

MONTECITO FIRE PROTECTION DISTRICT

Agenda for the Special Meeting of the Board of Directors

Montecito Fire Protection District Headquarters
595 San Ysidro Road
Santa Barbara, California

March 7, 2022 at 3:30 p.m.

The Special Board meeting will be held via teleconference connection in accordance with the requirements set out in Government Code section 54953 (e) and pursuant to the findings and authority set out in Montecito Fire Protection District Resolution No. 2022-04.

Members of the public will be able to observe the Special Board meeting and provide public comments via Zoom: <https://us06web.zoom.us/j/86991927807>, or by calling 1-669-900-6833, meeting ID: 869 9192 7807. Any member of the public who would like to provide public input on an item listed on the agenda may utilize the "Raise Hand" feature through the Zoom App or enter "*9" if participating by telephone only. The host will be notified, and you will be recognized to speak on the agenda item in the order such requests are received by the District.

Agenda items may be taken out of the order shown.

1. Public comment: Any person may address the Board at this time on any non-agenda matter that is within the subject matter jurisdiction of the Montecito Fire Protection District. (30 minutes total time allotted for this discussion.)
2. Consider approval of Resolution No. 2022-05 Authorizing Remote Teleconference Meetings for a Period of 30 Days pursuant to the Brown Act. (Strategic Plan Goal 1)
 - a. Staff report presented by Fire Chief Taylor.

Adjournment

This agenda posted pursuant to the provisions of the Government Code commencing at Section 54950. The date of the posting is March 3, 2022.




Kevin Taylor, Fire Chief

Note: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District office at 969-7762. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements.

Materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Montecito Fire Protection District's office located at 595 San Ysidro Road during normal business hours.



STAFF REPORT

To: Montecito Fire Protection District Board of Directors
From: Kevin Taylor, Fire Chief 
Date: March 7, 2022
Topic: Remote Teleconference Meetings

Summary

The Board of Directors has meet in-person and via teleconference meetings as allowed by Governor's Executive Order N-29-20 since April 2020. This executive order expired September 30, 2021. To continue Remote Teleconference Meetings, the Board must reaffirm this Resolution every thirty (30) days.

Discussion

The Board of Directors has meet in-person and via teleconference meetings as allowed by Governor's Executive Order N-29-20 since April 2020. This executive order expired on September 30, 2021. The Board passed Resolution 2022-04 on February 14, 2022 which allows the District to continue Remote Teleconference Meetings.

To continue Remote Teleconference Meetings, AB 361 requires that this Resolution be reaffirmed by the Board every thirty (30) days.

Conclusion

Staff recommends that the Board of Directors adopt Resolution 2022-05.

Attachments

1. Resolution Number 2022-05; A Resolution of the Board of Directors of the Montecito Fire Protection District Proclaiming a Local Emergency Persists, Re-ratifying the Proclamation of State of Emergency by Governor Gavin Newsom Dated March 4, 2020, and Re-authorizing Remote Teleconference Meetings of the Board of Directors of the Montecito Fire Protection District for the Period of 30 Days Pursuant to the Brown Act Provisions.

Strategic Plan Reference

1. Strategic Plan Goal #1, Achieve Excellence in Community Service.

RESOLUTION NO. 2022-05

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTECITO FIRE PROTECTION DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM DATED MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE MONTECITO FIRE PROTECTION DISTRICT FOR THE PERIOD OF 30 DAYS PURSUANT TO THE BROWN ACT PROVISIONS.

WHEREAS, the Montecito Fire Protection District ("Fire District") is a fire protection district duly organized and existing pursuant to the Fire Protection District Law of 1987 codified in Health & Safety Code section 13800 et seq.; and

WHEREAS, the Fire District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Fire District's Board of Directors are open and public, as required by the Ralph M. Brown Act, codified in California Government Code section 54950 et seq. ("Brown Act"), so that any member of the public may attend, participate, and watch the Fire District's Board of Directors conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Fire District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution No. 2022-04, on February 14, 2022, finding that the requisite conditions exist for the Board of Directors of the Fire District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the Fire District's jurisdiction, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the jurisdiction of the Fire District, specifically, a State of Emergency remains active as proclaimed by Governor Gavin Newsom's Proclamation of a State of Emergency dated March 4, 2020; and

WHEREAS, State and Local Officials have imposed and recommended social distancing measures and allowing legislative bodies to meet via teleconferencing to avoid risks to the health and safety of members of the public who would like to participate in meetings of the legislative bodies; and

WHEREAS, the Board of Directors does hereby find that Governor Gavin Newsom's Proclamation of State of Emergency and Social Distancing Orders and other conditions causing imminent risk to attendees has caused, and will continue to cause, conditions of peril to the safety of persons within the jurisdiction of the Fire District that are likely to be beyond the control of services, personnel, equipment, and facilities of the Fire District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California and re-ratify State and Local orders for social distancing; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the Fire District's Board of Directors shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the Fire District shall continue to provide notice as otherwise required by the Brown Act of all public meetings.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MONTECITO FIRE PROTECTION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the jurisdiction of the Fire District and proclaims that a local emergency persists throughout the jurisdiction of the Fire District and allowing remote access and participation in the Fire District's board meetings will reduce health and safety risks to attendees.

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Fire Chief or designee and the Board of Directors of the Fire District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) April 7, 2022, or (ii) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors of the Montecito Fire Protection District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the Montecito Fire Protection District this 7th day of March, 2022, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mike Lee, President

ATTEST:

Judith Ishkanian, Secretary