

Rancho Santa Fe Fire Protection District  
Regular Board of Directors Meeting  
Minutes November 17, 2021



*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.*

President Ashcraft called to order the regular session of the Rancho Santa Fe Fire Protection District Board of Directors at 1:02 pm.

***Pledge of Allegiance***

Chief Twohy led the assembly in the Pledge of Allegiance.

**Roll Call**

Directors Present: Ashcraft, Hillgren, Malin, Stine, Tanner

Staff Present: Fire Chief Fred Cox; Deputy Chief Dave McQuead; Battalion Chief Bruce Sherwood; Fire Marshal Marlene Donner; Volunteer Recruitment & Retention Coordinator Chief Frank Twohy; and Manager, Finance & Administration/Board Clerk Alicea Caccavo

**Request by Staff to amend the Agenda to add to New Business Resolution 2021-22**

MOTION BY DIRECTOR HILLGREN, SECOND BY DIRECTOR STINE, to amend the agenda to add to New Business Resolution 2021-22 regarding the Management Salary and Benefits on the following roll call vote:

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

**1. Special Presentations**

a. Employee Recognition – Service Awards

**5-year**

- Sean Canfield
- Correy Cooper
- Jake Elkins
- Raul Roman
- Michael Weeks
- Burgen Havens
- Brandon Closs
- Frank Twohy

**10-year**

- Troy Duncan

**15-year**

- Nick Chapin
- Trever Krueger
- Tanner Worley
- Chris Danner
- Stephen Sepich

**20-year**

- Bruce Sherwood

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**30-year**

- Lee Haskin

*Director Ashcraft conveyed to all those listed that the community appreciates the service and the sacrifices they have made. Chief Twohy was presented with the five-year service award by Director Ashcraft. Chief Twohy thanked the group and introduced his son, a Captain in the CalFire training division. Director Ashcraft also presented the 20-year award to Battalion Chief Sherwood.*

- b. Presentation of Proclamation/Resolution - Volunteer Recruitment/Retention Coordinator  
Presentation of a Proclamation/Resolution to Frank K. Twohy, Volunteer Recruitment & Retention Coordinator in recognition of his exceptional efforts in developing and maintaining the District's Volunteer Reserve Program.
- c. Presentation of Proclamation/Resolution - Volunteer Recruitment/Retention Coordinator  
Presentation of a Proclamation/Resolution to Michael Martinez, Volunteer Recruitment & Retention Coordinator in recognition of his exceptional efforts in developing and maintaining the District's Volunteer Reserve Program.

*Director Ashcraft presented Chief Twohy with the proclamation for all his service to the Rancho Santa Fe Fire Protection District. Director Ashcraft also presented to Mike Martinez a proclamation for his efforts.*

2. **Motion waiving reading in full of all Resolutions/Ordinances**

MOTION BY DIRECTOR HILLGREN, SECOND BY DIRECTOR STINE, and CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to waive reading in full of all resolutions and/or ordinances.

3. **Consent Calendar**

MOTION BY DIRECTOR TANNER, SECOND BY DIRECTOR HILLGREN, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to approve the consent calendar with the change to letter d. Resolution No. 2021-18 same content as the Proclamation; was reworded to fit the page.

a. **Board of Directors Minutes**

- Board of Directors minutes of October 20, 2021

b. **Receive and File**

- Monthly/Quarterly Reports

(1) List of Demands Check 34402 thru 34488, Electronic File Transfers (EFT), and Wire Transfer(s) for the period October 2021 totaling:	\$ 237,121.76
Wire Transfer(s) period October 2021	\$ 241,593.92
Payroll for the period October 2021	<u>\$ 949,424.63</u>
TOTAL DISTRIBUTION	\$1,428,140.31

(2) RSF District Budget Review period ending September 30, 2021

(3) Investment Review period ending September 30, 2021

(4) Activity Reports – October 2021

(a) Operations

(b) Training

(c) Fire Prevention

(d) Correspondence - letters/cards were received from the following members of the public:

(i) None

c. **Resolution No. 2021-17**

To adopt by consent Resolution No. 2021-17 – *entitled* A Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Proclaiming A Local Emergency Persists, Re-Ratifying The Proclamation of a State Of Emergency by Governor Newsom's Executive Orders N-25-30, Issued March 12, 2020; N-33-20 Issued

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March 19, 2020, and Re-Authorizing Remote Teleconference Meetings Of The Legislative Bodies of Rancho Santa Fe Fire Protection District for the Period November 17 through December 16, 2021 Pursuant to Brown Act Provisions

d. Resolution No. 2021-18 – Frank Twohy

To adopt by consent Resolution 2021-18 – *entitled* A Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Honoring Frank K. Twohy Retiring Fire Chief.

e. Resolution No. 2021-19 – Mike Martinez

To adopt by consent Resolution 2021-19 – *entitled* A Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Honoring Michael A. Martinez.

1:15 pm Fire Marshal Donner left the meeting.

4. Public Comment

*None*

5. Old Business

*None*

6. Resolution/Ordinance

a. Resolution No. 2021-20

To discuss and/or accept Resolution No. 2021-20 – *entitled* a Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Acknowledging Receipt of a report made by the Fire Chief Regarding Required Inspection of Certain Occupancies Pursuant Section 13146.2 and 13146.3 of the California Health and Safety Code. Staff Report 21-18

*Fire Chief Cox reported that this is an annual item required to report that all mandated inspections have been completed.*

MOTION BY DIRECTOR STINE, SECOND BY DIRECTOR HILLGREN, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to accept Resolution No. 2021-20 – *entitled* a Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Acknowledging Receipt of a report made by the Fire Chief Regarding Required Inspection of Certain Occupancies Pursuant Section 13146.2 and 13146.3 of the California Health and Safety Code. Staff Report 21-18.

b. Resolution 2021-21

To discuss and/or adopt resolution 2021-21 *entitled* A Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Ratifying the Employment Agreement between the Rancho Santa Fe Fire Protection District and Fire Chief David C. McQuead. Exhibit A

*Director Ashcraft reported that this is the Agreement between the district and the new incoming Fire Chief McQuead.*

MOTION BY DIRECTOR MALIN, SECOND BY DIRECTOR STINE, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to ADOPTING Resolution 2021-21 *entitled* A Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Ratifying the Employment Agreement between the Rancho Santa Fe Fire Protection District and Fire Chief David C. McQuead.

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Ordinance No. 2022-01

To discuss and review the final version for Ordinance No. 2022-01 *entitled* an Ordinance of the Board of Directors of the Rancho Santa Fe Fire Protection District Adopting Fees for Services by Reference to the California Health and Safety Code Section 13916 and Section 13919 and repealing Ordinance 2019-01. *Director Ashcraft reported that due to a publishing error, the public hearing and final adoption will be done at the December 15<sup>th</sup> regularly scheduled meeting. Manager Caccavo added that it will then take effect February 1, 2022 provided there are no issues. Chief Cox indicated that there were minor corrections highlighted in yellow.*

c. Ordinance No. 2022-02

To introduce Ordinance No. 2022-02 *entitled* an ordinance of the Rancho Santa Fe Fire Protection District repealing Ordinance No. 2019-02 and enacting Ordinance No. 2022-02 relating to vegetation management, defensible space, and declaring certain vegetation, and certain waste matter a public nuisance, and providing for the removal thereof. Staff Report 21-19  
*Deputy Chief McQuead reported that he worked with Fire Prevention Staff to produce this Ordinance. The Ordinance is meant to clearly define for Staff and the public the process and fines related to prevention activities. Staff answered questions from the Board.*

*President Ashcraft opened the public hearing. The Board Clerk reported that there have been no public comments submitted. The Board agreed to schedule the second public hearing and final adoption on December 15, 2021.*

d. Ordinance No. 2022-03

To introduce Ordinance No. 2022-03 *entitled* an ordinance of the Rancho Santa Fe Fire Protection District declaring that all parcels of land within the boundaries of the Rancho Santa Fe Fire Protection District are to remain in compliance with any local ordinances, including proof of compliance upon transfer of real property. Staff Report 21-20  
*Deputy Chief McQuead reported that Assembly Bill 38 now requires that the seller provide buyer with documentation that the property is in compliance with all local ordinances when sold in a high fire severity zone. He reported that the District could perform this service. Staff answered questions from the Board.*

*President Ashcraft opened the public hearing. The Board Clerk reported that there have been no public comments submitted. The Board agreed to schedule the second public hearing and final adoption on December 15, 2021.*

7. New Business

a. Resolution 2021-22

To introduce Resolution 2021-22 *entitled* a Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Establishing Salaries and Benefits for Management Personnel.  
*Manager Caccavo reported that the only revision made is to comply with the CalPERS requirements for the Management Supplemental Benefit to be renamed Management Incentive Pay (MIP) and include language that refers to Public Employees' Retirement Law (PERL). There is no impact to content financially or administratively.*

MOTION BY DIRECTOR HILLGREN, SECOND BY DIRECTOR STINE, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to ADOPTING Resolution 2021-22 *entitled* a Resolution of the Board of Directors of the Rancho

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Santa Fe Fire Protection District Establishing Salaries and Benefits for Management Personnel on a roll call vote:

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

b. Independent Auditor's Report FY 2020/2021

*Director Malin reported that the finance ad hoc committee (Directors' Malin and Tanner, Chief Cox and Alicea Caccavo) met with Coley Delaney, CPA from the Pun Group to review the draft audit report for FY21.*

*Director Malin informed the Board that the ad hoc committee was satisfied with the discussion in the meeting; the District received a clean opinion and no recommendations from the auditors.*

*He reminded his board colleagues of the notes, particularly Note 7 which refers to the full pension liability. The board has continued their efforts by making accelerated payments to reduce the District's pension obligation; however, there is little improvement.*

*Director Malin also advised that in FY22 the District will have to report lease expense on the financials due to GASB 87.*

*It was recommended that the Board accept the report as distributed. The ad hoc committee responded to questions from the Board.*

MOTION BY DIRECTOR HILLGREN, SECOND BY DIRECTOR STINE, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to ACCEPT the FY 2020/2021 independent audit prepared by The Pun Group as distributed.

c. Board of Directors Meeting Calendar

*Board Clerk Caccavo reviewed the staff report provided. She informed the board members that the schedule listed reflects the meeting date for the third Wednesday of each month, and she included routine matters that are considered by the Board with specific deadlines to assist should it be necessary to reschedule a meeting. After review of the calendar, it was determined that there may be some conflicts and the CY22 meeting calendar should be tabled to the next meeting.*

MOTION BY DIRECTOR STINE, SECOND BY DIRECTOR MALIN, CARRIED 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN to table the meeting calendar to the December 15, 2021, regularly scheduled meeting.

8. Oral Report

a. Fire Chief – Cox

- **AB 602:** Chief Cox reported that AB 602 is a new bill that requires the District to have a nexus study to fire mitigation impact fees adopted after July 1, 2022. There may be different fees for different geographical and differing income ranges. The current fee is \$0.58 for our jurisdiction.
- **RSF1 Tenant Improvements:** Patrol should be moved into the lower offices; North Comm will be starting their improvements. North Comm's TI is quoted at \$100,000.
- **District Activities:** The Local had a golf tournament in honor of Dale Mosby; and Ray Ramage's funeral service the previous day was nicely done. Chief Cox has been moving items over to Chief McQuead.

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b. Operations – Deputy Chief

*Chief McQuead reported that Ian O’Conner is off probation; the previous week one of the crews including Captain Roman, Engineer Cantrell and Probationary Firefighter Farmer had a choking save and a CPR save all in one day.*

*2:26pm Break to prepare for Closed Session*

*2:34pm Adjourned to Closed Session*

9. Closed Session

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

***Board Members Ashcraft, Malin, Stine, Tucker, Fire Chief Cox, Deputy Chief McQuead, Manager Caccavo and Legal Counsel Steve Fitch (via Zoom) attended and participated in the discussions.***

***2:50pm Board Member Hillgren excused herself due to possible conflict.***

*3:07pm Reconvened to Open Session*

*Upon reconvening to open session; direction was given to the Fire Chief.*

8. Oral Reports (continued)

- b. Volunteer – Volunteer Recruitment & Retention Coordinator: *Chief Sherwood reported that Engineers Barkhimer and Cantrell will be taking over the volunteer program; Captain McVey will be setting up the scheduling system to accommodate their schedules; currently have eight (8) reserves.*
- c. Training – Battalion Chief: *Chief Sherwood reported that the zone academy just wrapped up. The staff completed 1800 hours of training which translates to 360 hours per month to ensure they are prepared.*
- d. Fire Prevention – Fire Marshal: *Fire Chief Cox reported that meeting with Prevention staff to improve customer service and over the counter plan check process will be started again three (3) days a week by appointment. Chief Cox reported that in reviewing the tax rolls, of the 14,000 parcels in our district, 13,000 are collecting a benefit fee from. Staff responded to questions from the Board regarding square footage in the District.*

*3:20 Fire Marshal Donner returned to the meeting.*

*Fire Chief reported anticipating four (4) assisted living care homes coming to the District. Fire Marshal Donner reported on working with Art Jury for a better process for all. Frap maps and potential insurance cancellations are still a concern. She reported that AB9 created a new branch from the State to take over some CalFire programs in the prevention area. Fire Marshal Donner reported that AB1295 will prohibit the legislative body, city, or county from entering into an agreement with residential property development in a high fire area.*

- e. Manager, Finance & Administration: *Manager Caccavo reported that the Audit is complete; working with the North Zone to do Engineer testing in March; Fire Service Assistant interviews on 11/23/2021. Manager Caccavo reported that our Accounting Technician, Sarah Montagne, passed probation and is doing an excellent job.*

***Administrative and Prevention Staff brought into the meeting:***

*Director Ashcraft awarded the 5-year service award to Brandon Closs and Burgen Havens.*

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f. Board of Directors:

- North County Dispatch JPA – *Director Ashcraft reported that North Comm is starting their Tenant Improvements as reported. Next meeting in December.*
- County Service Area – 17 – *Director Hillgren reported that meetings have improved; transports were up 24%; revenue is up 8%; no capital projects anticipated. She reported that the request for proposal for the ambulatory service is late getting out, so the current vendor AMR will do a contract extension until the end of June 2022. Sal Ruiz is putting together upcoming classes for CPR.*
- Director Comments
  - (1) Malin - None
  - (2) Stine - None
  - (3) Tanner – *Thanked the District for getting the Veteran Day flags out in the village.*
  - (4) Hillgren – *No news from any of the board on Fire Watch maps. Director Hillgren brought up the article from Union Tribune entitled “Better Way to Fund Fire Districts.” Topic alluded that fire departments have vested interest in Wildland Interface projects as that’s how revenue is generated which is untrue; did not mention revenue from fire mitigation funding or other. The authors of the article were members of the conservation committee of the Sierra Club.*
  - (5) Ashcraft - None

10. Adjournment

*Meeting adjourned at 3:44pm.*

  
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Alicea Caccavo  
Board Clerk

  
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James H. Ashcraft  
Board President