

**San Miguel Consolidated Fire Protection District  
Regular Meeting of the Board of Directors  
Wednesday, June 9, 2021, 5:30 pm**

***Minutes***

President McKenna called the tele/videoconference meeting to order at 5:32 pm.

Board Members Present: Directors Ek, McKenna, Nelson, Pomeranz, Raddatz, Robles and Vacio

Board Members Absent: None

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

Approval of Agenda: [Item #9 tabled, and item #4 pulled for discussion at the request of Director Raddatz. By Board Consensus, the agenda was approved.](#)

The Agenda for the Regular Meeting of June 9, 2021, was posted at District Headquarters on Friday, June 4, 2021, at 5:00 pm.

Pledge of Allegiance: Director Pomeranz led the Pledge of Allegiance.

Public Comment:

*Agenda Item #9, Approve Resolution 21-12*

*Comment:*

[\*Director McKenna read an email into the record sent Wednesday, June 9, 2021 at 2:56 pm from Steve Butcher, SMCFPD Retiree:\*](#)

*Good evening President McKenna, members of the Board, Chief and Staff,*

*As representatives of Spring Valley and San Miguel Consolidated Fire Protection District retired employees' group, we wish to express concern of any resolution or action regarding vested retiree health benefits without any previous notice or information of such action to the aforementioned group. To our knowledge there is not any retiree that has been informed of a new resolution to retiree health care benefits. If not just for chance that this agenda item was seen, there would not have been any opportunity for a current retiree to comment. These proceedings do not seem to be completely transparent.*

*The retiree group still contends that the ruling given to them on retiree health benefits by District's Council after presenting the issue to the Board last year does not meet the intent of the negotiated vested benefit. Retirees were preparing their response to the ruling when unfortunately, the certain retirees health and the pandemic made it impossible to obtain information we needed, meet with our members, and our council, or attend board meetings.*

*We request that the Board of Directors table agenda item #9, make notifications to all parties that have a vested interest in this issue, allow them time to address with their legal counsel, and take action when public is able to attend meetings in person.*

*Very Respectfully,*

*Steve Butcher*  
*SMCFPD Retiree*

President McKenna adjourned the meeting to Closed Session at 5:37 pm.

### **CLOSED SESSION AGENDA ITEMS**

1. Closed Session - Conference with Labor Negotiator (Government Code §54957.6)  
Agency Negotiators: Directors Ek, McKenna, Robles, & Attorney Joseph Sanchez  
Employee Organization: Association of San Miguel Firefighters IAFF Local 1434
2. Closed Session – Conference with Legal Counsel – Potential Litigation  
(Subdivision (b) of §54956.9 of the Government Code) – Number of Cases: 1

President McKenna reconvened the meeting to Open Session at 6:46 pm with no action taken.

### **CONSENT AGENDA ITEMS**

Upon a motion by Director Nelson, second by Director Ek, and vote (unanimously in favor), the Consent Agenda was approved.

3. Approve the Minutes: Regular Meeting of May 12, 2021  
Special Meeting of May 26, 2021
4. Approve Board Member Stipend Payments.  
Pulled from Consent Agenda and discussed under action agenda items.
5. Approve Resolution 21-09 – A Resolution of the Board of Directors of the San Miguel Consolidated Fire Protection District Requesting a Temporary Transfer of Funds from the County Treasurer, County of San Diego, for Fiscal Year 2021/2022.
6. Approve Resolution 21-10 – A Resolution of the Board of Directors of the San Miguel Consolidated Fire Protection District Establishing the Limit for Appropriations of Proceeds of Tax Subject to Limitation for Fiscal Year 2021/2022.
7. Approve Resolution 21-11 – A Resolution of the Board of Directors of the San Miguel Consolidated Fire Protection District Acknowledging Receipt of a Report Made by the Deputy Fire Marshal of the San Miguel Consolidated Fire Protection District Regarding the Inspection of Certain Occupancies Requiring Annual Inspection be Performed in Such Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code.

### **ACTION AGENDA ITEMS**

4. Approve Board Member Stipend Payments.  
Director Raddatz referenced the Board Policy Manual in regard to stipends paid for Standing Committees, but not Ad Hoc committees. Topic added to Action Plan Recap for further review and tabled to the next Board meeting to consider amending Policy (possibly retroactively) so payments could be made should the Board of Directors so choose.
8. Local 1434 – Memorandum of Understanding – The Board of Directors will consider approving the Memorandum of Understanding.  
Upon a motion by Director McKenna, second by Director Raddatz, and vote (unanimously in favor), the Memorandum of Understanding for Local 1434 was approved.

9. Approve Resolution 21-12 – A Resolution of the Board of Directors of the San Miguel Consolidated Fire Protection District confirming vested retiree health benefits of retired employees.  
[Tabled to July 24, 2021 Board meeting.](#)

10. Proposed Preliminary Budget – The Board of Directors will discuss and may take action on adopting the 2021/2022 Preliminary Budget.  
Some Directors voiced concerns over specific line items as well as expenditures that are not easily forecasted. There was also brief discussion regarding areas the District could save, such as fuel cost. Administrative Officer/Finance Officer Harris shared that additional analysis will be done before the Final Budget is brought forward.  
[Upon a motion by Director Vacio, second by Director Pomeranz, and vote \(unanimously in favor\), the Proposed Preliminary Budget was adopted.](#)

11. CalPERS Lump Sum Payment – The Board of Directors may take action on approving the CalPERS Lump Sum Payment instead of Monthly Payments.  
[Upon a motion by Director Pomeranz, second by Director Raddatz, and vote \(unanimously in favor\), the CalPERS Lump Sum Payment was approved.](#)

Deputy Fire Marshal Napier spoke briefly about an expenditure listed on the Preliminary Budget. In FY 2019/2020, new software implementation for Fire Prevention was approved but was not purchased. Deputy Fire Marshal Napier conveyed the importance of bringing San Miguel's Fire Prevention Bureau up to speed with other agencies who have converted to digital recordkeeping and reporting. DFM Napier will prepare information to be presented at the next Board meeting.

12. Purchase of Apparatus – The Board of Directors may take action to approve the procurement process of purchasing new Type I Apparatus.  
Chief Brainard shared information regarding the District's aging fleet. We have sufficient Reserve Funds to cover the cost of an additional apparatus without depleting the fund.  
[Upon a motion by Director Nelson, second by Director Ek, and vote \(unanimously in favor\), the Purchase of Apparatus was approved. This motion also gives the Chief authority to move forward with the purchase without returning to the Board for further approval.](#)

13. LAFCO Ballot – The Board of Directors may elect to submit a ballot for Commission Alternate Special District Member.  
[Tabled to the next meeting – Chief Brainard to provide candidate information.](#)

## REPORTS

14. Committee Reports  
Director Vacio shared that the budget concerns with CSA 69 have been resolved.  
Director Raddatz shared the Finance Committee discussed Fiscal development and updates including recession planning and triggers, cost recovery, and cash on hand for a major disaster.  
Director Nelson shared concerns regarding unfunded liability and insurance costs.  
Director Robles shared that there was brief discussion during the Finance Committee meeting regarding digital currencies and potential alternative revenue sources. Director Robles is gathering information to present to the Finance Committee.  
At a future date, Administrative Officer/Finance Officer Harris will present a long-term fiscal plan to the Board.  
Director Ek thanked Directors McKenna and Robles, Chief Brainard, Administrative Officer/Finance Officer Harris, and Attorney Joseph Sanchez for their time and effort serving on the Negotiations Committee. He also thanked Local 1434 for their patience.
15. Directors' Reports  
Director McKenna attended the Jamul-Dulzura Community Planning Group meeting as she saw emergency access and egress with regard to the Ivanhoe Ranch project were slated for discussion.

Director McKenna will meet with Deputy Fire Marshal Napier for any input our District may have regarding fire access and response times.

Director Pomeranz shared that he will be leaving the Board as he will no longer live within the boundaries of the District.

#### 16. Chief's Report

- Director Mike Vacio – 6½ years of Board Service. Battalion Chief Blunt presented an award on behalf of the District for his years of service. Multiple Directors wished him well in retirement.
- Director David Pomeranz – 6 months of Board Service
  
- Action Plan Recap from May 12, 2021, Board Meeting
  - BB&K continues to work with Staff on CFD processes
  
- Brad Rodeheaver, promoted to Interim Battalion Chief
  
- Meetings with Supervisors Anderson and Desmond and Staff
  - ARPA (American Rescue Plan Act) Infrastructure Funds - \$4M of \$300M discretionary funds
  
- San Diego County Board of Supervisors June 8, 2021, meeting
  - Special District Fire Protection Districts presentation
  
- Significant Incidents
  - Structure Fire – 8800 Troy – significant damage to a duplex
  - Rescue Traffic – 9100 Jamacha – Head on collision w extrication
    - 3 Major adult trauma patients
    - 1 Major child trauma patient

#### 17. Association of San Miguel Chief Officers Communications

Battalion Chief Blunt shared that he will be covering B6 over A shift while Rodeheaver takes over Training for the time being. He also acknowledged the work between the Negotiations Committee/Board and Local 1434.

#### 18. Association of San Miguel Firefighters Communications

Captain Mike Hays was dispatched on a call and was unable to speak on behalf of Local 1434.

#### 19. Correspondence

Chief Brainard received a letter from the Parra family thanking San Miguel for the training and knowledge he received before getting hired on with Chula Vista Fire. The Chief also received 'Thank You' letters from Senator Brian Jones and Supervisor Joel Anderson for the letters submitted seeking COVID-19 funding for Fire Districts.

### **INFORMATIONAL AGENDA ITEMS**

#### 20. COVID-19 Update

- American Rescue Plan Act (ARPA)
  - \$4,000,000 Infrastructure for All Special Fire Districts – Unanimous Vote
  - SMG – approx. \$500,000 if all expenses approved
  - County Staff will contact Districts with process and what will be authorized
  
- Cal OSHA – SMG follows Cal OSHA guidance and to date there has been no significant change in requirement for mask and social distancing for employers. We are hopeful that Cal OSHA will adjust their guidance with the anticipated changes to the tier system June 15, 2021.

- Board Meetings – We are looking at the July Board meeting to return to in person Board meetings with appropriate restrictions. Some City Councils and Board of Directors already have or are planning to meet in person in the next few weeks.
- COVID 19 Vaccinations and positive tests
  - No change since last Board meeting
- Non-Personnel Expense
  - \$18,504 this FY (No change)
- Personnel Expense
  - \$338,356 this FY no change since last Board meeting)
  - \$185,000 Reimbursable from Operation Collaboration

#### 21. Prop E Citizen Advisory Oversight Committee

- SD County Taxpayer Association Meeting
  - Prop E - \$1.9M approved by voters by 73% in September 2007
  - Station 18 & 19 annual cost approx. \$2.4M
    - New apparatus and new station 19
  - Public Records Request sent to the Board
  - Board Letter from Jim Priest, BB&K – May 27, 2021
  - Letter to SDCTPA – May 27, 2021
  - Zoom meeting w SDCTPA to answer their questions
  - Need Board direction for Citizen Oversight Committee
  - Excellent response times x 4 years
  - SMG establish separate bank account

Director Nelson expressed interest in participating in the oversight committee if a director is needed.

#### 22. Community Facilities District Update

Chief Brainard shared the CFD update under the Chief's Report. Director Raddatz stated that he would like the cost of the CFD established and brought to the Board with priority.

### **ACTION PLAN RECAP**

- Table Resolution 21-12 (to the July 14, 2021, Regular Board Meeting)
- Review Board Policy Manual - Standing Committee & adding Negotiations Committee to the committees to be paid
- Deputy Fire Marshal to present information regarding new software for the Fire Prevention Bureau
- Table Item #13 (LAFCO Ballot) to the July 14, 2021, Regular Board Meeting & invite LAFCO nominated candidates to make presentations to the Board of Directors
- Future Date - Financial Presentation to the Board of Directors on the long-term fiscal plan
- Prop E - Citizen Advisory Oversight Committee to be formed - Contact BB&K for more information on the formation of the committee (3-5 members) - Board of Directors reinstate oversight committee at a later date
- Fiscal Impact Analysis brought forward for the Board of Directors to approve

The next Board Meeting will be a Regular Meeting, July 14, 2021, 5:30 pm, District Headquarters

President McKenna adjourned the meeting at 9:04 pm.

Prepared and Submitted by:  
**Shayna Rians**  
Board Recording Secretary