

**VISTA FIRE PROTECTION DISTRICT**  
**Special (*in lieu of regular*) Board of Directors Meeting**  
**Minutes –August 18, 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 special meeting of the Vista Fire Protection District Board of Directors at 6:00 PM at the “Smart Space” conference room located at 450 South Melrose Drive, Vista CA.

*Pledge of Allegiance*

Director Elliott led the assembly in the Pledge of Allegiance.

1. Roll Call

Directors Present: Elliott, Fougner, Gomez, Miller,

Directors via Zoom: Ploetz

Directors Absent: None

Staff Present: Ned Vander Pol, Fire Chief; Jeremy Nichols, Fire Inspector, and Fred Pfister, Esq., Legal Counsel.

2. Approval of this Meeting’s Agenda

MOTION BY DIRECTOR ELLIOT, SECOND BY DIRECTOR MILLER, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to approve the agenda as submitted, with consensus to reorder agenda items 8. A. to discuss time certain; 7. B; and 10. D.

3. Open Discussion with the Board (Public Comment)

Mr. Ishaq Haid, President, Vista Valley Home Owners Association (HOA) and Mr. Serge Drovatschewsky addressed the board with their concerns regarding evacuations in the event of a wildfire or other emergency. They sought from the board information and/or a presentation to the residents to explain what to expect in such an event. Chief Ned Vander Pol, along with the appropriate staff offered to attend their HOA meeting to explain the evacuation process, answer any questions, and provide any additional information. Director Gomez was assigned to coordinate with Chief Vander Pol the meeting between the Fire Department representatives and the HOA.

4. Approval of the Minutes

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR GOMEZ, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to approve the following minutes as submitted:

a. Board of Directors Regular Meeting minutes held July 13, 2022

5. Fire Department Reports

a. *District Fire Inspector:* Fire Inspector Nichols summarized the previous month’s activities. He updated the Board the status of weed abatement inspections. He reported that approximately 20 parcels remain uncleared and will be physically posted for noncompliance prior to any forced abatements.

b. *Fire Marshal:* Deputy Chief Usher was unable to attend. There was no additional information offered to the written report submitted.

c. *Fire District Performance Report:* Chief Vander Pol – no report; however, Battalion Chief Steve Wecklich is learning to prepare the monthly report.

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- d. *Fire Chief Update:* Chief Vander Pol reported the following:
  - i. Fire Mitigation Fee Annual Report is in the final stages of preparation and the responsibility will be turned over to the Administrative Manager
  - ii. Wildfire season – the Santa Ana winds, typical to September and October is estimated to be six wind events, and that the fire activity is anticipated to be above normal
  - iii. SAFER Grant – there is no word to date if the Grant has been approved. This grant would fund a 5th ambulance with two firefighters
  - iv. Five new hires are in backgrounds, with an anticipated start date at the end of October.Chief Vander Pol responded to questions from the Board.

6. Officers' Reports

- a. *Accounts Payable:* MOTION BY DIRECTOR PLOETZ, SECOND BY DIRECTOR ELLIOTT, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN approving the July 2022 Accounts Payable and Payroll Requests that include the Treasurer's certification for the availability of funds.
- b. *Treasurer's Report:* Director Elliott reviewed the reports in the absence of the Treasurer. He discussed the following topics:
  - i. Fire Mitigation Fee Fund Balance: deferred the discussion to the Public Hearing for Fire Mitigation Fees
  - ii. Investment Portfolio as of July 31: the investment totals and rates of return were provided for information. Director Elliott reported that he and the Administrative Manager met with the Treasurer about rebalancing the portfolio. Interest rates continue to climb. He responded to questions from the board.
- c. *Administrative Manager's Report:* Ms. Rannals submitted reports on several matters on the agenda but was unable to attend due to the change in meeting schedule.
- d. *Legal Affairs:* Mr. Pfister – nothing to report.

7. Committee Reports

- a. *Fuel Modification:* Chief Vander Pol reported that Deputy Chief Usher is leading the work on recommendations from the Anchor Point study. He was unable to attend the meeting and this subject will be deferred to next month.
- b. *Response Times:* FireStats Consultant Mr. Paul Rottenberg presented the results of his analysis on Department response times within the District. His objective was to determine the causes for differing travel times in the District as compared to travel times to the City. He looked at several variables (e.g., distance from stations, elevations, and the number of intersections, which is a proxy for distance), and for his analysis he used five years of data.

He graphically showed the results noting his conclusion has negative findings. In summary, there is no material factor in the differences in response times other than the distance to the call.

President Fougner solicited from the subcommittee and all board members their views on the results. Director's Miller and Gomez were both satisfied of the work, and believe that the report verifies what the Fire Chief has been telling the Board. The discussion also covered how best to report and monitor the data going forward. Chief Vander Pol agreed to work with the subcommittee and the consultant to provide a recommendation at the next meeting. The consultant also agreed to deliver a copy of the presentation by the next meeting to the Fire Chief and subcommittee.

*Recess 7:44 pm – 7:54 pm*

8. Special Matters Designated for Consideration – Time Certain – 6:15 pm

- a. *Fifth Hearing on Proposals for Creating District Divisions for Elections*: President Fougner opened the public hearing at 6:15pm. He introduced Elizabeth Stitt from Redistricting Partners who participated remotely. Ms. Stitt delivered a PowerPoint presentation that summarized the previous direction given by the Board in developing the district maps, noting that this meeting fulfills the five (5) meeting requirement.

During her presentation she reported that there were some shapes missing from the original file submitted for the district boundaries which added approximately 500 to the district's population. She did have to make modification to the Board's preferred map B2. She moved seven (7) census blocks to rebalance the population which resulted in a total deviation of 5.2%, which is less than the 10% allowed. As for the sequencing, Divisions A, B, and C will be up for election in 2024, and Divisions D and E will be up for election in 2026. Ms. Stitt responded to questions from the board. President Fougner closed the public hearing 6:22 pm.

- b. *Resolution No. 2022-04 Adopting Division Boundaries for District Elections*: President Fougner presented the resolution, noting minor changes submitted by legal counsel to the Board for their consideration.

MOTION BY DIRECTOR MILLER, SECOND BY DIRECTOR GOMEZ to approve Resolution No. 2022-04 *entitled* Elections Changed from "At-Large" to Election from Separate Geographic Divisions on the following roll call vote:

AYES:	Elliott, Fougner, Gomez, Miller, Ploetz
NOES:	None
ABSENT:	None
ABSTAIN:	None

9. Continuing Business

- a. *Emergency Access Roads*: Director Ploetz – no report.

10. New Business

- a. *Article XIII B California Constitution Appropriation Limit*
- i. Director Elliott reported on behalf of the Administrative Manager and summarized the staff report provided. He reported that she recommends that the Board of Directors select the following formula to calculate the District's new appropriation limit for the 2020/2021 fiscal year:
1. Change in California per capital personal income (5.73%) for the Cost-of-Living Factor; and
  2. Change in population within San Diego County average (-.37%).

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR MILLER, and APPROVED to accept staff's recommendation for calculation of the District's appropriations limit on the following roll call vote:

AYES: Elliott, Fougner, Gomez, Miller, Ploetz  
NOES: None  
ABSENT: None  
ABSTAIN: None

b. *Resolution No. 2022-05*

Director Elliott informed the Board that this resolution required by the State of California reflects the Board's action of selecting the formula to calculate the District's appropriations limit.

MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR ELLIOTT, and ADOPTED Resolution No. 2022-05 *entitled* a Resolution of the Board of Directors of the Vista Fire Protection District Determining the 2021/2022 Appropriations of Tax Proceeds on the following roll call vote:

AYES: Elliott, Fougner, Gomez, Miller, Ploetz  
NOES: None  
ABSENT: None  
ABSTAIN: None

c. *Capital Improvement Plan for the Use of the Fire Mitigation Fee Revenue:*

i. *Public Hearing:* Fire Mitigation Fee Fund Multi-Year Plan – President Fougner opened and closed the public hearing. No oral or written comments were received.

ii. *Resolution No. 2022-07*

Director Elliott reported that the resolution presented is a part of the summary report prepared each year for the County of San Diego for the Fire Mitigation Fee program. The planned expenditure of \$408,000 (the reconstruction of Fire Station 3) was supported by the 7<sup>th</sup> Supplemental Amendment to the Contract with the City. This amount can change by future board action. Director Elliott responded to questions from the Board.

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR GOMEZ, and ADOPTED Resolution No. 2022-07 *entitled* A Resolution of the Board of Directors of the Vista Fire Protection District to Adopt a Capital Improvement Plan for the Use of Fire Mitigation Fee Revenue on the following roll call vote:

AYES: Elliott, Fougner, Gomez, Miller, Ploetz  
NOES: None  
ABSENT: None  
ABSTAIN: None

iii. *Receive and File Annual Report of Revenues and Expenditures*

Director Elliott reported that this annual report is required by the County of San Diego Fire Mitigation Fee Ordinance, and is a summary report of revenues received, planned expenditures and fund balances.

MOTION BY DIRECTOR MILLER, SECOND BY DIRECTOR GOMEZ, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN receive and file the annual report.

d. *Vista Fire Protection District Conflict of Interest Code*

- i. 2022 Conflict of Interest Code Biennial Notice: Director Elliott summarized the staff report provided. The primary change is adding the position of Administrative Manager to the list of positions required to file.

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR GOMEZ, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to Authorize the Administrative Manager as the Chief Executive Officer to execute the form, and authorize the Administrative Manager to certify to the County of San Diego Clerk of the Board no later than October 1, 2022 that amendments are necessary to the District's code

ii. *Resolution No. 2022-06*

MOTION BY DIRECTOR ELLIOTT, SECOND BY DIRECTOR GOMEZ, and ADOPTED Ordinance No. 2022-06 *entitled* A Resolution of the Board of Directors of the Vista Fire Protection District Amending the Fair Political Practices Commission's Standard Conflict of Interest Code and Candidate Disclosure Statement and Repealing Board Action on November 14, 2018 on the following roll call vote:

AYES:	Elliott, Fougner, Gomez, Miller, Ploetz
NOES:	None
ABSENT:	None
ABSTAIN:	None

- e. *Formation of Temporary Subcommittee on County Public Works*: Director Elliott introduced Jerry Hill, a former director of the Fire District. He summarized his Director's report included with the meeting material and recommended that the Board authorize the formation of an ad hoc subcommittee comprised of one Board Member and one citizen to monitor, promote, and advocate on behalf of VFPD for projects promoting fire safety, fire response, and emergency access within the District. As a part of his recommendation, The Board of Directors would appoint Director Ploetz as the VFPD Board Member and Citizen Jerry Hill to the ad hoc committee.

MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR MILLER, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to form an ad hoc Committee on Public Works comprised of one (1) board member, Director Ploetz and one (1) citizen, Jerry Hill.

11. CLOSED SESSION

Pursuant to the following sections, the board met in closed session from 8:43 – 909 pm, and discussed the following:

- a. With respect to every item of business to be discussed in closed session pursuant to Section 54957: Public Employment  
Title: Administrative Manager  
*All board members listed and Mr. Fred Pfister, Attorney, White & Bright and participated in this discussion.*

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- b. With respect to every item of business to be discussed in closed session pursuant to Section 54956.8: Conference with negotiators for the following real property:  
2319 Panoramic, Lot 1, Vista  
Negotiating Parties: Jim Elliott, Director; Read Miller, Director  
Under Negotiation: Both Price and Terms of Payment  
*All board members listed and Mr. Fred Pfister, Attorney, White & Bright and participated in this discussion.*

Upon reconvening to open session, President Fougner announced that for Item 11.a. direction was given to President Fougner and Director Elliot to amend the employment contract for the Administrative Manager. A revised contract will be included on the agenda for the next regular meeting; and for Item 11. b. he reported that there was no action taken.

12. Directors' Announcements & Written Communications

- a. *President Fougner*: he reported that the meeting package included his written response to the letter recently sent by the City of Vista City Manager, as well as recent communication from County of San Diego Department of Public Works regarding the Lone Oak Culvert Headwall Repair Project.
- b. *Director Ploetz*: he conveyed his appreciation to the accommodation to the meeting change. He also expressed his concern to the District's website and the needed updates. Perhaps a committee could be formed to improve the website.

12. Motion for Adjournment

MOTION BY DIRECTOR GOMEZ, SECOND BY DIRECTOR ELLIOTT and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to adjourn at 9:13 pm.

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Karlana Rannals  
Board Clerk

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Robert Fougner  
President