

REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
MONTECITO FIRE PROTECTION DISTRICT

Held at Fire District Headquarters, 595 San Ysidro Road, September 19, 2011.

The meeting was called to order by Director Jensen at 8:30 am.

Present: Director Jensen, Director Newquist and Director Venable. Chief Wallace and District Counsel M. Manion were also present.

1. Public comment:

There was no Public Comment

For Board Action:

2. Community Facilities District No. 2011 (Upper Hyde Road). Following a report on the current status of Upper Hyde Road, the Board of Directors will provide direction to District staff and consultants regarding proceeding with the construction and financing of the road improvements for Upper Hyde Road.

Mr. Manion reviewed the timeline of the process that the Board has gone through relating to the establishment of the Mello-Roos Community Services District (powerpoint attached). The Board invited those impacted by the formation of the CFD to inform the Board at this time so that the Board can make an informed decision regarding proceeding with the construction of Upper Hyde Road.

After hearing comments from the property owners on Upper Hyde Road, Mr. Manion explained that the East or West forks could be removed from the project description by having the property owners signing an agreement and having it recorded.

The Board unanimously approved a motion made by Director Newquist, seconded by Director Venable instructing District staff and consultants to move forward with all actions related to financing and constructing of Upper Hyde Road, including the East and West Forks, unless all the property owners served by the East and West Forks executed a document requesting that the District exclude the East Fork and/or the West Fork from the project.

3. Approval of Minutes of August 15, 2010 Regular Meeting.

Director Newquist asked that the minutes be changed, as he did not ask for the agenda item to consider the request from Montecito Firemen's Association to participate in recruitment and selection of future Board Members. Ms. Ventura indicated that they also need to be changed to indicate that Director Jensen called the meeting to order. The minutes were unanimously approved as corrected on a motion made by Director Newquist, seconded by Director Venable.

4. Approval of District warrants and claims.

After an explanation of payments made to Demsey Filliger and an explanation of fund 3652, the Board unanimously approved the warrants and claims for the month of August on a motion made by Director Newquist, seconded by Director Jensen.

5. Accept report from Demsey, Filliger & Associates regarding GASB 45 actuarial valuation of District's retiree health insurance program as of July 1, 2010.

Chief Wallace reviewed the report from Demsey, Filliger & Associates regarding GASB 45 actuarial valuation of District's retiree health insurance program.

On a motion by Director Newquist, seconded by Director Venable, the Board unanimously accepted the report from Demsey, Filliger & Associates regarding GASB 45 actuarial valuation of District's retiree health insurance program as of July 1, 2010.

6. Adopt Resolution 2011-13 Establishing Appropriation Limits for the 2010-2011 Fiscal Year.

On a motion by Director Jensen, seconded by Director Newquist, the Board unanimously approved Resolution 2011-13 Establishing Appropriation Limits for the 2010-2011 Fiscal Year by the following roll call vote:

Ayes: R. J. Jensen , J. Venable, D. Newquist
Noes: None
Absent: None

7. Adopt Resolution 2011- 14 Adopting the Final Budget for Fiscal Year 2010-11.

Chief Wallace reviewed the 2010-11 fiscal budget.

On a motion by Director Venable, seconded by Director Newquist, the Board unanimously approved Resolution 2011-13 Establishing Appropriation Limits for the 2010-2011 Fiscal Year by the following roll call vote:

Ayes: R. J. Jensen , J. Venable, D. Newquist
Noes: None
Absent: None

8. Increasing the District Board of Directors from Three Directors to Five Directors. Following a staff presentation and proposed timeline regarding increasing the Montecito Fire Protection District Board from 3 directors to 5 directors the Board of Directors will consider the following two resolutions:

- A. Resolution No. 2011-15 Placing the Question of Whether the District Board of Directors Should Increase From Three Directors to Five Directors on the Ballot For the General Election on November 6, 2012, and Calling for the Election of Two Additional Directors at the Same Election Pursuant to Health and Safety Code Section 13845.**
- B. Resolution No. 2011-16 Requesting the Board of Supervisors of the County of Santa Barbara to Authorize the Elections Official of the County Clerk-Recorder-Assessor's Office of Said County to Render Specified Services to the District Relating to the Conduct of a General Election of Said District on November 6, 2012, Pursuant to Elections Code Section 10002.**

Mr. Manion reviewed the proposed schedule and the steps necessary to create a 5 member board in 2012. He explained that there would be a total of 4 Board vacancies in 2012 if the measure is approved. To accommodate staggered terms, the top 3 vote getters in the election will be elected to 4 year terms and the 4th highest vote getter would serve a 2 year term.

On a motion made by Director Newquist, seconded by Director Venable, Resolution No. 2011-15 Placing the Question of Whether the District Board of Directors Should Increase From Three Directors to Five Directors on the Ballot For the General Election on November 6, 2012, and Calling for the Election of Two Additional Directors at the Same Election Pursuant to Health and Safety Code Section 13845 was approved by the following roll call vote:

Ayes: R. J. Jensen , J. Venable, D. Newquist
Noes: None
Absent: None

On a motion made by Director Newquist, seconded by Director Venable, Resolution No. 2011-16 Requesting the Board of Supervisors of the County of Santa Barbara to Authorize the Elections Official of the County Clerk-Recorder-Assessor's Office of Said County to Render Specified Services to the District Relating to the Conduct of a General Election of Said District on November 6, 2012, Pursuant to Elections Code Section 10002 was approved by the following roll call vote:

Ayes: R. J. Jensen , J. Venable, D. Newquist
Noes: None
Absent: None

9. Station 3. Update on conceptual proposed design for Station 3.

Ms. Naylor reviewed the newest conceptual design, which included moving the living quarters closer to the front. She advised that they will present what they have at the October 4th the land use committee.

Board took no action.

- 10. Combined agenda items: Consider request from Montecito Firemen's Association to participate in selection of Fire Chief and Consider request from Montecito Firemen's Association to participate in recruitment and selection of future Board Members.**

Scott Chapman announced that the Firemen's Association would like to be a part of the Board's selection of the Fire Chief. The Board voiced support for Firemen's Association participation in the future.

The Board took no action.

- 11. Consider sending letter to the County Board of Supervisors opposing the County Roads plan to close Mountain Drive at the Cold Spring creek crossing and Bella Vista Road at Romero creek crossing.**

Chief Wallace reviewed the County Road's plan to close Mountain Drive at the Cold Spring creek crossing and Bella Vista Road at Romero creek crossing, and advised that this affects not only the District's responses to emergencies, but it also affects the resident's egress for evacuation.

On a motion by Director Newquist, seconded by Director Jensen, the Board approved sending a letter to the County Board of Supervisors opposing the County Roads plan to close Mountain Drive at the Cold Spring creek crossing and Bella Vista Road at Romero creek crossing.

- 12. CLOSED SESSION – Public Employee Appointment (Government Code section 54957)**

Title: Fire Chief

- 13. CLOSED SESSION – Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a)).**

Name of Case: Rhonda Kauer Dalton, individually vs. Montecito Fire Protection District, a public agency; and DOES 1-10, inclusive, Santa Barbara Superior Court Case No. 1381564.

The Board combined closed sessions for Public Employee Appointment and Conference with Legal Counsel at 10:40 am. The Board reconvened at 11:10 am. District Counsel Mark Manion announced that there were no reportable actions taken by the Board during the closed sessions.

14. Report on Canon View.

Chief Wallace reported that he took a field trip with Mr. Hvolbøll and the District's geologist Steve Campbell to inspect the progress of Canon View slide area. He advised that they expect to complete work on landslide mediation at the end of next year.

The Board took no action.

15. Review FAIRA Insurance coverage.

Chief Wallace reviewed the FAIRA Insurance declaration page, and advised that FAIRA is a Joint Powers Authority operating out of San Francisco.

The Board took no action.

16. Fire Chief's report.

Chief Wallace reported on the Special District's Association meeting, LAFCO election process, SRA fee legislation, and the progress on establishing a full service tanker base in Santa Maria.

The Board took no action.

17. Board of Directors report.

Director Venable reported that CalPers will be providing quarterly updates to employees.

18. Requests from Directors for items other than regular agenda items to be included for the October 17, 2011 Regular Board meeting.

Director Newquist asked to add an update on the Employee housing management company, district policy, and performance.

Adjournment

Director Jensen adjourned the meeting at 11:25 am.