

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

Held at Fire District Headquarters, 595 San Ysidro Road, July 21, 2010.

The meeting was called to order by President Pro Temp Venable at 8:40 am.

Present: Chief Wallace, Director Venable, and Director Newquist, District Counsel E. Hvolboll, and T. Amspoker as well as approximately 20 members of the public were also present. Director Jensen was absent.

- 1. Public comment:** Ms. Friedman asked if the new fire engine purchased by the Fire District was smaller to accommodate narrow roads. She was advised that it was not a smaller engine.

For Board Action:

- 2. Report on status and consideration of Upper Hyde Road property owners' request for possible public financing method(s) for road improvements on Upper Hyde Road, and report from District counsel on negotiations with owner of DeSitter property regarding potential road easement; including report from homeowners.**

Ms. Collins reviewed the owners' report including the progress of building and permits, their proposed timeline, and the residents concern with inclusion of west fork into the Mello-Roos District.

Director Newquist suggested the installation of pump to augment fire apparatus and asked the Fire Chief to provide estimates.

Chief Wallace advised that he met with the Noels and Richardsons and suggested asking the District's engineer, if their portion of the road should be included in the project.

- 3. Approval of Minutes of June 21, 2010 Regular Meeting.**

The minutes of June 21, 2010 Regular Meeting were unanimously approved on a motion made by Director Newquist, seconded by Director Venable.

- 4. Approval of Minutes of July 9, 2010 Special Meeting.**

The minutes of July 9, 2010 Special Meeting were unanimously approved on a motion made by Director Newquist, seconded by Director Venable.

- 5. Approval of District warrants and claims.**

The warrants and claims for the month of June were unanimously approved on a motion made by Director Newquist, seconded by Director Venable.

- 6. Closed Session – Conference with Real Property Negotiators (Government Code Sec. 54956.8) Property: Easement over a Portion of APN 013-030-022, 202 East Mountain Drive, Montecito.**

- **Agency Negotiators: Kevin Wallace, Fire Chief; and Price Postel & Parma LLP, District Counsel**
- **Negotiating Party: Jackie DeSitter**
- **Under Negotiation: Price and terms of payment**

The Board went into closed session at 8:59 am, and reconvened at 9:12 am.

The Board gave direction to the District negotiators and took no reportable actions in the closed session.

7. Closed Session – Conference with Real Property Negotiators (Government Code Sec. 54956.8) Property: portions of APN 155-070-008, 2500 East Valley Road, Montecito.

- **Agency Negotiators: Kevin Wallace, Fire Chief; and Price Postel & Parma LLP, District Counsel**
- **Negotiating Party: Rancho San Carlos**
- **Under Negotiation: Price and terms of payment.**

The Board took no action and did not go into closed session as there was nothing to report.

8. Consider letter to Cal Trans regarding removal of Eucalyptus trees on East Valley Rd.

Mr. Hvolbøll reminded the Board the Fire District's only concern regarding the eucalyptus trees on East Valley is for property and life safety; aesthetics, history and culture are not in the Fire District's jurisdiction.

Chief Wallace advised that as long as eucalyptus trees are properly maintained according to the California Fire Code and our standards, they are not considered hazard. He added that any wood product, tree or brush is going to be combustible at some temperature, but this is not listed in the California Fire Code. Neither the Forest Service or any independent studies that we have found are specific to a particular species. He added that we have sent an inquiry to a fire ecologist who is researching this issue, but we have not received any data to date.

Mr. Hazard provided the Board with a packet of information and photos that he prepared relating to the eucalyptus trees on East Valley Road. He also included a draft letter that he proposed the Board should send to Cal Trans. He also advised that Cal Trans does not co-own the trees; the trees are entirely owned by the property owners.

The Board committed to reading the materials submitted by Mr. Hazard and continued this item to next meeting.

On a motion made by Director Newquist, seconded by Director Venable, the Board tabled this item to the next regular meeting.

9. Report on status of work by consultants including report on initial environmental assessment for possible Station 3 property acquisition.

Mr. Hvolbøll advised that the consultants hired in June have reviewed the proposed station 3 site.

The Board took no action

10. Closed Session Pursuant to Government Code Section 54957.6, conference with labor negotiator to review the District's position and instruct the District's designated representative regarding salaries/salary schedules/compensation.

- **District negotiator: John Venable**
- **Employee Organization: Montecito Firemen's Association**
- **Unrepresented Employees: Fire Chief, Fire Marshal, Division Chief Operations, Battalion Chiefs, Accountant, Administrative Assistant, and Hourly Employees.**

The Board went into closed session at 9:49 am, and reconvened at 10:13 am, and announced that they took no reportable action.

11. Consider final action on: (a) agreement concluding labor negotiations (including salaries, salary schedules and compensation), with Montecito Firemen's Association; and (2) salaries, salary schedules and compensation for unrepresented employees (Fire Chief, Fire Marshal, Division Chief Operations, Battalion Chiefs, Accountant, Administrative Assistant, and Hourly Employees).

On a motion made by Director Newquist, seconded by Director Venable the Board unanimously voted to adopt and accept the following contract changes for the Montecito Firemen's Association and unrepresented employees (Fire Chief, Fire Marshal, Division Chief Operations, Battalion Chiefs, Accountant, Administrative Assistant, and Hourly Employees):

Effective August 1, 2010

- A 2.1% salary increase for all employees (including hourly employees)
- Additional 2% salary increase for the dispatchers, Communication Coordinator
- Additional 10% staff differential for Communication Coordinator
- Additional 5% for Division Chief/Operations
- Additional 1% salary increase for paramedics
- Additional 1% salary increase for mechanic (if and when agreement to provide mechanic services for CSFD is signed)

- Additional \$100 towards deferred comp for eligible employees (Total \$200 per month)
- Allow crews to stay in workout attire from 7-8am (Rules and Regs)
- Revise Section 33 in MFA MOU - Increase trades from 16 to 20 per year

- **ORIGINAL:**

Safety Personnel shall be allowed 16 shift trades per calendar year. Trades of less than 4 hours and trades for approved training are not counted. Trades are counted when the employee is off of their shift only. Prior approval of the fire chief is required if more than 4 shift trades are requested at one time. Trades are to be paid back within a year from the date of the original trade.

- **REVISED**

Safety Personnel shall be allowed **20** shift trades per calendar year. Trades of less than 4 hours and trades for approved training are not counted. Trades are counted when the employee is off of their shift only. Prior approval of the fire chief is required if more than 4 shift trades are requested at one time. Trades are to be paid back within a year from the date of the original trade.

- Addition of 3-6 Dispatch Cadre members; Dispatch Cadre members to receive an amount equal to 5% of the top step Firefighter's monthly base pay in addition to their monthly salary:

- **Addition in MFA and Members of Staff MOU:**

30. DISPATCH CADRE

Dispatch Cadre members can be filled by Miscellaneous Employees, Firefighters, Firefighter/Paramedics and/or Engineers. The District will pay Dispatch Cadre members an amount equal to 5% of the top step Firefighter monthly base pay.

- Change wording on Section 9.7 of MFA MOU

- **ORIGINAL**

9.7 ROLLING HOLIDAY Three rolling holidays per employee per calendar year can be taken from his/her current earned holiday time or vacation time. 24 hours notice is required prior to taking a rolling holiday. The association agrees to potential forced OT and a guaranteed coverage policy when a rolling holiday is

taken.

The employee requesting a Rolling Holiday will identify another employee to guarantee to work for him/her in order to be able to use his/her Rolling Holiday. 24 hours notification made to the duty chief is required prior to taking a Rolling Holiday. The overtime list will be used to fill for the vacancy, giving the person who guaranteed the Rolling Holiday the option to take it in his/her rotation or to let it be offered to those who are lower on the overtime list. If no one on the list accepts the overtime, he/she would guarantee to work on the requested day.

○ **REVISED**

FLEX DAY Three (3) shifts per employee per calendar year can be taken from his/her current earned holiday time or vacation time. **The approval of a flex day must meet the requirements of the Fire District's Staffing Policy to allow for the most efficient functioning of the Fire District.** 24 hours **minimum** notice and a **30 day maximum notice** is required prior to taking a Flex Day. **The association agrees that if avoidable, the scheduling and approval of a Flex Day may not cause the force hiring of another employee. In some unforeseeable circumstances, a force hire may be unavoidable. In no case shall a self guaranteed Flex Day cause a force hire.**

The employee requesting a **Flex Day may self guarantee or will identify another employee to guarantee to work for him/her in order to be able to use his/her Flex Day.** The overtime list will be used to fill the vacancy, giving the person who guaranteed the Flex Day the option to take it in his /her rotation or to let it be offered to those who are lower on the overtime list. If no one on the list accepts the overtime, he/she would guarantee to work on the requested day.

A Flex Day may be cancelled when the Fire Chief and/or designee, determines that the flex day will conflict with the staffing policy

- Add parents of the spouse of employee to sick leave use: Section 14.2 (c) of MFA MOU and 15.2 (c) of STAFF MOU

○ **ORIGINAL**

An amount not to exceed 96 hours during any calendar year to attend to the illness or injury of a child, parent, or spouse of the employee, or for the birth or adoption of a child.

○ **REVISED**

An amount not to exceed 96 hours during any calendar year to attend to the illness or injury of a child, parent, spouse or **parents of the spouse of the employee**, or for the birth or adoption of a child.

Effective January 1, 2011

- Additional \$60 per month toward health insurance.

Effective July 1, 2011

- 2 % salary increase + 1% working out of classification for all employees (including hourly employees)

12. Approve Agreement to provide Emergency Dispatch Services for Carpinteria/Summerland Fire Protection District

Director Newquist suggested that the District publicize this information. Chief Wallace advised that we will put the information on the District's website and provide it to the Montecito Journal.

The Board unanimously approved the agreement to provide Emergency Dispatch Services for Carpinteria/Summerland Fire Protection District on a motion made by Director Newquist and seconded by Director Venable.

For Information Only:

13. Report on District's vegetation management program.

Curtis Vincent provided an overview of the information that was provided in the Board Packet regarding the District's vegetation management program, including neighborhood community fire hazard cleanup projects, fuel treatment networks, and roadside fire hazard reduction and encroachment.

The Board took no action.

14. Report on Measure M2010 Proposition 4 Override Election.

Chief Wallace reviewed the final results of the all-mailed ballot election for Measure M2010 Proposition 4 Override and acknowledged the work provided by Price Postel and Parma in preparing for the election.

15. Report on District's new emergency notification system.

Chief Wallace advised that there are approximately 150 radios ordered or already installed in the District. He stated that the District will conduct tests as the new system rolls out.

16. Fire Chief's report.

Chief Wallace reported on several issues including the following: vehicle fire on Arcady, mutual aid response to a vegetation fire in Cuyama, and mutual aid response to a vegetation fire in Refugio Canyon,

Board of Directors report.

There were no reports and the Board took no action.

17. Requests from Directors for items other than regular agenda items to be included for the August Regular Board meeting.

Director Newquist asked for additional discussion regarding a workshop for Directors.

18. Field trip to 1255 East Valley Road, 1257 East Valley Road, 1259 East Valley Road employee housing property.

At 10:35 am, the Director Newquist and Director Venable left with Chief Wallace to review the employee housing property located at East Valley Road, 1257 East Valley Road, 1259 East Valley Road.

The Board returned to Station one at 11:00 am.

The Board took no action.

Adjournment

Director Venable adjourned the meeting at 11:00.