

APPLE VALLEY FIRE PROTECTION DISTRICT

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MINUTES OF REGULAR MEETING BOARD OF DIRECTORS

September 19, 2017

1.0 CALL TO ORDER: President Leary 6:03 PM

2.0 PLEDGE OF ALLEGIANCE: Director Tinsley

3.0 ROLL CALL:

Present: Vice President Jeffs, Director Karen, President Leary, Director Tinsley

Absent: Director Savage

4.0 SPECIAL ANNOUNCEMENTS/PRESENTATIONS:

.01 Promotion of Engineer/Paramedic Matt Dowland to Captain Paramedic. Chief Pambianco called Captain Matt Dowland forward introducing his wife Kelly and his daughter Berlynn who would be pinning his badge. The Fire Chief went on to review Captain Dowland's career path with the District which began in 1998 when Matt began with the Fire Explorer post. He went on to list the programs Matt oversees such as fire hoses, the SCBA program, and the management of the surplus sales. Adding that Captain Dowland has received the Employee of the Quarter Award twice, Chief Pambianco proceeded to the badge pinning with Mrs. Dowland and their daughter Berlynn.

.02 Employee of the Quarter Award Third Quarter – Scotten Young. Remarking on the privilege it is to work with individuals like Captain Dowland and Engineer Young, Chief Pambianco introduced Engineer Scotten Young and called him to the front of the room. The Fire Chief stated that Scotten was nominated for Employee of the Quarter by one of the District's new probationary firefighters. In the nomination the firefighter noted that Engineer Young is a good role model, is never too busy to help, reviews calls with the firefighter for improvement, and assists with Station cleaning pointing out Engineer Young's commitment to taking care of District property as well as assisting co-workers.

Chief Pambianco added that along with Engineer Dowland, Scotten also has had a long career with Apple Valley Fire having started in June 2006 as a Staff Assistant, promoting to Limited Term Firefighter, full time Firefighter Paramedic and recently promoted to Engineer Paramedic in July 2017. The Chief congratulated Scotten and presented him with his award.

5.0 PUBLIC COMMENT: None.

6.0 DIRECTORS' RESPONSE TO PUBLIC COMMENT: None.

7.0 CONSENT AGENDA: President Leary asked if anyone had any questions regarding the Consent Agenda or wanted to pull any items. There was no further discussion.

.01 Personnel Report for July & August 2017

.02 Operations Reports for July & August 2017

.03 Community Risk Reduction Report for July & August 2017

.04 Fleet Services Program Report for July & August 2017

.05 Fiscal Report for July & August 2017: July & August 2017 Check Register

M/S Tinsley/Karen to approve the Consent Agenda as presented. Motion carried by unanimous voice vote of Board members present.

8.0 APPROVAL OF MINUTES:

.01 Minutes of Regular Meeting of July 18, 2017. M/S Tinsley/Jeffs to approve minutes of the July 18, 2017 regular board meeting. Motion carried by unanimous voice vote of Board members present.

9.0 CORRESPONDENCE: President Leary referenced the very nice letter received from Mariposa County regarding Apple Valley Fire's Strike Team service during the fires in Yosemite.

10.0 INFORMATION & DISCUSSION ITEMS:

.01 Information Only Items: None.

.02 Discussion Items: None.

11.0 BOARD COMMITTEE REPORTS:

.01 Budget and Finance Committee. President Leary announced that the Finance Committee had recently met. He went on to brief that when the Finance Committee had met in June the Committee had serious concerns about where the District's finances stood. Remarking that after several meetings both he and Vice President Jeffs had attended regarding the budget, they are much more comfortable and confident in the budget.

Acknowledging the work, time and efforts of the Fire Chief and Finance Officer Milson with the budget, President Leary reported that they were able to answer every one of their questions and concerns in the budget meeting. He remarked that it was probably noticeable from the (Committee's) tone at the June Board meeting their serious concerns about the District's finances. While Measure A had passed looking at the numbers at that point had created serious concerns and questions that resulted in the Board directing the spending freeze. President Leary concluded his remarks by re-emphasizing that the Finance Committee was very confident with the budget numbers now stating they will continue monitoring the numbers in the coming months.

.02 Personnel Policy Committee. President Leary noted that the committee had met and reviewed Personnel Policy P-5 which is the minimum qualifications policy. He went on to list that he, Vice President Jeffs, Chief Pambianco, Chief Peratt, Captain Qualls and ASM Garrison had all attended the meeting. Pointing out that the Committee had reviewed the entire policy and made several changes, he felt the policy might need further review. Mr. Leary concluded his comments by explaining that the final draft of the policy may not be ready by the October Board meeting and the Board will either adopt a new policy or they may extend the amended policy until a final draft of P-5 can be put to the Board for adoption.

12.0 APPROVAL OF REPORTS: None.

13.0 PUBLIC HEARINGS: None.

14.0 ACTION ITEMS:

.01 BBK Legal Services Contract. President Leary announced the action item and asked the Fire Chief if he had further comment. Chief Pambianco stated that the Fire District has been with BBK (Best, Best and Krieger) law firm for quite some time and the hourly rate charged by the firm had remained the same over numerous years. He explained that BBK is requesting \$240 per hour as the new basic rate noting this pricing is still a good deal for the Fire District.

Chief Pambianco went on to say that Staff feels it would be prudent to stay with this firm and that the increased hourly rate amount had been included in the budget based on an average of past years of legal services. Noting that Staff had used 100 hours for the budget, President Leary asked what the 100 hours average was based on. Staff explained that in FY 2015/2016 the need for BBK's services was less than FY 2016/2017 due to the increased use of legal services in 2016/17 due to the special tax measure reiterating that Staff felt 100 hours was a good estimate for the current fiscal (2017/2018) year.

President Leary asked if the current year budget will cover 100 hours at the new basic rate when 2016/2017 was so high. Chief Pambianco explained that the District does not feel there will be the same need for legal services with the special tax measure completed and that District Staff intends to stay within the 100 hours.

President Leary went on to ask if there were any estimates gathered from other law firms and if not would BBK keep this rate on the table while the Fire District put out for RFP. The Fire Chief stated that no, there are no other estimates at this time and that BBK has said they can no longer work for us at the old rate of \$140 per hour. President Leary asked if the agreement is not approved tonight and the District

decided to go out for RFP to see what other firms can do for us, will BBK keep continue to work for us at the new basic rate. ASM Garrison explained that BBK has asked for this rate to be retroactive to July 1, 2017 and if the agreement is not approved BB&K will more than likely withdraw from representing the District. Vice President Jeffs added that if the District is happy with the services provided by BBK that from a business standpoint the new rate is still a great deal. President Leary asked if the Board approved the contract that night but wanted to go out for RFP at a later date would that be something the District could do under this agreement. Fire Chief Pambianco said yes, the District could do that. There was no further discussion. M/S Karen/Tinsley to approve the new legal services agreement with BB&K. Motion carried by unanimous roll call vote of the Board members present.

- .02 Medic Brush Patrol 337 Repair: Once again announcing the action item, President Leary asked Chief Pambianco for further comment.

Chief Pambianco brought to the Board's attention the three bids provided in the Board Packet for the repair of the Brush Patrol. He explained that one bid was a local business, one was located in San Jacinto and a third bid received did not meet the repair criteria as requested. As noted in the Staff Report, Chief Pambianco told the Board that the local business, G&M Automotive, was being recommended by Staff for the bid award.

In the follow up discussion, Director Tinsley noted that he liked the idea that the District would use a local business if G&M was approved. President Leary called on FSM Ryan in the audience and asked for clarification regarding the two-year warranty to which Mr. Ryan responded that the two-year warranty was standard for all the engines. Vice President Jeffs asked if the vehicle was one of the apparatus that was on the list for replacement. FSM Ryan said it was not and gave additional information on the brush patrol and why it was more cost effective to repair it as opposed to replacing it explaining new similar vehicle would cost around \$250,000 concluding his remarks by saying District Staff feels comfortable spending the money to fix it.

Vice President Jeffs asked if it was a JASPER engine being replaced. FSM Ryan answered that the G&M motor is a JASPER engine. There was further discussion between the Board and FSM Ryan regarding the engine repair (JASPER 6.0L studed diesel engine) and the aftermarket external oil cooler. Vice President Jeffs asked if there had been a bid received from Amling Automotive, a local repair shop he had used for his personal business in the past. Staff responded that they had not asked Amling Automotive for a bid. Vice President Jeffs added that he had some similar repairs done and the pricing was lower than the G&M quote so it may be prudent to ask for another bid. Director Karen asked how pressing the need for the apparatus is. Chief Pambianco explained that it is an essential firefighting piece of apparatus as it has pumping capabilities that the current piece of equipment being utilized does not. Director Tinsley asked if the Fire District had a history with G&M Towing noting it is a good thing to have an established relationship with a company as opposed to working with an unknown company for a major repair. FSM Ryan responded the District has used G&M numerous times for towing and added that they have always been a good vendor for the District. After some further discussion it was decided that the Fire District would request a quote from Amling Automotive using the same parameters and requirements of the current bids and that the Board was directing Staff to award the bid to the company with the lower bid; G&M or Amling Automotive. M/S Leary/Tinsley to approve awarding the bid for the engine repair to the Brush Patrol to the lower of two bids between G&M Automotive and Amling Automotive making sure both bids meet the same repair criteria. Motion carried by unanimous roll call vote of the Board members present.

- .03 Capital Improvement Fund Distribution: President Leary briefed that the Board must approve all Capital Improvement Expenditures. He added that there were three items brought before the Board for approval: the Brush Patrol repair covered in the previous Action Item; the District's computer server replacement in the amount of \$18,000; and the payment of invoices to Conco Construction for the completed drive-through gate construction at FS 336 in the amount of \$22,580. M/S Karen/Tinsley to approve recommendations for Capital Improvement Fund distribution. Motion carried by unanimous roll call vote of the Board members present.

- .04 Final Budget for Fiscal Year 2017-2018: President Leary noted that the budget had been discussed during Staff Committee Reports and called upon Finance Officer Milson for additional comment. Finance Officer Milson stated that the budget had been an effort that most of the District personnel had been a part of including the Fire Chief, Battalion Chiefs and Program Managers. She added that she feels this is a good budget and that she and the Fire Chief had taken the advice and suggestions from the Finance Committee and implemented changes based on their direction. President Leary then called Finance Officer Milson forward to give her presentation and briefing on the FY 2017/2018 budget.

Ms. Milson proceeded to give a power point presentation briefing the Board on the highlights of the Budget. Ms. Milson listed the following items as the main changes between the FY 2016/2017 budget and the FY 2017/2018 budget:

- a. Property Tax revenues will increase due to Measure A funding;
- b. Staffing expenses will increase due to Measure A hires staffing two reopened stations;
- c. Administrative costs will have a slight increase;
- d. Special Department expenses will be reduced because in 2016/2017 there were costs for the Active Shooter program which will not be repeated in 2017/2018
- e. Legal expenses are expected to be lower due which were higher in 2016/2017 due to the special tax measure which will not be needed this year
- f. Debt services utilized in 2016/2017 to pay off two engines will not be repeated in 2017/2018

FO Milson concluded her presentation by noting that she had been conservative with the budget and was happy with the outcome.

President Leary thanked Finance Officer Milson for her presentation. He pointed out that the tone with this budget at this Board meeting is different than the tone in June. He commented that the biggest concern in June was the 20-year projection numbers and then seeing the revenue projected was less than expected when looking at staffing and expenses. If those numbers had been true, within five years the District would be looking at a layoff situation. The Finance Committee, Fire Chief and FO Milson went back over all the numbers after the June meeting to figure out where the misassumptions were. President Leary pointed out that neither Chief Pambianco nor FO Milson were working for the District when the calculations for Measure A were being done so they had to dig in and review the numbers. He reiterated his appreciation for the hard work put into the budget adding that the Finance Committee, Fire Chief and Ms. Milson are all very happy with where the budget stands now. Director Tinsley added his thanks to the group and commended them on a good job. M/S Jeffs/Karen to approve Final Budget for Fiscal Year 2017/2018. Motion carried by unanimous roll call vote of the Board members present.

- .05 Request for Proposal for District Audit Services: Fire Chief Pambianco reported that the Fire District's previous auditor had moved out of the area and Finance Officer Milson had researched a replacement by preparing a Request for Proposal (RFP). Briefing that Ms. Milson had vetted several firms the Fire Chief said Staff was recommending Van Lant & Fankhanel, LLP with several favorable references that Ms. Milson had personally contacted. Vice President Jeffs acknowledged the favorable references and there was no further discussion. M/S Jeffs/Tinsley to approve and select Van Lant & Fankhanel, LLP as District Auditor. Motion carried by unanimous roll call vote of the Board members present.

15.0 STAFF COMMENTS:

.01 Fire Chief Pambianco:

- a. Thanked the Board for the opportunity to serve as Interim Fire Chief.
- b. Thanked everyone for their hard work in assisting him and FO Milson with the budget.
- c. Expressed his gratitude for the warm welcome he had received from all personnel.
- d. Stated he is looking forward to continuing to serve the Fire District until a permanent Fire Chief is selected.

16.0 DIRECTORS' COMMENTS:

.01 Director Karen:

- a. Congratulated Captain Dowland and Engineer/Paramedic Young.

- b. Noted his appreciation for everyone's hard work adding that the work put in makes the Board's job easier.

.02 Director Tinsley:

- a. Agreed with all Director Karen's comments.
- b. Announced that tomorrow is the Chamber Lunch and he would like the Chamber lunch date added to the District's monthly calendar.

.03 Vice President Jeffs:

- a. Congratulated Captain Dowland and Engineer/Paramedic Young.
- b. Echoed previous Director's comments regarding appreciation for everyone's hard work.
- c. Noted that we thought it would be easier after passing Measure A but it got harder but in a good way.
- d. Welcomed Interim Chief Pambianco and thanked him and Finance Officer Milson for putting the District on the right course financially.

.04 President Leary:

- a. Congratulated the individuals responsible for finding the Interim Chief noting how refreshing it is to have someone come in and look at problems and then find solutions.
- b. Expressed his appreciation to everyone for pitching in during this transition time.
- c. Remarked that he hopes everyone understands at this point why the Board was so conservative with the budget.
- d. Thanked Finance Officer Milson for all her work on the budget.

17.0 CLOSED SESSION:

- .01 Public Employee Fire Chief Recruitment (Gov't Code §54957(b))
District Representative: Doug Qualls

- .02 Personnel matters relating to the appointment, performance or discipline of public employees. (Gov't Code §54957(b)).
District Representative: Interim Fire Chief Pambianco

M/S/P Jeffs/Tinsley to adjourn to closed session at 6:55 PM.

The Board returned into Open Session at 8:10 PM.


18.0 REPORT ON CLOSED SESSION: None.

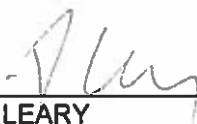
19.0 FUTURE AGENDA ITEMS:

- .01 Personnel Policy P-5 to be extended or approved at the next Board Meeting.

20.0 ADJOURNMENT: The meeting was adjourned at 8:12 PM M/S/P Tinsley/Karen.

ATTEST:


KIMBERLY LOPEZ
Recording Secretary


DAN LEARY
President