

NORTH COUNTY FIRE PROTECTION DISTRICT

330 S. Main Avenue • Fallbrook, California 92028-2938 • Phone: (760) 723-2005 • Fax: (760) 723-2072 • Web: www.ncfire.org

BOARD OF DIRECTORS

CINDY ACOSTA
JEFFERY EGKAN
DAVID KENNEDY
KENNETH E. MUNSON
JOHN VAN DOORN

STEPHEN J. ABBOTT - Fire Chief/CEO - sabbott@ncfire.org
ROBERT H. JAMES - District Counsel - robertjameslaw@gmail.com
LOREN A. STEPHEN-PORTER - Executive Assistant/Board Secretary - lstephen@ncfire.org

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
SUBJECT: BOARD MEETING PACKAGE
DATE: JANUARY 26, 2021

Enclosed is your Board package for the Regular January 26, 2021 Board Meeting. We have tried to include the information you will need to effectively consider and act on agenda items.

DUE TO THE COVID-19 OUTBREAK AND PURSUANT TO THE DECLARATIONS BY GOVERNOR NEWSOME AND THE COUNTY OF SAN DIEGO, UNTIL FURTHER NOTICE, ALL BOARD MEETINGS WILL BE TELEPHONIC ONLY.

The Board, Staff and Public may participate by using the following information:

Audio-only: Call: 1-408-419-1715. Meeting ID: 834 677 344, followed by #.

Visual/Audio: <https://bluejeans.com/834677344?src=calendarLink>.

Board documents are online at: <https://www.ncfire.org/2021-01-26-board-regular-meeting>

Please note this month's meeting is scheduled for Tuesday, January 26, 2021, beginning at **4:00 p.m.**

It is our goal to be prepared to respond accurately to Board questions and concerns. You can help us achieve this goal by contacting me prior to the Board meeting with your questions and concerns. This will allow time for the Staff and me to provide the appropriate information for review at the Board meeting.

To ensure a quorum is present, please call Loren in advance of the meeting if you will be unable to attend. She may be reached at (760) 723-2012.

Respectfully,



Stephen Abbott
Fire Chief/CEO



PROUDLY SERVING THE COMMUNITIES OF FALLBROOK, BONSALE AND RAINBOW

DUTY ~ INTEGRITY ~ RESPECT



NORTH COUNTY FIRE PROTECTION DISTRICT

AGENDA FOR REGULAR BOARD MEETING

JANUARY 26, 2021

4:00 p.m.

DUE TO THE COVID-19 OUTBREAK AND PURSUANT TO THE DECLARATIONS BY GOVERNOR NEWSOME AND THE COUNTY OF SAN DIEGO UNTIL FURTHER NOTICE, ALL BOARD MEETINGS WILL BE TELEPHONIC ONLY.

The Board, Staff and Public may participate by using the following information:

Audio-only: Call: 1-408-419-1715 or 1-408-419-6290. Meeting ID: 834 677 344, followed by #.

Visual/Audio: <https://bluejeans.com/834677344?src=calendarLink>

Board documents are online at: <https://www.ncfire.org/2021-01-26-board-regular-meeting>

PUBLIC ACTIVITIES AGENDA

We invite you to stay for the remainder of the business meeting, however, please feel free to depart at the close of the Public Activities Agenda.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

1. PUBLIC COMMENT — PRESIDENT VAN DOORN

(pgs. 5-6)

- *STANDING ITEM:* Members of the Public may directly address the Board of Directors on items of interest to the Public provided no action will be taken on non-agenda items. The Board President may limit comments to three minutes per speaker (Board of Directors Operations – Elections, Officers and Terms SOG § 4.2.6.3.).

2. CHALLENGE COIN AWARD — ENGINEER/PM COLLIN BAKER AND CHIEF ABBOTT

(pgs. 7-8)

- *Recurring Item:* Present Challenge Coin and Award to Shawn Hill and Don Hale who assisted in providing first aid to an injured community member.

3. THIRD AND FOURTH QUARTER 2020 AWARDS FOR BOARD RECOGNITION PROGRAM —

(pgs. 9-20)

CHIEF ABBOTT AND B/S STEPHEN-PORTER

- *QUARTERLY ITEM:* Select employees to be acknowledged for their efforts in the Third and Fourth Quarter 2020.

ACTION AGENDA

CONSENT ITEMS:

All items listed under the Consent Items are considered routine and will be enacted in one motion. There will be no separate discussion of these items prior to the Board action on the motion, unless members of the Board, Staff or public request specific items be removed from the Consent Agenda.

4. APPROVE REGULAR BOARD MEETING MINUTES DECEMBER 8, 2020

(pgs.21-28)

- *STANDING ITEM:* Review and approve minutes from December meeting as presented.

5. REVIEW AND ACCEPT FINANCIAL REPORT FOR DECEMBER 2020

(pgs. 29-40)

- *STANDING ITEM:* Review and Accept Financial Report for December as presented.

Note: The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, District business. If you need assistance to participate in this meeting, please contact the District Office 72 hours prior to the meeting at (760) 723-2012.



6. REVIEW AND ACCEPT POLICIES & PROCEDURES (pgs.41-42)

➤ RECURRING ITEM: None.

7. REVIEW AND ACCEPT 2ND QUARTER OVERTIME TRACKING REPORT (pgs. 43-48)

➤ QUARTERLY REPORT: Review and accept report that indicates a 19% increase in annual and 137% increase in sick leave. Current overtime expenditures are 154% expended but the District has outstanding mutual aid reimbursements of \$ 930,277., which reduces the overtime expenses to 67% of the budget.

ACTION EVENTS:

All items listed under the Action Items Agenda will be presented and discussed prior to the Board taking action on any matter. Members of the public may comment on items at the time they are presented. Time Certain Items will commence precisely at the time announced in the Agenda.

8. REVIEW AND APPROVE CONTRACT FOR MEDICAL STANDBYS WITHIN DISTRICT EOA AND APPROVE RESOLUTION 2021-01 — D/C MAHR AND CHIEF ABBOTT (pgs.49-64)

➤ RECURRING ITEM: Review and approve Resolution 2021-01 and attached contract, authorizing Chief Abbott to sign agreement, which permits Mercy Medical Transport to continue to provide limited medical standby for San Luis Rey Down Training Center, located within the District's Exclusive Operating Area. Agreement has been reviewed by District Counsel.

9. REVIEW AND APPROVE RESOLUTION 2021-02 ALLOWING THE DISTRICT TO PURSUE GRANT FUNDING FOR EXTRACTION EQUIPMENT THROUGH GRANT PROGRAM — CHIEF ABBOTT (pgs. 65-74)

➤ New Item: Request to approve Resolution 2021-02 to permit the District to apply for NRG Program funding for the equipment.

DISCUSSION AGENDA

No action shall be undertaken on any Discussion item. The Board may: acknowledge receipt of the information or report and make comments; refer the matter to Staff for further study or report; or refer the matter to a future agenda.

10. LONG RANGE FINANCIAL PLANNING DISCUSSION — CHIEF ABBOTT (pgs. 75-76)

STANDING DISCUSSION EVENTS:

All Events listed under the Standing Discussion Events are items presented every meeting.

LEGAL COUNSEL REPORT: (pgs. 77-78)

- "Public Officials' New Social Media Open Meeting Law – Part 2."

WRITTEN COMMUNICATION: (pgs. 79-88)

- BOARD RECOGNITION PROGRAM

NEWS ARTICLES: As attached. (pgs. 89-160)

COMMENTS/QUESTIONS: (pgs. 161-162)

STAFF:

- Chief Abbott
- Other Staff

BOARD

BARGAINING GROUPS

PUBLIC COMMENT



CLOSED SESSION

The Board will enter closed session to discuss Events as outlined herein. As provided in the Government Code, the public will not be present during these discussions. At the end of the Closed Session, the Board shall publicly report any action taken in Closed Session (and the vote or abstention on that action of every member present) in accordance with Government Code § 54950 ET. seq.

- CS-1. **ANNOUNCEMENT — PRESIDENT VAN DOORN:** (pgs. 163-164)
➤ An announcement regarding the items to be discussed in Closed Session will be made prior to the commencement of Closed Session.
- CS-2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8 — CHIEF ABBOTT:**
➤ PROPERTY LOCATION: 4157 Olive Hill Road, Fallbrook, CA 92028;
PARTIES: North County Fire Protection District (Seller);
UNDER NEGOTIATION: Terms of Purchase;
DISTRICT NEGOTIATORS: Chief Abbott, District Counsel James
- CS-3. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT GROUP NEGOTIATIONS – CHIEF ABBOTT:**
➤ NCFPD MANAGEMENT GROUP DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner
- CS-4. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY GROUP NEGOTIATIONS – CHIEF ABBOTT:**
➤ FFA NON-SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner
- CS-5. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY GROUP NEGOTIATIONS – CHIEF ABBOTT:**
➤ FFA SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner
- CS-6. **REPORT FROM CLOSED SESSION — PRESIDENT VAN DOORN**

ADJOURNMENT

SCHEDULED MEETINGS

The next regularly scheduled Board meeting is: **Tuesday, February 23, 2021, 4:00 p.m. - Telephonic.**

CERTIFICATION OF AGENDA POSTING

I certify that this Agenda was posted in accordance with the provisions of the Government Code § 54950 et. seq. The posting locations were: [1] the entrance of North County Fire Protection District Administrative Offices, [2] Fallbrook Public Utility District Administrative Offices and [3] the Roy Noon Meeting Hall. The Agenda was also available for review at the Office of the Board Secretary, located at located at 330 S. Main Avenue, Fallbrook (760) 723-2012. Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet, are available for public inspection in the Office of the Board Secretary, located at 330 S. Main Avenue, Fallbrook (760) 723-2012, during normal business hours or may be found on the District website at <http://www.ncfire.org>, subject to the Staff's ability to post the documents before the meeting. The date of posting was **January 22, 2021.**

Board Secretary Loren Stephen-Porter:



Date: January 22, 2021



**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: JANUARY 26, 2021
SUBJECT: PUBLIC COMMENT

PUBLIC COMMENT:

- 1. Members of the Public may directly address the Board of Directors on items of interest to the Public provided no action will be taken on non-agenda items. The Board President may limit comments to three minutes per speaker (Board of Directors Operations – Elections, Officers and Terms SOG § 4.2.6.3.).*

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
STAFF REPORT**

TO: BOARD OF DIRECTORS
FROM: ENGINEER/PARAMEDIC COLLIN BAKER AND CHIEF ABBOTT
DATE: DECEMBER 8, 2020
SUBJECT: CHALLENGE COIN AWARD

PUBLIC AGENDA

BACKGROUND:

North County Fire Protection District has created a Recognition Program for members of the community who go above and beyond to assist the organization and/or fellow townspeople in times of need. The recipients of the NCFPD community challenge coin will be Fallbrook residents Shawn Hill and Don Hale, who assisted NCFPD during a recent Medical Aid.

SUMMARY:

On 10/31/20, E114 and M115 were dispatched to a "Medical Aid" for a citizen who experienced a fall resulting in head trauma in the area of Ammunition and S. Mission. E114 arrived on scene to find Mr. Shawn Hill and Mr. Don Hale providing first aid to the patient who sustained a laceration to the head due to the fall. Mr. Hale and Mr. Hill took it upon themselves to act, utilizing a trauma kit from Mr. Hales personal vehicle in order to apply direct pressure dressings to the head wound that the patient sustained. Mr. Hale implemented his previous EMT training to render aid and provide the patient with the best possible care until first responders arrived. Both Mr. Hill and Mr. Hale were presented with the risk of being on the sidewalk of a very busy street with oncoming traffic facing them. Despite the inherent danger of the scene, they decided to continue to render aid and maintain the patient's neck in a neutral position for spinal precautions. Furthermore, Mr. Hale and Mr. Hill held a shade cover over the patient to block the sun from shining into the patient's face causing the patient to continually move his head and neck to avoid the sun in his eyes. Upon arrival of E114, Mr. Hale was able to provide the Firefighter Paramedic with an accurate description of how the injury took place along with the vital signs of the patient.

E114 crew believes that Mr. Shawn Hill and Mr. Don Hale deserve the recognition for providing such excellent care and compassion to a fellow community member. They exemplified the NCFPD Mission by providing excellence in safety and service to the community. Their sense of "Duty" to provide care to this injured individual mirrors the values that each one of the NCFPD members displays. Thank you both for your service that day and for your empathy in providing action during a time of need.

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS

FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO AND B/S STEPHEN-PORTER

DATE: JANUARY 26, 2021

SUBJECT: EMPLOYEE RECOGNITION PROGRAM REPORT – SELECTION OF INDIVIDUALS

ACTION AGENDA

RECOMMENDATION:

Staff recommends the Board select individual(s) to be recognized for their efforts during the Third and Fourth Quarter of 2020.

BACKGROUND:

In 2007, the Board instituted a Program designed to recognize excellent performance by members of the organization. On a quarterly basis, the Board selects employees to be recognized, based on feedback received during the quarter. The District has been fortunate to receive positive feedback on a number of employees' activities this past quarter, upon which they may make their selection from the individuals and groups below.

SECOND QUARTER RECOGNITION – INFORMATION RECEIVED ON INDIVIDUALS:

For the Third and Fourth Quarter of 2020, the Board received information on the following individuals/crews for their outstanding efforts:

● **BOARD RECOGNITION PROGRAM:**

● OCTOBER 26, 2020 – LETTER OF THANKS FOR MEDICAL AID ASSIST:

STATION 2 – CREW A:

Captain Mattarollo
Engineer Moritz
FF/PM Lian

STATION 5 – A CREW:

Paramedic Paur
EMT Guzman

● SEPTEMBER 26, 2020 – LETTER OF THANKS FOR PERFORMANCE ON OES DEPLOYMENT:

Captain Berry

● SEPTEMBER 1, 2020 – LETTER OF THANKS FOR MEDICAL AID ASSIST:

ENGINE 111:

Captain Jones
Engineer Harlin
FF/PM Hager

MEDIC 114:

PM Nash
EMT Webb

● JULY 31, 2020 – SHOUT OUT FOR EMS ROOM CLEAN-OUT AND ORGANIZATION:

FM/PM Doug De Brauwere
MSO Mary Murphy

Captain Ryan Garing
Engineer Sam Russell

FF/PM Ben Lian
PM Grant deWoody

BOARD OF DIRECTORS – EMPLOYEE RECOGNITION
JANUARY 26, 2021
PAGE 2 OF 2

- JULY 27, 2020 – LETTER OF THANKS FROM CITY OF ENCINITAS:
D/C Mahr
- JULY 24, 2020 – SHOUT OUT FOR PRIVACY FENCING PROJECT – STATION 1:
Captain Sahagun FF/PM Soriano
Engineer Russell PM Stratton
 PM DeWoody
- UNDATED THANK YOU – FIRE ASSISTANCE:

<u>B111:</u> B/C Greg Mann	<u>BR112:</u>	<u>BR 114:</u>	<u>E115:</u>
<u>E111:</u>	Captain Benoit Engineer Craven FF/PM Rivera	Captain Fieri Engineer Bracci FF/PM Alter-Reitz	Captain Bradshaw Engineer Glasgow FF/PM Krenz
Captain Jones Engineer Russell FF/PM Kortekaas	<u>WT 113:</u> Engineer Quinn		

FISCAL ANALYSIS:

The Program did not identify anyone in the previous quarter.

SUMMARY:

The Staff joins the Board in acknowledging the extraordinary efforts of these members and requests the Board select three individuals/groups/crews for recognition at the Regular February Board Meeting to stay within budgetary standards.

October 26,2020

Dear Stephen Abbott, Fire Chief:

On October 7, 2020, we had a "medical event" at our home here in Fallbrook. My husband, Frank, woke up with chest pain. Since he has a history of cardiac disease, we chose to call "911".

Our initial contact person on 911 was extremely helpful on the phone, told me what to do, and within five minutes, your firemen and paramedics were at our door. They took over right away to assess my husband and determined (after consulting with both Frank and me) that Frank needed to go to the hospital for a full evaluation.

We wanted to say Thank You to the gentlemen who came to our home and helped us that morning. In the process of all this occurring, my husband fell in the bathroom and broke our water tank, so when the paramedics and firemen arrived, we also had a flood. Once we got the water turned off, we had to mop up all the water.

Once the paramedics left with Frank, the two firemen stayed to help me with the "flood". It meant a great deal to me that they took the time to help.

Not only did you take care of the "patient" that morning, but the family as well. That was "very special".

We would like to say **Thank You** to the following individuals:

Station 2 "A" Crew

Captain Mattorollo, Engineer Moritz, Firefighter Lian

Station 5 "A" Crew

Paramedic Paur, EMT Guzman

We appreciate all the good work your department does. Keep up the Good Work!!

We are so glad we live in Fallbrook.

Sincerely,



SANTÉE FIRE DEPARTMENT

"We protect life and property in our community through aggressive fire suppression, public education and emergency medical service, with leadership and professionalism."

September 26, 2020

Stephen Abbott, Fire Chief
North County Fire Protection District
330 South Main Avenue
Fallbrook, CA 92028-2938

Dear Chief Abbott,

I am writing this letter to express my sincere appreciation for the hard work, dedication and professionalism exhibited by your crew on the recent OES ST 6840A deployment to the Valley and Creek Fires. I was fortunate enough to be the STEN-T under Division Chief John Hisaw. Our strike team consisted of units from three different zones including central, metro and north zones. Having multiple zones participate in a single large group can be complex and convoluted, but this group was exceptional and quickly gelled as a solid group of 22 instead of 6 different agencies.

Captain Rich Berry led his crew with enthusiasm and professionalism. He directed his crew and put in a lot of hard work over several days of difficult and tedious assignments. He and his crew maintained a positive attitude for the duration of our long and difficult assignment. He and his crew volunteered for several less than desirable assignment and they saw the assignments through to completion without a peep. The crew was a pleasure to work with and I look forward to the opportunity to do so again in the future.

Please know that they represented the North County Fire Protection District, the North Zone and the San Diego County region with pride and professionalism, leaving a lasting and positive impact.

Jeff Hernandez

Battalion Chief, B-2C
Santee Fire Department
Valley / Creek Fire STEN-T

Fire Administration - 10601 Magnolia Ave., Building 5, Santee, CA 92071, 619.258.4100 x207
Station 4 - 8950 Cottonwood Avenue **Station 5** - 9130 Carlton Oaks Drive

INCIDENT PERSONNEL PERFORMANCE RATING **INSTRUCTIONS:** The immediate job supervisor will prepare this form for each subordinate. It will be delivered to the planning section before the rater leaves the fire. Rating will be reviewed with employee who will sign at the bottom.

THIS RATING IS TO BE USED ONLY FOR DETERMINING AN INDIVIDUAL'S PERFORMANCE



1. Name RICH BERRY		2. Incident Name and Number CREEK FIRE CA-SNF-001391	
3. Home Unit (address) NORTH COUNTY FPD 330 SOUTH MAIN AVE. FAIRBROOK, CA 92028		4. Location of Incident (address) SIERRA HIGH SCHOOL 33326 LODGE RD. TOLHOUSE, CA 93667	
5. Fire Position ENG. BOSS	6. Date of Assignment From: 9/5/20 To: 9/20/2020	7. Acres Burned 250K ACRES	8. Fuel Type(s) TIMBER, BRUSH, GRASS

9. Evaluation

Enter X under appropriate rating number and under proper heading for each category listed. Definition for each rating number follows:
 0 - Deficient. Does not meet minimum requirements of the individual element.
DEFICIENCIES MUST BE IDENTIFIED IN REMARKS.
 1 - Needs to improve. Meets some or most of the requirements of the individual element.
IDENTIFY IMPROVEMENT NEEDED IN REMARKS.
 2 - Satisfactory. Employee meets all requirements of the individual element.
 3 - Superior. Employee consistently exceeds the performance requirements.

Rating Factors	Hot Line				Mop-Up				Camp				Other (specify)			
	0	1	2	3	0	1	2	3	0	1	2	3	0	1	2	3
Knowledge of the job				X				X				X				X
Ability to obtain performance			X				X	X			X					X
Attitude				X				X				X				X
Decisions under stress				X				X				X				X
Initiative				X				X				X				X
Consideration for personnel welfare				X				X				X				X
Obtain necessary equipment and supplies			X				X				X				X	
Physical ability for the job			X				X				X				X	
Safety			X				X				X				X	
Other (specify)																

10. Remarks **THIS RATING ALSO COVERS THE VALLEY FIRE CA-CNF-002833 RICH AND HIS CREW WERE A PLEASURE AND ASSET TO HAVE ON OES 419. RICH MAINTAINED A HIGH LEVEL OF ENGAGEMENT AND PROFESSIONALISM DURING OUR 2 WEEK ASSIGNMENT TO THE VALLEY AND CREEK FIRES. HE VOLUNTEERED FOR SEVERAL WORK ASSIGNMENTS AND HIS CREW WAS EAGER + WILLING TO WORK. AS THE ONLY NORTH ZONE ASSET ON THE STRIKE TEAM, OES 419 INTEGRATED FLAWLESSLY. AND REPRESENTED NORTH COUNTY FIRE, THE NORTH ZONE, AND THE STATE OF CALIFORNIA IN A POSITIVE LIGHT.**

11. Employee (signature) This rating has been discussed with me 			12. Date 9-19-2020		
13. Rated By (signature) 		14. Home Unit (address) SNT		15. Position on Incident STEN-T	
			16. Date 9-19-2020		

September 1, 2020

North County Fire Protection District
Attn: Operations Chief, Kevin Mahr
330 South Main Avenue
Fallbrook, CA 92028

Dear Chief Mahr,

I am writing to acknowledge the excellent service I received on Tuesday, September 25, 2020. On that morning, my husband was preparing to take me to the emergency room at Palomar Hospital because I had been experiencing symptoms consistent with a heart attack or stroke for a few days. As we were preparing to leave, my symptoms became so concerning that the decision was made to call for assistance.

Within minutes the fire department arrived and took my blood pressure; it was 200/110 and it is normally 127/78. They put me in the back of the ambulance and I was scared that I was going to have a stroke. The EMT who attended to me, Justin, was amazing. He reassured me several times that I was in good hands and that they would take care of me in the event that my condition became more serious. I was grateful for his calm, professional, and reassuring mannerism and I had complete trust in him. I was also frightened because rarely are RNs able to place an IV on the first try - much to my relief, Justin did it effortlessly in the back of the ambulance while enroute to the hospital.

It is reassuring for my husband and I to know that Fallbrook has a great team of firefighters, paramedics, and EMTs. Again, thank you for the outstanding service.

JUSTIN NASH
ADAM WEBB } MI14
ROB HAGER
JOE HARLOW } E111
EDDIE JONES

Loren Stephen-Porter

From: Kevin Mahr
Sent: July 31, 2020 19:53
To: Brian Macmillan
Cc: A Crew; B Crew; C Crew; Leadership Team
Subject: Re: NCFPD Shout-Out

Awesome work, thank you all so much. This will be a improvement in our storage capabilities.

Kevin Mahr | Division Chief - Operations
North County Fire Protection District | 330 S. Main Ave – Fallbrook, CA 92028
T: (760) 723-2015 - C: (760) 802-4181 - F: (760) 723-2045
kmahr@ncfire.org | www.ncfire.org

Proudly serving the communities of Fallbrook, Bonsall and Rainbow ~ Duty, Integrity and Respect

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On Jul 31, 2020 7:16 PM, Brian Macmillan <bmacmillan@ncfire.org> wrote:
A big NCFPD Shout-Out to FF/PM Doug "Crossfit for Life" De Brauwere, MSO Mary "Put your Mask on" Murphy and the ST 1 C Crew for spending the day cleaning and organizing the EMS Room. The room looks great and was a big step in helping to reorganize the PPE and Uniform equipment.

Thanks for the Great Work!



Brian MacMillan | Battalion Chief

North County Fire Protection District | 330 S. Main Ave – Fallbrook, CA 92028

T: (760) 723-2005 - C: (760) 310-4481

bmacmillan@ncfire.org | www.ncfire.org

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*City of
Encinitas*

July 27, 2020

Chief Mahr,

I would like to thank you for your assistance with our recent Fire Battalion Chief promotional exam. Your dedication to the process and commitment of time and expertise were invaluable. I appreciate your forthright and objective evaluation of our candidates and the advice and suggestions for improving both our process and our organization. Again, thank you very much and best wishes.

In Service,

A handwritten signature in blue ink, appearing to read "Mike Stein".

Mike Stein, Fire Chief

Cooperative Fire Management Team
Cities of Encinitas, Del Mar, Solana Beach

Loren Stephen-Porter

From: Barry Krumwiede
Sent: July 24, 2020 19:30
To: Brian Macmillan; A Crew; B Crew; C Crew; Leadership Team
Subject: Station 1 strikes again

All,

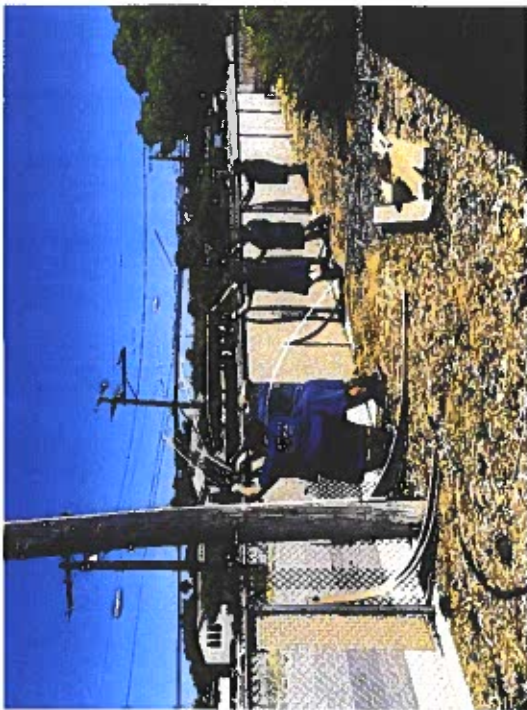
Another fine example of crew's doing good work and taking pride in their stations.

Once again, the station 1 crew were making it happen and installed privacy fencing around the perimeter.

Thanks to Captain Sahagun for researching and purchasing the most affordable product and to the crew for their installation efforts during the course of the work day in between calls.

Captain Sahagun
Engineer Russell
FF/PM Soriano
PM Stratton
PM DeWoody

Thank you for you hard work!



Dear Fire Personnel,

I want to sincerely THANK YOU!!!
for putting out the fires at my
Property on E. Mission & Conover in Okla. Sq.

You saved the home of 6 families
(including 4 small children). I've been
told by some of my tenants just
how frightened they were

& how fortunate I am to have
such a skilled and dedicated team.

And for the children to see you
all come to their rescue...

instead of a night mare, I
wonder if you may have
inspired a future firefighter
or two.

Thank you again.

With a grateful heart.

B111 - G. MANN

B112 -
CRANEN
BENOIT
RIVERA

B114 -
BRACKI
FIERI
ALTER - REITZ

E111 -
JONES
RUSSELL
KORTEKAAS

E115 -
BRADSHAW
KREUZ
GLASGOW

WT 113
SWINN
BENBUT

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1 **December 8, 2020**

2 **REGULAR MEETING OF THE BOARD OF DIRECTORS OF**
3 **THE NORTH COUNTY FIRE PROTECTION DISTRICT**

4 Vice President van Doorn called the meeting to order at 4:06 p.m.

5 **THE INVOCATION GIVEN BY CHIEF ABBOTT.**

6 **ALL RECITED THE PLEDGE OF ALLEGIANCE.**

7 **ROLL CALL:**

8 **Present:** Directors Acosta, Egkan, Kennedy, Munson and Van Doorn.

9 **Absent:** None.

10 **Staff Present:** Fire Chief/CEO Abbott, Attorney James and Board Secretary Stephen-
11 Porter. In the audience were D/Cs Mahr and McReynolds, B/Cs Krumwiede and Mann, F/M
12 Fieri, FiM Juul and members of the public and Association.

13
14 **PUBLIC ACTIVITIES AGENDA**

15 1. **PUBLIC COMMENT:** Vice President Van Doorn addressed the audience and inquired
16 whether there were any public comments regarding items not on the Agenda. Leticia
17 Stamos and Tom Frew both congratulated the new Board members on their membership on
18 the Board, noting Director Kennedy's win by the largest percentage in the County. There
19 being no other comments, the Public Comment Section was closed.

20
21 **PRIORITY ACTION AGENDA**

22 2. **OFFICIAL SWEARING-IN AND SEATING OF NEW BOARD MEMBERS – CHIEF ABBOTT AND**
23 **DISTRICT COUNSEL JAMES:** Chief Abbott noted the District had received confirmation that
24 Directors Acosta, Egkan and Kennedy have been certified as elected. Chief Abbott swore
25 the Directors into office. All Directors were congratulated by Staff and seated Directors in
26 attendance.

27 3. **BOARD ELECTIONS OF OFFICERS FOR 2021 – CHIEF ABBOTT AND COUNSEL JAMES:** Chief
28 Abbott informed those present that this is the time of the year the Board is to select officers
29 for the coming year. The new officers are to assume office at the end of the meeting. Vice

30 President van Doorn turned the meeting over to District Counsel for the election of the
31 officers. District Counsel James called for nominations for President, with Director Munson
32 nominating Director van Doorn, which was seconded by Director Egkan. Director van Doorn
33 accepted the nomination. Director Egkan nominated Director Kennedy. Director van Doorn
34 was elected to President for the year 2021 on the following vote: **Ayes:** Directors Acosta,
35 Egkan, Munson and van Doorn; **Abstain:** Kennedy. District Counsel asked for nominations
36 for the election for Vice President. Director van Doorn nominated Director Munson, which
37 nomination was accepted. Thereafter, Director Kennedy nominated Director Egkan, which
38 was declined, with a subsequent nomination by Director Egkan of Director Kennedy.
39 Director Kennedy was elected to Vice President for the year 2021 on the following vote:
40 **Ayes:** Directors: Acosta, Egkan, Kennedy; **Noes:** van Doorn and Munson. At the
41 conclusion of the voting, the meeting was returned to President van Doorn.

42

43 **ACTION AGENDA**

44 CONSENT ITEMS:

- 45 4. REVIEW AND ACCEPT REGULAR BOARD MEETING MINUTES FOR OCTOBER 2020
- 46 5. REVIEW AND ACCEPT REGULAR BOARD MEETING MINUTES FOR DECEMBER 1, 2020
- 47 6. REVIEW AND ACCEPT FINANCIAL REPORT FOR OCTOBER 2020
- 48 7. REVIEW AND ACCEPT POLICIES & PROCEDURES

49 Vice President van Doorn inquired whether there were any questions on Consent Items 2-
50 6. There was no discussion on Items 4 and 5. On a motion by Director Egkan, seconded
51 by Director Munson the motion to approve the Consent Agenda Items 4 and 5 as presented
52 passed unanimously. Item 6 was discussed regarding the reimbursement for Strike Teams
53 and the outstanding amounts. On a motion by Director Munson, seconded by Director
54 Acosta the motion to approve the Consent Agenda Item 6 as presented passed unanimously.
55 On Item 7, discussion ensued regarding language in section 222.02 and 222.03 and
56 concerns these sections might violate free speech and also affect how social media may be
57 used on the Association computer on site. D/C McReynolds offered amendments to sections
58 5.2.8.1, 5.2.8.4 and 5.3.3.1.1, which he believed would address the Board's concerns. With

59 those amendments, on a motion by Director Kennedy, seconded by Director Egkan, Item 7
60 was approved unanimously.

61
62 **ACTION ITEMS:**

63 8. **REVIEW AND DECLARE VEHICLES SURPLUS, AUTHORIZE FOR SALE – CHIEF MAHR AND CHIEF**

64 **ABBOTT:** D/C Mahr informed the Board that the District had inherited equipment from the
65 Rainbow Subzone that upon review, has been deemed excess inventory. In accordance with
66 NCF Policy Section 217.04 and with the anticipated vehicles' value being greater than
67 \$1000.00, Staff is requesting the Board declare these vehicles as surplus to the District's
68 needs and release them for sale. D/C Mahr explained the District's process for disposing of
69 surplus vehicles and equipment. On a motion by Director Egkan, seconded by Director
70 Kennedy, the motion to declare the vehicles surplus and to authorize disposal of them
71 passed unanimously.

72 9. **CONSIDER AND SELECT REPRESENTATIVE(S) FOR THE NORTH COUNTY DISPATCH BOARD OF**

73 **DIRECTORS – CHIEF ABBOTT:** Chief Abbott informed the Board that as a member agency of
74 NCDJPA, the District has one voting seat on this eight-member Board. North County Fire
75 Protection District Board selects one primary and one alternate to serve in these capacities.
76 Director Munson has served as the primary for a number of years and was recently elected
77 to be the President of the NCDJPA Board. With Director Harris' leaving office, at least the
78 alternative representative should be selected. After discussion, Director Kennedy
79 expressed an interest in serving in the alternate seat. On a motion by Director Egkan, which
80 was seconded by Director Munson the motion to passed unanimously.

81 10. **CONSIDER AND SELECT REPRESENTATIVE(S) TO FIRE MITIGATION FEE COMMITTEE– CHIEF**

82 **ABBOTT:** Chief Abbott informed the Board that Director Munson had been serving as the
83 representative to the Fire Mitigation Fee Committee for a period of years and continued to
84 be interested in serving in this role. After brief discussion, it was the consensus of the Board
85 for Director Munson to continue in this role, after a unanimous vote.

86 11. **REVIEW AND APPROVE SUBSTITUTION OF COLLATERAL PROPERTIES ON LOAN – CHIEF**

87 **ABBOTT:** Chief Abbott informed the Board the Staff has been working to remove an

88 encumbrance from Station 3 so that the property may sell cleanly. He noted there was a
89 security for a loan on Station 5 with Stations 2 and 3 serving as collateral. Since one of the
90 loans on Station 5 has been paid off, the collateral may now be shifted to Station 5. On a
91 motion by Director Munson, seconded by Director Kennedy, the motion to approve the
92 collateral substitution and authorize Staff to execute the necessary documents and to
93 approve Resolution 2020-16, passed unanimously.

94 95 **DISCUSSION AGENDA**

96 12. There were no Discussion Agenda Items for the December 8, 2020, Board Meeting.

97 **STANDING DISCUSSION ITEMS:**

98 **LEGAL COUNSEL REPORT:** Counsel James presented his report "Public Officials' New
99 Social Media Open Meeting Law (Part 1)." Brief discussion ensued regarding public officials'
100 communications, how the new law is affecting their ability to communicate, even involving
101 social media. This is informational only, no action required.

102 ● **WRITTEN COMMUNICATIONS:** Brief discussion ensued regarding the items,
103 Informational only, no action required.

104 ● **BOARD RECOGNITION PROGRAM:** None.

105 ● **NEWS ARTICLES:** This is informational only, no action required.

106 ● **COMMENTS:**

107 ● **STAFF REPORTS/UPDATES:**

108 ● **STEPHEN ABBOTT, FIRE CHIEF/CEO:** Chief Abbott informed the Board of the impact
109 of new laws including AB 1705, which will effectively terminate the GEMT Program as it is
110 now constituted. The District submitted a grant request through OES for an emergency
111 generator, as well as submitting a request to the San Diego Fire Foundation supporting for
112 purchase of radios. The District has been informed it will not receive a Type 3 engine from
113 OES. The LAFCO Municipal Service Review should be beginning in January, with the aim
114 of achieving maximum efficiency. The District was unsuccessful on obtaining a SAFER grant
115 for additional firefighter staffing. Chief Abbott noted that the District is overdue for an MSR.
116 Informational only, no further action required. President van Doorn was appointed to the

117 LAFCO Special District Advisory Committee and will begin his tenure in January. Chief
118 Abbott noted the State of California has settled on a five percent permanent budget
119 reduction. The Valley Center revenue effort has failed again. The County has replaced five
120 inmate hand crews with one paid crew. Finally, the County copter will now be paramedic
121 staffed.

122 ● **CHIEF OFFICERS AND OTHER STAFF:** **D/C MAHR:** D/C Mahr congratulated the new
123 Board members and wished them happy holidays. **D/C McREYNOLDS:** D/C McReynolds
124 informed the Board the District that due to an early budgetary approval; the District has
125 started three new firefighters. **F/M FIERI:** F/M Fieri brought the Board up-to-date on the
126 projects in the District, noting they are working with seven individuals who are rebuilding
127 structures from fires. There is a larger, new care facility with 86 beds in Bonsall. He noted
128 the Bonsall Oaks will have a small winery with 60 homes and the District will share
129 jurisdiction with Vista. He updated the Board on the Meadowood and Monserate Winery
130 Projects. F/M Fieri noted the Bureau had just begun the state mandated school inspections
131 with 15 schools to be inspected. Staff continues to drive the District to identify and be familiar
132 with larger projects and community risk areas.

133 ● **BOARD:** **DIRECTOR ACOSTA:** Director Acosta thanked the public for participating and
134 stated she was looking forward to working with Staff. **DIRECTOR EGKAN:** Director Egkan
135 stated he was also looking forward to his tenure and working with staff and the public.
136 **DIRECTOR KENNEDY:** Director Kennedy stated he was happy to be on the Board and was
137 glad to be of service to the community. **DIRECTOR MUNSON:** Director Munson welcome the
138 new Board members. **DIRECTOR VAN DOORN:** Director van Doorn also welcomed the new
139 Directors to the Board.

140 ● **BARGAINING GROUPS:** Association representative noted this is a dynamic time, that
141 the Board represents the District well and the Association looks forward to working
142 collaboratively with the Board and District.

143 ● **PUBLIC COMMENT:** No comments.

144 **CLOSED SESSION**

145 ● **OPENING CLOSED SESSION:**

146 At 5:10 p.m., Vice President van Doorn inquired whether there was a motion to adjourn to
147 Closed Session. On a motion by Director Munson, seconded by Director Egkan to enter into
148 Closed Session, which was unanimously approved, President van Doorn read the items to
149 be discussed in Closed Session and the Open Session was closed. A short break ensued
150 after the reading of the Closed Session Items. At 5:25 p.m., and the Board entered Closed
151 Session to hear:

152 CS-1. **ANNOUNCEMENT — VICE PRESIDENT VAN DOORN:** An announcement regarding the items
153 to be discussed in Closed Session will be made prior to the commencement of Closed
154 Session.

155 CS-2. **CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION — GOVERNMENT CODE**
156 **§54956.9 — CHIEF ABBOTT:** Initiation of litigation pursuant to paragraph (4) of subdivision (d)
157 of Government Code § 54956.9 – one case.

158 CS-3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE**
159 **§ 54956.8 — CHIEF ABBOTT:**

160 **PROPERTY LOCATION:** 311 Minnesota, Fallbrook, CA 92028;

161 **PARTIES:** North County Fire Protection District (Seller);

162 **UNDER NEGOTIATION:** Terms of Cell Lease/Purchase

163 **DISTRICT NEGOTIATORS:** Chief Abbott, FiM Juul, District Counsel James

164 CS-4. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE**
165 **§ 54956.8 — CHIEF ABBOTT:**

166 **PROPERTY LOCATION:** 4157 Olive Hill Road, Fallbrook, CA 92028;

167 **PARTIES:** North County Fire Protection District (Seller);

168 **UNDER NEGOTIATION:** Terms of Sale

169 **DISTRICT NEGOTIATORS:** Chief Abbott, District Counsel James

170 ///

171 ///

172 CS-5. **CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT**
173 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**

174 NCFPD MANAGEMENT GROUP DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
175 COUNSEL JAMES, SPECIAL COUNSEL BERLINER
176 **CS-6. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY**
177 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**
178 FFA NON-SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
179 COUNSEL JAMES, SPECIAL COUNSEL BERLINER
180 **CS-7. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY**
181 **GROUP NEGOTIATIONS – CHIEF ABBOTT:**
182 FFA SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS: CHIEF ABBOTT, DISTRICT
183 COUNSEL JAMES, SPECIAL COUNSEL BERLINER
184 **CS-8. REPORT FROM CLOSED SESSION — VICE PRESIDENT VAN DOORN**
185 • **REOPENING OPEN SESSION:**
186 On a motion Director Munson, which was seconded by Director Egkan, which passed
187 unanimously, the Board returned Open Session at 7:50 p.m. the following items were
188 reported out to the public:
189 **CS-2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – GOVERNMENT CODE**
190 **§54956.9 – CHIEF ABBOTT:** No reportable action.
191 **CS-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR – GOVERNMENT CODE**
192 **§54956.8 – CHIEF ABBOTT:** On a motion by Director Munson, seconded by Director Egkan,
193 the Board approved the sale of the tower lease for \$390,000, on terms to be negotiated
194 by Chief Abbott. The motion was approved unanimously.
195 **CS-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR – GOVERNMENT CODE**
196 **§54956.8 – CHIEF ABBOTT:** No reportable action.
197 **CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT**
198 **GROUP NEGOTIATIONS – CHIEF ABBOTT:** No reportable action.
199 **CS-6. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY**
200 **GROUP NEGOTIATIONS – CHIEF ABBOTT:** No reportable action.
201 **CS-7. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY**
202 **GROUP NEGOTIATIONS – CHIEF ABBOTT:** No reportable action.

ADJOURNMENT

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A motion was made at 7:55 p.m. by Director Munson and seconded by Director Acosta to adjourn the meeting and reconvene on January 26, 2021, at 4:00 p.m. The motion carried unanimously.

Respectfully submitted,



Loren Stephen-Porter
Board Secretary

Minutes approved at the Board of Director’s Meeting on: January 26, 2021



**NORTH COUNTY FIRE
PROTECTION DISTRICT
ADMINISTRATION - BUDGET & FINANCE**

TO: BOARD OF DIRECTORS
FROM: FM CHERIE JUUL AND CHIEF ABBOTT
DATE: JANUARY 26, 2021
SUBJECT: REVENUE & EXPENDITURES AS OF DECEMBER 31, 2020 (50%)

Revenue Sources	Budgeted	Collected	Over/Under	% of Budget
Property Taxes - FBK	15,940,646.00	6,692,267.00	(9,248,379.00)	42%
Property Taxes - RNBW	303,000.00	129,321.00	(173,679.00)	43%
Ambulance and Collections	2,245,000.00	1,398,567.04	(846,432.96)	62%
GEMT-State Supplement	90,000.00	-	(90,000.00)	0%
Prevention Fees	185,000.00	66,709.48	(118,290.52)	36%
Tower Lease Agreements	103,000.00	49,437.51	(53,562.49)	48%
Other Revenue Sources	50,000.00	16,263.73	(33,736.27)	33%
Interest	50,000.00	23,585.91	(26,414.09)	47%
Cost Recovery	80,000.00	18,105.26	(61,894.74)	23%
Inspection Fee (Fire Prevention)	-	7,893.50	7,893.50	0%
Fallbrook Healthcare District	92,000.00	33,790.00	(58,210.00)	37%
Community Facilities District (CFD)	116,942.00	11,893.00	(105,049.00)	10%
Strike Team Reimbursements	151,523.00	58,476.60	(93,046.40)	39%
Other Reimbursements	100,000.00	13,089.82	(86,910.18)	13%
Mitigation Fees & Interest - FBK	300,000.00	131,712.48	(168,287.52)	44%
Donations & Grants	104,157.00	63,747.75	(40,409.25)	61%
Annexation fees	-	-	-	
Transfers & Loans	-	-	-	
Total Revenue:	19,911,268.00	8,714,860.08	(11,196,407.92)	44%
	Budgeted	Spent	Over/Under	% of Budget
TTL Expenditures YTD thru 12-31-2020	18,957,776.00	10,228,937.00	(8,728,839.00)	54%
Revenue over Expenditures		(1,514,076.92)		

North County Fire Protection District
 For the Tenth Month Ending April 30, 2020
83% of Budget

COLOR KEY	
Within/Below Budget	
Within 10% of Budget	
>10% of Budget (see notes)	

Description	December actual	Running Total	Final Budget	Amount Remaining	% Used	Notes
TOTAL PERSONNEL	1,570,296.00	8,889,533.00	15,424,695.00	6,535,162.00	57.6%	Strike Team OT/Replacement
101 Total Board Administration	20,597.00	138,303.00	464,900.00	326,597.00	29.7%	
102 Total Administration	34,070.00	252,368.00	679,303.00	426,935.00	37.2%	
103 Total Fire Prevention	-	6,073.00	62,400.00	56,327.00	9.7%	
104 Total Emergency Services	1,364.00	286,505.00	457,102.00	170,597.00	62.7%	Strike Team exp
105 Total Emergency Med Svcs	52,937.00	162,924.00	460,202.00	297,278.00	35.4%	
106 Total Volunteers/Explorers	-	-	-	-	0.0%	
107 Total Communications	17,836.00	339,523.00	620,004.00	280,481.00	54.8%	MDC & AVL paid for yr
108 Total Shop/Maintenance	13,948.00	130,629.00	355,905.00	225,276.00	36.7%	
109 Total Training	3,969.00	23,079.00	83,265.00	60,186.00	27.7%	
120 Total General Fund Reserve	-	-	350,000.00	350,000.00	0.0%	
GRAND TOTAL	1,715,017.00	10,228,937.00	18,957,776.00	8,728,839.00	54.0%	
200 Total Capital Expenditures	-	592,450.49	1,610,935.00	1,018,484.51	36.8%	

NORTH COUNTY FIRE PROTECTION DISTRICT

Tax Apportionments FY 20-21

DATE	APP #	GROSS	REFUNDS & ADJUSTMENTS	FY 20/21 NET	FY 20/21 RUNNING	FY 19/20 NET	FY 19/20 RUNNING	
08 12 2020	1	223,517.70	1,322.63	222,195.07	222,195.07	229,418.43	229,418.43	
09 22 2020	2	206,806.13	1,611.36	205,194.77	427,389.84	79,480.12	308,898.55	
10 20 2020	3	337,997.18	19,167.85	318,829.33	746,219.17	154,586.49	463,485.04	
11 17 2020	4	931,116.26	7,707.83	923,408.43	1,669,627.60	534,416.39	997,901.43	
12 15 2020	5	4,992,829.71	11,988.46	4,980,841.25	6,650,468.85	5,133,895.38	6,131,796.81	
01 19 2021	6			-	6,650,468.85	2,451,410.99	8,583,207.80	
02 16 2021	7			-	6,650,468.85	359,238.37	8,942,446.17	
03 16 2021	8			-	-	-	-	
04 13 2021	9			-	6,650,468.85	3,210,146.99	12,152,593.16	
05 11 2021	10			-	6,650,468.85	2,553,885.70	14,706,478.86	
06 22 2021	11			-	6,650,468.85	290,352.38	14,996,831.24	
07 22 2021	12			-	6,650,468.85	373,389.57	15,370,220.81	
TOTAL YTD		6,692,266.98	41,798.13	6,650,468.85	6,650,468.85	6,131,796.81	6,131,796.81	
							Net Rev Increase 8.46%	

RAINBOW FIRE PROTECTION SUBZONE

Tax Apportionments FY 20/21

DATE	APP #	GROSS	REFUNDS & ADJUSTMENTS	FY 20/21 NET	FY 20/21 RUNNING	FY 19/20 NET	FY 19/20 RUNNING	
08 18 2020	1	4,301.57	25.45	4,276.12	4,276.12	4,195.51	4,195.51	
09 22 2020	2	3,980.01	31.01	3,949.00	8,225.12	1,453.47	5,648.98	
10 20 2020	3	6,504.72	368.86	6,135.86	14,360.98	2,826.97	8,475.95	
11 17 2020	4	17,919.34	153.94	17,765.40	32,126.38	9,760.17	18,236.12	
12 15 2020	5	96,615.23	230.73	96,384.50	128,510.88	94,409.63	112,645.75	
01 19 2021	6			-	128,510.88	53,866.73	166,512.48	
02 16 2021	7			-	128,510.88	6,951.95	173,464.43	
03 16 2021	8			-	128,510.88	-	173,464.43	
04 13 2021	9			-	128,510.88	62,105.80	235,570.23	
05 11 2021	10			-	128,510.88	50,125.46	285,695.69	
06 22 2021	11			-	128,510.88	5,661.27	291,356.96	
07 22 2021	12			-	128,510.88	7,164.56	298,521.52	
TOTAL YTD		129,320.87	809.99	128,510.88	128,510.88	112,645.75	112,645.75	
							Net Rev Increase	
							14.08%	

**NORTH COUNTY FIRE PROTECTION DISTRICT
AMBULANCE REVENUE FY 2020-2021**

MONTH	BILLED	CONTRACTUAL WRITE DOWNS	TOTAL AR		BAD DEBT WRITE-OFFS	REFUNDS	ADJAR	DEPOSITS RECIEVED	BILLING FEES	FY 20-21		FY 19-20	
			FY 20-21	FY 19-20						NET REVENUE	NET REVENUE		
07 31 2020	492,609.07	283,771.92	208,837.15	274,112.06	28,136.09	1,978.64	178,722.42	208,837.15	11,557.11	197,280.04	155,833.88		
08 31 2020	582,819.64	342,604.08	240,215.56	215,953.31	22,564.45	(488.08)	218,139.19	240,215.56	11,527.20	228,688.36	181,256.99		
09 30 2020	501,223.47	311,137.26	190,086.21	307,159.93	34,584.87	-	155,501.34	190,086.21	11,559.78	178,526.43	199,107.55		
10 31 2020	614,786.25	352,938.54	261,847.71	248,890.07	29,209.13	-	232,636.58	261,847.71	9,607.98	252,239.73	205,273.64		
11 30 2020	739,440.49	453,266.94	286,173.55	229,003.49	14,417.78	5,893.97	265,861.80	286,173.55	10,018.01	276,155.54	196,525.33		
12 31 2020	754,358.25	476,631.07	277,727.18	331,817.90	41,860.46	-	235,866.72	277,727.18	12,050.24	265,676.94	179,942.32		
01 31 2021			-	201,170.29			-				212,967.00		
02 28 2021			-	240,188.15			-				188,887.92		
03 31 2021			-	208,936.67			-				175,643.85		
04 30 2021			-	198,311.38			-				172,516.79		
05 31 2021			-	279,286.84			-				162,862.20		
06 30 2021			-	230,124.08			-				217,930.48		
TOTAL:	3,685,237.17	2,220,349.81	1,464,887.36	1,606,936.76	170,772.78	7,384.53	1,286,730.05	1,464,887.36	66,320.32	1,398,567.04	1,117,939.71	25.10%	New Revenue Change

NORTH COUNTY FIRE PROTECTION DISTRICT MONTHLY INVESTMENT REPORT
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December 31, 2020

FALLBROOK	BALANCE	INTEREST	
		RATE	
County of San Diego/General Fund - FBK	175,167.09	0.01%	Operating
County of San Diego/General Fund - RNBW	1,302,073.59	0.01%	Operating
County of San Diego/Capital Reserve	401,135.55	0.01%	Capital Reserves
County of San Diego/Fire Mitigation Fund - FBK	901,470.49	0.01%	Mitigation Fees
County of San Diego/Fire Mitigation Fund - RNBW	4,063.79	0.01%	Mitigation Fees
Local Agency Investment Fund	2,149,474.56	0.62%	LAIF
Workers' Comp JPA	483,202.00	0.26%	PASIS Funds
Bank of America/PASIS	92,616.34	0.01%	
First National/Benefit Fund	156,456.99	0.50%	
First National/Payroll	382,731.25	0.50%	
First National/Accounts Payable	70,061.70	0.50%	
First National/Accounts Receivable	110,279.74	0.50%	
Pacific Western Bank/Accounts Receivable	940,914.49	0.00%	
TOTAL	7,169,647.58		

**NORTH COUNTY FIRE PROTECTION DISTRICT
COST RECOVERY FY 2020/2021**

<u>Month</u>	<u>Billed</u>	<u>Collected</u>	<u>YTD % Collected</u>	<u>Billing Fees</u>	<u>Net Revenue 20/21</u>	<u>Net Revenue 19/20</u>
7 31 2020	6,940.75	6,636.04	95.61%	1,327.21	5,308.83	2,791.46
8 30 2020	4,267.15	3,342.00	78.32%	668.40	2,673.60	10,144.80
9 30 2020	2,781.75	2,583.33	92.87%	516.67	2,066.66	3,820.80
10 31 2020	3,127.50	3,127.50	100.00%	625.50	2,502.00	7,134.40
11 30 2020	5,364.25	3,413.90	63.64%	682.78	2,731.12	4,703.90
12 31 2020	3,715.50	3,528.81	94.98%	705.76	2,823.05	5,374.67
1 31 2021			#DIV/0!	-	-	7,444.82
2 28 2021			#DIV/0!	-	-	5,974.40
3 30 2021			#DIV/0!	-	-	10,046.76
4 30 2021			#DIV/0!	-	-	8,884.00
5 31 2021			#DIV/0!	-	-	11,421.86
6 30 2021			#DIV/0!	-	-	2,667.60
TOTAL:	26,196.90	22,631.58	86.39%	4,526.32	18,105.26	33,970.03
					Net Rev Increase	-46.70%

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Claims>reports

Document Date	Document Number	Vendor Name	Transaction Description	Document Amount
12 1 2020	12/1-12/31/2020	FDAC	12/1/20-12/31/20 SERVC	8,926.30
12 1 2020	DEC 1 STMNT 2020	Harry J. Wilson Insurance Center	12/1-12/31/2020 PERIOD	1,044.00
12 1 2020	DEC 2020 STMNT	THE STANDARD	Dec 2020 Stmnt	577.50
12 1 2020	1681212	US BANK (Pensions)	2020 Taxable Pension bonds	259,477.16
12 1 2020	10/5/2020 LETTER	LIEBERT CASSIDY WHITMORE	SEMINAR REIMBURSEMNT	2,600.00
12 1 2020	01122020	POLICE AND FIRE PSYCHOLOGY	01122020	700.00
12 1 2020	89784	Westrux International, Inc	89784	162.46
12 1 2020	000015697811	AT&T	11/1/20-11/30/20	1,970.75
12 1 2020	21NOCFPDC05	COUNTY OF SAN DIEGO - RCS	paggers nov	52.50
12 1 2020	21NOCFPDN05	COUNTY OF SAN DIEGO - RCS	radios november	5,618.00
12 1 2020	10/30-11/30	ROBERT JAMES	10/30-11/30 BILLING	4,096.25
12 1 2020	105686	UNIFORM SPECIALIST/ACE UNIFORMS	A FIERI BOOTS	176.44
12 1 2020	9868123782	VERIZON WIRELESS	NOV 2-DEC 1 2020	77.42
12 1 2020	012049041	XEROX - PASADENA	NOVEMBER SERVICE	447.71
12 1 2020	012049040	XEROX - PASADENA	NOVEMBER METER READ	152.52
12 1 2020	193267483	MEDLINE INDUSTRIES, INC.	SO 511277877	402.64
12 2 2020	22892	FALLBROOK PRINTING CORP.	checks	936.35
12 3 2020	12/3/20 STMNT	Signarama of San Marcos	STMNT 12/3/2020	156.68
12 3 2020	FIERI TUITION REIMB	Dominic Fieri	TUITION REIMB.	1,586.26
12 3 2020	FC 3A COURSE	Dominic Fieri	D. FIERI REIMB TUITION	325.00
12 3 2020	11/4-12/3/20 SERVC	FALLBROOK PUBLIC UTILITY DISTR	11/4-12/3/20 SERVC	435.39
12 3 2020	501695	SOUTH COAST EMERGENCY VEHICLE SERV	KIT GASKET	588.14
12 4 2020	PR 12/4/2020	FALLBROOK FIREFIGHTERS' ASSN	PR 11/08-11/21/20	2,523.88
12 4 2020	SR PR 12/4/20	FALLBROOK FIREFIGHTERS' ASSN	PR 11/8/20-11/21/20 SR	30.42
12 4 2020	PR 12/4/20	FIREFIGHTERS LEG. ACTION GRP	FLAG 12/4/20 PR	84.00
12 4 2020	PR 12/4/20	LINCOLN NATIONAL	LINCOLN NATIONAL PR 12/4/20	2,648.71
12 4 2020	27473	FALLBROOK PROPANE GAS CO.	12/4/20 DELIVERY	69.40
12 4 2020	27477	FALLBROOK PROPANE GAS CO.	12/4/20 DELIVERY	377.75
12 4 2020	STA 1 SERVC	Fowler Pest Control	STA 1 SERVC	90.00
12 4 2020	3227751M	STRYKER MEDICAL	BOLSTER	253.99
12 4 2020	35559	THOMAS EMS	NARC BOX REPAIR	500.00
12 7 2020	107865	DIGITAL DEPLOYMENT, INC.	SERVC 11/17-12/17/20	275.00
12 7 2020	11/21/20 STMNT	MEDLINE INDUSTRIES, INC.	11/21/20 SMNT	533.90
12 7 2020	24448	Austin Doors	repair roll up door sta 5	278.00
12 7 2020	A1006312	ADMINISTRATIVE SOLUTIONS	Dec 2020	108.00
12 7 2020	BUS 3651	Mitch Iglesias	bus 3651	810.00
12 7 2020	R 21014	VALLEY POWER SYSTEMS, INC	SENSOR	94.09
12 7 2020	12/7/20 STMNT	ASBURY ENVIRONMENTAL SERVICES	12/7/ STMNT	3,634.18
12 8 2020	STA 3 SRVC 10/20-11/	SDG&E	STA 3 SRVC 10/20-11/19/20	34.47
12 8 2020	UA SHOES	BRACCI, JASON	shoes	30.00

Document Date	Document Number	Vendor Name	Transaction Description	Document Amount
12 8 2020	49895571	MCMaster-CARR SUPPLY CO.	1208NIETO	187.24
12 8 2020	77860	THE COUNSELING TEAM	77860 inv	375.00
12 9 2020	STA 1 FLEET OCT/NOV	SDG&E	10/22/20-11/22/20 STA 1 FLEET	60.23
12 9 2020	STA 1 10/22-11/19	SDG&E	10/22/20-11/22/20 STA 1	95.29
12 9 2020	360158-1	FALLBROOK EQUIPMENT RENTALS	makita rental	79.80
12 9 2020	501760	SOUTH COAST EMERGENCY VEHICLE SERV	ISOLATOR	15.02
12 9 2020	R 21240	VALLEY POWER SYSTEMS, INC	SENSOR	35.05
12 10 2020	10/23/20-11/23 STA 5	SDG&E	10/23/20-11/23/20 STA 5	243.87
12 10 2020	3058787	CO OF SD	short on chk 3058787	97.15
12 10 2020	827871	Southern Counties Lubricants	ORDER 151615	419.94
12 10 2020	11/11/20-12/10/20	RAINBOW MUNICIPAL WATER DIST	11/11/20-12/10/20 SERVC	139.38
12 10 2020	11/11-12/10/20 SVC	RAINBOW MUNICIPAL WATER DIST	11/11/20-12/10/20	14.81
12 11 2020	12/11/20 STMNT	POSTAL ANNEX #25	12/11/20 STMNT	35.45
12 11 2020	1504	SPOT ON STITCHING EMROIDERY	MASKS	1,422.30
12 11 2020	0417656121120	TIME WARNER CABLE	12/11-01/10/21	96.98
12 11 2020	501806	SOUTH COAST EMERGENCY VEHICLE SERV	po 12020 Dan	60.51
12 12 2020	4701-7388	FALLBROOK HTG & AIR CONDITIONING, INC	a/c service sta 1-4	1,683.00
12 12 2020	1209 STA 2	RIDEOUT ELECTRIC	STA 2	459.00
12 12 2020	NORCOU6	WITMER PUBLIC SAFETY GROUP, INC.	Dec 12, 2020 stmnt	343.56
12 12 2020	1208241765	Citrix Systems, Inc	Dec 12 20 INv	117.00
12 13 2020	E101070557	EIDE BAILLY		5,171.15
12 13 2020	287294515164X1221202	AT&T Mobility		2,636.77
12 14 2020	AH-330	AUGUST, PETER	AH-330	320.00
12 14 2020	11408	FOWLER PLUMBING	Sta 1 sink rooter	150.00
12 14 2020	6686	Fallbrook Overhead Doors and Entry Gates	garage door repair sta1	250.00
12 14 2020	27917	FALLBROOK PROPANE GAS CO.	sta 2 delivery	376.69
12 14 2020	11/11/20	AARON MURG	FP TRAINING	175.00
12 15 2020	12/15/20	LEGAL SHIELD	12/15/20	586.20
12 15 2020	35471	THOMAS EMS	35471	250.00
12 15 2020	2011099	Wittman Enterprises, LLC	November 2020 Servcs	10,018.01
12 15 2020	12/15/20 STMNT	FALLBROOK OIL COMPANY	12/15/20 stmnt	2,988.90
12 16 2020	ON ACCOUNT 703962	US POSTAL SERVICE		150.00
12 16 2020	87816	PECK'S HEAVY FRICTION INC. TRUCK PARTS	05315	1,146.14
12 16 2020	45554	SCRAPPY'S	TIRE REPAIR	275.00
12 16 2020	11/23/20-12/23/20	SDG&E	11/23/20-12/23/20	333.14
12 17 2020	108321	DIGITAL DEPLOYMENT, INC.	Monthly Dec	275.00
12 18 2020	PR 12.18.20	FALLBROOK FIREFIGHTERS' ASSN	PR 11/22-12/5/20	2,575.30
12 18 2020	PR 12.18.20	FIREFIGHTERS LEG. ACTION GRP	PR 11/22-12/5/20	88.00
12 18 2020	12.18.20	LINCOLN NATIONAL	PR 11/22-12/15/20	2,457.52
12 18 2020	PR 12/18/20 - SR	FALLBROOK FIREFIGHTERS' ASSN	PR 11/22-12/5/20	33.93

Document Date	Document Number	Vendor Name	Transaction Description	Document Amount
12 18 2020	B1637	Western Pump	REPAIR KIT 3005:1	327.48
12 20 2020	9869551108	VERIZON WIRELESS	NOV 21-DEC 20, 2020	491.60
12 20 2020	9869551109	VERIZON WIRELESS	11/21/20-12/20/20	734.28
12 21 2020	076037403X201202	DIRECTV	12/1-12/31/20	157.24
12 21 2020	12292-21	Meza Automotive Paint	MEZA PAINT STMNT	500.62
12 21 2020	70169	Premier Fitness Service	STA 2 FITNESS MACHINE MAINT	95.00
12 21 2020	35642	LineGear	UNIFORM PANT	593.12
12 21 2020	STA. 3 01/07/21	RAINBOW MUNICIPAL WATER DIST	11/11/20-12/10/20	210.43
12 21 2020	10L0030602940	READY FRESH	SERVCS 12/1 & 12/20	8.38
12 21 2020	10L9901381948	READY FRESH	JAN28-MAR 1 RENTAL	38.78
12 22 2020	22960	FALLBROOK PRINTING CORP.	ENVELOPES	495.65
12 22 2020	11/24/20-12/22/2020	FALLBROOK PUBLIC UTILITY DISTR	11/24/20-12/22/2020	1,243.72
12 22 2020	11/24/20-12/22/20	FALLBROOK PUBLIC UTILITY DISTR	11/24/20-12/22/2020	58.42
12 23 2020	NOV 19-DEC 21,2020	SDG&E	STA 3 NOV 19-DEC 21,2020	41.55
12 23 2020	00000240122020	TIME WARNER CABLE	12/20-1/19/21 SERVC	149.95
12 23 2020	9307	World Landscape	DEC MAINTENANCE	400.00
12 23 2020	9329	World Landscape	DEC MAINTNCE	200.00
12 23 2020	9869788810	VERIZON WIRELESS	NOV 24-DEC 23, 2020	58.03
12 24 2020	11/25/20-12/24/20	RAINBOW MUNICIPAL WATER DIST	11/25/20-12/24/20 SRVC	162.03
12 24 2020	11/25/20-12/24/2020	RAINBOW MUNICIPAL WATER DIST	11/25/20-12/24/20	54.40
12 24 2020	11/22/20-12/22-20	SDG&E	11/22/20-12/22-20	218.39
12 24 2020	11/22/20-12/22-2020	SDG&E	11/22/20-12/22-20	115.68
12 28 2020	106359	UNIFORM SPECIALIST/ACE UNIFORMS	PO 21-049	359.29
12 30 2020	11/30/20 STMNT	FALLBROOK WASTE	STA 5 SERVC NOV 2020	179.70
12 30 2020	DEC 7 & 21ST	D&F Cleaning Services	dec 7 & 21 cleaning	440.00
12 30 2020	71-12/31 MAINTENANCE	D&W CONSULTING	2020-2012	3,432.00
12 30 2020	1/1/21-1/31/21	Harry J. Wilson Insurance Center	1/1/21-1/31/21 premium	1,044.00
12 30 2020	1216	FIRST ALARM WELLNESS	1216 INV	600.00
12 31 2020	OCT-DEC 2020	STEVE ABBOTT	CELL REIMB	300.00
12 31 2020	OCT-DEC 2020	KEVIN MAHR	CELL REIMB	300.00
12 31 2020	OCT-DEC 2020	KEITH MCREYNOLDS	CELL REIMB	300.00
12 31 2020	OCT-DEC 2020	LOREN STEPHEN-PORTER	CELL REIMB	300.00
12 31 2020	OCT-DEC 2020	DAN NIETO	CELL REIMB	204.00
12 31 2020	OCT-DEC 2020	Todd Parmelee	CELL REIMB	204.00
12 31 2020	OCT-DEC 2020	BARRY KRUMWIEDE	CEL REIMB	300.00
12 31 2020	OCT-DEC 2020	GREG MANN	CELL REIMB	300.00
12 31 2020	OCT-DEC 2020	LARS BEEGHLEY	CELL REIMB	204.00
12 31 2020	OCT-DEC 2020	BRIAN MACMILLAN	CELL REIMB	300.00
12 31 2020	OCT-DEC 2020	MARY MURPHY	CELL REIMB	300.00
12 31 2020	OCT-DEC 2020	AARON MURG	CEL REIMB	204.00

Document Date	Document Number	Vendor Name	Transaction Description	Document Amount
12 31 2020	OCT-DEC 2020	Katherine Smith	CEL REIMB	204.00
12 31 2020	4TH QTR PASIS	City of San Marcos	4TH QTR PASIS	16,412.00
12 31 2020	TUITION	Joshua Kortekaas	REIMBURSE TUITION	753.00
12 31 2020	PR 12/31/20	FALLBROOK FIREFIGHTERS' ASSN	PR 12/6/20-12/19/20	2,668.14
12 31 2020	SR PR PORTION	FALLBROOK FIREFIGHTERS' ASSN	PR 12/31/20	32.76
12 31 2020	PR 122/31/20 FLAG	FIREFIGHTERS LEG. ACTION GRP	PR 12/31/20	90.00
12 31 2020	PR 12/31/20	LINCOLN NATIONAL	LN PR AP 12/31/20	2,467.73
12 31 2020	OCT-DEC 2020	Cherie Juul	CELL REIMBURSE	300.00
12 31 2020	OCT-DEC 2020	STEVE MAROVICH	CELL REIMBURSE	300.00
12 31 2020	OCT-DEC 20	Charlie Swanger	CELL REIMBURSE	204.00

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: JANUARY 26, 2021
SUBJECT: APPROVAL OF POLICIES AND PROCEDURES

The following Policies and Procedures are being presented for review and approval:

1. None.

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
ADMINISTRATIVE SERVICES – BUDGET & FINANCE**

TO: Board of Directors
FROM: Finance Manager Juul and Chief Abbott
DATE: January 26, 2021
SUBJECT: Second Quarter Overtime Tracking Report

CONSENT AGENDA

BACKGROUND:

This report is designed to provide an overview of the overtime expenditures in comparison with the budgeted amounts and historical usage. In addition, this report documents overtime based on the leave that generates it and includes reimbursements from providing Mutual Aid.

DISCUSSION:

The attached charts provide multiple views of overtime usage and the leave that generates it. The reporting periods coincide with the month divisions and not pay periods. Therefore, there may be variations from month to month. An increase in overtime may be attributed to an additional pay period falling within that particular month or unusually high overtime due to an event or mutual aid activity. Two charts are included to give a quick visual comparison of the tracked areas:

- Leave Analysis by Type
- Five Year Overtime History
- Total Overtime and Reimbursement
- 5 YR History AL-SL, STOCV

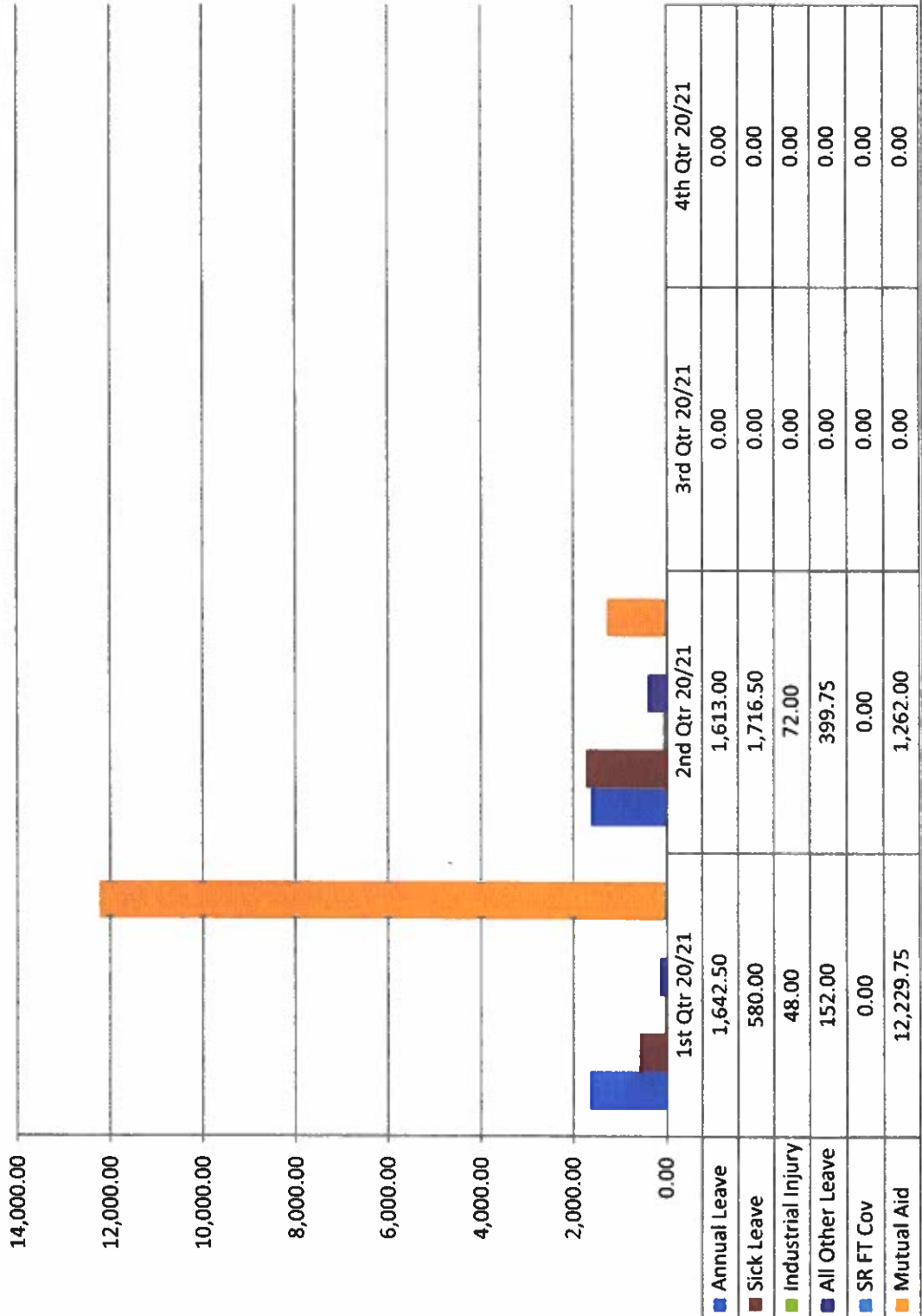
FISCAL ANALYSIS:

Annual leave went up 19% and sick leave increased by 137%. Most likely it is due to COVID, but we did change scheduling programs so there is a possibility it was not tracked accurately this past quarter. Current overtime is 154% expended, but the District has outstanding reimbursements for mutual aid in the amount of \$930,277 which will reduce the overtime down to 67% of the current budget.

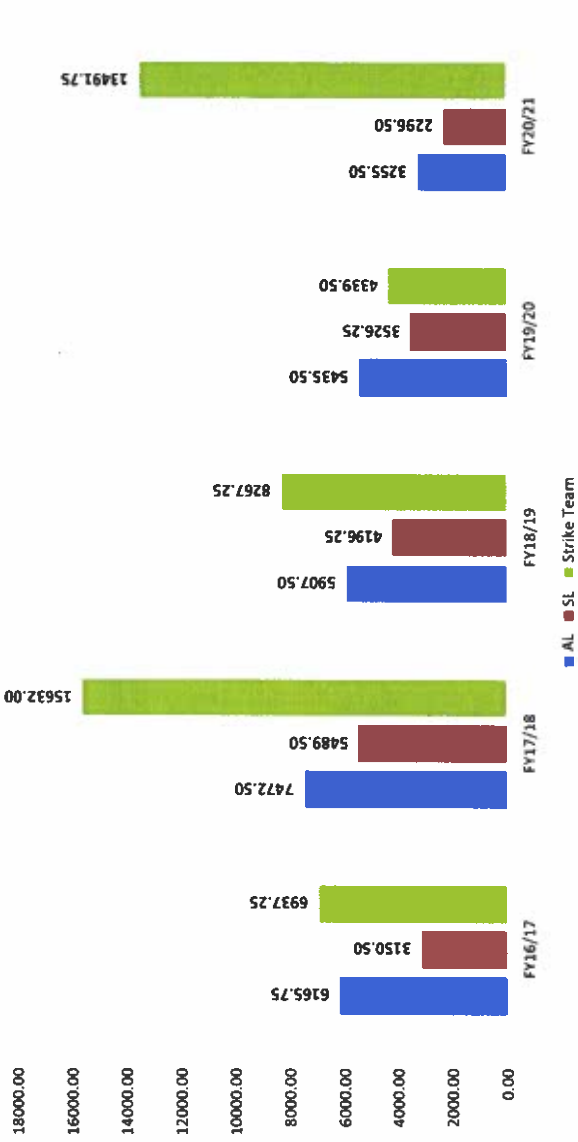
SUMMARY:

Information only, no action needed.

**NCFPD EMERGENCY SERVICES
NUMBER OF HOURS BY TYPE
1ST QUARTER 20/21**



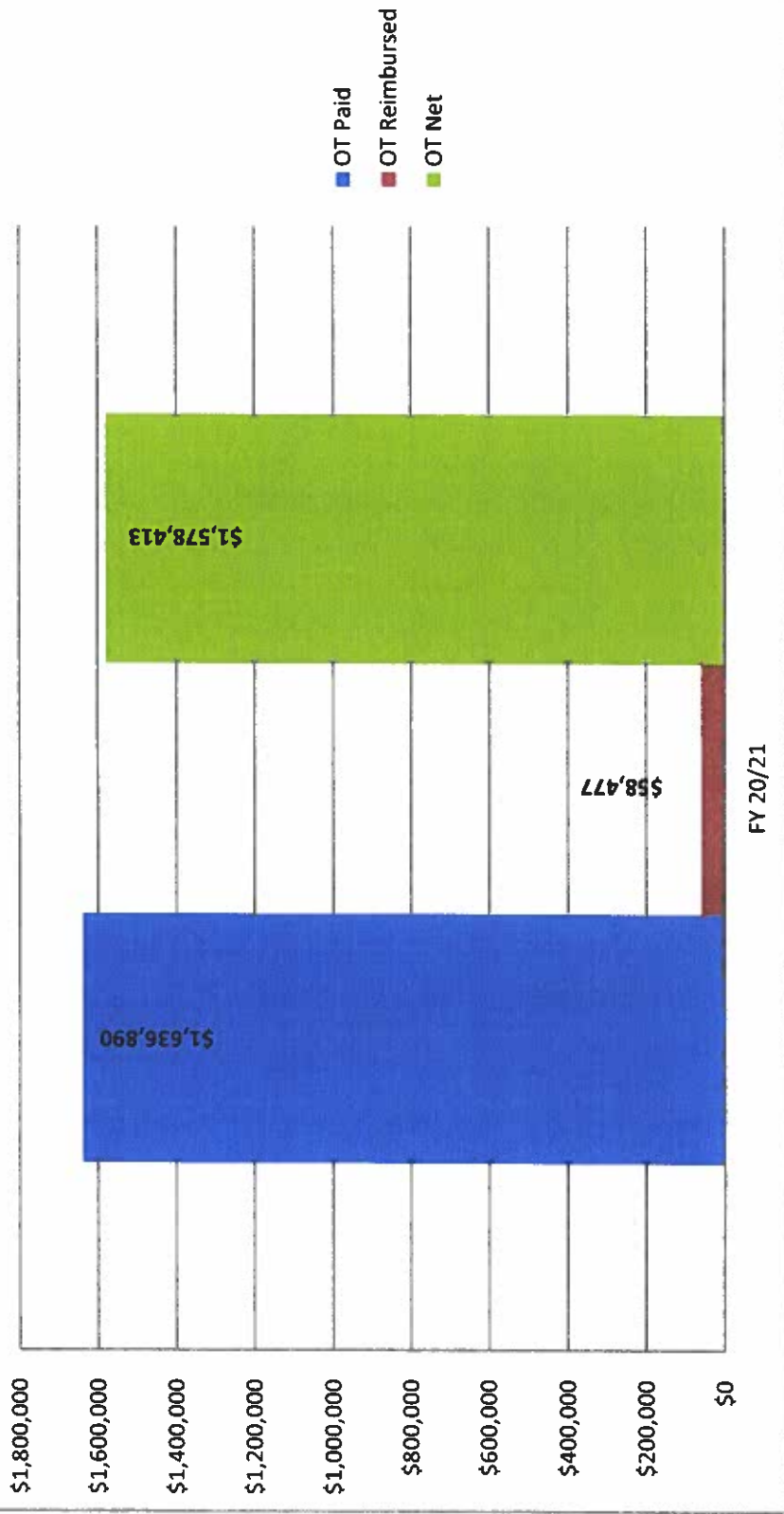
5 YR HISTORY AL-SL, STCOV



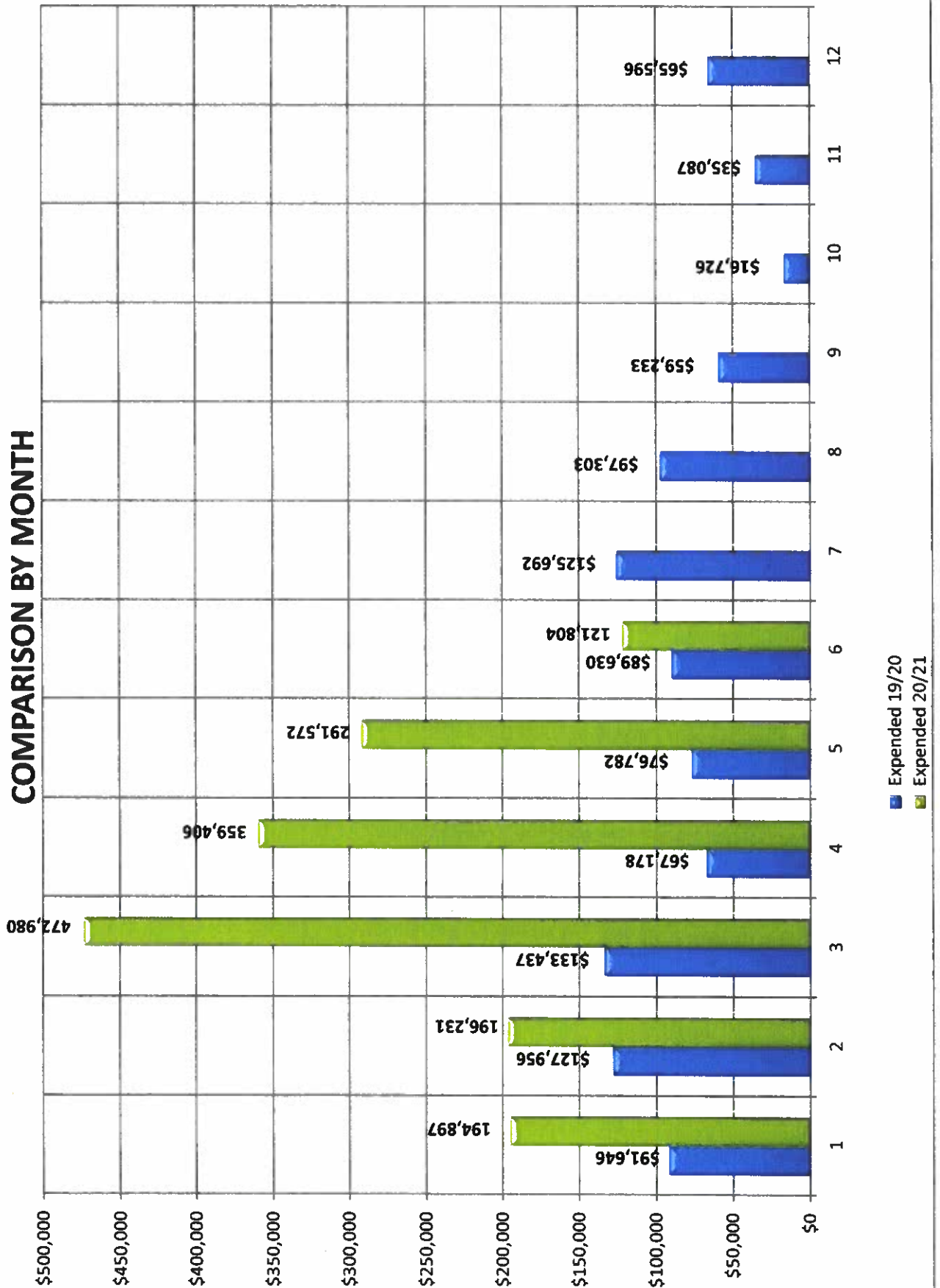
Emer Services

FY 20/21
 OT Paid \$1,636,890
 OT Reimbursed \$58,477
 OT Net \$1,578,413

**NCFPD EMERGENCY SERVICES
 OVERTIME AND REIMBURSEMENT**



NCFPD EMERGENCY SERVICES TWO YEAR OVERTIME COMPARISON BY MONTH



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**NORTH COUNTY FIRE
PROTECTION DISTRICT
EMERGENCY MEDICAL SERVICES**

TO: BOARD OF DIRECTORS
FROM: D/C MAHR AND CHIEF ABBOTT
DATE: JANUARY 26, 2021
SUBJECT: AUTHORIZE RENEWAL OF CONTRACT FOR MEDICAL STANDBYS WITHIN EOA

ACTION AGENDA

RECOMMENDATION:

1. Authorize the District to renew its contract with Mercy Medical Transport Inc. to provide limited medical standby services within the District's exclusive operating area (EOA) as authorized by Resolution 2021-01.
2. Authorize Chief Abbott to execute the Agreement on behalf of the District.

BACKGROUND:

As an element of providing emergency medical transport services prior to 1981, the District has been granted an "exclusive operating area" by the County of San Diego to continue to provide exclusive advanced life support (ALS) transport services within the District. As the District is not in a position to routinely provide ALS standby services, it has historically contracted with private providers for such services.

The owner of Santa Anita Racetrack has purchased San Luis Rey Downs Track & Training Center (SLRD) and augmented operations to ultimately include the boarding of up to 400 horses and daily training activities. To this end the California Horse Racing Board requires transport capable ALS standby services. SLRD has contracted with Mercy Medical Transport for those services. This will be the second of five possible annual renewals within the current Agreement with Mercy Medical Transport.

DISCUSSION:

In order to protect the District's EOA interests, it is necessary to enter into a limited ALS standby agreement with Mercy Medical Transport. Accordingly, we have developed an agreement which would allow Mercy to provide limited medical standby services within our EOA, in accordance with the attached EOA Agreement (Exhibit "A") and Medical Operations Plan (Exhibit "B"). Under this agreement, although an ALS ambulance from Mercy would be staged at SLRD, they would contact NCFPD for patient transportation.

RESOLUTION TO AUTHORIZE CONTRACT MEDICAL STANDBYS WITHIN EOA

JANUARY 26, 2021

PAGE 2 OF 2

FISCAL ANALYSIS:

No additional financial impact is anticipated at this time as the District will still retain primary transport discretion.

SUMMARY:

Pursuant to the provisions of the agreement and Resolution 2021-01, Staff recommends renewing the EOA agreement as submitted and recommends Chief Abbott be authorized to execute the required documents on behalf of the District.



NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2021-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT AUTHORIZATION TO PROVIDE PRE-HOSPITAL EMERGENCY MEDICAL STANDBY SERVICES WITHIN THE EXCLUSIVE OPERATING AREA OF THE NORTH COUNTY FIRE PROTECTION DISTRICT

Whereas, California Health & Safety Code §1797.201 authorizes the local EMS agency (County of San Diego, Department of Health Services, Division of Emergency Medical Services - hereinafter referred to as "County EMS") to "enter into a written agreement with the city or fire district regarding the provision of pre-hospital emergency medical services for that city or fire district;" and

Whereas, the North County Fire Protection District (hereinafter referred to as "the District") provides emergency and non-emergency services as part of the operation of the fire district; and

Whereas, the District has maintained provision of pre-hospital emergency medical services to those areas located within the jurisdictional boundaries of the District as well as its surrounding "sphere of influence" (as defined by LAFCO) prior to January 1, 1981, in accordance with California Health & Safety Code § 1797.224; and

Whereas, the District maintains an exclusive operating area (herein after referred to as "EOA") for the provision of pre-hospital emergency medical services within the jurisdictional boundaries of the District, by which it retains exclusive right to designate the means, type and extent of pre-hospital emergency medical services within this EOA; and

Whereas, it is in the mutual interest of the District and the Contractor to provide limited medical standby services within the EOA of the District;

NOW, THEREFORE, the Board of Directors of the North County Fire Protection District of Fallbrook, California does hereby authorize, find, resolve, order and determine as follows:

Limited provision of Advanced Life Support (ALS) medical standby services at pre-determined locations and/or venues (at full discretion of the District), to consist of a non-transport type vehicle equipped with a full complement of ALS equipment (as defined by S.D. Co. EMS Policy #P-806) and staffed by the Contractor ("Mercy Medical Transport, Inc.") with a competently trained ALS provider as licensed by the State of California and accredited by the County of San Diego, in accordance with the attached Exclusive Operating Agreement (EOA), Exhibits 'A and B', included and incorporated as part of this Resolution, to become effective January 26, 2021.

APPROVED, SIGNED AND ADOPTED by the Board of Directors, North County Fire Protection District, County of San Diego, State of California, on this 26TH day of January, 2021, by the following vote:



NORTH COUNTY FIRE PROTECTION DISTRICT

RESOLUTION 2021-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH COUNTY
FIRE PROTECTION DISTRICT AUTHORIZATION TO PROVIDE PRE-HOSPITAL
EMERGENCY MEDICAL STANDBY SERVICES WITHIN THE EXCLUSIVE
OPERATING AREA OF THE NORTH COUNTY FIRE PROTECTION DISTRICT

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

John van Doorn, Board President

ATTEST:

I HEREBY CERTIFY that the foregoing is a true and correct copy of the Resolution duly and regularly adopted by the Board of Directors of the North County Fire Protection District thereof held on the **26th day of January, 2021**, and that the same now appears on record in my office.

IN WITNESS THEREOF, I hereunto set my hand and affixed by official seal this **26th day of January, 2021**.

Loren A. Stephen-Porter
Board Secretary

“Exhibit A”

**AGREEMENT TO PROVIDE PRE-HOSPITAL EMERGENCY MEDICAL
STANDBY SERVICES WITHIN THE EXCLUSIVE OPERATING AREA OF THE
NORTH COUNTY FIRE PROTECTION DISTRICT**

SERVICE DESCRIPTION: Provision of limited Advanced Life Support medical standby Services to support horse training and racing activities at the San Luis Rey Downs Training Center, which resides within the jurisdictional boundaries of the North County Fire Protection District.

THIS AGREEMENT is made and entered into this January 26, 2021, by and between the NORTH COUNTY FIRE PROTECTION DISTRICT, hereinafter designated as “DISTRICT” and MERCY MEDICAL TRANSPORT, INC., hereinafter designated as “CONTRACTOR.”

RECITALS

WHEREAS, California Health & Safety Code §1797.201 authorizes the local EMS agency (County of San Diego, Department of Health Services, Division of Emergency Medical Services — hereinafter referred to as “County EMS”) to “enter into a written agreement (contract) with the city or fire district regarding the provision of pre-hospital emergency medical services for that city or fire district;”

WHEREAS, the DISTRICT has maintained provision of pre-hospital emergency medical services to those areas located within the jurisdictional boundaries of the DISTRICT as well as its surrounding “sphere of influence” (as defined by LAFCO) prior to January 1, 1981 in accordance with California Health & Safety Code § 1797.224;

WHEREAS, the DISTRICT maintains an exclusive operating area (herein after referred to as “EOA”) for the provision of pre-hospital emergency medical services within the jurisdictional boundaries of the DISTRICT, by which it retains exclusive right to designate the means, type and extent of pre-hospital emergency medical services within this EOA;

WHEREAS, the District has the need for backup medical standby services which can be met by a qualified contractor, and

WHEREAS, it is in the mutual interest of the DISTRICT and the Contractor to provide limited medical standby services within the EOA of the DISTRICT;

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1.0 SCOPE OF WORK.

1.01 The Contractor is hereby authorized to provide the following service, which is more particularly described as:

- 1.02 Advanced life support (ALS) medical standby services at the San Luis Rey Downs Training Center, to consist of either a transport capable or non-transport type vehicle equipped with a full complement of ALS equipment (as defined by S.D. Co. EMS Policy #P-806) and staffed by the Contractor with a competently trained ALS provider as licensed by the State of California and accredited by the County of San Diego.

1.1. Services Provided by the CONTRACTOR.

- 1.1.1. Cooperate fully with the DISTRICT in performing services in accordance with this agreement, with established codes and standards and consistent with DISTRICT policies.
- 1.1.2. Said services to be in accordance with the "Medical Operations Plan" (Attachment 'B').
- 1.1.3. Maintain all necessary incident and patient documentation in accordance with County EMS policies and procedures as well as Contractor policies and procedures.
- 1.1.4. Respond within three working days, in writing or by telephone, to all complaints and/or inquiries concerning issues of customer service and/or appropriateness of and level of care.
- 1.1.5. The CONTRACTOR shall directly bill contracting entities for services provided.

1.2. Services Provided by the DISTRICT.

- 1.2.1. Services to be provided in accordance with the "Medical Operations Plan" (Attachment "B").
- 1.2.2. The DISTRICT shall be the primary transporting agency unless no DISTRICT transport resources are available.

2.0. RELATIONSHIP WITH THE DISTRICT.

- 2.1. The CONTRACTOR shall have no formal relationship to the DISTRICT other than having the ability to provide limited pre-hospital emergency medical standby services as described under Section 1.0. The CONTRACTOR shall have no authority, express or implied, to act on behalf of the DISTRICT as an agent, or to bind the DISTRICT to any obligation whatsoever. The CONTRACTOR shall be solely responsible for the liability and performance of any of its employees, agents or subcontractors under this agreement.

3.0. WORKERS' COMPENSATION.

- 3.1. Pursuant to Labor Code Section 1861, the CONTRACTOR hereby certifies that the CONTRACTOR is aware of the provisions of Section 3700 of the Labor Code,

which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code, and the CONTRACTOR will comply with such provisions, and provide certification of such compliance prior to commencement of any work. The certification shall be in accordance with Subsections 4.3 through 4.8 of this agreement.

4.0. LIABILITY INSURANCE.

4.1. The CONTRACTOR shall, throughout the duration of this agreement, maintain comprehensive general liability and property damage insurance, or commercial general liability insurance covering all operations of the CONTRACTOR, its agents and employees, performed in connection with this agreement, including, but not limited to, premises and automobile.

4.2. The CONTRACTOR shall maintain the following minimum limits:

4.2.1. General Liability:

Combined single limit per occurrence	\$1,000,000
General aggregate	\$2,000,000

4.2.2. Automobile Liability:

Combined single limit per occurrence	\$1,000,000
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4.3. All insurance companies affording coverage to the CONTRACTOR shall include the DISTRICT as "additional named insured" under their insurance policy, for all work performed in accordance with this agreement.

4.4. All insurance companies affording coverage to the CONTRACTOR shall be insurance organizations admitted by the Insurance Commissioner of the State Department of Insurance to transact business of insurance in the State of California.

4.5. All insurance companies affording coverage shall provide a thirty (30) day written notice to the DISTRICT before the cancellation or expiration. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation.

4.6. The CONTRACTOR shall provide evidence of compliance with the insurance requirements listed above by providing a Certificate of Insurance and an original endorsement to the policy, in a form satisfactory to the DISTRICT'S legal counsel, concurrently with the submittal of this agreement.

4.7. The CONTRACTOR shall provide a substitute Certificate of Insurance and an endorsement no later than thirty (30) days prior to the policy expiration date. Failure by the CONTRACTOR to provide such a substitution and extend the policy expiration date shall be considered a default by the CONTRACTOR and may subject the CONTRACTOR to suspension or termination of work under this agreement.

4.8. Maintenance of insurance by the CONTRACTOR as specified in this agreement shall in no way be interpreted as relieving the CONTRACTOR of any responsibility whatever and the CONTRACTOR may carry, at its own expense, such additional insurance as it deems necessary.

5.0. CONTRACTOR'S INDEMNIFICATION OF THE DISTRICT.

5.1. The CONTRACTOR shall defend and hold harmless the DISTRICT and its officers, agents and employees against all claims for damages to persons or property arising out of the conduct of the CONTRACTOR or its employees, agents, subcontractors or others in connection with the execution of work covered by this agreement, except only for those claims arising from the sole negligence or sole willful misconduct of the DISTRICT, its officers, agents or employees. The CONTRACTOR'S indemnification shall include any and all costs, expenses, attorneys' fees and liability incurred by the DISTRICT, its officers, agents or employees in defending against such claims, whether the same proceed to judgment or not. The CONTRACTOR'S indemnification of the DISTRICT shall not be limited by any prior or subsequent oral declaration by the CONTRACTOR.

6.0. COMPENSATION.

6.1. The CONTRACTOR shall receive **NO** compensation from the DISTRICT. The CONTRACTOR shall directly bill contracting entities for services rendered.

7.0. TERMINATION OF AGREEMENT.

7.1. Either party may terminate this agreement upon written notice. Contract shall become null and void sixty (60) days after delivery of said notice.

8.0. ASSIGNMENT AND DELEGATION.

8.1. This agreement and any portion thereof shall not be assigned or transferred, nor shall any of the CONTRACTOR'S duties be delegated without the express written agreement of the DISTRICT. This does not apply to CONTRACTOR'S assignment of receivables for financing purposes. Any attempt to assign or delegate any provision of this agreement without the express written consent of the DISTRICT shall be void and of no force and effect. The DISTRICT may delegate authority in connection with this agreement, for the purposes directing the CONTRACTOR'S performance, to any member of the DISTRICT.

9.0. INTERPRETATION OF THE AGREEMENT.

9.1. The interpretation, validity and enforcement of this agreement shall be governed by and construed under the laws of the State of California. This agreement does not limit any other rights or remedies available to the DISTRICT. The CONTRACTOR shall be responsible for complying with all Local, State and Federal laws, whether or not said laws are expressly stated or referred to herein. Should any provision herein be found or deemed to be invalid, this agreement shall

be construed as not containing such provision and all other provisions which are otherwise lawful shall remain in full force and effect, and to this end, the provisions of this agreement are severable. The EMS Chief, under the authority of the DISTRICT and the Fire Chief, shall be the DISTRICT authorized representative in the interpretation and enforcement of all provisions of this agreement.

10.0. AGREEMENT MODIFICATION.

10.1. This agreement may not be modified orally or in any manner other than by an agreement in writing, signed by the parties hereto.

11.0. DISPUTE RESOLUTION.

11.1. No suit shall be brought on this agreement unless all statutory claims filing requirements have been met.

11.2. NOTICES.

11.3. All notices, demands, requests, consents or other communications which this agreement contemplates or authorizes, or requires or permits either party to give to the other, shall be in writing and shall be in writing and shall be personally delivered or mailed to the respective party as follows:

TO CONTRACTOR:

Mercy Medical Transport, Inc.
RICK ROESCH, President
2537 Old San Pasqual Rd.
Escondido, CA 92027
(760) 739-8026

TO DISTRICT:

North County Fire Protection District
Stephen J. Abbott, Fire Chief/CEO
330 S. Main Avenue
Fallbrook, CA 92028-2938
(760) 723-2005

11.4. Either party may change its address by notice to the other party as provided herein. Communications shall be deemed to have been given and received on the first to occur of (a) actual receipt at the offices of the party to whom the communication is sent, as designated above, or (b) three (3) working days following the deposit in the United States mail of registered or certified mail, postage prepaid, return receipt requested, addressed to the offices of the party to whom the communication is to be sent, as designated above.

12.0. AGREEMENT PERIOD.

12.1. The term of this agreement shall be from the date of execution to **February 1, 2022**. Unless otherwise terminated as provided herein, this agreement maybe extended for one (1) year by mutual written agreement of both parties, for up to three (3) more one-year renewals.

13.0. SIGNATURES.

13.1. The individuals executing this agreement represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this agreement on behalf of the respective legal entities of the CONTRACTOR and the DISTRICT.

IN WITNESS WHEREOF, the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this Services Agreement to be executed by setting hereunto their signatures January 26, 2021.

<u>MERCY MEDICAL, INC.</u> CONTRACTOR	<u>NORTH COUNTY FIRE PROTECTION DISTRICT</u> DISTRICT
--	--

Rick Roesch, President	Stephen J. Abbott, Fire Chief/CEO
------------------------	-----------------------------------

FEDERAL EMPLOYEE ID NUMBER: _____

Approved as to Form

Robert James, District Counsel

I **HEREBY CERTIFY** that foregoing is a true and correct copy of the Contract duly and regularly adopted by the Board of Directors of the North County Fire Protection District at the meeting thereof held on the **26th day of January, 2021**, and that the same now appears on record in my office.

IN WITNESS THEREOF, I hereunto set my hand and affixed by official seal this **26th day of January, 2021**.

Loren A. Stephen-Porter, Board Secretary

"Exhibit B"

Medical Operations Plan

TABLE OF CONTENTS

Page	Topic
2	Overview
4	On Course Incidents
4	Available Transport Systems
5	Mass Causality Incident
5	Reference A - Area Map

"Exhibit B"

Medical Operations Plan

OVERVIEW

Located in Southern California, San Luis Rey Downs (SLRD) is the only auxiliary training track continuously approved by the California Horse Racing Board since 1984. Unlike the tracks in the California racing circuit, San Luis Rey Downs is open for training every day, 365 days a year, enabling trainers to develop a permanent home.

The SLRD Track

The San Luis Rey Downs facility has a well-maintained one-mile track and a smaller training track. There is 24-hour security with no unlicensed people allowed on the grounds. During training hours, there are outriders, official clockers and an official gate crew.

The SLRD Facilities

There are currently 500 stalls at the San Luis Rey Downs, leased by trainers wishing to have a permanent base for their training and racing operations.

Amenities at San Luis Rey Downs include a large regulation-sized equine pool, arena, rounds pens, stationary training gate, "All Weather Trails," tack shop/feed store, Equicise (free run) machines, saddling paddock, track kitchen, mechanical hot walkers, and equine scale, Farrier Shop, pens and outside paddocks.

The SLRD Clients

Many of the breeders in Central and Southern California use San Luis Rey Downs for the transition between the baby training done on the farms and the high-powered racing of Southern California.

The SLRD Location

San Luis Rey Downs, in the affluent bedroom community of Bonsall, in northern San Diego County.

Should a Medical Incident of Any Nature Occur for Transportation:

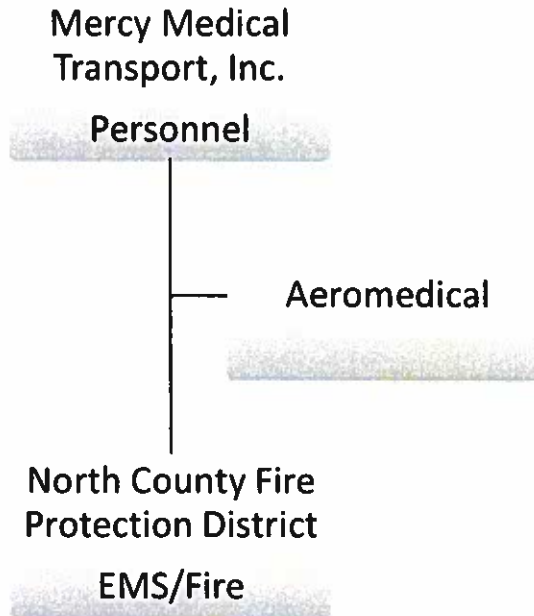
Involving an official or participant.

Involving a spectator, course worker or non-participant.

"Exhibit B"

Medical Operations Plan

The chain-of-command and Medical Authority for any and all incidents involving treatment shall be/is North County Fire Protection District (NCFPD), or most appropriate Advanced Life Support (ALS) unit from the North Zone catchment.



Accordingly, for this daily six (6) days-a-week stand-by event, Mercy Medical Transportation is establishing an on-site ALS ambulance that is utilized to take care of minor medical problems, basic patient evaluations, etc. If a patient of sufficient severity, where ALS care is required or meets local protocols for transportation by ambulance, the patient treated would be transferred from Mercy Medical Transportation, Inc., Paramedics to NCFPD, or another ALS transporting agency should NCFPD resources not be reasonably available.

Moreover, Mercy Medical Transport, Inc., shall have two (2) ALS local licensed paramedics at stand-by Monday through Saturdays, six (6) days a week, from 0500-1100 hours. Mercy Medical Transportation, Inc., shall provide ALS equipment including and not limited to, C-spine equipment, basic bandaging and splinting, ALS and Basic Life Support (BLS) supplies, according to San Diego County ambulance equipment ordinance Policy. ALS equipment shall be in the standard of what is commonly accepted in the industry and carried by local San Diego protocol and policy.

All contact(s) for rescue and/or transport of the ill or injured will be either via Monte Vista Dispatch, North County Dispatch JPA, or routed through the 911 communication system and handled via standard local protocols.

"Exhibit B"

Medical Operations Plan

ON COURSE INCIDENTS

Mercy Medical Transportation, Inc., personnel shall be the primary/patient care providers for any incident on course. Mercy Medical Transportation, Inc. personnel will be the first responders and shall start extrication, patient care. Once on scene, NCFPD will provide direction and coordination at the scene with any additional resources needed as per the chain-of-command.

The primary Trauma Center will be Palomar Medical Center, in Escondido California. Palomar Medical Center is a Level II Trauma Center. Should the need arise it becomes the transporting agency's discretion as to where the patient is taken, within San Diego County's policies and protocols.

All radio transmissions shall be in plain English and to the point. This makes for a professional flow and understanding of what is exactly needed, where and how many injured.

Any patient transported shall fall under standard San Diego County Treatment Protocols, and treatment will be rendered as directed by the base hospital having jurisdiction. The method and destination of transport shall be according to San Diego County Policies and Protocols and shall be at the discretion of the primary medical responder at scene, in coordination with the transporting unit.

AVAILABLE TRANSPORT SYSTEMS

If a patient needs to be transported, including from the water, accessing the local EMS system (North County Fire) for an ALS/BLS unit will be the responsibility of on-scene NCFPD personnel. Mercy Medical Transportation, Inc. will contact all pertinent agencies and coordinate all responses.

An Aeromedical crew may be used as a resource should the need arise. NCFPD will contact and coordinate this response with North County Fire as required by local protocol, policies and procedures.

Should the injury sustained by an individual be determined by Mercy Medical Transportation, Inc. personnel to be of the non-emergent type and with agreement of all parties, this individual may transport themselves by personal vehicle to the appropriate medical facility of their choice, upon completion of the appropriate paper work. Accordingly, any injury of the aforementioned, the Mercy Medical Transportation, Inc., personnel shall complete an Against Medical Advice (AMA) Patient Care Report (PCR) with accompanying patient signature of documentation EKG strip, and memorialized via Base Hospital taped radio report.

"Exhibit B"

Medical Operations Plan

MASS CASUALTY INCIDENTS

Triage is needed when the number of patients out numbers the number of resources available to provide treatment and/or transport.

To help minimize confusion and to utilize resources efficiently Mercy Medical Transportation, Inc. will contact North County Fire Protection District and until their arrival at scene will utilize:

- The Incident Command System (ICS)
- Mass casualty Incident Command System (MCI-ICS)

All disaster patients shall be sorted utilizing the S.T.A.R.T. triage system. (Attached)

NCFPD or closest fire agency will have the responsibility for Mass Casualty Incidents, and they will ultimately fire will be in command. Until arrival, Mercy Medical Transportation, Inc. Triage officer will start triage and treatment by on site medical personnel until the arrival of NCFPD or appropriate fire agency. All rescue personnel shall respond to the incident, and assist in patient triage, setting of treatment areas (Casualty Collection Areas "CCP"), etc.

The remainder of the Mercy Medical Transportation, Inc. if appropriate, crew shall work on any participants involved and/or assist in spectator patient care as appropriate.

REFERENCE "A" AREA MAP



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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: CHIEF ABBOTT
DATE: JANUARY 26, 2021
SUBJECT: FY 20/21 NEIGHBORHOOD REINVESTMENT GRANT

ACTION AGENDA

BACKGROUND:

Each year, each San Diego County Supervisor is allotted discretionary funds for the purpose of neighborhood reinvestment. These funds may be used for capital expense/capital improvement related expenses. For the last several years, the District has successfully applied for, and has been awarded a \$160,772 in Neighborhood Reinvestment Grants (NRG) for the purchase of decontamination units, exercise equipment and microwave radio equipment.

DISCUSSION:

The District equips four of its five front-line engines with a set automobile extrication ("auto ex") equipment, which is utilized to assist with removal of victims involved in serious collisions and similar accidents. Two "sets" of this equipment are beyond the end of their recommended service life and are in need of replacement. This Grant would cover the costs necessary for purchase of one set of extrication equipment, optimally for Station 4 as its primary response area involves the highest proportion of vehicle accidents along I-15 and Hwy 76.

FISCAL IMPACT:

If awarded, the Grant would save the District \$44,654 in financial outlay for this equipment.

RECOMMENDATION:

Approve the attached Neighborhood Reinvestment Grant Resolution as noted herein, which authorizes the District to submit this grant application and enter into a grant agreement for these funds.

RESOLUTION OF THE BOARD OF DIRECTORS

OF North County Fire Protection District (NCFPD)

(Organization name)

WHEREAS, the County of San Diego Neighborhood Reinvestment Program provides funding for non-profit corporations for certain specified purposes; and

WHEREAS, the North County Fire Protection District (NCFPD)

(Organization name)

wants to file an application with County of San Diego for Neighborhood Reinvestment Program funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of

North County Fire Protection District (NCFPD)

(Organization name)

:

1. Confirms that North County Fire Protection District (NCFPD) is a non-profit California corporation or a public agency under the laws of the State of California;
2. Approves the filing of an application with the County of San Diego for Neighborhood Reinvestment Program funding during the County's 2020-2021 fiscal year; and
3. Authorizes the people listed below to sign a grant agreement with the County of San Diego for Neighborhood Reinvestment funds for the 2020-2021 fiscal year.

1. Print Name: John van Doorn

Signature: _____

Title: President, Board of Directors

2. Print Name: Stephen J. Abbott

Signature: _____

Title: Fire Chief/CEO

3. Print Name: Cherie Juul

Signature: _____

Title: Finance Manager

Adopted on this 26th day of January, 2021

Loren Stephen-Porter, Secretary, Board of Directors



COUNTY OF SAN DIEGO
APPLICATION FOR FISCAL YEAR 2020-21
NEIGHBORHOOD REINVESTMENT
PROGRAM GRANT

READ INSTRUCTIONS FIRST
 ALL FIELDS MUST BE COMPLETED AS APPLICABLE

ELIGIBILITY: Only non-profit or government/public agencies operating in San Diego County may apply.

What is the legal status of your organization?

Non-Profit Corporation Government/Public Agency

Federal Tax Identification Number (TIN or EIN): 95-600542 Organization Name: North County Fire (NCFPD)
(Must match name filed under Federal Tax Identification Number)

ADDITIONAL CRITERIA (ATTORNEY GENERAL & SECRETARY OF STATE COMPLIANCE):

Please attach proof of the organization's eligibility to apply in the following two ways: 1) Current or Exempt status with the California Attorney General's Charitable Organization Registry and 2) Active status with the California Secretary of State's Business Search. Screen shots or other evidence should be included as attachments with this application.

ORGANIZATION:

Street Address

Address: 330 S. Main Ave
 City: Fallbrook State: CA Zip: 92028

Mailing Address Same as Street Address

Address: 330 S. Main Ave
 City: Fallbrook State: CA Zip: 92028

Popular Name or d.b.a.: North County Fire Protection District (NCFPD)

Supervisory District (based on street address of organization): 1 2 3 4 5 (Select only one)

Title of Grant Request: Auto Extrication

Contact Person (Individual who will sign the grant agreement and be responsible for the expenditure of the funds)

Name: Kevin Mahr Title: Operations Chief
 Telephone Number: (760) 723-2 Fax Number: (760) 723-2 Email: kmahr@ncfire.org

Grant Administrator (Individual who will sign the grant agreement and be responsible for the expenditure of the funds)
 (This individual must be different from the Contact Person listed above)

Name: Stephen Abbott Title: Fire Chief
 Telephone Number: (760) 723-2 Fax Number: (760) 723-2 Email: sabbott@ncfire.org

PROPOSAL:

PROJECT LOCATION (see instructions)

Street Address: 4375 Pala Mesa Dr. Fallbrook, CA 92028
 Community to be Served: I-15 Freeway, SR-76, Pala Mesa, Horse Creek Ranch, Deer Springs, Pala

For Capital Projects:

Owner of Project Site: _____
 Name of person or entity responsible for project site maintenance (Provide a copy of any maintenance agreements or commitment letters, if applicable.) _____

Purpose of grant: (Describe the purpose for which you are seeking grant funding. If your request consists of multiple components, please describe each item in priority order and indicate the associated amount requested. A higher priority shall be given to requests for capital projects and/or one-time expenses.)

Please see addendum



**COUNTY OF SAN DIEGO
APPLICATION FOR FISCAL YEAR 2020-21
NEIGHBORHOOD REINVESTMENT
PROGRAM GRANT**

ORGANIZATION NAME: North County Fire (NCFPD)
TITLE OF GRANT REQUEST: Auto Extrication

Estimated Total cost of the project: \$44,654 (Provide verifiable cost estimates with this application)

Total Amount requested from the County (minimum \$3,500): \$44,654 **Estimated project completion date:** 01/31/2021

Have you made any expenditures to date for this project that you expect to claim under this grant: Yes No
IMPORTANT: This information will be used to determine the effective date of your grant if awarded.

If YES, the date of the first expenditure: Month: _____ Year: _____

If NO, when do you expect to start the project: Month: _____ Year: _____

QUESTIONS 1 & 2 WILL BE USED TO HELP EVALUATE YOUR PROPOSAL

1. Briefly describe how your organization measures or plans to measure the (positive) impact of activities/operations proposed in the community. Provide an estimate of how many people will be served.

NCFPD currently uses a national data base reporting system for all 911 emergencies. This system enables us to keep track of response times as well as a note keeping system to determine when objectives are met (in this instance it would be time stamped once we are able to rescue entrapped occupants out of the vehicle). Another measure is the "Golden Hour," an EMS industry standard for trauma patients. The goal of this is to have any trauma patient within the emergency departments trauma room within an hour of their accident. These times are documented through the hospital as well as our EMS documentation program which shares information with the previously mentioned 911 data base reporting system. With these two measures, NCFPD will be able to use accurate data to help determine the effectiveness of our operations in rescue traffic collisions.

2. What other funding partners/sources do you have for this project?

NCFPD does not have any other funding partners for this project. Care and maintenance of the desired equipment will come out of NCFPD's annual budget.



COUNTY OF SAN DIEGO
FISCAL YEAR 2020-21 NEIGHBORHOOD
REINVESTMENT PROGRAM GRANT APPLICATION
SUMMARY OF FINANCIAL INFORMATION

ORGANIZATION NAME: North County Fire (NCFPD)
 TITLE OF GRANT REQUEST: Auto Extrication

Financial Solvency:

Please Type Initials SA

I hereby certify that this organization is currently financially solvent and not at risk for insolvency.

FINANCIAL STATEMENT	PRIOR YEAR ACTUALS	CURRENT YEAR
	July 1, 2019 Through June 30, 2020	July 1, 2020 Through June 30, 2021
Type in Your "Fiscal Year" if different	Through	Through
COUNTY COMMUNITY ENHANCEMENT GRANTS	\$0	\$0
COUNTY NEIGHBORHOOD REINVESTMENT GRANTS (Formerly Community Projects Grants)	\$35,486	\$0
CITY FUNDING City Name: _____	\$0	\$0
OTHER REVENUES (Please itemize below)		
Property Tax Revenues	\$15,989,266	\$768,321
Fees (Ambulance, Prevention, other)	\$3,048,612	\$1,096,717
Reimbursements	\$266,649	\$29,238
Restricted Funds	\$927,534	\$364,246
Internal Transfers	\$1,852,000	\$468,000
TOTAL REVENUES (If more than \$50,000, attach IRS form 990 or 990EZ. If \$50,000 or less, attach IRS form 990-N e-postcard))	\$22,119,547	\$2,726,522
TOTAL EXPENDITURES	\$20,548,121	\$6,605,946
OPERATING SURPLUS (DEFICIT)	\$1,571,426	(\$3,879,424)

Neighborhood Reinvestment Grant Addendum

North County Fire Protection District

Purpose:

The purpose of this grant is to obtain funding to assist North County Fire Protection District with replacing our ageing auto extrication equipment at NCFPD's fire Station 4. Since the equipment has reached its end of useful life, we have seen a marked increase in replacement parts and maintenance to keep the equipment in service.

Background:

Our Station 4 sees the highest amount of rescue traffic collisions out of any of our five fire stations. This is due to the 16 miles of interstate plus 10 miles of State highway within the district as well as the over 150,000 vehicle trips that pass through our district daily due to San Diego commuter traffic. With the increases to commuter traffic, increasing emergency call volume, increased vehicle safety features, and aging auto extrication equipment, we find ourselves in the position of having to replace such extrication equipment on a more frequent basis.

Discussion:

Due the total size of our response District and the frequent need to use multiple sets of extrication tools on a "cut and rescue" incident, the North County Fire Protection District maintains 4 sets of extrication equipment. Such "sets" include a cutter, spreader, ram(s) and a power unit. Two of these extrication sets are beyond the end of their useful life and are becoming obsolete; in fact, over the next 3-5 years we will need to replace all of our extrication equipment.

This challenge has been exacerbated by the District's ageing infrastructure. Simply stated, the District has not been able to keep up with the impact of new development. This situation was worsened with the closure of Fallbrook Hospital in 2015, which caused the District to restructure its ambulance delivery system to staff an additional ambulance; a half million-dollar cost that was difficult to absorb.

While Fire Mitigation Fees cover a portion of the costs associated with new development, a recent analysis conducted by the Fire Mitigation Fee Committee demonstrated these were inadequate to cover the true impact of new development. Naturally, increased vehicle trips go hand-in-hand with new development, with a corresponding increase in vehicle accidents as well.

Vehicle accidents requiring extrication have also been made more complex given the massive developments in vehicle safety construction, with increasingly hardened and complex materials. Reinforced or high-strength structural steel is not just improving in strength but is also being added to more locations within vehicles. Similarly, as vehicles continue to make a shift towards clean energy, this changes the design of the vehicles which prompts vehicle manufactures to include added safety features in the event of a collision. As a result, both extrication techniques and equipment have had to change to keep up with the advances from the motor vehicle industry. Consequently, we are always chasing the progress of the automotive industry and we can only hope to be prepared by constantly researching and learning.

Neighborhood Reinvestment Grant - Addendum
North County Fire Protection District
Page 2 of 2

This set of extrication equipment would be assigned to replace the set located at our Fire Station 4, which serves the Interstate 15 and State Highway 76 corridor, as this area experiences the greatest demand for auto extrication. It is noteworthy to add that this region of our District is a confluence of three response areas, including unincorporated portions of the County covered by the San Diego County Fire Authority and the Pala Indian Reservation.

Fiscal Analysis:

Total Cost for 1 set of Holmatro extrication tools:	\$ 40,978.25
Tax & Shipping:	\$ <u>3,675.81</u>
Total Cost of Project:	\$ 44,654.06

It should be noted in the Financial Statement portion the grant application, the calculated "operating surplus" of \$1,571,426 is the result of an internal transfer to pay off a loan, which resulted in a \$316,060 reduction in the District's year-end cash position.

Please see attached quote for more information.

Summary:

The North County Fire Protection District has routinely tried to be at the forefront of providing the upmost care the residents of San Diego County. Over the past few years, we have been faced with many challenges, but none more daunting than keeping up with the many external factors that influence our day-to-day operations. NCFPD will continue to move forward and have the best equipment possible, while maintaining fiscal responsibility, but without the help of the San Diego County Board of Supervisors, this progress will undoubtedly be slowed. Thank you for your consideration and we look forward to hearing back from you.

NORTH COUNTY FIRE PROTECTION DISTRICT

330 S. Main Avenue • Fallbrook, California 92028-2938 • Phone: (760) 723-2005 • Fax: (760) 723-2072 • Web: www.ncfire.org

BOARD OF DIRECTORS

CINDY ACOSTA
JEFFERY EGKAN
DAVID KENNEDY
KENNETH E. MUNSON
JOHN VAN DOORN

STEPHEN J. ABBOTT - Fire Chief/CEO - sabbott@ncfire.org
ROBERT H. JAMES - District Counsel - roberthjameslaw@gmail.com
LOREN A. STEPHEN-PORTER - Executive Assistant/Board Secretary - lstephen@ncfire.org

January 26, 2021

Office of Supervisor Jim Desmond
County Administration Center
1600 Pacific Highway, Room 335
San Diego, CA 92101

Dear Supervisor Desmond:

On behalf of the North County Fire Protection District, please accept the attached Neighborhood Reinvestment Grant application package.

About the District:

The North County Fire Protection District (NCFPD) provides fire, rescue, and emergency medical services to the unincorporated communities of Fallbrook, Bonsall, and Rainbow with a combined population of over 50,000. The District has dropped response boundaries with fire departments in all our surrounding communities including Oceanside, Vista, Deer Springs, De Luz, Camp Pendleton and Pala.

Project Description:

We are looking to improve our auto extrication equipment so that we can better serve our District, our neighboring districts that we provide service to, as well as the tens of thousands of commuters who pass through our response area daily on their way to work. NCFPD has five stations that cover over 92 square miles, plus an additional 40 square miles of unincorporated territory outside the District's boundaries. With such a vast territory, at times it can take over ten minutes for the next arriving fire engine to arrive on scene due to our District's geographical limitations. With each passing year, our vehicle extrication equipment ages and the new safety features on vehicles are improving, making it even more necessary that we keep our equipment updated and current. Our fleet has vehicle extrication equipment that is nearing or at the end of its useful life, which will require our Department to replace all four sets of equipment over the next 3-5 years. This will create a significant financial burden to the District as we continue to recover from the recession, as well as redirect new revenues to address our rather substantial public infrastructure challenges, namely, aging fire stations.

If NCFPD is fortunate enough to be granted these funds, they would be used immediately to replace the extrication equipment at our Fire Station 4, which serves the I-15 corridor and sees



PROUDLY SERVING THE COMMUNITIES OF FALLBROOK, BONSALE AND RAINBOW

DUTY ~ INTEGRITY ~ RESPECT

Regular Board Meeting for January 26, 2021

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the highest level of rescue traffic accidents and which provides mutual aid to multiple neighboring communities in Northern San Diego County.

Financial Analysis:

Total Cost for 1 set of Holmatro extrication tools:	\$ 40,978.25
Tax & Shipping:	\$ 3,675.81
Total Cost of Project:	\$ 44,654.06

It should be noted in the Financial Statement portion the grant application, the calculated "operating surplus" of \$1,571,426 is the result of an internal transfer to pay off a loan, which resulted in a \$316,060 reduction in the District's year-end cash position.

Neighborhood Reinvestment Grant History:

No other grant applications have been submitted for this project to other Supervisorial District offices. NCFPD will spend all rewarded grant funds within the allotted 12-month time frame. The total estimated cost of this project is expected to be at \$44,654.06.

NCFPD received two awards from the Neighborhood Reinvestment Grant Fiscal Year 2018/2019 for our chemical detox units and microwave radio system, both of which have served this community very well. The total amount awarded for each was \$16,390 and \$108,896 respectively for the two awards. In the fiscal year 2019/2020 NCFPD received an award towards our wellness program for new exercise equipment in the amount of \$35,486.

With the advent of the pandemic and its resultant economic impacts, the District realizes that your office has undoubtedly received numerous Neighborhood Reinvestment Grant application packages this year. Regardless of the outcome of this application, we wish to extend our most sincere appreciation for your continued support of this District, as well as the many fire and rescue services within the County of San Diego.

Yours in public safety and service,



Stephen Abbott, MPA, CFO, EFO
Fire Chief/CEO

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: CHIEF ABBOTT
DATE: JANUARY 26, 2021
SUBJECT: Long Range Financial Planning

DISCUSSION AGENDA

BACKGROUND:

Several years ago the District retained Raftelis, a public sector financial consulting firm, to develop a long-range financial planning tool. It has recently reengaged one of its principals, Habib Isaac, to perform an update to this plan. The purpose of this plan was/is to:

- Ensure sufficient cash flows for daily and yearly operations and capital replacement, and
- Serve as a basis for establishing minimum fund levels, and
- Serve as a long-range planning tool, and
- Maintain or achieve suitable credit ratings, and
- Integrate into a future strategic plan

DISCUSSION:

This planning tool is a comprehensive relational spreadsheet that incorporates current District finances to illustrate different potential financial scenarios. Those scenarios are depicted on a "dashboard" to provide a visual representation of the District's projected financial future for each of those scenarios. Every effort was made to capture accurate financial data, based upon actual historical experience of the District, and adopt realistic funding scenarios. It should be emphasized that each of the scenarios is based upon the District's current financial trajectory, and there are an infinite number of scenarios and/or adjustments that could alter the trajectory of each.

The presentation is based upon those scenarios, however the spreadsheet has the ability to alter inputs to more accurately capture the District's actual experience over time (e.g. receipt of grants, new revenue sources, etc.). The purpose of this presentation is to provide a broad overview so that the Board may have time to contemplate the findings in preparation for more detailed future discussions relevant to fiscal policy and planning.

FISCAL IMPACT:

No fiscal impact, Discussion Item only. Fiscal impact will depend upon future decisions affecting the District's revenue and expenditures.

DISCUSSION QUESTIONS:

1. Does the Board desire a workshop to delve into more detail for each scenario?
2. Is there a desire to modify any of the District's existing fiscal policies?
3. Is there an interest in developing contingency plans for any of these scenarios?

ROBERT H. JAMES

ATTORNEY AT LAW

ROBERT H. JAMES, Esq.
roberthjameslaw@gmail.com

3668 KATIE LENDRE DRIVE
FALLBROOK, CALIFORNIA 92028

TELEPHONE
(760) 723-9018

January 1, 2021

**Board of Directors
North County Fire Protection District**

Re: General Counsel Board Report for January 1, 2021

Public Officials' New Social Media Open Meeting Law (Part 2)

Questions, Practical Concerns Remain

AB 992 directly amends the Brown Act but touches on other public transparency laws as well.

A few years ago, the California Supreme Court held that the public could have the right to access emails and text messages sent and received by public officials that pertain to public business. The court's ruling in City of San Jose v. Superior Court noted that electronic communications on both an official's personal and government email accounts and devices could be subject to the California Public Records Act.

Given the court's ruling, if a public official, in their official capacity, posts and communicates about public business through social media, those posts could also be subject to the CPRA.

Moreover, as I've discussed in last month's board report, platforms like Facebook, Instagram, Twitter and the like are the modern-day public square where vital public information is disseminated and discussed.

If a public official is using social media to communicate with constituents and share critical public information, they may have turned their social media space into a public forum that is subject to the First Amendment. If this happens, officials should be wary of blocking individuals from their pages when they don't like or agree with the poster's viewpoint. Such a move could violate a poster's constitutional rights.

Finally, in regard to an official's digital communications, issues arise regarding document retention.

ROBERT H. JAMES


ATTORNEY AT LAW

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To resolve potential issues with the Brown Act, CPRA and even constitutional concerns, an official's posts may need to be reviewed and the District may want to consider retaining social media posts.



ROBERT H. JAMES
Attorney at Law

Robert H. James, General Counsel for the
North County Fire Protection District

RHJ/km
cc: Chief Steve Abbott
Board members



**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: JANUARY 26, 2021
SUBJECT: WRITTEN CORRESPONDENCE

● **WRITTEN COMMUNICATION:**

- **DECEMBER 28, 2020 LETTER:** From Rancho Santa Fe Fire Protection District re: appreciation for participation in Celebration of Life.
- **DECEMBER 28, 2020 EMAIL:** From Rachel Mason to Supervisor Desmond re: COVID-19 Testing.
- **DECEMBER 17, 2020 LETTER:** From Supervisor Demond to Chief Abbott for leadership and efforts of North County Fire Protection District

● **BOARD RECOGNITION PROGRAM:**

- **JANUARY 13, 2021 THANK YOU LETTER:** Regarding recent medical aid.

Captain Choi PM Saldana
FF/PM Swan EMT Ruthledge

- **NOVEMBER 30, 2020 THANK YOU NOTE:** Transport to TVH - No information to identify crew.
- **UNDATED THANK YOU NOTE:** Multiple situations – Station 5.

Crews A, B and C



Rancho Santa Fe Fire Protection District

P.O. Box 410 • 18027 Calle Ambiente • Rancho Santa Fe • California 92067-0410
Tel. (858) 756-5971 • Fax (858) 756-4799

Board of Directors
James Ashcraft, President
John Tanner
Nancy Hillgren
Randall Malin
Tucker Stone

Fire Chief
Fred Cox

December 28, 2020

Chief Steve Abbott
North County Fire Protection District
330 S Main Avenue
Fallbrook, CA 92028

Dear Chief Abbott,

On behalf of the Rancho Santa Fe Fire Protection District and the Rancho Santa Fe Professional Firefighters, Local 4349, we would like to extend our deep appreciation to the North County Fire Protection District for your assistance with Fire Captain Dale E. Mosby's Celebration of Life.

As you can imagine, our fire family was completely heartbroken by the tragic loss of our brother. Dale was a very well-liked and respected member within our organization and the fire service community. The outpouring of support we received from you and many other agencies and groups allowed us to focus our efforts on the Mosby family and help them through this very trying time.

We offer our sincerest gratitude for NCFPD's assistance with station coverage which helped us carry out a very fitting tribute to honor the life of Captain Mosby. We could not have made this happen without your gracious support.

Our sincerest regards,

Fred Cox
Fire Chief

Nick Brandow
President, Local 4349

Loren Stephen-Porter

From: Stephen Abbott
Sent: December 28, 2020 17:15
To: Loren Stephen-Porter
Subject: FW: Cal Fire, NC Fire and FRHD COVID Testing

For Board report

From: Rachel Mason <rmason@fallbrookhealth.org>
Sent: Monday, December 28, 2020 12:26 PM
To: Jagielinski, Jakub <Jakub.Jagielinski@fire.ca.gov>; jim.desmond@sdcounty.ca.gov
Cc: Johnson, Nicholas(MVU)@CALFIRE <Nicholas.Johnson@fire.ca.gov>; Dan Treiman (Dan.Treiman@fire.ca.gov) <Dan.Treiman@fire.ca.gov>; Kevin Mahr <kmahr@ncfire.org>; Stephen Abbott <sabbott@ncfire.org>
Subject: Cal Fire, NC Fire and FRHD COVID Testing

Dear Supervisor Desmond,

As we enter the start of 2021 I wanted to reach out to you and let you know about the amazing partnership that has formed here in the greater Fallbrook area. When Cal Fire was tasked to provide COVID-19 testing to the unincorporated areas of the County, we were unsure how well the process would work. The Fallbrook Regional Health District and the North County Fire Protection District have a solid, longstanding partnership that has been incredibly successful over the years, and we hoped to fold the Cal Fire teams into our existing support systems.

Frankly, I can't say how much the partnership among all of our entities has enabled us to provide excellent care to our community! The Cal Fire teams and associated County staff have been fabulous! That's right FABULOUS, no exceptions (although, we are especially partial to Team 1 – who we have worked with since June). From the roll out of the testing, and hopefully into the roll out of the vaccinations, we have been able to serve the community's need for information, access to free testing, and guidance about what to do after exposure to the virus. The Cal Fire team has been flexible with us as we managed our own site in Fallbrook. They continued to just roll with the challenges as we assisted in finding sites in Rainbow and De luz, and we know that our newest site in Bonsall will allow even more access for our rural community members.

We've kept track of the testing numbers being done at sites within the Fallbrook Regional Health District's sphere of influence, and have provided a graph below that illustrates the impact that our partnership has made within the community.

Fallbrook Regional Health District
Sphere of Influence Testing Data
 Bonsall, De Luz, Fallbrook, & Rainbow

Total tests provided
 as of 12/24: 5,080



I'd venture to guess that too often all you hear are worries, fears and complaints, so here's to success. Here's to teamwork. Here's to good people, doing good work, to care for every member of our community. So thank you for your leadership and for helping the greater Fallbrook area have some peace of mind.

~Rachel Mason

Fallbrook Regional Rachel A. Mason, M.S., M.A.
 HEALTH DISTRICT Chief Executive Officer

138 S. Brandon Rd., Fallbrook, CA 92028
 P: 760.731.9187 F: 760.731.9131 M: 909.838.8071

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JIM DESMOND
SUPERVISOR, FIFTH DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

December 17, 2020

Stephen Abbott, Chief
North County Fire Protection District
330 S. Main Street
Fallbrook, CA 92028

Dear Stephen,

As 2020 comes to an end, I would like to thank you for your leadership and assistance throughout the year! We could not have accomplished the work on behalf of our constituents in North County without the good work of North County Fire Protection District.

My staff mentioned you as being someone who helped make 2020 a successful year. Again, thank you for your diligence, professionalism and commitment to making North County a great place to work and live.

The District 5 Team and I wish you and your family a wonderful holiday season and a Happy New Year.

Sincerely,

JIM DESMOND
Supervisor, 5th District
County of San Diego

Thank you for helping us

From: J

Jan 13, 2021

Dear Captain Choi, Engineer Ruiz,
Firefighter Paramedic Swan, Paramedic Saldana,
and EMT Rutledge,

Mom and I want to
thank you all not only for taking
such great care of our Dadie,
but also for putting her at ease
and for taking the time to explain
everything and answer all our questions.
We are happy to say her cardiologist said
she is totally healthy and shows no heart
abnormalities. You all really impressed us
and we will always be grateful.
Our deepest thanks,



Handwritten notes in blue ink, including the word "Friday" and "10/16".



Handwritten notes in blue ink, including the word "Friday" and "10/16".



11/30/20
North County Fire
Protection,
Thank you for
"the ride" to Tomecula
Valley Hospital a
few weeks ago.
I appreciate your
kindness.
God Bless You!

his birthday is coming up
soon.

Station 5-ABC Crews,
EMT and PARAMEDICS

With my little appreciation
Please accept all these goods
for his Celebration of his new life.

For the last few years.
We called and asked for help
for my son James Clavo
Every time you all came and
tried to help and took him
multiple times to the hospital.
I will Always be grateful
to all of you. ♡

May the Lord Bless and keep
you All safe Always.

Last August our Lord had
decided to take away all his
the pain and suffering.
He is now resting in peace.

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Elected Officials Entitled to Some, Not All, Public Agency Records

As local public agencies welcome newly elected officials, it can be unclear whether the newcomers are entitled to unfettered access to all agency documents or if some records remain off-limits. This determination may be informed by whether the official is seeking the record as an elected official or as a member of the public under the California Public Records Act.

Elected officials have greater access to the agency's records than a member of the public when acting as a body. To participate in closed sessions, the elected official may be given records related to real estate negotiations or litigation strategy. The official may also be privy to attorney-client privileged communications between the agency's attorneys and staff.

The official may also be able to review documents that would otherwise be privileged under the CPRA, such as records protected by the deliberative process privilege or police reports. However, there are clearly some limitations to an official's access to records. For example, improper review of personnel records could open the agency up to an invasion of privacy claim by the employee.

Moreover, once an official receives an otherwise confidential document, he or she should check with the agency before disclosing the record to a member of the public or, in some cases, to other agency staff. Specifically, documents protected by attorney-client privilege should only be disclosed with approval from the legislative body.

A councilmember may still choose to request records under the CPRA. Government Code section 6252.5 states that, "an elected member or officer of any state or local agency is entitled to access to public records of that agency on the same basis as any other person. Nothing in this section shall limit the ability of elected members or officers to access public records permitted by law in the administration of their duties." This means that an elected official is entitled to receive the same documents that are available to any other member of the public.

However, disclosure under the CPRA could result in a waiver of otherwise applicable exemptions. Therefore, CPRA requests from an elected official should be handled as any other records request from any member of the public.

In short, agencies and officials should understand their right of access to records so they can contemplate their duty to maintain the appropriate character of the record.

Disclaimer: BB&K Legal Alerts are not intended as legal advice. Additional facts, facts specific to your situation or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information herein.

Cal/OSHA Provides Questions and Answers Regarding New Regulations Related to COVID-19

By Peter J. Brown & Alexander Volberding on January 14, 2021



On January 8, the Department of Occupational and Safety (Cal/OSHA) updated its interpretive [guidance](#) concerning emergency COVID-19 regulations that took effect on November 30, 2020. The guidance reflects new information concerning employer obligations and employee entitlements under both Title 8 Sections 3205 and 3205.1, which, respectively, relate to the COVID-19 Prevention Program (CPP)[1] and workplace COVID-19 outbreaks[2].

While Cal/OSHA provides additional information on more than three dozen topics, the purpose of this special bulletin is to provide operational guidance on the more important of these topics, including: (1) the scope of the regulation's coverage as it pertains to certain employees; (2) employer testing obligations in the event of "close contact" exposures[3] and/or COVID-19 outbreaks; (3) clarification concerning the definition of an "exposed workplace" for purposes of establishing that a COVID-19 outbreak has occurred; and (4) employer requests to Cal/OSHA to waive the exclusion or quarantine requirements for certain employees.

In addition to describing the Cal/OSHA updates in this special bulletin, Liebert Cassidy Whitmore also updated our template CPP for [consortium](#) and [non-consortium members](#) and guide to reflect this information. Employers that purchased the template will be receiving the updated version. Other employers should consider purchasing the updated LCW template and guide in order to revise their own CPP documents.

Scope of Regulatory Coverage

Cal/OSHA clarifies the scope of coverage for its regulations, including as it relates to the following two (2) groups of employees: (1) employees who are or may be subject to a related regulation, Section 5199, which concerns Aerosol Transmissible Diseases ("ATDs"); and (2) employees who are vaccinated for COVID-19.

Employees Who May Perform "Services" Covered by Section 5199

Section 3205 expressly exempts from coverage "[e]mployees when covered by [Title 8] Section 5199".[4] That regulation covers "health care facilities, services, or operations", and also certain "services", including those provided by some firefighters and police officers.[5]

Village News - Also serving the communities of De Luz, Rainbow, Camp Pendleton, Pala and Pauma

Firefighters locate, safely return lost hikers in Monserate Mountain area

North County Fire Protection District spokesperson Capt. John Choi reported Friday, Jan. 15 that the department was able to locate and return two lost hikers, one of which suffered a fall, after they got lost "fairly far away" from the Monserate Mountain Trail in Fallbrook.

Capt. Choi reported that NCFPD called in an ASTREA aircraft to help locate the hikers, and when they did, guided the department's ground troops to them and return pair back to safety.

Capt. Choi reported neither hiker had suffered any life-threatening injuries.

"This would be a good time to emphasize the importance of wearing a bright colored outfit when on these trails," Capt. Choi said. "You never know when you'll need to be rescued. Have a mirror with you that you can flash and wearing brightly adorned colors are very good for hiking."

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Goal Setting for Traction

Mistakes to Avoid in Local Government Priority Setting and Five Solutions

By Rod Gould, Chair, Institute for Local Government



Every local agency faces the essential dilemma of too many public needs chasing too few resources. This is particularly true in the wake of the economic fallout from the COVID-19 pandemic. Annual goal or priority setting has long been considered a best practice in local government as a way to make decisions about which community priorities warrant an agency's limited resources.

However, too often these efforts fail to deliver the anticipated results. Priorities can be quickly forgotten, goals not achieved, and finger pointing and blaming can begin. When that happens, elected leader-staff relations suffer, and the priority (or goal-setting) process itself becomes suspect. The local government's public trust and legitimacy can be weakened.

Goal setting often fails for one or more of these reasons:

- » Unrealistic goals
- » Too many goals
- » Lack of agreement on the process
- » Lack of alignment with work plans
- » Weak accountability for implementing the goals once set

These common pitfalls can be avoided by exercising discipline and focus.

1. Be Realistic

Too often local elected bodies set goals or priorities that are wildly outsized given the available budgetary and staff resources. The elected leaders assume they are directing the activities of the entire employee count and general fund budget, ignoring the reality that the vast majority of both are consumed with day-to-day services and projects.

Typically, 90% or more of staff time positions and funding are committed to core services and activities. Another small portion of organizational capacity is consumed by emergencies, new mandates and emerging community needs that can't wait. Thus, only a small remainder of staff time and public dollars can be applied to new goals and priorities each year. That is, of course, unless elected leaders are prepared to reduce basic services, which is not realistic given how slim most local governments are operating already.

Goals and priorities are often so ambitious they would be impossible to achieve even if the entire budget and staff complement were devoted to them.

Examples:

- Eliminate homelessness in Anytown
- Provide housing for all who need it
- Fully prepare for any emergency
- Curb emissions by 50%
- Reduce single occupant vehicles on the road by 30% next year

It's good to aim high at the outset of a goal-setting effort, but be ready to include a reality check about what can likely be achieved, and scale back the goals accordingly.

2. Focus On A Few Important Priorities (Three To Five)

Even if the goals and priorities were attainable, having too many also risks failure. To be successful in reporting measurable attainment to the community, elected leaders should focus on just a few top goals for the year. What are their true priorities for the resources not consumed by daily services? This means prioritizing, compromising, delaying or dropping some goals.

Moreover, the priorities must be explicit and attainable. Otherwise the governing body's priorities can become a laundry list of campaign pledges and personal agendas. Staff simply cannot make progress on them all. This is demoralizing for staff, frustrates elected leaders and disappoints community members.

3. Create A Process For Narrowing The List

The process of winnowing down lists of goals or priorities to a handful must be carefully thought-out to avoid it ending in frustration. The Delphi Technique in the form of dot voting is a favorite method to reveal which items enjoy the most

governing body support. The rules of engagement need to be stated up front so all know what to expect. For instance, no multiple dots by a single elected official on one goal item, and a majority of the governing body needs to show dots on any given item for it to end up as a “priority” for the year. Sometimes it is useful to have “tier 1” and “tier 2” goals, with the tier 1 being the 3-5 top items for staff and elected official focus for the year, and tier 2 being another 3-5 to pursue as resources permit.

Meaningful goal or priority setting necessitates discipline. It is all too common that the elected body adds new priorities or goals throughout the year to the approved list. If that happens, then the priorities set at the outset can easily be pushed aside, causing failures and frustrations.

Yet local governments are dynamic institutions and things happen during the year that may justify reshuffling the annual goals or priorities. The elected body must understand and mutually agree to add to the existing priority list if previously approved items are delayed or dropped to free up the staff capacity and resources for the new item(s). If something is added to the top of the pile, something must come off the bottom.

When that doesn't happen, it falls to the chief executive to make the call about what his or her staff will spend time on – essentially doing the prioritization him or herself. Intentional and transparent policy-making by elected leaders, with advice from professional staff, is the hallmark of high-functioning public agencies.

4. Align Policy Makers’ Goals Or Priorities With Administrative And Operational Work Plans

Effective public organizations use work plans to direct the work of the operating and support departments. After the elected body agrees upon a handful of general goals or priorities for the year, the staff should return to the elected body within a month with concrete actions to implement those goals or priorities. This constitutes the staffs’ work plan to operationalize the priorities, and it encourages accountability for implementing the priorities.

It is also how the staff and governing body can ensure they are on the same page with expectations, as well as with budgetary and other resources needed to achieve the priorities. Staff should explain what these discrete actions entail and answer the elected leaders’ questions.

This may well involve discussion, negotiation and adjustments of the work plan items until the elected body and management are in alignment – which is critical for success. It is a chance for the elected leaders and senior staff to work as a team in their respective roles and areas of expertise: policy-making consistent with public needs married to effective and efficient implementation and administration.

The work plans then become the road maps that guide the departments beyond the rendering of day-to-day public services. Example:

GOAL	WORKPLAN	ACTION STEPS AND TIMELINE
Reduce single occupant vehicles in town	(1) Open HOV Lane on Cumberland Road	<ul style="list-style-type: none"> • Obtain budget augmentation for engineering by date • Carry out design by date • Prepare public information by date • Implement by date
	(2) Charge for parking in municipal lot except for carpools	<ul style="list-style-type: none"> • Ordinance to Council by date • Implementation by date
	(3) Add protected bike lanes to Main and Central Avenues	<ul style="list-style-type: none"> • Design by date • Public information by date • Implementation by date
	4) 10 minutes headways on major transit routes of city bus system	<ul style="list-style-type: none"> • Determine major transit routes by date • Conduct cost analysis and implementation factors by date • Report to council by date • Establish implementation date of agreed upon routes, with budget augmentation by date • Create public information by date

5. Results Require Accountability

The fifth most common failure of local government goal or priority setting is failure to follow-up, make course corrections and ensure accountability.

Priorities must be incorporated into the budget and the work plans of the departments and city manager, county administrator or general manager. Elected leaders should receive quarterly reports at regularly scheduled public meetings on progress made and difficulties faced in meeting the goals or priorities. This includes the opportunity for discussion and allows elected leaders to give direction for adjustments and recalibration as needed.

The chief executive should be collaborating with the department directors between reports to keep things on track and adapt to changing circumstances, while keeping the council or board apprised of significant deviations. At year's end, the staff should prepare and present a report on goal or priority attainment for public discussion at a governing body meeting. Goal attainment ought to figure prominently in the chief executive's performance evaluation as well.

If the agency's management system includes the above steps, staff will be accountable and the council/board will fulfill its proper role of overseeing public agency progress toward agreed-upon goals/priorities. The process is then repeated and becomes the way things are done. The local government gets traction and earns trust and credibility.

continued on page 10

Your Priority/Goal Setting Checklist

BE REALISTIC

- Keep it all real and focused. Good things will be achieved.
- Explicitly recognize how much of the budget and staff capacity is already spoken for in the provision of daily public services before priority/goal setting commences.

FOCUS ON A FEW IMPORTANT PRIORITIES

- Limit the goals/priorities to three to five per year for sufficient focus and accountability.
- Set 30,000-foot goals that are general in nature, but then tie them to objective, verifiable work plan actions.

CREATE A PROCESS FOR NARROWING THE LIST

- Engage the public early in the process through outreach to commissions, standing committees, focus groups and on-line surveys
- Exercise the discipline to add goals/priorities only as needed during the year while removing or delaying existing approved items to free up capacity if new goals/priorities are added.

ALIGN GOALS OR PRIORITIES WITH WORK PLANS

- Create work plans that clearly show how the goals or priorities will be carried out, with timelines included.
- Discuss the work plans with the governing body to ensure the elected officials and management are operating with the same set of assumptions
- Provide an opportunity for the governing body to make changes based on new information, and/or to include resources in the budget so the priorities can be achieved.

RESULTS REQUIRE ACCOUNTABILITY

- Report quarterly on progress and challenges in public meetings. Take stock annually and reset goals or priorities accordingly
- Reflect the priorities in the budget, departmental work plans and evaluation of the executive



Conclusion

Audit your goal- or priority-setting process with these practices in mind for greater effectiveness and service to your community or constituents. Getting things done requires focus, realistic expectations, regular communication and methods to stay on track. Elected officials, staff and the public all gain as a result.

Rod Gould is Chair of the Institute for Local Government and Senior Partner of Management Partners. Jan Perkins is Vice President of Management Partners. Both Rod and Jan managed California cities and held leadership roles in their professional organizations for decades.



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CENTRAL COAST

1 killed in Bonsall crash

Village News

One person was killed in a single-vehicle crash late Wednesday night in Bonsall.

About 11:50 p.m., an Acura sedan overturned into a ditch near the intersection of Camino Del Rey and Old River Road, according to North County Fire Protection District spokesperson Capt. John Choi.

Per a statement from the California Highway Patrol, the Acura left the roadway to the right, impacted a bollard and water hydrant, then went airborne before coming to rest on its left side.

The driver of the Acura, a 21-year-old Fallbrook man, was initially uninjured as a result of the collision, and passing motorists had stopped to help, the CHP said.

As the man was trying to climb out of the right front window of the car, however, it became unstable and overturned, crushing the man, the CHP said.

The man, whose name was not immediately released, was pronounced dead at the scene.

The roadway near the crash scene was closed until about 3 a.m. Thursday, the CHP said.

California Public Records Act Update

Public Agencies May Have to Disclose Peace Officer Records Prepared by Another Agency or Relating to Another Agency's Employee(s)

In [*Becerra v. Superior Court of the City and County of San Francisco*](#), the First District Court of Appeal held in January 2020 that a public agency cannot withhold peace officer records solely on the basis that they were prepared by another public agency or that they relate to another agency's employee(s). The case involved requests submitted by the First Amendment Coalition and KQED, Inc. to the California Department of Justice and the California Attorney General for records subject to disclosure under Penal Code section 832.7, subdivision (b) — the provision enacted by SB 1421. The controversial 2019 law makes certain categories of peace officer records disclosable under the CPRA. In response to the requests, the DOJ and AG told the requesters that they would produce “only those non-exempt records, if any, relating to peace officers employed by the Department of Justice” subject to applicable redactions. Records not created by the DOJ and/or concerning officers not employed by the DOJ were withheld. When FAC and KQED sued, the trial court ordered the DOJ and AG to produce all requested records, not just those relating to officers employed by the DOJ.

On appeal, the First District upheld the trial court's order. Specifically, the court examined both Penal Code section 832.7 and relevant provisions of the CPRA and found that the language of those statutes clearly requires disclosure of all records, not just those prepared by the DOJ or relating to the DOJ's employee officers. Moreover, the court held that the DOJ and AG's interpretation of the statutes would not comport with the aims of the CPRA to provide broad access to public records and SB 1421's aim to meaningfully increase access to peace officer records. Accordingly, the court held that the DOJ and AG could only withhold the records at issue if a CPRA exemption, such as the Government Code section 6255 catch-all exemption, applied to the records. Notably, this gave guidance to local agencies about whether CPRA exemptions would apply to SB 1421 records.

Read more in our Legal Alert, [Another SB 1421 Decision Against Law Enforcement Agencies](#)

Disclosure to Public Agency May Defeat Trade Secret Privilege

In [*Amgen Inc. v. Health Care Services*](#), the Second District Court of Appeal in April held that a disclosure of information to a public agency, even if required by law, may destroy the trade secret privilege. In the case, Amgen Inc. was required by statute to disclose price information to more than 170 drug purchasers. One of those purchasers was the California Correctional Health Care Services, which received a CPRA request from *Reuters News* for the same information. Amgen filed a reverse-CPRA action against CCHCS, seeking to prevent disclosure of the requested information because it was a trade secret and therefore could not be disclosed under the CPRA. The trial court agreed with Amgen and issued a preliminary injunction barring CCHCS from disclosing the information.

While the appellate court did not address whether the trade secret privilege was appropriately applied to the price information at issue, it repeatedly noted that the initial disclosure to the CCHCS and other purchasers may have destroyed the

privilege because the purchasers could obtain economic value from the information and the purchasers could further disseminate this information. Accordingly, the Second District held that the trial court abused its discretion by granting the preliminary injunction.

Read more in our Legal Alert, [New Public Records Act Opinion Considers Extent of Trade Secret Privilege](#)

Trial Courts Cannot Condition Intervention in Reverse-CPRA Cases on the Striking of Requests for Attorney's Fees

In [Carlsbad Police Officers Association v. City of Carlsbad](#), the Fourth District Court of Appeal held in May that interveners in a reverse-CPRA action may be entitled to attorney's fees. In this case, eight police officer associations filed a petition for writ of mandate seeking to prevent their respective agencies from disclosing police misconduct and use-of-force records under SB 1421. Several media organizations and the American Civil Liberties Union, among others, filed a motion seeking to intervene in the action. The trial court permitted the intervention on the condition they petitioners strike their requests for attorney's fees under Code of Civil Procedure section 1021.5 (California's private attorney general statute). When the trial court ruled in favor of the interveners on the merits of the case, they appealed the trial court's ruling about the attorney's fees. On appeal, the Fourth District reversed and held that forcing the interveners to strike their request for attorney's fees was unreasonable because it undermines the policy considerations of furthering litigation in the public interest and avoiding delay and multiplicity of suits.

Public Agencies Cannot Charge for Body-Worn Camera Footage Redactions

In [National Lawyers Guild, San Francisco Bay Area Chapter v. City of Hayward](#), the California Supreme Court in May held that public agencies are prohibited from charging a fee to redact police body camera footage in response to a CPRA request. The case involved a CPRA request by the National Lawyers Guild to the City of Hayward, which, in relevant part, sought body-worn camera footage related to a protest over grand jury decisions to not indict the police officers involved in the deaths of Eric Garner and Michael Brown, both unarmed African-American men. Hayward charged NLG more than \$3,000 to redact medical and police tactic information from body camera footage. NLG sued, arguing that the fee was not permissible. Hayward argued that the fee was the result of about 40 hours of editing and was permitted under Government Code section 6253.9 in the CPRA, which allows local agencies to charge for "data compilation, extraction, or programming." The trial court sided with NLG, but the Third District Court of Appeal agreed with the City.

The California Supreme Court reversed the appellate court's judgement and analyzed the word "extraction" as used in section 6253.9. The Court determined that, contrary to Hayward's position, "extraction" meant creating new content and not applying redactions. Accordingly, the Court reaffirmed that local agencies may only charge the costs of duplicating records and not for other ancillary costs, such as document retrieval, inspection and handling of the files. Additionally, the Court considered Hayward's video editing as merely a more sophisticated version of redactions done with a felt marker on paper and held that Hayward improperly assessed the body-worn camera footage redaction fee.

Read more in our Legal Alert, [California Supreme Court: Government Cannot Charge Fee to Redact Police Body Camera Footage](#)

All California State Trial Courts Have Subject-Matter Jurisdiction Over CPRA Cases

In [California Gun Rights Foundation v. Superior Court of Los Angeles](#), the Second District Court of Appeal held that any California state trial court may have jurisdiction over a CPRA lawsuit, even though venue may not be proper under the CPRA. The court determined that the CPRA regulates where the case should be heard (venue) and not whether the court has the authority to decide the case (jurisdiction).

The case involved a CPRA request submitted to the state's Department of Justice and Attorney General by the California Gun Rights Foundation. When the DOJ and AG denied or "reasonably delayed" a response to CGRF's request, CGRF sued in the Los Angeles Superior Court. The DOJ and AG then filed a motion to transfer the action to the Sacramento Superior Court, where the records and witnesses were situated. They argued, in relevant part, that the Los Angeles Superior Court did not have subject-matter jurisdiction over the case. The trial court granted the motion.

On appeal, the Second District disagreed with the trial court's order granting the DOJ and AG's motion to transfer the case to the Sacramento Superior Court insofar as it rested on the notion that the Los Angeles Superior Court did not have subject-matter jurisdiction over the case. Specifically, the appellate court held that Government Code section 6259's reference to "the superior court of the county where the records or some part thereof are situated" relates only to venue and not to jurisdiction.

Read more in our Legal Alert, [Jurisdiction Over CPRA Cases Not Limited to Courts in the County Where Records are Situated](#)

CPRA Requesters Must Meet Code of Civil Procedure Undertaking Requirements

In [Stevenson v. City of Sacramento](#), the Third District Court of Appeal held that CPRA requesters must post an undertaking to cover a public agency's email storage costs during injunction proceedings. In the case, CPRA requesters sought 15 million emails that the City of Sacramento planned to destroy as part of its two-year email retention policy. The trial court granted a preliminary injunction to prevent the destruction of the records at issue. However, it also required the requesters to post an undertaking of \$2,349.50, which is the amount that Sacramento calculated it would need to spend to comply with the injunction. The requesters appealed, claiming that this would have a chilling effect on CPRA requests.

On appeal, the Third District analyzed the requirements of California Code of Civil Procedure section 529. The court held that section 529 did not exempt CPRA requesters from its undertaking requirements. Moreover, the court treated the undertaking requirement as one of a number of unavoidable obligations when challenging a public agency's CPRA determination, such as court filing fees. Additionally, the court rejected the requesters' argument that the undertaking requirements would limit the public's right to access records because state law allows courts to except indigent parties from section 529's undertaking requirements under specified conditions.

Read more in our Legal Alert, [CPRA Requesters Could Pay Agency Costs to Store](#)

Court Confirms FPPC's Authority to Punish Public Agencies That Spend Undisclosed Public Money to Influence Voters at Elections

Government agencies must disclose their spending of public money to influence voters in passing or opposing measures, or advocating for election or defeat of a candidate, a court said in upholding Fair Political Practices Commission regulations.

While several California Supreme Court decisions already make it unlawful for local agencies to spend public money to promote a partisan position in an election campaign, the Dec. 14 ruling from the Los Angeles County Superior Court upholds the FPPC's authority to enforce State regulations that require public agencies to report and disclose this campaign-related public spending. The FPPC has since stated that it will prioritize cracking down on undisclosed public spending for advocacy in elections, and that it will seek to expand its powers to enforce these public spending laws.

The California State Association of Counties and California School Boards Association sought to invalidate two FPPC regulations thereby preventing the FPPC from enforcing them. The first regulation is a reporting requirement that requires government agencies to disclose expenditures of public money used to influence voters in passing or opposing measures, or advocating for the election or defeat of a candidate. The second regulation prohibits government agencies from using public funds to "mass mail" campaign materials that relate to passing or opposing measures, or advocating for election or defeat of a candidate, to voters.

The lawsuit alleged that the FPPC lacked authority under the Political Reform Act of 1974 to enact and enforce these two regulations. The court disagreed, holding that the FPPC validly enacted both of these regulations consistent with the purposes of the PRA to require disclosure of expenditures in election campaigns and to restrict public money from being spent in political campaigns. The petitioners also argued that the regulations were too vague to enforce. The court declined to overturn the first regulation because the FPPC had not yet attempted to enforce it. However, the court ruled that the associations failed to show the second regulation was too vague to enforce.

This decision came from a lower court and is likely to be appealed.

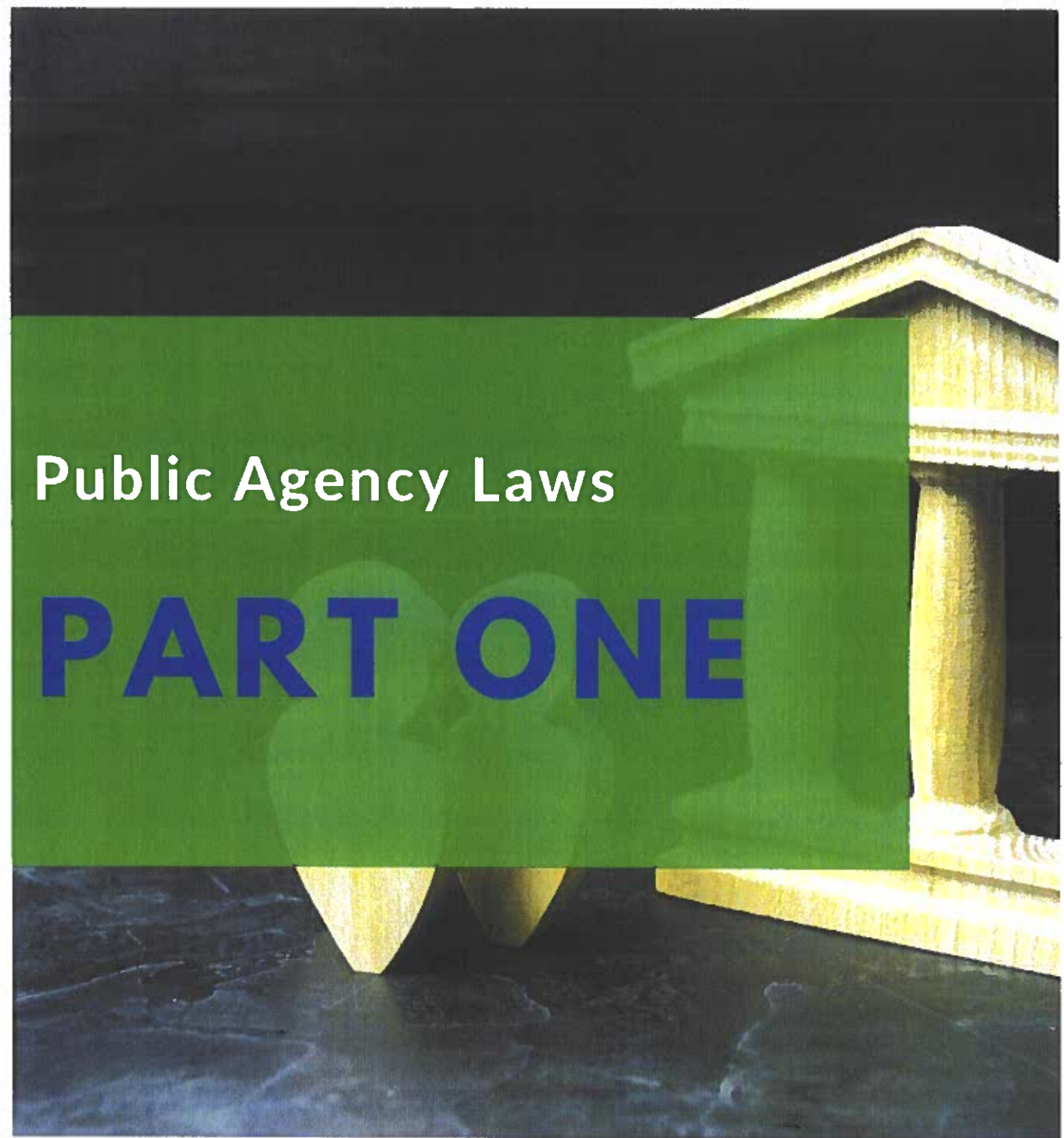
It is noted that this case was decided in the context of the landmark \$1.35 million settlement between Los Angeles County, the FPPC and the Howard Jarvis Taxpayers' Association who alleged, based upon these and other FPPC regulations, that the County impermissibly made public expenditures to support campaign activities related to 2017 County Measure "H".

BB&K Associate William Shepherd co-authored this Legal Alert.

New Public Agency Laws on Safety, Finance, Contracting and More

Legal Alerts Jan 05, 2021

Part 1: New Laws Impacting California Public Agencies for 2021



With the unique challenges that 2020 brought, California lawmakers passed bills that addressed both the State's ongoing problems, as well as laws responsive to the public health and economic crisis brought by COVID-19 and social justice issues. Public agencies in California were not immune to these critical problems and, as such, some of the new laws directly impact how local government agencies, including cities, counties

and special districts, operate.

In our annual Legal Alert series, Best Best & Krieger LLP provides California public agencies with summaries of some of the most critical legislation to ensure they stay in compliance while working to serve their communities. All laws went into effect Jan. 1, unless otherwise noted. Where previous Legal Alerts on any new law or groupings of laws, links are provided to those.

Public Safety

[AB 1945 Emergency services: first responders](#)

This measure defines “first responder” as a state or local public agency employee who provides emergency response services. Previously, public safety dispatchers were classified as office and administrative support staff. Given the level of training, the duties performed and the on-the-job stress that dispatchers experience, this measure now broadens the classification of first responder to include public safety dispatchers. AB 1945 does not confer a benefit change to dispatchers, but ensures that they will receive priority access to any COVID-19 treatments that are developed.

[New Macro Cell Tower Emergency Generator Law in California - AB 2421 Land use: permitting: wireless communications: emergency standby generators](#)

[AB 846 Public employment: public officers or employees declared by law to be peace officers](#)

Penal Code section 13519.4 prohibits peace officers from engaging in racial or identity profiling, and mandates Peace Officer Standards and Training courses to educate and reduce the practice of racial profiling by officers. However, studies show that POST courses, though necessary, may not be sufficient to reduce racial profiling. A recent report by the Racial and Identity Profiling Advisory Board found that Black drivers in California were stopped by police 2.5 times the per capita rate of whites, and searched three times as often. This bill addresses the issue of racial profiling by shifting the focus away from officer training to the recruitment practices of local law enforcement agencies. The new law requires that job descriptions used to hire officers emphasize the skills of community interaction and problem solving over the militaristic aspects of the position. The bill also requires that the mental and physical evaluation of an officer identify any implicit and explicit bias against race, ethnicity, nationality, gender, sexual orientation, religion or disability that would adversely affect the exercise of an officer’s powers.

[AB 1196 Peace officers: use of force](#)

In response to the violent death of George Floyd, AB 1196 was introduced by Assemblyman Mike Gipson and co-authored by members of the California Black, Latino, LGBTQ and Asian and Pacific Islander legislative caucuses. The measure makes it illegal for law enforcement agencies to authorize the use of carotid restraint holds, or choke holds, by officers.

[SB 1003 Skateboard parks: other wheeled recreational devices: safety and liability](#)

In 2015, Health and Safety Code section 115800 was amended to include the riding of “other wheeled devices” in skateboard parks as a hazardous recreational activity, and gave qualified immunity to public entities if certain requirements were met. However, that amendment had a sunset date of Jan. 1, 2020, and said that, absent deletion or extension of this date, the statute would revert to its original application to skateboards alone. As the sunset date was not timely addressed, this measure amends section 115800 to again extend its provisions to cover “other wheeled recreational devices.” Other wheeled devices include non-motorized bicycles, scooters, inline skates, roller skates or wheel chairs used for recreational purposes. The amended section took immediate effect, covers any claim for injuries that occur on or after its enactment and does not include a sunset date.

Brown Act

[AB 992: Open Meeting Laws and Social Media - AB 992 Open meetings: local agencies: social media](#)

Political Reform Act

[AB 2151 Political Reform Act of 1974: online filing and disclosure system](#)

Under The Political Reform Act of 1974, a local government agency may require filings to be made online or electronically. This measure requires a local agency, when it receives a campaign finance disclosure filing in a hard copy, post the filing on its website within 72 hours. It also says that the filing must be available 4 years after the date of the election related to the filing. The local filing officer is required to redact any street name, building number and bank account number disclosed in the filing.

Public Finance

[SLONs Authorization Extended for California Special Districts - AB 2107 Local government:](#)

[SB 1386 Local government: assessments, fees, and charges: water: hydrants](#)

Enacted in 1996, Proposition 218 limits a local government's ability to impose, increase and extend property-related fees. This measure is a response to a class action suit filed in 2020 against 81 water agencies that alleged that the charging of ratepayers for water supplied for fire protection violated Proposition 218. The language of the measure is modeled on an unpublished decision in favor of water agencies, *Glendale Coalition for Better Gov't v. City of Glendale*. The measure amends Proposition 218 Omnibus Implementation Act to declare that water service is a property-related service separate from fire service, and water hydrants are public improvements included in the definition of water as set forth in the 1997 Proposition 218 Omnibus Implementation Act. The measure provides that fees or charges for the aspects of water service related to hydrants and the water distributed through them, may be fixed and collected as a separate fee or charge, or included in other rates and charges fixed by a public agency. This measure allows water agencies to spread the cost to ratepayers without requiring a vote to increase taxes.

Public Contracting

[AB 2231 Public works](#)

California law generally requires that workers employed on a publicly funded project be paid prevailing wages. However, private development projects are exempt from this requirement if a state or political subdivision only provides a subsidy that is *de minimis* (lacking significance) in the context of the project. The common understanding has been that a subsidy of less than 2 percent of the project cost would be considered *de minimis*. This measure incorporates the requirement into the statute. A public subsidy is now considered *de minimis* if it is both less than \$600,000 and less than 2 percent of the total project cost. A public subsidy for single-family residential projects is *de minimis* if it is less than 2 percent of the total project cost, regardless of the total amount of public funding. The new law will take effect on July 1, 2021.

[AB 2311 Public contracts: skilled and trained workforce requirement: notice](#)

This measure amends Public Contract Code section 2600 and provides that, when a public entity is required by law, or prefers to obtain an enforceable commitment that a bidder, contractor or other entity use a skilled and trained workforce to complete a contract or project, the public entity must include a notice in all bid documents and construction contracts that the project is subject to that requirement. The measure also adds section 2600.5, which says that the failure of a public entity to provide notice does not excuse the entity from the requirement, nor excuse a bidder, contractor or other entity from the obligation, to use a skilled or trained workforce if the requirement is imposed by law.

[AB 2765 Public works: prevailing wages](#)

This measure complements AB 2231 by expanding the definition of public works to broaden the payment of prevailing wage rates to workers. Previously, conduit bonds were not considered to be a public subsidy for determining the application of public works laws. By including into the definition of public works the construction, alteration, demolition, installation or repair work done under private contract for a charter school project that utilizes proceeds of conduit revenue bonds, this measure requires that prevailing wage rates will be paid to workers on these projects. The measure exempts charter schools that have an average daily attendance of 80 students or less, and applies to conduit bonds issued on or after Jan. 1, 2021.

Employment

[AB 2967 Public Employees' Retirement System: contracting agencies: exclusion from membership](#)

This bill was enacted in response to a California city that decided to establish its own fire authority, and exclude new firefighters from its CalPERS contract to minimize costs. This bill ensures that a public agency cannot amend its CalPERS contract to exclude groups of employees that were previously included under the contract. However, a contract that already excludes groups of employees may be amended to clarify the exclusion without expanding its reach.

Coming Up:

- Wednesday: Part 2 of the New Laws Impacting California Public Agencies for 2021
- Thursday: California Public Records Act Legal Updates for 2021
- Soon: New Labor & Employment Laws and a Federal Law Update

Disclaimer: BB&K Legal Alerts are not intended as legal advice. Additional facts, facts specific to your situation or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information herein.

Continue Reading

PUBLIC SAFETY

New 'Text 911' Capability Provides Additional Resource



Calling 9-1-1 in an emergency is the best option, but texting is now an option when a phonecall is not possible.

By [County News Center](#), County of San Diego Communications Office

Jan. 5, 2021 | 5:21 PM

The San Diego County Sheriff's Department officially announced the launch of "Text to 911" technology Jan. 5, a service that includes the Sheriff's Department as well as all county fire and emergency medical services (EMS) agencies and will help to make the county safer.

"Text to 911" technology is designed to help make emergency services available to some of the county's most vulnerable residents who are unable to dial 911 during an emergency.

According to the Sheriff's Department, dialing 911 is still the fastest way to reach help in an emergency, but there are certain situations when texting may

be a better option.

These situations may include being deaf, hard of hearing, non-verbal, or have difficulty speaking over the telephone.

The Sheriff's Department also said the "Text to 911" service may be beneficial in a situation where it is not safe to call 911 for help, or if someone is having a medical emergency and is unable to speak.

To use the "Text to 911" service, individuals needing emergency assistance should enter the numbers 911 in the "To" field of the text message, provide the location and nature of the emergency in the body of the message, and then send the message. The user should then respond via text to any questions the dispatcher may have, and follow any direction given in text format.

It is important for "Text to 911" users to remember that messages cannot include other people in the "To" field, cannot contain photos or videos, and should not contain emojis, abbreviations or acronyms.

The Sheriff's Department said it is also important for users to remember that "Text to 911" is for emergencies only, and intentional misuse of the system is a crime and a punishable offense. Anyone who accidentally sends a "Text to 911" message should immediately reply clarifying there is no emergency.

Currently, the service is only available in English. Data and message rates may apply. Since cellular services varies by location, if "Text to 911" is not available the user will receive a bounce back message asking them to call 911.

See how the new "Text to 911" technology works in a [Sheriff's Department video](#).

The implementation of the "Text to 911" technology will help improve the quality of life of all citizens and supports the mission and vision of the San Diego County government to efficiently provide public services that build strong and sustainable communities as part of a region that is building better health, living safely, and thriving.

‘Surprise’ medical bills will end next year for people with CalPERS health insurance

Wes Venteicher

What is CalPERS? We explain in one minute

CalPERS, California Public Employees Retirement System, aims to build retirement and health security for state workers. Here's a quick look at the retirement system.

CalPERS, California Public Employees Retirement System, aims to build retirement and health security for state workers. Here's a quick look at the retirement system. By [David Caraccio](#)

About 270,000 CalPERS health insurance policyholders who aren't protected from "surprise" medical bills will be protected from the bills starting in 2022.

Congress approved protections against surprise bills in a broad federal spending and COVID-19 relief package last month.

The bills come after patients unknowingly or unexpectedly receive treatment from doctors or hospitals that aren't in their insurance plans' networks. Out-of-network treatment is much more expensive than in-network treatment

Surprise bills most commonly occur when patients are taken to out-of-network hospitals in emergencies or when they visit in-network hospitals only to find out later that a particular doctor or specialist at the hospital wasn't in their insurance plan's network.

California law already protects most people from the practice of surprise billing, including those with CalPERS HMO plans. Medicare and Medicare Advantage plans have their own limits and protections against surprise billing, also known as "balance billing." But some health insurance plans that are regulated by the federal government, [including CalPERS' PPO plans](#), aren't subject to California's protections.

Under the new law, patients won't be billed more in those situations than what they would normally pay. Instead, doctors and insurance companies will have to work out how much the insurer will pay for the treatment. The change applies to the PERS Choice, PERS Select and PERS Care plans.

The law covers emergency flights but, in a big exception, it doesn't cover ambulance bills.

"It isn't perfect, but the legislation gives critical protections to the 270,300 CalPERS members in our self-insured PPO plans, who aren't currently safeguarded from surprise bills under California law," CalPERS Chief Health Director Don Moulds said in an emailed statement. "After years of advocating strenuously for better protections, we're pleased to see this important legislation enacted."

The surprise bills are relatively rare. In 2019, CalPERS' PPO policyholders received 3.2% of treatment from out-of-network medical providers, according to figures provided by spokeswoman Deborah Reyman. In 2018, 3.1% of treatment was out-of-network, according to the figures.

Those figures likely include people who knew they were getting out-of-network treatment, for example, those who chose an out-of-network doctor on a friend's recommendation.

California uses mutual aid system to put paramedics in understaffed hospitals

Posted By: Lorraine Dechter

SACRAMENTO, Calif. - California's Fire and Rescue Mutual Aid System, most often used in response to wildfires, floods, and other natural emergencies, is now assisting in the state's response to Covid-19.

Firefighter Paramedics and EMT's are being deployed for a 14-day operational period to assist emergency rooms and other vital medical areas in some of the most impacted hospitals in California. These highly trained firefighters have been requested through the California Fire and Rescue Mutual Aid System, coordinated by the California Governor's Office of Emergency Services (Cal OES).

Since the program began on December 30, 2020, 16 Firefighter Paramedics and 6 Firefighter EMT's have been deployed to California hospitals. They include:

Region 1 – UC Irvine Medical Center

8 paramedics pending

Region 2 – Petaluma Valley Hospital

3 paramedics from Solano County

6 EMT's from Sonoma County

Region 5 – Kern Adventist Health

6 paramedics from Santa Clara County

2 paramedics from Contra Costa County

2 paramedics from Fresno County

Region 6 – Barstow Community Hospital

3 paramedics from Riverside County

Cal OES is continuing to deploy more firefighters across the state in response to the Covid-19 hospital surge, as needed.

The Cal OES Operations (Ops) Section under the Fire and Rescue Division coordinates The California Fire and Rescue Mutual Aid System. This coordinated response through the Mutual Aid System includes assistance during major fires, earthquakes, tsunamis, hazardous materials, and other disasters.

CPFD and local agencies battle Creek Fire

Lance Cpl. Angela Wilco

CAMP PENDLETON, Calif. --

Camp Pendleton Fire Department and Cal Fire worked together to fight the Creek Fire that blazed in Fallbrook and the installation beginning Thursday, December 24.

By Saturday evening, the fire was 90 percent contained and over 4,200 acres. The fire initially posed a threat to eastern areas of base. However, through firefighting strategies of back burns and control lines, by 5 p.m. on December 24, the fire no longer posed any threat to structures.

Residents living in the Lake O'Neill Campground, O'Neill Heights, Wounded Warrior Battalion, and De Luz base housing areas were ordered to evacuate early Thursday morning. They gathered at Paige Fieldhouse where they awaited updates and heard from Brig. Gen. Dan Conley, commanding general of Marine Corps Installations West, Marine Corps Base Camp Pendleton.

"While neither one of the housing areas are threatened right now, out of an abundance of caution, we don't want to put folks [back in their homes]," Conley said to the evacuees. "We don't want to put folks in. The winds shift, and then we got really bad problems."

Volunteers with the United Service Organization were present at the shelter location, distributing food and gifts to evacuees. Santa Claus made an appearance as well to raise spirits, arriving in his Camp Pendleton Fire Department firetruck to visit the children.

"I appreciate the fire department, Santa, and all the volunteers for coming out and trying to make this something more than just sitting around in a parking lot." Brig. Gen. Dan Conley, Marine Corps Installations West, Marine Corps Base Camp Pendleton commanding general

Evacuees were then cleared by CPFD and Cal Fire to return to their homes Thursday evening, as the fire had been quickly contained from reaching any structures.

Camp Pendleton Fire Department and Cal Fire worked together non-stop to contain the fire and prevent it from reaching more populated areas. Fire fighting helicopters were cleared to conduct operations on base Friday morning.

Firefighters were able to hold the perimeter, preventing any increase in acreage. Cal Fire Capt. Thomas Shoots said the weather was cooperative and that calm winds helped crews keep this perimeter strong.

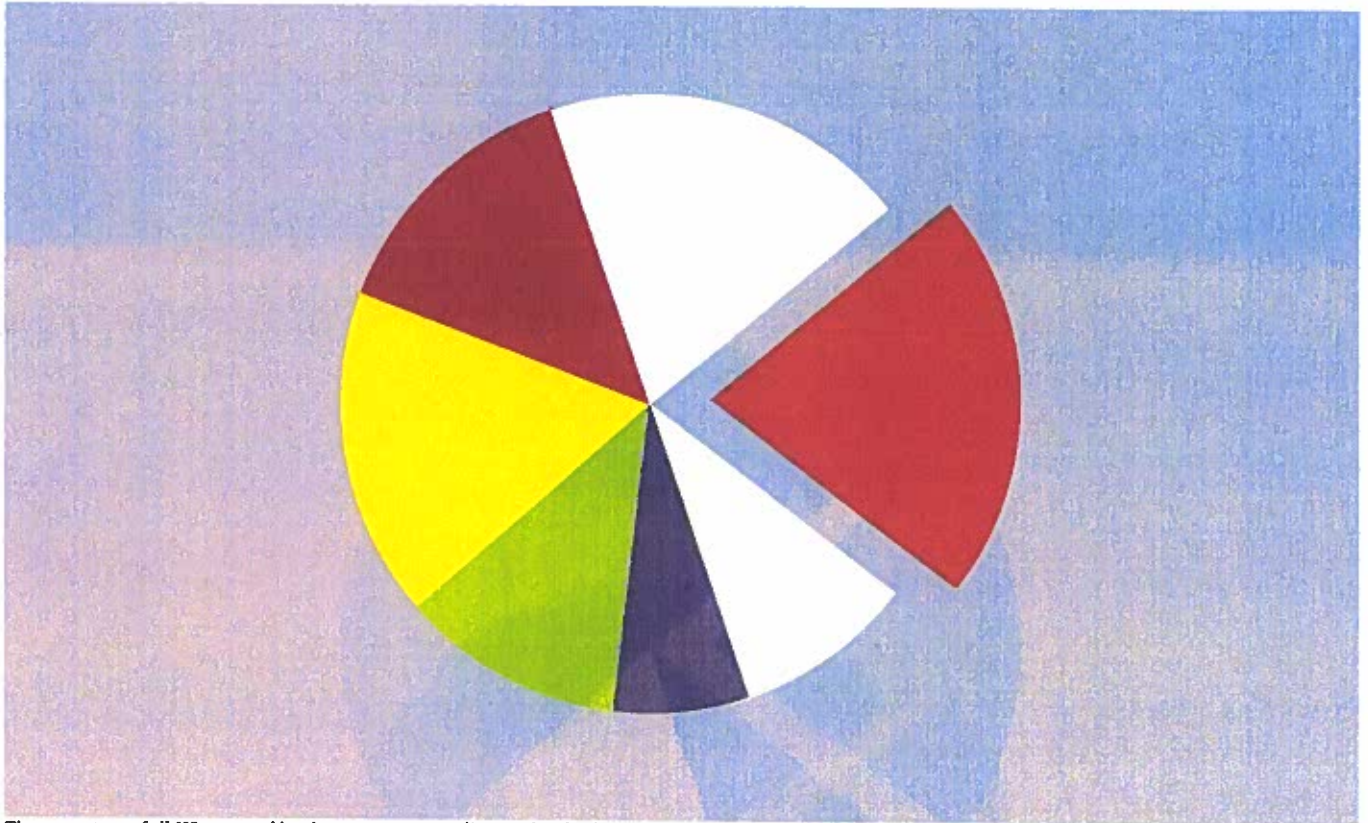
The Creek Fire was 70 percent contained by Saturday morning, and 90 percent

contained by the evening. Outside resources from off-base fire departments were released at this point and the unified command terminated. Camp Pendleton Fire Department took charge of patrols from this point onward.

The cause of the fire has not yet been determined.

Public Pension's Share of Government Spending More Than Doubles in 16 Years | Chief Investment Officer

By Michael Katz



The percentage of all US state and local government spending used to fund pension benefits for employees more than doubled between 2002 and 2018, according to the National Association of State Retirement Administrators (NASRA).

NASRA said in a brief that the most recent US Census Bureau data shows that the share of state and local government spending used to fund pension benefits for state and local government workers jumped to 5.2% in 2018 from 2.3% in 2002.

Pension costs rose sharply after fiscal year 2002 after falling equally fast in the preceding years, according to NASRA, which said the increased rate of spending in 2018 was spurred by the largest annual increase in employer pension contributions since 2006. This included a \$6 billion one-time appropriation from the California legislature and an additional \$538 million from political subdivisions in California to reduce their respective shares of unfunded liabilities of the California Public Employees' Retirement System (CalPERS).

The brief noted that while there was a sharp rise in pension costs as a percentage of state and local spending in aggregate, pension spending levels vary widely among states, ranging from just over 2% in Wisconsin and Wyoming to more than 10% in Connecticut and Illinois.

NASRA said the variation in pension spending among states can be attributed to factors such as differences in pension benefit levels, variations in the size of unfunded pension liabilities, the level of commitment by the state and its local government plan sponsors to make required pension contributions, the portion of the state's population that lives in an urban area, and the fiscal condition of government plan sponsors. NASRA said an analysis of state and local spending on pensions and the percentage of population residing in metropolitan areas within each state suggests that states with larger urban populations are more likely to experience higher costs for public pension benefits than states with smaller urban populations.

According to NASRA, state and local governments contributed, in aggregate, approximately \$168 billion to pension funds in fiscal year 2019, which it said was the smallest annual increase in employer pension contributions since a decline in 2005. The reduced contributions are projected to lower the percentage of state and local direct general spending on public pensions to 5.05%.

NASRA also said that it's important to consider the fiscal status of governments that sponsor public pension plans when measuring the percentage of state spending dedicated to pensions. It said that fiscal year 2018 was the fourth straight year state and local spending growth was above 4% following five straight years of growth below 3%. NASRA added that states with greater increased spending may be better able to absorb higher pension contributions than states with weaker or negative spending.

Additionally, the brief said that in fiscal year 2019, state and local government contributions to statewide retirement systems accounted for 78% of total pension contributions, with the remaining 22% belonging to locally administered systems. As a percentage of total spending, cities spent approximately 31% more than states on pensions over the 30-year period from 1988 to 2017.

Related Stories:

[Public Pension Return Assumptions Fall to All-Time Low](#)

[Op-Ed: U.S. Public Pension Underfunding—Don't Make the Same Mistake Twice](#)

[Public Pensions Could Suffer for Years from Pandemic Losses](#)

Tags: Association of State Retirement Administrators, assumed rate, CalPERS, NASRA, public pension, Social Security.

Camp Pendleton Marine helps save trapped baby from burning car

Michael Chen

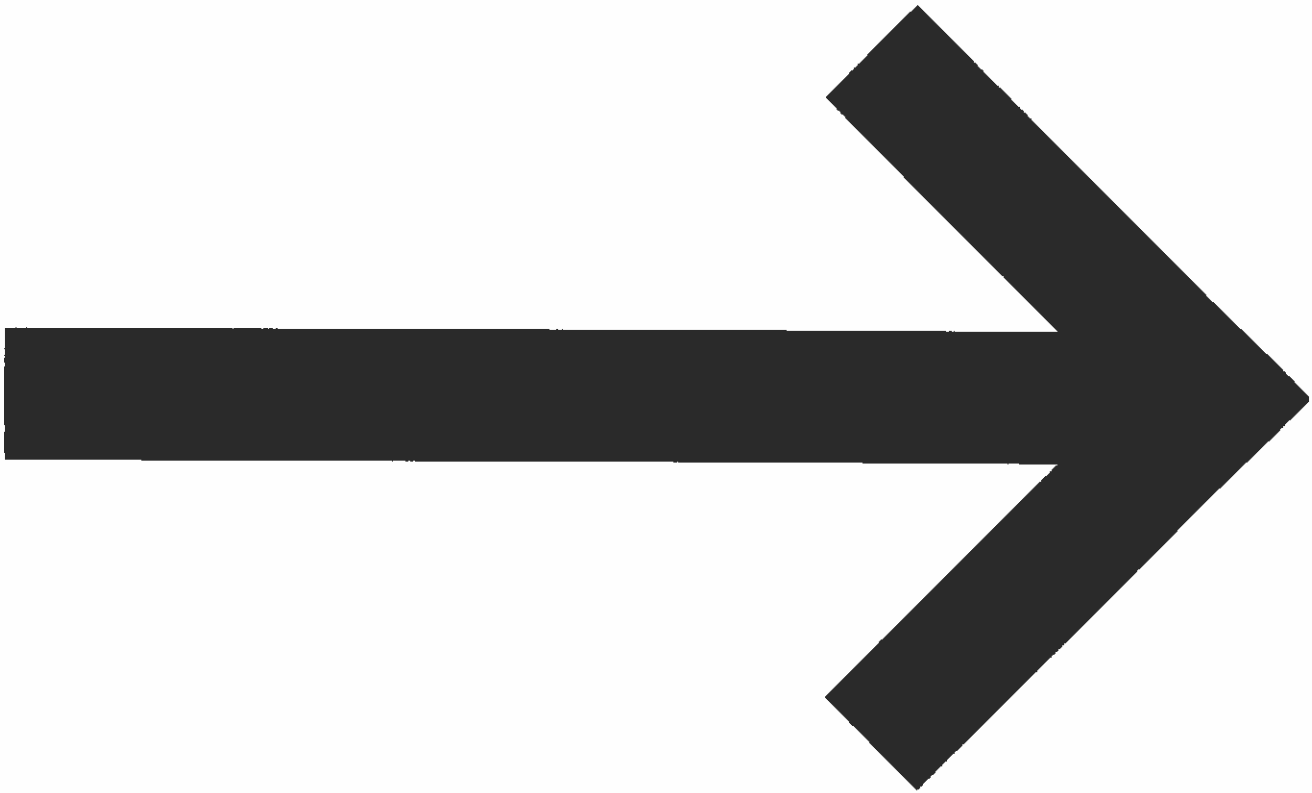
A grateful family is speaking out after a Camp Pendleton Marine helped save their trapped baby as flames engulfed their car.



FALLBROOK, Calif. (KGTV) - A grateful family is speaking out after a Camp Pendleton Marine helped save their trapped baby as flames engulfed their car.

Two Mondays ago, Tony Hurley, his wife and 1-year-old daughter were in their car on East Mission Road, on their way to a relative's home, around 5 p.m. Hurley says a gas can fell off a truck in front of him. Fire officials say it became wedged under the engine, leading to sparks as it dragged on the road.

Recent Stories from 10news.com



"Almost like a firework going off ... As we pulled over, the car is already on fire. Flames were surrounding the perimeter of car," said Hurley.

A frantic Hurley, along with his wife, got out and went to the back seat to get their daughter, but he says the latching mechanism for the car seat base was stuck.

"That's when I look up, and I'm face to face with a Marine on the other side of the car," said Hurley.

That Marine was Gunnery Sergeant Kyle Wetter, who just happened to be driving by.

"At that point is when I used my pocketknife to cut the car seat belt that was holding the baby's seat into the car, so the dad could get the car seat out," said Wetter in a video interview released by the Marine Corps.

As the family scrambled to safety, Wetter grabbed their belongings out of the car before also getting to safety. About a minute later, three different explosions rocked the car. After a few more minutes, flames had consumed the car.

"I don't even want to imagine what could have happened if he hadn't been on scene," said Hurley.

Hurley says the Marine's efforts ended with the best Christmas gift ever: his family was alive and well.

"He's definitely a hero in my book, and I'm more than grateful," said Hurley.

"It's what I expect any person to do in that moment, is to help someone in need. I don't think I'm special by no means. I was just the person behind them that decided to help," said Wetter.

Wetter credits his Marine Corps training, which has taught him how to react to fast-developing situations.

[A GoFundMe campaign](#) has been set up to help the Hurley family with the purchase of a new car.

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PUBLIC SAFETY

County Fire Starts New Year with New Name



By [Donna Ryan](#), County of San Diego Communications Office

Dec. 29, 2020 | 8:50 AM

The year 2021 will mean a new name for the San Diego County Fire Authority as the organization has been recently renamed the San Diego County Fire Protection District.

The name change became official Dec. 7 when the San Diego Local Agency Formation Commission (LAFCO) voted 8-0 in favor of becoming a dependent special district under the San Diego County Board of Supervisors. LAFCO oversees the establishment and organization of special districts.

“The San Diego County Fire Protection District has been a long time coming,” said Herman Reddick, the district’s director. “It is the natural progression of growth and provides the long-term stability of the organization.”

to make significant improvements by increasing permanent career staffing and the assignment of paramedics at all San Diego County Fire Protection District stations and increasing the level of services provided to county residents.

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when the County of San Diego terminated the contract with California Department of Forestry and Fire Protection for fire services.

“Supervisor Dianne Jacob and LAFCO began working on this issue in 1993 and after 27 years the fire district has become a reality,” said Mecham. “Last year, the voters in San Diego voted in favor of adding fire protection services to the San Diego County Charter. These two actions will ensure that fire protection services will always be provided across our 1.7-million-acre service area.”

The San Diego County Fire Protection District is comprised of elements from both the State of California and the County of San Diego working in unison as a single organization. More than 500 sworn personnel operate 35 fire stations to ensure San Diego County residents are living safely. The designation as a fire protection district is just one step in County Fire’s continuous efforts to achieve operational excellence in all programs and areas of responsibility.

NewsNation Now

Sydney Kalich

Posted: Dec 24, 2020 / 06:35 AM CST | Updated: Dec 24, 2020 / 07:40 PM CST

SAN DIEGO, Calif. ([NewsNation Now](#)) — A fast-moving wildfire in San Diego County forced evacuations for more than 7,000 residents and nearby Camp Pendleton early Thursday morning.

As of [10 a.m. CST](#), [the fire, dubbed the Creek Fire, was 3,000 acres and 35% contained](#). Residents on the west side in Fallbrook were under mandatory evacuation orders from the Creek Fire.

[Camp Pendleton](#) is the largest Marine Corps training facility on the West Coast, encompassing more than 125,000 acres. More than 70,000 military and civilian personnel as well as their families live in the surrounding community.

Red flag warnings of high fire danger went into effect across a wide swath of Southern California as gusty, dry Santa Ana winds developed.

San Diego Gas & Electric notified 31,000 customers they could be shut off, although only a few hundred actually had lost power.

Southern California will have a mild Christmas Day before a chance of rain reaches a limited area late Friday and Saturday. Widespread rain is expected late Sunday and Monday.

The Associated Press and NewsNation affiliate KSWB contributed to this report.

Firefighters extricate 1 from rolled pickup in Bonsall

Village News

Injured driver taken to Palomar Medical Center in Escondido

Last updated 12/24/2020 at 11:16am



Firefighters work to rescue a person trapped inside an overturned Toyota pickup in Bonsall Wednesday afternoon. Village News/North County Fire Protection District courtesy photo

Firefighters had to pull a person out of an overturned vehicle in Bonsall Wednesday afternoon.

A Toyota pickup truck was involved in a single-vehicle crash that left the pickup on its side around 2:20 p.m. near West Lilac Road and Camino Del Rey, according to information from the North County Fire Protection District.

The pickup apparently struck a tree just prior to rolling over, according to North County Fire Capt. John Choi.

The westbound lane of Camino Del Rey was blocked while crews worked to rescue the driver of the pickup, who was hurt and trapped inside; in addition to North County Fire units, a Vista Fire Department engine and a Cal Fire San Diego chief also assisted with the rescue, Choi said.

Firefighters were able to extricate the person - a 44-year-old woman - by about 2:50 p.m., Choi said.

The woman suffered serious injuries and was taken to Palomar Medical Center in Escondido.

Will Fritz can be reached by email at wfritz@reedermedia.com.

North County's Creek Fire Now 98% Contained, Camp Pendleton Announces

Karla Rendon-Alvarez

A quick-moving brush fire that forced 7,000 North County residents out of their homes just before Christmas last week has been nearly contained, Camp Pendleton announced.

As of 9 p.m. Sunday, the [Creek Fire burned a total of 4,200 acres](#) and was 98% contained, according to the military base. Authorities said the blaze no longer poses any threat to buildings or crews battling the fire.

Creek Fire

More on the December fire in San Diego's North County.





The Creek Fire first sparked Wednesday near De Luz and Sandia Creek roads. As it progressed, it burned entirely on Camp Pendleton and prompted evacuations for 7,000 residents just before Christmas.

Camp Pendleton Division Chief Ryan Cushing said the blaze was fueled by wind and steep terrain that was difficult for crews to access. The Camp Pendleton Fire Department, Cal Fire San Diego, North County Fire Protection District and the U.S. Forest Service worked together to control the vegetation fire.

Camp Pendleton officials provided an update Thursday morning, saying the Creek Fire was at 0% containment.

Initially, Cal Fire Capt. Thomas Shoots said he was concerned for firefighters' safety and handle on the blaze since the Creek Fire burned in a vast area. However, crews were able to get a handle on the wind-fueled fire and get a grip on its containment.

No injuries or structural damage has been reported in connection to the fire.

California Wildfire Evacuees Allowed to Return Home in Time For Christmas As Firefighters Gain Upper Hand | The Weather Channel - Articles from The Weather Channel | weather.com



Southern California Wildfire Forces Christmas Eve Evacuations

Santa Ana winds helped the Creek Fire spread quickly. Thursday morning it was threatening a Marine Corps base.

Volume 0%

- A fire burning on and around Camp Pendleton in California forced the evacuation of at least 7,000 people.
- The fire was fanned by Santa Ana winds, with gusts up to 35 mph.
- Fire crews were able to increase containment and shield homes from the fire, allowing evacuees to return home.

A fast-moving wildfire burning on and around Camp Pendleton military base in Southern California forced thousands of people to flee in the early morning hours of Christmas Eve, but fire crews were finally able to get the upper hand to allow residents to return home in time for Christmas.

The fire, dubbed the Creek Fire, broke out just after 11 p.m. Wednesday local time. By 1 a.m. Thursday it had [forced evacuations of housing areas on Camp Pendleton, a sprawling, 195-square-mile U.S. Marine Corps base](#) between San Diego and Los Angeles.

By 3 a.m., authorities with the San Diego Sheriff's Department were forced to expand evacuation orders to include [at least 7,000 people, most on the western side of Fallbrook, California](#), just outside of the military base. Deputies went door-to-door to get people out of the fire's path.

The fire was fueled by Santa Ana winds, including gusts up to 35 mph, and grew to cover more than 6 square miles. Fire crews increased containment to 35 percent as winds died down Thursday evening, allowing all those evacuated to return to their

homes late on Christmas Eve.

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3,050-Acre 'Creek Fire' Near Fallbrook Forces 7,000 Residents to Evacuate Overnight - Times of San Diego

Chris Jennewein

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Flames from the Creek Fire near Fallbrook. Courtesy OnScene.TV

A wind-driven brush fire that erupted near Fallbrook grew to 3,050 acres Thursday morning, prompting mandatory evacuations and road closures.

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The Creek Fire was first reported about 11:30 p.m. Wednesday in the 37000 block of De Luz Road, about two miles west of Sandia Creek Drive, and quickly blackened 50 acres. It was unclear what sparked the blaze, which erupted amid a red flag warning issued by the National Weather Service.

The flames were pushed by the wind into [Camp Pendleton](#) early Thursday morning, according to the [North County Fire Protection District](#), and by 6 a.m. had burned 750 acres.

Because of steep terrain, difficult access and high wind speeds, the blaze quickly spread over a much wider area, and as of 9:35 a.m. had blackened at least 3,050 acres and was 0% contained, Camp Pendleton Fire Department Battalion Chief Ryan Rushing said.

No structural damage was immediately reported.

Mandatory evacuations were issued about 1 a.m. for homes on De Luz Road, Main Avenue, Dougherty Street and Ceramic, Darla and Shady lanes in Fallbrook and De Luz Housing and Lake O'Neill campground on Camp Pendleton, according to Cal Fire and North County fire departments.

Shortly before 2:55 a.m., additional evacuation orders were issued for about 7,000 residents on the west side of Fallbrook, south of Main Avenue to South Mission Road, according to Cal Fire.

San Diego County sheriff's deputies were in the area notifying residents about the fire.

A temporary evacuation point was established at Fallbrook High School, 2400 Stage Coach Lane, the sheriff's department said.

A road closure was in effect on De Luz Road at Sandia Creek.

The San Diego County Air Pollution Control District issued a smoke advisory for residents near Fallbrook and Camp Pendleton.

Los Angeles Restaurants Struggling to Survive as Lockdown Looms

TIMES
of SAN DIEGO

The agency warned that smoke will likely impact the area throughout the day and residents should assume the air quality levels are unhealthy for all people. Residents were advised to remain indoors, if possible, and limit physical activities in areas that smell like smoke.

Santa Ana winds and low humidity levels were expected to persist in the area throughout the day, creating dangerous fire conditions in the San Diego County mountains and western valleys, according to the Weather Service.

East to northeast winds were expected to reach 15-25 mph until this evening, with gusts

potentially hitting 50-60 mph, forecasters said. Humidity levels were expected to be between 7-12%.

Updated at 10:35 a.m. Thursday, Dec. 24, 2020

— *City News Service*

3,050-Acre 'Creek Fire' Near Fallbrook Forces 7,000 Residents to Evacuate Overnight
was last modified: December 24th, 2020 by

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California's state capitol. The Golden State's budget is looking healthier than was imagined back in June. (Shutterstock)

THE FUTURE OF Finance

Absent Federal Aid, How Bad Are State Budgets?

The new congressional stimulus package does not include direct aid for states and localities. Only a few states have seen revenues increase from last year, meaning cutbacks are coming due to COVID spending pressures.

Alan Greenblatt, Senior Staff Writer | December 22, 2020 | Analysis

Last week, Virginia Gov. Ralph Northam revealed a two-year budget package that included no tax increases and substantial new spending. It would restore nearly half the nearly \$3 billion in spending that Northam froze earlier this year, while increasing education spending by \$500 million, mostly to help schools retrofit for the coronavirus pandemic. Northam's budget even allows for more savings, devoting \$650 million to Virginia's rainy-day fund.

Most of the new spending is set for the second year of the proposed two-year budget. "By then, we hope most Virginians will be vaccinated, and our society — and economy — will have begun returning to more normal activities," Northam said.

Back in the spring, few people back would have predicted that Virginia — or any other state — would be preparing a budget with no taxes and sizable spending increases. Some states, including California, Georgia, Massachusetts and New Mexico, have announced revenue numbers that have not only recovered from the spring trough, but are running ahead of receipts at this time last year.

"The broader economic recovery has meant that the stock market has held up and incomes for relatively well-off people have held up," says Michael Leachman, vice president for state fiscal policy at the Center on Budget and Policy Priorities, a progressive think tank. "In addition to the Cares Act working, that means that revenues have been in recovery mode this fall."

The Cares Act, which Congress passed in March, included \$150 billion in aid for states and large localities and \$2 trillion worth of help for the economy. The \$900 billion stimulus package passed Monday will help goose the economy, but direct aid to states and localities

was left on the chopping block.

The surprisingly robust balance sheets of some states undermined the political argument that more help is still needed. “The further we get into this hopeful recovery stage in many sectors, it becomes more apparent that there’s less need for broad aid to the states,” says Jonathan Williams, chief economist for the conservative American Legislative Exchange Council and a leading critic of additional federal aid.

Local governments are arguably facing worse conditions than states. A recent survey by the [National League of Cities](#) found that municipalities have seen revenues decline by an average of 21 percent, while expenditures have increased by 17 percent due to the pandemic. “It is beyond disappointing that after months of watching our hometowns and our local economies ravaged by COVID-19, congressional leaders have failed to deliver critical support,” says NLC Executive Director Clarence Anthony.

States are by no means out of the woods. Despite the rollout of vaccines, the pandemic has taken a dark turn heading into the holidays, with a [quarter-million new cases](#) on Saturday alone. New or renewed restrictions are likely to hamper growth, at least in the near term. Meanwhile, most states are still running behind on revenues, even as expenses in areas such as Medicaid, unemployment and now vaccine distribution are increasing.

From April through September, all but eight states saw revenue declines, compared with last year, according to the Urban-Brookings Tax Policy Center. Collectively, state revenues are running five percent behind where they were last year. That’s much better than the 20 to 40 percent drops forecast in the spring, thanks in large part to the massive influxes of cash Congress and the Federal Reserve have put into the economy. But the recovery for states has been uneven.

“States that have heavy reliance on service industries or tourism, such as Hawaii or Nevada, are in really bad shape because of the reduced business activity in both industries,” says Lucy Dadayan, a senior research associate with the Tax Policy Center. “States that have high reliance on oil or a high reliance on sales taxes have seen steep declines in overall revenues.”

Even if millions of vaccinations occur on an optimistic timetable, it will still be months before the economy returns to something resembling a normal footing. Most states are projecting revenue declines in 2021. Moody’s Analytics, a research firm, projects that states are looking at shortfalls totaling \$224 billion through fiscal 2022.

“Right now, states are facing a lot of uncertainty about what the coming months could bring,” says Brian Sigriz, director of state fiscal studies at the National Association of State Budget Officers (NASBO). “We’re expecting state budgets to remain challenged through the remainder of fiscal 2021 and moving on to fiscal 2022.”

Effects of an Unusual Recession

When California enacted its budget back in June, it included \$11 billion worth of spending cuts that came with an asterisk. The money would be restored if additional federal aid, which then seemed likely, was provided by Oct. 15.

California, and other states, are still waiting on more help from Washington. But the Golden State’s budget is looking healthier than imagined back in June. Gov. Gavin Newsom recently said that his upcoming budget will include a [\\$15.5 billion tax collection windfall](#). The Legislative Analyst’s Office is even more optimistic, projecting a [\\$26 billion windfall](#).

Some of that is due to the numbers game. Like other states, California suddenly grew ultra-conservative with its revenue forecasts once the pandemic’s effects began to be felt.

But a lot of it has to do with the nature of this year’s downturn. Unemployment has hit service sectors such as restaurants and tourism the hardest. People who work in those industries don’t make great salaries to begin with. “It’s an unusual recession,” Leachman says. “It’s unusual for the economic pain to be so concentrated among lower-income families. Those families often bear the brunt of downturns, but that’s been particularly the case with this one.”

Meanwhile, higher-paid office workers who are now working remotely have largely seen their taxable incomes kept intact. And, following its abrupt plunge in February and March, the stock market has more than made back its losses. That means [big bonuses](#) on Wall Street and continued capital gains tax collections for states.

During the Great Recession, California’s highly-progressive income tax system left it badly exposed, but right now the situation is reversed. “The low-wage taxpayers’ contribution is much lower than high-income taxpayers,” Dadayan says. “That’s one of the reasons why income-tax revenue in California is doing much better than in other states.”

Spending Pressures Continue to Mount

Dadayan notes that other states are benefiting for particular reasons. States including Idaho, South Dakota and Utah that impose either full or partial taxes on groceries have benefited as higher shares of household income have shifted toward eating at home. "New Mexico is doing better because they engaged legislative changes last year, before the pandemic, that were supposed to increase tax revenues," Dadayan says.

Sales taxes in Texas, which has no personal income tax, are down seven percent compared to last year, including an 8.5 percent drop in November. Florida, another state without an income tax, is looking at a \$2.7 billion shortfall. Nevada is expecting revenues to be down \$400 million, from a \$9 billion budget, compared to its pre-pandemic forecast.

States, cities and counties have laid off or furloughed 1.3 million workers – far more than the 750,000 jobs lost during the Great Recession. Governors and legislators appear, for the most part, highly reluctant to raise broad-based taxes.

"I think you're going to see a handful of states go through an argument about tax increases," says Williams, the ALEC economist. "In others, especially with the fragile state the economy is in, you'll hear that this is exactly the wrong time to raise taxes."

With states already borrowing billions from the federal government to pay unemployment benefits, the question of how to shore up unemployment trust funds – through borrowing or tax increases – will also be a prominent issue in 2021, Williams says.

Meanwhile, other spending pressures are only going up. "There's increased demand for Medicaid and public assistance programs," says NASBO's Sigriz. "There are cost pressures in K-12 education related to online learning and, as schools reopen, to make them safe."

The new federal stimulus package includes additional assistance for small businesses, the unemployed and renters, along with money for schools, transportation and vaccine distribution. All of that will help states, if only indirectly, by boosting economic activity, which can then be taxed.

But states will have to wait until next year for further assistance from Washington, which may or may not be forthcoming.

"If we're at a point to move from recession to recovery, if states don't get aid and continue to lay people off, that will be a drag on any recovery," says public finance expert Kim Rueben of the Urban Institute.

[Alan Greenblatt](#) Senior Staff Writer
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More From THE FUTURE OF Finance

Special Taxes by Voter Initiative Only Require Majority Voter Approval

Initiative power is the power of the electorate to propose new laws subject to approval by voters, including the right to impose taxes for specialized purposes. Only simple majority voter approval is required for special taxes proposed by a citizen initiative, according to the Fifth District Court of Appeal's recent decision in [*City of Fresno v. Fresno Building Healthy Communities*](#). In reversing the trial court decision, the court found that the requirement under articles XIII A and XIII C of the California Constitution to obtain two-thirds does not apply where the special tax is proposed by citizen initiative. The court relied heavily on a separate appellate court decision earlier this year in [*City and County of San Francisco v. All Persons Interested in the Matter of Proposition C*](#).

Fresno involved a voter initiative, Measure P, entitled the "Fresno Clean and Safe Neighborhood Parks Tax Ordinance," which proposed to impose a three-eighths percent special sales tax with the limited purpose of improving park safety and accessibility for persons with disabilities, updating and maintaining playgrounds and restrooms, and providing other related services and improvements. Measure P received just over 52 percent voter approval, and Fresno subsequently filed a complaint in Fresno County Superior Court for declaratory relief to determine whether Measure P was duly enacted through the voters' initiative power. The trial court concluded that articles XIII A (Proposition 13) and XIII C (Proposition 218) each impose a supermajority voting requirement on voter initiatives. Thus, according to the trial court, Measure P did not pass.

In reversing the trial court's decision, the appellate court looked to the plain language of Proposition 13, which requires that "cities, counties and special districts" seeking to impose special taxes must first obtain two-thirds voter approval. None of the provisions of the California Constitution amended by Proposition 13 spoke expressly to the powers of initiative. When the voters approved Proposition 13, "the initiative power had long been ensconced in our Constitution." If the intent was to constrain future voters to approve initiatives by two-thirds vote, that requirement would have been clear. Instead, the California Constitution expressly states that an initiative requires a majority vote only, a "defining characteristic of the initiative" that must be "jealously guard[ed]" by the courts, and where doubts exist, must be resolved in favor of the exercise of that right. The Elections Code further states that the people's power by initiative to raise taxes was similarly subject only to a majority vote.

The court further found article XIII C, section 2(d) of the California Constitution did not create a super-majority voter approval requirement for citizen initiatives. Article XIII C was added to the Constitution as a part of Proposition 218, and its plain language does not show an intent to restrict the initiative power.

Fresno is the second appellate-level decision to address the voter approval requirement for special taxes placed on the ballot by citizen initiative. *Fresno* follows *City and County of San Francisco*, which similarly held that only simple-majority voter approval is required. The third case, *Jobs and Housing Coalition v.*

City of Oakland is pending before appellate court. If the court in *Oakland* reaches a different conclusion than the courts in *San Francisco* and in *Fresno*, these conflicting appellate court decisions could lead to further review by the California Supreme Court.

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Taxpayer Actions Can be Used to Challenge Government Contracts Even After Contract Completion

Even completed government contracts can be challenged by a taxpayer claiming the contract constituted the improper expenditure of funds, [the California Court of Appeal determined](#).

Plaintiff Stephen Davis sued the Fresno Unified School District and Harris Construction Co. for entering into a construction contract allegedly in violation of the competitive bidding requirements and laws preventing conflict of interest. The District filed a demurer and the case was dismissed, but the Fifth District Court of Appeal reversed the dismissal and sent the case back to the trial court. The District then filed a motion for judgment on the pleadings on the grounds that the construction was completed, thereby rendering Davis' claims moot. The trial court agreed, dismissed the action and Davis again appealed.

Davis' response to the motion for the judgment on the pleadings advanced two different claims for relief: a "reverse validation" action and a taxpayer action. A reverse validation action is a cause of action challenging the validity of a government action where the relief requires the government to stop performing the challenged action or paying out government funds. A taxpayer action is a cause of action challenging how the government has spent public money. For a taxpayer action, relief could require the government to stop performing the action or paying government funds, or require the contracting party to disgorge the profits or proceeds received from the allegedly illegal contract.

Since courts may adjudicate a case only where relief can be ordered, the appellate court had to determine whether relief on each cause of action was possible. As to the reverse validation action, because the challenged action — the contract — had been completed, there was no relief the court could order. As to the taxpayer action, however, the relief is monetary — disgorgement (return) of the profits or proceeds from the allegedly illicit contract. Since money can be disgorged regardless that the purpose for which the money was paid has been completed — the construction, itself — a taxpayer action is permissible even when the challenged contract has been completed. Thus, the appellate court held that a reverse validation action is permissible only if the contract is not yet completed, but a taxpayer action is allowed regardless of the completion of the contract.

Because expenditure of funds can be challenged by a taxpayer action regardless of whether the contract has been completed or not, all government agencies must be careful to follow the competitive bidding laws, where applicable, and guard against conflicts of interest. Following these procedures will protect the interests of the contracting parties and prevent the possibility of contracting parties having to disgorge the profits or proceeds received for the contracted work.

BB&K Associate Anya Kwan co-authored this Legal Alert.

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U.S. Congress Passes Massive Spending Bill to Fund Fire & EMS Programs

Last night, the U.S. House of Representatives and Senate passed the Fiscal Year (FY) 2021 Consolidated Appropriations Act (H.R. 133). The 5,593-page bill will fund the entire federal government until September 30, 2021. In addition, it includes legislation to provide COVID-19 relief. While the COVID-19 relief legislation does not include aid to state and local governments, there are provisions in this bill that will help the fire and emergency service.

Here are some of the provisions of note:

- An increase that will fund the Assistance to Firefighters Grant program at \$360 million.
- An increase that will fund the SAFER program at \$360 million.
- An increase of the U.S. Fire Administration to \$49.27 million.
- An increase to the Volunteer Fire Assistance program to \$19 million to fight wildland fires.
- An increase in funding for the SIREN grant program to \$5.5 million for rural EMS response.
- An increase to the Urban Areas Security Initiative grant program to \$705 million.
- An increase to the State Homeland Security Grant Program to \$610 million.
- A repeal of a mandate to auction public safety spectrum in the T-Band (470 MHz-512 MHz).
- Permanent reauthorization of the Volunteer Responder Incentive Protection Act to protect some state and local incentives for volunteer fire and EMS personnel from federal taxation.
- Appropriation of an additional \$3 billion in the HHS' Public Health and Social Services Emergency Fund for the purposes of reimbursing Medicare-enrolled suppliers and providers for the expenses of their COVID-19 response, including PPE and workforce surge costs.
- Appropriation of \$2.5 million for the national firefighter cancer registry.
- Appropriation of \$37.8 million for the Urban Search & Rescue system.
- Reauthorization of the ALERT grant program at the Pipeline and Hazardous Materials Administration to train rural public safety agencies to respond to hazmat incidents by rail.
- Authorization for the FEMA Administrator to waive the following requirements to the FY 2021 SAFER grants:

The three-year performance period. The local cost-share. The requirement that SAFER funds not supplant local funds. The requirement that the recipient fire department maintain its budget at 80% of the average funding over the past three years.

The ability for fire departments to retain and re-hire firefighters.

- Authorization for the FEMA Administrator to waive the local match requirement for the AFG grants and the maintenance of expenditures requirements (preventing budgets from being reduced to not less than 80% of

the average amount of such expenditures in the preceding two fiscal years).

President Trump is expected to sign this legislation.

Ken LaSala is the IAFC's Director of Government Relations and Policy.



Hometown Newspaper of Valley Center, Pauma Valley, Pala, Palomar Mountain & North Escondido since 1974

Chief Napier gives update on County's new fire department

David Ross on December 18, 2020

By David Ross

Recently the San Diego County Fire Authority officially became the County Fire Department. LAFCO, (Local Agency Formation Commission) was part of that process.

At Monday night's Valley Center Community Planning Group (VCCPG) meeting Valley Center Fire Protection District Chief Joe Napier, who has closely followed this process, gave an update, including how it might affect local residents.

The Chief explained that LAFCO, established in San Diego in 1963, is composed of commissioners who are elected officials, board members of special districts and some members of the Board of Supervisors. The commission decides issues such as spheres of influence, boundaries between districts and dissolving districts. An example would be when the Julian Cuyamaca Fire Protection District felt it could no longer provide fire services to its residences, or the Valley Center Parks & Rec board, which also chose to dissolve and become a County Service Area.

He described how the County of San Diego in the 1970s got out the fire protection business. This led to the formation of post-Prop. 13 fire protection districts such as Valley Center and Deer Springs in the early 1980s.

"Later," said Napier, "The County decided the Backcountry wasn't getting the services it needed after all. Several fire districts were dissolved." The next step was to create the County Fire Authority. Finally, last month, the Fire Authority became the San Diego County Fire Protection District, a special district that will claim some small share of County property taxes.

This has led the small Yuima Municipal Water District in Pauma Valley to voluntarily give up its inherent power to provide fire protection to the new County Fire Protection District. Now Yuima will only be responsible for providing water to its ratepayers.

Napier continued, "LAFCO is also a watchdog that makes sure taxpayers within a special district are paying the taxes and getting the services they pay for. Last year their Municipal Services Report went over how well the districts are doing. You can access it in their website."

He said, "For us and for LAFCO, it's a great relationship. Special districts have voting representatives on LAFCO. The meetings are public once a month. Executive Officer Keene Simonds organizes the commission and all reports come from his office."

He repeated that Deer Springs and VCFPD are post-Prop. 13 districts, without the same resources as fire districts created earlier. They rely on an apportionment of one percent of the one percent property tax assessment. The new County fire department will have the same predicament, said Chief Napier. "Once it realizes the area it has to protect and the things they have to do, I think they will need a little more than the one percent of one percent. Valley Center's fire chief and board will be there to have that same conversation," he said with a smile.

He remarked that COVID vaccinations will probably start arriving next month. "Keep masks and social distancing and by next summer we'll be back to normal," he said.

The planners asked about Fire Station #3. "Measure AA did not pass, which was heart breaking for us," said Napier. They would continue to use developer fees to buy the land on Cole Grade for the station. "South Village coming on line may help us but there will be no brick and mortar station. Without Measure AA it's not going to happen," he said.

He continued, "You might see a couple of mobile homes and a cover maybe next year on the property. It's not the facility that costs money forever; it's the ongoing cost and care and maintenance and the people; that's the ongoing cost." He added, "But Chief Joe knows how to spread the peanut butter thin."

PUBLIC SAFETY

Residential KnoxBoxes Allow Firefighters to Get to Residents in Distress



Nancy and Mark Weir of Palomar Mountain feel safer with the installation of a residential KnoxBox key safe.

By *Yvette Dasso*, County of San Diego Communications Office

Dec. 18, 2020 | 12:47 PM

If someone in a home suffers a medical emergency, they may be able to push a medical alert button or call 911, but unable to get to the door when help arrives.

San Diego County Fire is now offering qualifying residents a secure key safe called a KnoxBox that will allow first responders to gain access to a home within seconds in a life-threatening or critical situation.

“When someone is having a medical emergency and becomes pulseless and apneic, it’s really important for us to get in there and provide medical attention within 4-6 minutes and it’s costing us minutes to get in when we are having to break a door down,” said County Fire Deputy Chief Dave Nissen, who has worked in the rural East County communities for 30 years.

“Looking at it from an evacuee position, we can get in there as well if a house is imminently threatened by fire or other types of emergencies and move people out who may not be able to move themselves,” said Nissen.

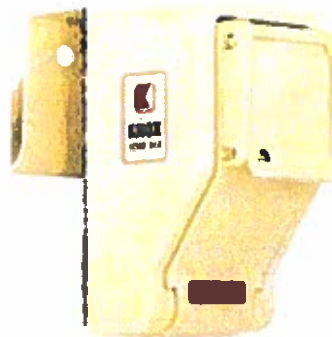
County Supervisor Dianne Jacob, who represents communities protected by San Diego County Fire, said this program will truly benefit people in need in the backcountry.

“For older folks with chronic health conditions or in need of help with basic activities, KnoxBoxes can be a lifesaver,” said Jacob. “These devices can also provide some peace of mind in a region where wildfire is a year-round threat.”

The program aligns with the County’s commitment to living safely, one of four strategic plan initiatives, and is offered at no cost to qualifying residents. County Fire installs the box just on or near the front door and can only be opened by local firefighters responding to life-threatening emergencies.

The concern about firefighters being able to gain access to their home was on Nancy Weir’s mind when she called her local fire station on Palomar Mountain. Initially, she just wanted to make sure they could get past a complicated gate system used by several homes including her own. In talking to the captain, she mentioned that she is recovering from a concussion that can cause various degrees of dizziness and fainting.

Door Hanging



Wall Mount



The KnoxBoxes can either be installed on a door or on a wall next to the front door.

“I just wanted to be sure if I was home alone with the doors locked, the fire department could easily get in without busting my door down,” Weir said.

She said the captain came by to look at the gate and suggested she would be a perfect candidate for the residential KnoxBox program which she had not heard about. She

signed up and soon enough someone from the fire station came by to install it.

“I feel a lot safer now knowing they know how to get in the gate and how to get in my house and what my issues are,” Weir said. “It’s all great now, not only for medical relief but we have a super high fire risk here.”

County Fire received a federal grant to help buy an initial 200 KnoxBoxes. The agency loans the boxes to participants to help reduce risk in their rural communities. The program launched in October and has received over 70 applicants so far, and more than 25 have been installed in communities such as Potrero, Jamul and Warner Springs. To qualify, residents must:

- Live in San Diego County Fire, Ramona Municipal Water District, or Deer Springs Fire Protection District coverage areas.
- Be any of the following:
 - At least 62 years old
 - Have a disability
 - Need assistance with one or more Major Life Activity

To apply for the program or for more information, call San Diego County Fire at (858) 974-5744 or email FireCRH@sdcountry.ca.gov. People can also visit the [San Diego County Fire Authority](#) site to obtain an application and read more information on the program.

Related: [backcountry](#) [County Fire](#) [KnoxBox](#) [Risk Reduction](#) [safety](#)



Yvette Urrea Moe is a communications specialist with the County of San Diego Communications Office. [Contact](#)

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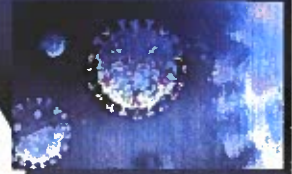


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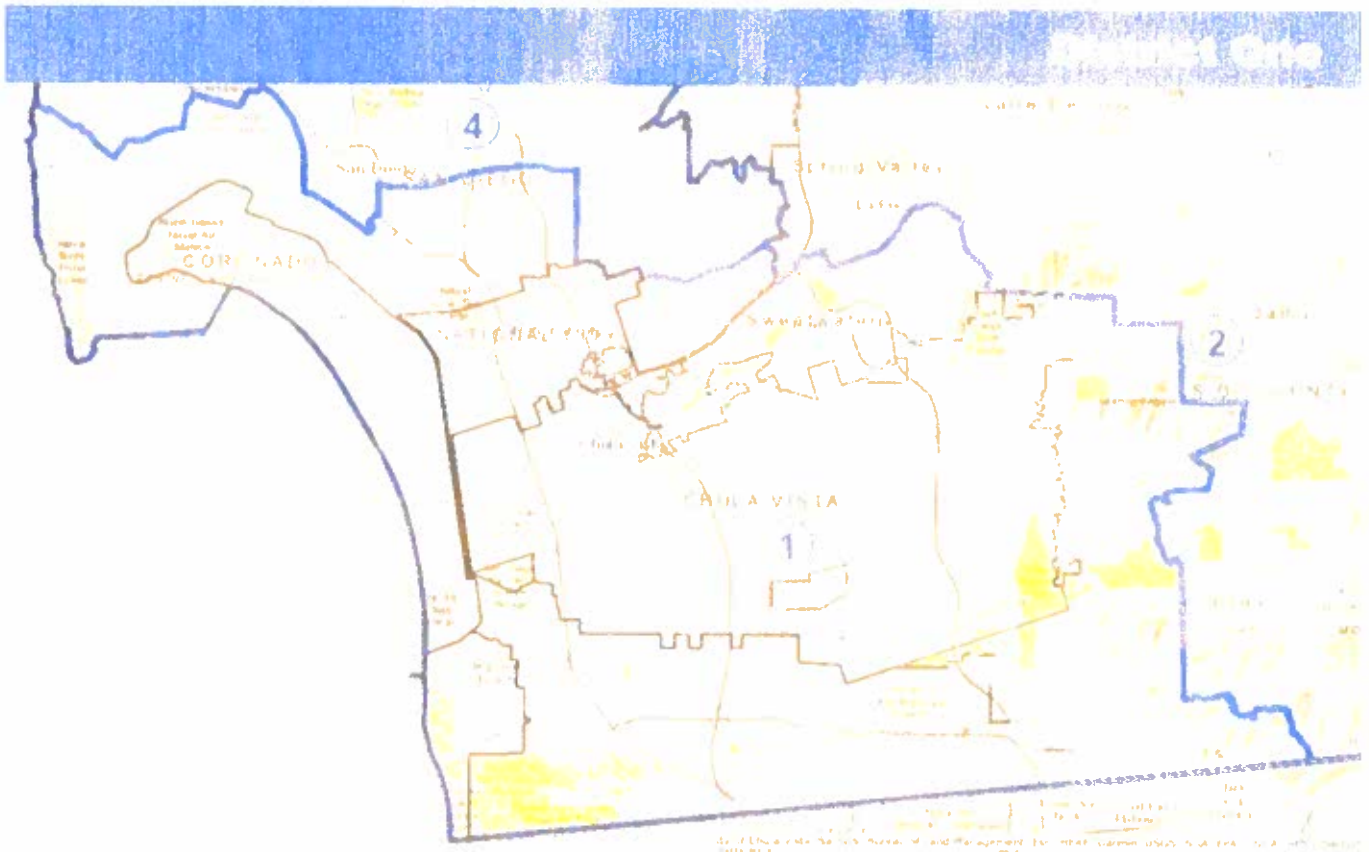
County Reports Another Record Number of Cases As Hospitalizations Continue to Increase



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VIDEO: County Debuts Lifesaving Knox Box Program



Citizens Law Enforcement and Sheriff's Office Accepting applications

We salute the Marine Corps infantryman who rescued an infant from a burning car

"I'm not a firefighter, but Marines are prepared to react to contact all the time."

BY JAMES CLARK DECEMBER 19, 2020

NEWS UNsung HEROES



SHARE



In the early evening on Dec. 7, Marine Gunnery Sgt. Kyle Wetter was driving through Fallbrook, California, on his way home to Temecula after work when the unthinkable happened: A canister full of fuel fell off the back of a truck on a winding two-way road and skidded across the ground, sending up sparks before slamming into the car immediately in front of Wetter and causing it to catch fire.

"It started sparking, and the sparks turned to flames," Wetter told Task & Purpose.

Unable to avoid the blaze and seeing that the now-burning vehicle had pulled off to the side of East Mission Road, Wetter followed suit.

"I was like 'that car's on fire,'" Wetter recalled thinking as he hopped out of his 2007 Chevy Cobalt — his "jalopy," he said jokingly — and ran over to try to help.

"I tried to assess the situation to figure out what was going on," he said.

As he drew closer, he saw a mother and father frantically trying to free their infant child from the back of the vehicle — the seatbelt had locked and the child was trapped in the car seat.

"I heard the mother yelling 'my baby is in the car! My baby is in the car!'" Wetter, himself a father of triplets, said.

After trying to put out the fire with an extinguisher, Wetter quickly realized there was no stopping the flames, and so he hopped into the back seat of the car, took out his knife, and cut the seat belt that was holding the car seat in place, so the father could grab his child. Once the family was free from the burning car, Wetter helped the parents grab as many of their belongings as they could before stepping back and waiting for emergency personnel, he said.



Photos from the Dec. 7 rescue. (Kyle Wetter/U.S. Marine Corps)

While Wetter's actions that day were undoubtedly heroic, after six deployments — including one to Iraq and another to Afghanistan — Wetter credits his time in the Marine Corps with his ability to quickly navigate the situation, and figure out the best path forward.

"Everything builds to where you handle stressful situations differently," Wetter said. "I know before I joined the military I wouldn't have handled that situation the way that I did. I know the Marine Corps prepared me for that. I'm not a firefighter, but Marines are prepared to react to contact all the time."

Wetter enlisted in the Marine Corps in 2003 as a machine gunner after graduating from Boscobel High School in Wisconsin and is currently stationed at Marine Corps Base Camp Pendleton in San Diego as the

AS FOR WHAT OTHERS MIGHT DO IN A SIMILAR SITUATION: "I definitely don't advocate for people to run into a burning car or a burning house or anything, but this time that we're in, people need to know that 'hey, it's okay to help other people. We're not in this alone,'" Wetter said.

For Wetter, the takeaway is simple: Strive to be a "good person, at the right place, and the right time," he said.

Feature photo: Gunnery Sgt. Kyle Wetter poses with his three triplet sons. (Photo courtesy of Kyle Wetter)



James Clark

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New Surplus Land Act Requirements to Take Effect Jan. 1

Assembly Bill 1486 brought California public agencies into a new era of required compliance with the Surplus Land Act. Taking effect on Jan. 1, 2020, the Act created new obligations before an agency disposes of surplus land. Over the course of this year, agencies have grappled with these new requirements. These include, among other things, formal findings by the agency's legislative body declaring the land as surplus, the transmittal of notices of availability to designated housing sponsors and public agencies with jurisdiction over the land, and good faith negotiations if entities express interest in purchasing and developing the land, including for affordable housing purposes.

[AB 1486](#) also mandates a number of important changes that take effect Jan. 1, 2021. Beginning next month, public agencies must, upon the conclusion of negotiations with an interested buyer but prior to disposing of the surplus land, report to the State Department of Housing and Community Development a description of any notices transmitted on such land, a summary of negotiations conducted with entities responding to that notice, and any restrictions proposed to be recorded against the property upon disposition, including affordability covenants. HCD then has 30 days to notify the agency of any violations of the Act. Presuming that the agency has not already disposed of the surplus land, the agency will then have 60 days to cure and correct the alleged violation before HCD may assess a penalty, notify the California Attorney General or before an action may be brought against the agency by any interested party specified in the Act.

For a first violation of the Act, HCD may impose a monetary penalty of 30 percent of the sales price of the property sold in violation of the Act, which must be deposited into a local or state housing trust, and 50 percent for any subsequent violation. These penalties would likely only be calculable after escrow has closed and the land has been transferred in violation of the Act. Agencies should condition the close of escrow on passage of the 30-day window during which HCD could issue a notice of violation and, assuming receipt of a notice of violation from HCD, the 60-day window to either cure or correct the alleged violation. Agencies should also account for possible cancellation of escrow and the sale if the alleged violation is not curable or feasibly correctable, whether due to time or expense.

Of note, the Act states that funds used to pay these penalties may *not* come from funds already dedicated to affordable housing, implying that such money may, for some agencies, have to come from the agency's general fund. The agency must spend those penalty moneys to construct affordable housing within five years, or the funds will revert to the state, to be used for those same affordable housing purposes.

Starting Jan. 1, HCD is also required to make educational resources available informing public agencies of their obligations under the Act. HCD issued [draft Surplus Land Act Guidelines](#) in November, and is scheduled to release Final Guidelines sometime after Jan. 1.

Disclaimer: BB&K Legal Alerts are not intended as legal advice. Additional facts,

Bipartisan \$908 Billion U.S. Senate COVID-19 Relief Proposal Includes Special Districts

A bipartisan group of U.S. Senators announced Monday afternoon their emergency



\$908 billion COVID-19 relief legislation, which includes up to a five percent state set-aside in state/local government relief for special districts.

The two-part legislative package is based on framework the group released two weeks ago. The proposal includes a \$748 billion bill for a variety of COVID-19 response programs, which is formally drafted as the “Bipartisan COVID-19 Emergency Relief Act of 2020.” A separate, more contentious \$160 billion draft bill for state/local government relief, titled the “Bipartisan State and Local Support and Small Business Protections Act,” is tied to COVID-19 liability protections for businesses. An agreement is yet to be reached.

How the “Coronavirus Local Community Stabilization Fund” Would be Divided

The state/local relief proposal would establish a Coronavirus Local Community Stabilization Fund with \$8 billion reserved for tribes. The remaining \$152 billion would be handled as follows:

- S. Treasury would allocate funding to states based on a formula: Two-thirds distributed based on state revenue losses and one-third based on states’ proportion of the nation’s population.
 - Regardless, states will be allowed a minimum of \$500 million.
 - There is no cap on how much a single state may receive, subject to overall appropriation limits.
 - States will not be allowed to use any relief monies to boost pension funds.
- States would use 60 percent of monies received under this program for their own use.
 - **Up to 5 percent of the states’ portion would be allocated to “special-purpose public entities in the state that perform essential public health and safety functions related to the COVID-19 pandemic.”**
- Governors would distribute the remaining 40 percent of their states’ total allocation to counties and cities (20 percent to counties, 20 percent to municipalities) based on:
 - Localities’ proportion of the state population
 - Localities’ proportion of overall revenue loss
 - A combination of both the above, consistently executed across the state. This is aimed to

ensure no region within a state is disproportionately benefited or short-changed.

NOTE: Regarding the Meaning of Entities Providing “health and safety functions”

CSDA is engaged with its National Special District Coalition partners, national HR 7073/S. 4308 support coalition members, and congressional and regulatory stakeholders to seek clarification and additional guidance on the meaning of "health and safety functions." This remains uncertain at this moment. Any news on this particular part of the text will be shared as it develops.

How Much States Could Receive and Timeline of Distribution

Should the proposal become law, Treasury would distribute relief funds to states in three phases. The timeline:

- **Within 30 days of the bill becoming law:** the full one-third population-based state allocations would be made. A second disbursement based on state tax revenue losses in the second and third quarters of 2020 compared to the same quarters in 2019 would also be determined. The U.S. Census Bureau’s *Quarterly Summary of State and Local Tax Revenue* will guide revenue loss payment amounts. A 1.48 multiplier would be applied to the census figures. Adjustments would be made to a state’s allocation depending on how much it spent to meet non-federal cost share requirements of FEMA’s Pandemic Public Assistance program and whether the state had made adjustments to its tax law. Overall disbursements could total \$90 billion in this first phase.
- **No later than June 1, 2021:** a second round of revenue loss-based disbursements would be made using the first phase’s methodology but would be determined by comparing revenue figures from the fourth quarters of 2019 and 2020 plus the difference between the first quarters of 2020 and 2021. Funding would be capped at \$142 billion of the overall program appropriations to ensure funding for one final round of \$10 billion to states, which would be determined using data for the second quarter in 2021 *that the Census Bureau would release by September 1, 2021.*

The deadline to expend Coronavirus Relief Fund monies would also be extended to December 31, 2021. The current deadline under the CARES Act is December 30, 2020.

[Click here to read the state/local relief + liability protection proposal.](#)

The Political Context and Likelihood of Passage

Lawmakers involved in the negotiations point directly to disagreements on liability protection as the reason for the split in the proposals, leading to some pessimism on whether state/local relief funding will be included with any legislation that moves prior to the end of the year. This, as Congress faces a Friday deadline to pass a \$1.4 trillion omnibus Fiscal Year 2021 appropriations bill – legislation to which both House Speaker Nancy Pelosi, D-Calif., and Senate Majority Leader Mitch McConnell, R-Ky., have said they would like to see COVID relief attached. McConnell still has not stated a support position for the \$908 billion legislation.

Prospects are Better for the Larger \$748 Billion Emergency Response Bill

The bipartisan group set aside more agreeable policies in a separate bill, which may move at a faster pace than state/local relief.

Relevant highlights of the \$748 billion emergency response package:

- 16-week extension of enhanced pandemic unemployment assistance at \$300 per person. Current enhanced pandemic assistance expires on December 26.
- \$300 billion in additional Paycheck Protection Program (PPP) funding, which would include expanding program eligibility to 501(c)(6) organizations.
- \$45 billion for airlines, airports, bus transit, Amtrak and other public transit entities.
- \$35 billion for the **Healthcare Provider Relief Fund**.
- \$25 billion in rental assistance, used from the Coronavirus Relief Fund, along with a one-month eviction moratorium extension.
- \$16 billion for COVID-19 testing, tracing, vaccine development and delivery.
- \$12 billion for economic assistance to low-income and minority communities in response to economic impacts stemming from the pandemic.
- 15 percent increase in Supplemental Nutrition Assistance Program (SNAP/food stamps) benefits for four months.
- An undetermined amount of funds for U.S. Department of Agriculture Rural Development water and wastewater programs.

[Click here](#) for a full summary of programs and funding levels included in the larger bill.

This bipartisan effort will continue to develop throughout the week. CSDA continues to engage with its national support coalition partners and all involved members of each congressional delegation. More information will be posted on [CSDA's Advocacy News](#) and [COVID-19 community forums](#). Contact Cole Karr at colek@csda.net for more information.

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PUBLIC SAFETY

Bicyclist struck, killed on SR-76 in Bonsall; trucker suspected of DUI

Authorities identified the victim as a 58-year-old Oceanside man; the driver who was arrested was a 57-year-old Los Angeles County resident

By ALEX RIGGINS, DAVID HERNANDEZ

DEC. 15, 2020 | 11:57 AM



BONSALL — A big rig struck and killed a bicyclist Tuesday morning on state Route 76 in Bonsall, and investigators later arrested the trucker on suspicion of driving under the influence of a drug, authorities said.

The deadly crash happened about 10:15 a.m. on the highway west of North River Road, according to California Highway Patrol Officer Mark Latulippe.

The victim, a 58-year-old Oceanside man, was riding a KHS road bike in an eastbound bicycle lane when he was struck from behind by an eastbound Freightliner big rig towing a box trailer, Latulippe said.

The crash threw the victim onto the roadway, and he died at the scene, according to Latulippe and the North County Fire Protection District.

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Latulippe said the big rig initially left the scene, but the driver soon returned after finding a safe location to turn the truck around.

Investigators arrested the trucker, a 57-year-old resident of Santa Fe Springs in Los Angeles County, on suspicion of driving under the influence of a drug, Latulippe said. The officer did not specify what drug the driver was suspected of using.

One lane of eastbound SR-76 was blocked until 2 p.m. for the on-site investigation.

Updates:

8:10 PM, Dec. 15, 2020: *This story was updated with additional details about the victim, the arrest of the driver and circumstances of the crash.*

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Pickup truck driver at-large after hitting, killing woman in Fallbrook

CHP described the truck as an older pickup truck in a dark color that will likely have damage to the right front side.



Credit: Latulippe/CHP

Author: CBS News 8 Team
Published: 7:55 PM PST December 10, 2020
Updated: 8:59 PM PST December 10, 2020



FALLBROOK, Calif. — The California Highway Patrol is searching for a hit-and-run driver that struck and killed a 60-year-old woman on Thursday, December 10 at approximately 5:01 p.m.

According to CHP, a married couple was walking near the 2700 block of Gird Road in Fallbrook north of Laketree Drive.

"A pickup truck approached from the rear traveling northbound," said Mark Latulippe of the California Highway Patrol. "The truck left the roadway to the right onto the dirt shoulder and struck the female. The truck stopped at the scene momentarily and then fled continuing northbound on Gird Road."

North County Fire tried to save the woman, but she died. The woman's 60-year-old husband was not injured.

CHP described the truck as an older pickup truck in a dark color that will likely have damage to the right front side.

Traffic lanes were expected to be blocked in the area pending processing of the scene by the CHP and the county Medical Examiner's Office.

Anyone with information is asked to call (858) 637-3800.

North County Fire
@NorthCountyFire



@NorthCountyFire is on scene of a fatal accident in Fallbrook. This was a vehicle versus pedestrian. Gird Road and Laketree Drive will be blocked until the coroner arrives. Please use an alternate route.

5:35 PM · Dec 10, 2020



17 See North County Fire's other Tweets



Credit: CHP

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COVID-19 Vaccine: Who is Getting It First?

The novel coronavirus vaccine is expected to arrive in San Diego County soon.

Distribution of COVID-19 vaccine will be done in phases. The vaccine allocation was determined by the federal Advisory Committee on Immunization Practices (ACIP), which advises the Centers for Disease Control and Prevention (CDC) on the distribution of all vaccines.

Phase 1A, 1B and 1C:

The County is expected to get about 28,000 doses of a vaccine made by Pfizer in the next few days, after it receives emergency use authorization. Critical care health workers will be the first people to get it, followed by long-term care facility residents and employees. As other pharmaceutical companies receive emergency use authorization, more vaccines will arrive in the region.

The initial distribution will not be sufficient to vaccinate all people in these populations. However, the state anticipates the second round of vaccines to follow about three weeks after the first round.

If the ACIP approves the remaining recommendations, and once people in the first two groups in Phase 1A are vaccinated and more COVID-19 vaccine doses are available, they will go to essential workers (Phase 1B). These are people who work in education, food and agriculture, police officers, firefighters, correctional officers and transportation workers, among others.

After that, the priority will be to vaccinate adults with underlying medical conditions and people over the age of 65 because they are at higher risk of developing serious complications from COVID-19 (Phase 1C).

Phase 2:

Immunizations will then be available for children and young adults under the age of 30 and then for critical workers not included in Phase 1 or Phase 2.

Phase 3:

The final phase will be people of all ages who live in the United States.

The phases could be revised as the Advisory Committee on Immunization Practices determines if some groups are at higher risk from COVID-19 and therefore would need to be vaccinated sooner.

The CDC anticipates that by June of 2021, everyone wanting to get vaccinated against COVID-19 should be able to do so.

Is the COVID-19 Vaccine Safe?

The Pfizer vaccine coming to San Diego County is administered via two shots in the arm and research has shown that it's about 95% effective.

The vaccine is safe, but about 10% to 15% of people may have some side effects such as fever, fatigue, headache and muscle pain. These symptoms should go away on their own after a couple of days.

Once people in the United States start to get vaccinated, the CDC will expand its safety surveillance to make sure the vaccine is working as it should.

“This initial COVID-19 vaccine distribution will give us one more tool to try to slow the spread of the pandemic,” said Wilma Wooten, M.D., M.P.H., County public health officer. “However, it’s important that people continue practicing the recommendations we’ve given to prevent getting and spreading the virus until we have achieved herd immunity.”

ICU Capacity and Stay Home Order:

- The current ICU capacity for the Southern California region is now 9% and will be updated by the state daily.
- The [Regional Stay Home Order](#) is now in effect and prohibits gatherings of any size with people from other households and adds restrictions for multiple sectors.
- The order will last for at least three weeks or until the region’s ICU capacity meets or exceeds 15%. The order will be assessed by the state after the three-week period.

Community Setting Outbreaks:

- Six new community outbreaks were confirmed on Dec. 8: two in business settings, two daycare/preschool/childcare settings, one in a retail setting and one in a food/beverage processing setting.
- In the past seven days (Dec. 2. through Dec. 8), 67 community outbreaks were confirmed.
- The number of community outbreaks remains above the trigger of seven or more in seven days.
- A community setting outbreak is defined as three or more COVID-19 cases in a setting and in people of different households over the past 14 days.

Testing:

- 25,017 tests were reported to the County on Dec. 8, and the percentage of new laboratory-confirmed cases was 8%.
- The 14-day rolling average percentage of positive cases is 7.4%. Target is less than 8.0%.
- The 7-day, daily average of tests is 24,425.
- People at higher risk for COVID-19 who are with or without symptoms should be tested. People with any symptoms should get tested. Healthcare and essential workers should also get a test, as well as people who have had close contact to a positive case or live in communities that are being highly impacted. Those recently returned from travel, or who participated in holiday gatherings, are also urged to get tested.

Cases:

- 2,104 new cases were reported to the County on Dec 8. The region's total is now 97,549.
- 4,987 or 5.1% of all cases have required hospitalization.
- 1,090 or 1.1% of all cases and 21.9% of hospitalized cases had to be admitted to an intensive care unit.
- A [COVID-19 case rate map](#) shows how local cities and communities are being impacted by the virus.

Deaths:

- 15 new COVID-19 deaths were reported to the County on Dec. 8. The region's total is now 1,103.
- Eight women and seven men died between Dec. 2 and Dec. 8, and their ages ranged from late 50s to mid-90s.
- All had underlying medical conditions.

More Information:

The more detailed data summaries found on the [County's coronavirus-sd.com website](https://www.countyofsaniego.com/coronavirus-sd.com) are updated around 5 p.m. daily.



José A. Álvarez is a communications specialist with the County of San Diego Communications Office. [Contact](#)

County Under Red Flag Warning Due To Strong Santa Ana Winds

Added by Penny Douglas

[Skip to main content](#)

[X-Ray Technician Lives In RV To Keep Small-Town Hospital Afloat](#)



A red flag warning will remain in effect until 10 p.m. Tuesday in the mountains and valleys. A high wind warning will also be in effect through 4 p.m. in the mountains and valleys. (Shutterstock)

SAN DIEGO COUNTY, CA — San Diego County remained under a red flag warning Tuesday, as gusty Santa Ana winds and low humidity combined to raise the risk of wildfires in the mountains and inland valleys, and some utility customers had their power shut off as a precaution.

The warning will remain in effect until 10 p.m. Tuesday in the mountains and valleys. A high wind warning will also be in effect through 4 p.m. in the mountains and valleys.

Winds out of the east were expected to be between 30 to 40 mph, with gusts potentially reaching 60 mph in the mountains, according to the National Weather Service. The strongest winds will be along the

coastal slopes of the mountains into the inland valleys.

"Damaging winds will blow down trees and power lines," forecasters said. "Power outages are possible. Travel will be difficult, especially for high profile vehicles.

Humidity levels will drop to around 10 percent, with poor recovery expected overnight.

"Any fires that develop will spread rapidly," forecasters said. "Outdoor burning should be avoided."

On Sunday, San Diego Gas & Electric warned that 50,483 customers in eastern San Diego County could face [public safety power shutoffs](#) from Monday night through Wednesday, depending on the severity of the wind and potential for damage to power lines.

As of Tuesday morning, 15,441 customers were without power, with another 35,042 facing potential shutoffs.

"We recognize how frustrating these conditions and the impacts they have on the service we provide are," the utility said in a statement. "While the last thing any of us at SDG&E want to be telling our customers right now is that we may have to shut off power, catastrophic wildfires have become all too common in California and there's nothing more important to us than your safety and that of our employees."

SDG&E opened drive-thru [community resource centers](#) in Descanso, Julian, Potrero, Ramona, Valley Center and Warner Springs. The centers will be open from 8 a.m. to 10 p.m. and offer access to water, ice, snacks, Wi-Fi, phone and medical device charging, water trucks for livestock and up-to-date information on outages.

Due to possible power outages in the community, schools in Alpine Union School District, Valley Center-Pauma Unified School District and Warner Unified School District were closed Tuesday.

According to the San Diego County Office of Education, Mountain Empire Unified School District schools planned to offer asynchronous learning, where students could work independently and read, watch pre-recorded lessons or do assignments, projects or online activities where power was available.

"School district leadership and the San Diego County Office of Education will continue to monitor the situation and consult with local fire and utility representatives," said Music Watson, a spokesperson for the county's office of education.

The rules of replying:

- **Be respectful.** This is a space for friendly local discussions. No racist, discriminatory, vulgar or threatening language will be tolerated.
- **Be transparent.** Use your real name, and back up your claims.
- **Keep it local and relevant.** Make sure your replies stay on topic.
- Review the [Patch Community Guidelines](#).

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GoFundMe Account Set for Horse-Rescue Family Who Lost Home in Fallbrook Fire

POSTED BY CHRIS JENNEWAIN ON DECEMBER 5, 2020 IN CRIME | 410 VIEWS | 0 COMMENTS | LEAVE A COMMENT

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The remains of the Wylie family's home in Fallbrook. Image from GoFundMe page

Friends have set up a [GoFundMe account](#) for a Fallbrook family who lost everything in a pre-dawn fire that leveled their home and sparked a small brush fire in a rural neighborhood in north San Diego County.

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The fire was reported shortly after 4:30 a.m. Friday on the 40300 block of Sandia Creek Drive in the De Luz area of Fallbrook, according to the [North County Fire Protection District](#).

The residents, Ron and Crystal Wylie and their daughter Kiersti, who operate the Sandia Creek Ranch Auxiliary Foundation for horse rescue, escaped unharmed although one of their cats died in the fire. But friends said they lost everything else.

"Their puppies made it out safely ... (and) thankfully none of the 60+ horses on the property were injured," friend Stephanie Unger said in the GoFundMe appeal. "But they lost everything in and around their home. There are no family pictures that survived. No memorabilia. Nothing. They do not know what insurance will cover, but it is believed

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What We Know About COVID-19 & Smoking/Vap

Many scientists and health professionals suggest that quitting smoking and vaping could help reduce coronavirus risks. [more here.](#)

"This is a family who loves people and animals alike. They would give the shirt off their backs to help somebody. They ... have devoted their lives to caring for horses and people. They also run a Pony Club Riding Center and work hard to educate people about horses and proper horse care and riding. They are strong advocates for horses and well respected in their community."

The residence was fully engulfed in flames and nearby brush and trees were ablaze when firefighters arrived, NCFPD PIO Capt. John Choi said.

It took about 90 minutes to subdue the structure fire, and the crews — including personnel from Cal Fire and nearby Camp Pendleton — had the roughly quarter-acre vegetation blaze extinguished about 20 minutes later, Choi said.

No firefighters or residents suffered any injuries, but Choi said the home was a complete loss.

The cause of the fire remains under investigation.

— City News Service

GOFUNDME ACCOUNT SET FOR HORSE-RESCUE FAMILY WHO LOST HOME IN FALLBROOK FIRE was last modified: December 6th, 2020 by Chris Jennewein

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Why the FDA leaving menthol out of the flavored cigarette ban has been tragic for Black communities.

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LATEST NEWS Stay-at-Home Order Looms for Southern California at Midnight Sunday **JOBS!** Search Thousands in San Diego

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Fire Levels Fallbrook Home; Residents Safe, But Dog and Cat Feared Dead

POSTED BY CHRIS JENNEWAIN ON DECEMBER 4, 2020 IN CRIME | 132 VIEWS | 0 COMMENTS | LEAVE A COMMENT

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A North County Fire Protection District ambulance. Courtesy of the district

A predawn blaze leveled a home and sparked a small brush fire Friday in a rural neighborhood in the far northern reaches of San Diego County.

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Become a supporter

The residents of the house in the 40300 block of Sandia Creek Drive in the De Luz area of Fallbrook were able to safely escape when the blaze erupted shortly after 4:30 a.m., according to the [North County Fire Protection District](#).

Firefighters arrived to find the residence fully engulfed in flames and nearby brush and trees ablaze, said NCFPD PIO Capt. John Choi.

It took about 90 minutes to subdue the structure fire, and the crews — including personnel from Cal Fire and nearby Camp Pendleton — had the roughly quarter-acre vegetation blaze extinguished about 20 minutes later, Choi said.

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40300 Sandia Creek Dr
40300 Sandia Creek Dr, Fallbrook, CA
92028

Directions

[View larger map](#)

40300 Sandia
Creek Drive



De Luz
Heights

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RMap data ©2020

No firefighters or residents suffered any injuries, but a dog and cat owned by the displaced family remained unaccounted for and feared dead at midafternoon.

The home was a complete loss, Choi said.

The cause of the fire was under investigation.

Deputies and neighbors helped evacuate about 50 horses from the property, said sheriff's Lt. Pat McEvoy.

Updated at 2:52 p.m. Dec. 4, 2020

— *City News Service*

FIRE LEVELS FALLBROOK HOME; RESIDENTS SAFE, BUT DOG AND CAT FEARED DEAD was last modified: December 4th, 2020 by Chris Jennewein

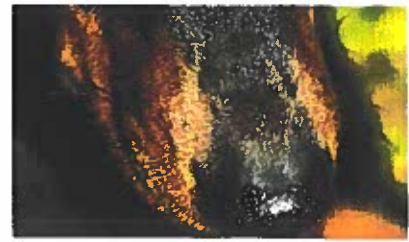
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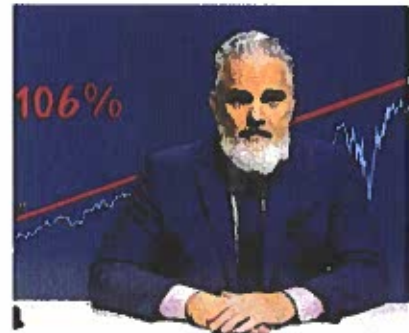
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Fire Guts Fallbrook Home, Sparks Small Brush Fire

Mark Konkol, Patch Staff

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Firefighters arrived to find the residence fully engulfed in flames and nearby brush and trees ablaze, NCFPD PIO Capt. John Choi said. (Shutterstock)

FALLBROOK, CA — A predawn blaze leveled a home and sparked a small brush fire Friday in a rural neighborhood in the far northern reaches of San Diego County.

The residents of the house in the 40300 block of Sandia Creek Drive in the De Luz area of Fallbrook were able to safely escape when the blaze erupted shortly after 4:30 a.m., according to the North County Fire Protection District.

Firefighters arrived to find the residence fully engulfed in flames and nearby brush and trees ablaze, NCFPD PIO Capt. John Choi said.

It took about 90 minutes to subdue the structure fire, and the crews — including personnel from Cal Fire and nearby Camp Pendleton — had the roughly quarter-acre vegetation blaze extinguished about 20 minutes later, Choi said.

No firefighters or residents suffered any injuries, but a dog and cat owned by the displaced family remained unaccounted for and feared dead at mid-afternoon.

The home was a complete loss, Choi said.

The cause of the fire was under investigation.

— *City News Service*

[Oceanside-Camp Pendleton, CA|News|10m](#)

Joe Biden Could Lose Black America By Hiring This Guy

COMMENTARY: There's not enough cash in the federal treasury to get over the gut feeling that this former Chicago mayor is bad for America.



**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: JANUARY 26, 2021
SUBJECT: COMMENTS, REPORTS AND UPDATES

● **STAFF COMMENTS/REPORTS/UPDATES:**

● **STEPHEN ABBOTT, FIRE CHIEF/CEO:**

● **CHIEF OFFICERS & STAFF:**

● **BOARD:**

● **BARGAINING GROUPS:**

● **PUBLIC COMMENT:**

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**NORTH COUNTY FIRE
PROTECTION DISTRICT
FIRE CHIEF/CEO**

TO: BOARD OF DIRECTORS
FROM: STEPHEN ABBOTT, FIRE CHIEF/CEO
DATE: JANUARY 26, 2021
SUBJECT: CLOSED SESSION

CS-1. ANNOUNCEMENT — PRESIDENT VAN DOORN:

- An announcement regarding the items to be discussed in Closed Session will be made prior to the commencement of Closed Session.

CS-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR — GOVERNMENT CODE § 54956.8 — CHIEF ABBOTT:

- PROPERTY LOCATION: 4157 Olive Hill Road, Fallbrook, CA 92028;
PARTIES: North County Fire Protection District (Seller);
UNDER NEGOTIATION: Terms of Purchase;
DISTRICT NEGOTIATORS: Chief Abbott, District Counsel James

CS-3. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — MANAGEMENT GROUP NEGOTIATIONS – CHIEF ABBOTT:

- NCFPD MANAGEMENT GROUP DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner

CS-4. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — NON-SAFETY GROUP NEGOTIATIONS – CHIEF ABBOTT:

- FFA NON-SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner

CS-5. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE § 54957.6 — SAFETY GROUP NEGOTIATIONS – CHIEF ABBOTT:

- FFA SAFETY GROUP NEGOTIATORS DISTRICT NEGOTIATORS:
CHIEF ABBOTT, DISTRICT COUNSEL JAMES, Special Counsel Berliner

CS-6. REPORT FROM CLOSED SESSION — PRESIDENT VAN DOORN

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