

## MINUTES

*Regular Board Meeting*

*June 8, 2021*

*5:30 p.m.*

*Location: Remote Via Zoom*

### **Board of Directors**

*Nicole Johnson (Division 2) - President, Randy Mendosa (Division 3) - Vice-President,*

*Blaine Maynor (Division 1) - Director, Elena David (Division 4) - Director*

*David Rosen (Division 5) - Director*

### **1. CALL TO ORDER**

The regular session of the Board of Directors for the Arcata Fire District was called to order by President Nicole Johnson at 5:30 pm.

### **2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance has been suspended during Shelter in Place.

### **3. ATTENDANCE AND DETERMINATION OF A QUORUM**

The meeting continued with a quorum and the following were present remotely via zoom: President Nicole Johnson, Vice President Randy Mendosa, Director Blaine Maynor, and Director David Rosen. Director Elena David was absent.

Additional District administrative staff included Fire Chief Justin McDonald, Battalion Chief Sean Campbell, and Board Secretary Becky Schuette.

### **4. APPROVAL OF AGENDA**

Prior to a motion, the Board Secretary pointed out an error in the title and staff note for item 9. Although the Resolution number was correct on the Attachment Resolution, it was listed incorrectly as 20-240 instead of 21-240 in both the title on the agenda and on the staff note.

Director Rosen asked about item 9.1 not being a closed session topic as the purchase of real property. His understanding was that the resolution was to purchase. President Johnson explained that the topic was to engage with a company to determine if the District should purchase. Following further discussion and clarification, Director Rosen deferred to further information when the item was called later in the meeting.

It was moved to approve the agenda with the corrected Resolution number.

**Motion:** Mendosa; Second: Maynor

**Roll Call: Ayes;** Maynor, Mendosa, and Johnson. **Nays:** Rosen. **Absent;** David  
Motion Carries

### **5. PUBLIC COMMENT**

There were no public comments.

### **6. CONSENT CALENDAR**

**6.1** Minutes from May 11, 2021, Regular Meeting

**6.2** May 2021 Financial Report

**6.3** Adoption of Resolution 21-238 Accepting the Fiscal Year 2021-22 Appropriations Limit for the Arcata Fire District

**6.4** Adoption of Resolution 21-239 Setting the Per Unit at \$22 for the 2006 Benefit Assessment for Fiscal Year 2021-22

**6.5** Adopt the Final Draft of the Revised Board Policy Manual

Director Rosen requested item 6.3 pulled for questions.

There were no board or public comments for the remainder of the consent calendar.

It was moved to approve the consent calendar except for item 6.3.

**Motion:** Rosen; Second: Mendosa

**Roll Call: Ayes;** Maynor, Mendosa, Rosen, and Johnson. **Absent;** David

Motion Carries

President Johnson read the title and attachments for item 6.3 and Director Rosen queried why the limit was being recommended and approved with the lower amount of the two options. Chief McDonald explained the recommendation by District counsel indicating that setting the limits at this time is procedural. With the passage of Measure F, it suspended the appropriations limit. Next June the District will retroactively set the appropriations limit based on the actual amount of tax collected.

It was moved to adopt Resolution 21-238 accepting the 2021-22 Appropriation Limit

**Motion:** Rosen; Second: Maynor

**Roll Call: Ayes;** Maynor, Mendosa, Rosen, and Johnson. **Absent;** David

Motion Carries

## **7. PUBLIC HEARING**

There was no public hearing.

## **8. OLD BUSINESS**

**8.1 Consider the Draft Preliminary Budget for Fiscal Year 2021-22:** Chief McDonald reviewed his staff note and the budget aloud, indicating that the future budget is simply a rollover budget at this point.

There were no comments from the Board or the public.

It was moved to:

1. Approve the Preliminary Budget for Fiscal Year 2021-22 as presented,
2. Set the Public Hearing for final adoption of the budget at the September 14, 2021, Board Meeting, and
3. Publish a notice pursuant to HSC § 13893.

**Motion:** Mendosa; Second: Rosen

**Roll Call: Ayes;** Maynor, Mendosa, Rosen, and Johnson. **Absent;** David

Motion Carries

## **9. NEW BUSINESS**

**9.1 Consider the Acquisition of the Arcata Fire Station and the Refinancing of the District's Outstanding CalPERS Unfunded Accrued Liability and Adopt Resolution 21-240 Appointing Financial Consultants:** Chief McDonald requested Cameron Weist from Weist Law LLP, clarify that the purpose of the presentation tonight is to explore the idea of the refinancing the UAL as well as the possibility of financing a purchase of the Arcata Station if it were to work out.

Prior to the presentation, there was a great deal of discussion regarding the scope of the Resolution, particularly as it related to financing the Arcata Station. A topic, which as pointed out by Director Rosen, had only been discussed as a rent increase, not an offer for sale.

Chief McDonald offered a point of order, requesting that the presentation at least be given for the Board to understand the purpose and discuss the retention of the firms for their services. The companies could not provide the Board with the necessary detailed analysis of the finance or refinance until they have been retained.

Point of Order by Chief that the presentation needs to happen so the Board can discuss if they will retain the services before a closed session can occur.

At this time, Cameron Weist reviewed the PowerPoint that was included in the Board Packet.

Lengthy discussion followed the presentation, with additional discussion about the intent of retaining the services of Weist Law and Cal Muni.

Chief McDonald suggested that for the purpose of this topic and this meeting, the two aspects of the resolution be separated. The Board should consider and vote on pursuing the refinance of the Unfunded Liability while tabling the topic of the Arcata Station financing.

There was an attempt at a motion by Director Mendosa, which required clarification and rewording. There was no second motion and the Chief suggested additional specific language, to be read from the Resolution directly.

Director Mendosa rescinded his motion and again made an attempt at the motion; however, he included the term "AFS" which was supposed to have been removed. This was pointed out and rather than rereading it, the Board Clerk, read the motion aloud.

It was moved to appoint California Municipal Advisors LLC as Municipal Advisor and Weist Law LLP as Bond Counsel and Disclosure Counsel in connection with the UAL Refinancing for the District. The Fire Chief is authorized and directed to execute agreements with both firms in the respective forms on file with the Secretary to the Board. The reference to the AFS and resolution will be stricken from the motion.

There was additional discussion about the cost of the contract and Mr. Weist explained that both companies involved were working on contingency and placement of the financing. No charge if there is no completion of the process.

The Chief suggested that the discussion could be continued to a Special Meeting to make the contracts available to the Board.

Director Mendosa advised that he was comfortable with his motion and there would likely be a special meeting anyway. Director Maynor seconded the motion.

The Board Clerk reread the motion one last time, prior to calling role.



**Motion:** Mendosa; Second: Maynor

**Roll Call: Ayes;** Maynor, Mendosa, and Johnson. **Nays;** Rosen. **Absent;** David  
Motion Carries

**9. 2 Consider Seeking a Request for Proposal to Modify the Master Contract with CPS HR for Recruitment and Promotional Services:** Chief McDonald reviewed his staff note aloud.

There was a query about the need for a second contract or if the existing one will suffice and Chief McDonald explained the contract would be modified, following an updated proposal from CPS HR.

There were no further comments from the Board or the public.

It was moved to direct staff to seek an RFP from CPSHR for recruitment and selection services.

**Motion:** Mendosa; Second: Maynor

**Roll Call: Ayes;** Maynor, Mendosa, Rosen, and Johnson. **Absent;** David  
Motion Carries

## **10. CORRESPONDENCE**

There was no correspondence for review.

## **11. MONTHLY ACTIVITY REPORTS**

**11.1 Chiefs Report** – Chief McDonald reviewed his staff report aloud. He expanded on the duties of the Inspector in locating sprinkled buildings and determining compliance. An additional comment was concerning the questions about Volunteer recruitment. Chief McDonald advised that we continue to receive queries about recruitment for volunteers and when it would resume. He explained to the Board that the public is being advised that the focus of the District at this time was on staffing the career firefighters so that the third station could be reopened. Volunteer recruitment would potentially proceed following the stabilization of the career staff.

**11.2 Committee Reports** – President Johnson and Mendosa reported on the rent committee meeting with the AVFA. Rent had been discussed, as had other options. Director Mendosa is requesting a special meeting on the topic, sooner rather than later. Determining whether or not the topic must be in closed session would be discussed with counsel and Chief McDonald will contact our attorney. President of the AVFA, Roy Willis also reported on the meeting, discussing the rent cost as it related to the loan amount. He added that the topic of the sale is still under consideration and since the building is so "rooted" in the association.

**11.3 Director Matters** – Director Mendosa offered a welcome to the five new recruits. Director Maynor asked about new residential buildings with sprinklers systems and inspections. The Chief explained that inspections to single family residences and related sprinklers is not required by code.

### **11.4 Bargaining Group & Association Reports**

Senior Management Group – Battalion Chief, Sean Campbell had nothing to report.

Local 4981 – Marcus Lillard, Vice President stated that the new recruits are 5 high-quality individuals, who fit in and will serve the public with high standards.

Arcata Volunteer Firefighters Association (AVFA) – President Roy Willis reviewed his report with no additions.

## **12. CLOSED SESSION**

**12.1** Conference with Labor Negotiator (Gov. Code Section 54957.6)

Agency designated representative: *Counsel Jack Hughes*

Employee Organization: *Local 4981*

**12.2** Conference with Labor Negotiator (Gov. Code Section 54957.6)

Agency designated representative: *Counsel Jack Hughes*

Employee Organization: *Senior Management Group*

President Johnson adjourned to closed session at 7:30 pm.

Jack Hughes was not on the zoom call. Chief requested a five-minute recess to try and contact him. The closed session resumed when Jack Hughes was on the call.

The meeting resumed at 7:59 pm.

Report out of closed session by President Johnson; the Board gave direction to the labor negotiator.

Prior to the motion to adjourn, Director Mendosa requested clarification on setting a special meeting tonight regarding the Arcata Station discussion. Since the Chief needed to contact counsel for information and the AFVA needed to meet and discuss things first, it was decided to wait on scheduling a closed session.

## **13. ADJOURNMENT**

Following a motion, President Johnson adjourned the meeting at 8:00 pm.

**Motion:** Maynor; **Second:** Mendosa

The next Regular Meeting is scheduled for **July 13, 2021, at 5:30 pm.**

Respectfully submitted,



Becky Schuette

Clerk of the Board