruits for future and supporting reserve program. Firesafe Council in Crest. Relation with Cal Fire in Crest – good. Working with LE – improving arson investigation in-house. Fine-tuning structure fire response and helping newer LE officers with their response model. Evacuations protocol, SDGE LE & Fire for effective evacuation program. Turnkey communications at command post – save lives. Human trafficking task force from SDSO. SD County is within top 8 for human trafficking in USA, spring valley being an epicenter. Provided training to suppression personnel on identifying human trafficking. County DA and homelessness – keeping statistics on homeless responses. Working with other fire agencies for developing a response model. Need county to support to mitigate homelessness. Excited for District’s financial health with preliminary budget. Station 22 work – money saved by personnel putting in their own labor. Lundstrom and Public Education community – re-establishing community relationships. Strategic Plan – very exciting, believes it will bring great things to this department. He thanked the Board for support.

- f. Correspondence
Captain K. Clark, Engineer Thompson, and Firefighter Paramedic Benton received commendation for displaying great care, professionalism and respect while assisting a patient who fell on two separate occasions.
- g. Action Plan Recap
Per Board direction on Item #6, staff is directed to publish the Fire Prevention Fee Ordinance and place a second Public Hearing for adoption of said ordinance on the next Board meeting agenda.

President Raddatz adjourned the meeting to Closed Session at 6:32 pm.

CLOSED SESSION

- 9. Closed Session – Public Employee Performance Evaluation (Government Code §54957)
Title: Fire Chief

Reconvene to Open Session: President Raddatz reconvened the meeting to Open Session at 7:20 pm.

Next Meeting – Regular Meeting, July 24, 2019, 5:30 pm, District Headquarters.

President Raddatz adjourned the meeting at 7:20 pm.

Prepared and Submitted by:

Shayna Rians

Shayna Rians
Administrative Assistant
Board Recording Secretary