



# SCOTTS VALLEY FIRE PROTECTION DISTRICT

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## MINUTES OF THE SCOTTS VALLEY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS SPECIAL MEETING OF October 30, 2020

### Notice of Teleconferenced Meeting

Pursuant to Governor Newsom's Executive Order N-25-20 regarding COVID-19, members of the Scotts Valley Fire Protection District Board of Directors and staff participated in this meeting by teleconference. To reduce the spread of COVID-19, members of the public were encouraged to listen to the meeting from their homes via teleconference by calling +1 408-638-0968, enter the meeting number when prompted (94906103800) and entering Access Code 170772 or connecting to the meeting online via their computer, smart phone or tablet at the following link: <https://zoom.us/j/94906103800?pwd=TEVwaHYydGhraEJpWm9CVUIFU09mdz09>

#### 1. Call to Order

The Special Meeting of the Board of Directors of the Scotts Valley Fire Protection District (SVFPD) was held on Friday, October 30, 2020. President Pisciotta called the meeting to order at 2:05 p.m.

##### 1.1 Roll Call

A. Directors Present:	Directors Campbell, Harmon, Patterson and Pisciotta
B. Directors Absent:	Director Parker
C. Fire District Staff:	Chief Kovacs and Battalion Chief Whittle
D. Legal Counsel:	Spencer Davidson

#### 2. Public Comment (GC §54954.3)

None

#### 3. Agenda Amendments (GC §54954.2) – Discussion/Action

None

#### 4. Closed Session: Government Code §54957

##### 4.1 Conference with Legal Counsel – Existing Litigation (Government Code § 54965.9)

Name of Case: Green v. Scotts Valley Fire District

At 2:07 p.m., President Pisciotta announced that the Board would be going in to Closed Session for the purpose listed in Item 4.1.

#### 5. Open Session: Government Code §54957.1

##### 5.1 Report on Closed Session

At 2:42 p.m., the Board reconvened to open session and President Pisciotta reported that for Item 5.1, the Litigation with Green v. Scotts Valley Fire Protection District has been settled with a four Board vote and one Board Member not present as follows:

**On motion of Director Campbell seconded by Director Harmon to Accept the Settlement with Green v. Scotts Valley Fire Protection District as Presented by Legal Counsel was approved by the following vote:**

<b>AYES:</b>	<b>Campbell, Harmon, Patterson and Pisciotta</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Parker</b>
<b>ABSTAIN:</b>	<b>None</b>

**SCOTTS VALLEY FIRE PROTECTION DISTRICT  
Regular Board Meeting October 30, 2020**

**6. Action Items**

**6.1 Fire Chief CZU Op-Area Coordinator Pay, Discussion/Action**

Director Campbell reported that Chief Kovacs was the Operational Area Coordinator for the CZU Lightning Complex Fire. Based on the Fire Chief's Employment Contract, time assigned to Federal and/or State Emergency Incidents will be paid at the current straight time hourly rate only if the SVFPD receives reimbursement from the Federal or State agencies and will not exceed the actual amount received. Chief Kovacs discussed with the Finance Committee that he was compensated at his straight time hourly rate for the hours he worked beyond his normal work week before the SVFPD received reimbursement, which was not authorized by his Fire Chief Employment Contract. To correct this, Chief Kovacs requested his vacation payoff at retirement reduced by the amount he had been compensated for the additional hours worked on the CZU Lightning Complex Fire. Chief Kovacs would then wait to be compensated until after the SVFPD receives reimbursement and not to exceed the actual amount received, which may not be 100%. The Finance Committee discussed that with Chief Kovacs' retirement and since it may be quite some time before the reimbursement is received, the Board should discuss authorizing compensation for the additional hours worked on the CZU Lightning Complex. For the previous Fire Chief, the Board authorized compensation for additional hours he worked on a State Emergency Incident just prior to his retirement, which was also outside his Employment Contract and may have set precedence.

The Board discussed authorizing payment for the additional hours Chief Kovacs worked on the CZU Lightning Complex Fire so that he would not have to return the payment that he already received and then be paid at a later date, based on the reimbursement. Director Patterson added that even if the total reimbursement amount is not paid, the administrative and engine rental fees the SVFPD receives will cover the additional amount.

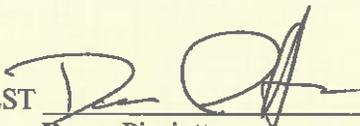
**On motion of Director Patterson seconded by Director Harmon to *Document through a Paper Trail that the Chief Retains his Compensation* was approved by the following vote:**

<b>AYES:</b>	<b>Campbell, Harmon, Patterson and Pisciotta</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Parker</b>
<b>ABSTAIN:</b>	<b>None</b>

**7. Adjournment**

The meeting was adjourned at 2:57 p.m.

ATTEST

  
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Daron Pisciotta  
Board President

  
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Ron Whittle  
Board Secretary