

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

Held at Fire District Headquarters, 595 San Ysidro Road, May 27, 2014 at 2:00 p.m.

The meeting was called to order by Director Venable at 2:04 p.m.

Present: Director Powell, Director Venable, Director Keller, Director Sinser and Director Jensen. Chief Hickman and District Counsel M. Manion were also present.

- 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 is allotted for this discussion.)**

Chief Hickman presented John Badaracco with a 10 year anniversary pin.

Director Venable asked Director Keller to preside over the meeting.

- 2. Review current status of Upper Hyde Road (UHR) Community Facilities District (CFD):**

- a. Report from Director Powell regarding meetings with Upper Hyde Road residents.**

Director Powell reported that UHR residents are working to get a permit for the road work that was approved by the District and they are also working on a formal request to the District.

- b. Provide direction on how to proceed with Tea Fire Rebuilds and Upper Hyde Road Community Facilities District (CFD).**

Public Comment: Gaby Hayum presented a formal request seeking to dissolve the CFD and asked for the District to finance a portion of the UHR road improvements.

Ivana Noell discussed her desire to dissolve the CFD quickly; her concern that the District require a consensus of residents to dissolve the CFD; the value of the turnaround at the cave to all UHR and the community at large as it relates to her portion of the cost share agreement; and her concern that members not have to give up their right to due process or litigation.

The Board reviewed the various road improvement estimates; changes in the approach taken to address the engineering of the road; District costs to date; District's use of eminent domain to acquire easement providing access to all residents; difference between conforming turnaround at the cave, and other non-conforming turnarounds; and potential conflict in the agreements relating to the road configuration.

Chief Gregson pointed out that all requests for Fire Protection Certificates to begin building on UHR have been honored.

The Board felt the UHR request to dissolve the CFD and fund a portion of the road improvements should be addressed at a Special Meeting in the near future. A survey will be sent out to Directors to determine their availability to meet.

The Board took a recess at 3:20 p.m. and reconvened 3:30 p.m.

3. Report from the Finance Committee (copy of Agenda for Finance Committee Meeting attached).

a. Consider recommendation to approve District's warrants and claims.

After an explanation of payments made to Capitol PFG and Citygate, the District's warrants and claims were unanimously approved on a motion made by Director Powell, seconded by Director Jensen.

b. Consider recommendation to approve adjustments to FY 2013/14 Budget relating to projected variances in expenditures.

Araceli Gil reviewed the staff report and explained projected spending variances. Chief Hickman and Chief McElwee explained the second recommendation added to the Board Packet includes an alternate adjustment to allow for the purchase new radios due to safety issues with existing radios.

On a motion made by Director Powell, seconded by Director Venable, the Board unanimously approved adjustments to FY 2013/14 Budget relating to projected variances in expenditures utilizing the revised proposal to include the radio purchases.

c. Consider recommendation to approve Resolution 2014-06, Amending Final Budget for FY 2013/14.

Ms. Gil explained that the proposed amendment brings in fire reimbursement revenues and allocates them to make additional contributions to the OPEB Trust account.

On a motion made by Director Sinser, seconded by Director Keller, the Board unanimously approved Resolution 2014-06, Amending Final Budget for FY 2013/14 by the following roll call vote:

Ayes:	G.B. Sinser, J.A. Powell, J. Venable, S. Keller and R.J. Jensen
Nays:	None
Abstain:	None
Absent:	None

Director Venable left at 4:00 pm.

d. Report on Preliminary Budget for FY 2014/15.

Ms. Gil reviewed the proposed preliminary budget for the Board.

Public Comment: Bob Hazard questioned the status of Station 3. It was explained that the EIR is still in process, and the status is unknown.

The Board took no action.

4. Report from the Community Outreach Committee (copy of Agenda for Community Outreach Committee Meeting attached).

- a. Consider recommendation to authorize the Fire Chief or his designee to utilize all District communication methods at his discretion when requested by other agencies to notify the community of service related interruptions.**

Director Keller reviewed the recommendation to include all District communication methods if requested by other agencies.

On a motion made by Director Sinser, seconded by Director Powell, the Board approved authorizing the Fire Chief or his designee to utilize all District communication methods at his discretion when requested by other agencies to notify the community of service related interruptions by the following vote: Directors Sinser, Powell, Keller and Jensen voting yes. Director Venable was absent.

- b. Consider recommendation to write a letter from the Board President or develop a press release acknowledging the progress of the Board and its committees.**

Director Keller reported that the Community Outreach Committee proposes a release of information from each of the Committees to the local media advising them of the progress and accomplishments of the Board and its Committees.

Public Comment: Bob Hazard stated that he is not looking for a “puff piece” and suggested that they create a list of four to five concrete accomplishments. He added that he would like to meet with the Board President to write an editorial to accompany what the Board prepares.

Warner Owens stated that he would like to see information about the acquisition of new equipment.

On a motion made by Director Sinser, seconded by Director Keller, the Board authorized Director Keller to create a release of information and accomplishments of the Board and its Committees by the following vote: Directors Keller, Sinser, and Powell voting yes. Director Jensen voting no. Director Venable was absent.

5. Report from the Personnel Committee (copy of Agenda for Personnel Meeting attached).

- a. Consider recommendation to approve changes to Battalion Chief job description.**

Chief Hickman reported that a Battalion Chief will be retiring at the end of this month and explained the proposed changes in the job description.

On a motion made by Director Sinser, seconded by Director Powell, the Board approved the changes to the Battalion Chief job description by the following vote: Directors Sinser, Powell, Keller, and Jensen voting yes. Director Venable was absent.

- b. Consider recommendation to approve temporary promotion for Engineer Drue Holthe to Captain, April 16, 2014 through May 5, 2014.**
- c. Consider recommendation to approve temporary promotion for Firefighter Aaron Briner to Engineer, effective April 16, 2014 through May 5, 2014.**
- d. Consider recommendation to approve temporary promotion for Engineer Ed Fuentes to Captain effective April 12, 2014.**
- e. Consider recommendation to approve temporary promotion for Firefighter Paramedic Kurt Hickman to Engineer, effective April 21, 2014.**

Items 5b – 5e were combined. Chief Hickman reported that items 5b and 5c were necessary to cover for a Captain being taken off shift to run the new hire fire academy, and items 5d and 5e are due to having an Captain off on administrative leave.

All recommended temporary promotions were approved on a motion made by Director Powell, seconded by Director Sinser. Directors Sinser, Powell, Keller, and Jensen voting yes. Director Venable was absent.

6. Report from the Strategic Planning Committee (copy of Agenda for Strategic Planning Meeting attached).

Director Powell reported that the Strategic Planning Committee reviewed the Citygate resident survey and made a few minor changes. The survey is expected to be sent out to residents in early July.

Public Comment: Warner Owens suggested that the some categories for questions 2 and 3 be changed to: Excellent, Very Good, Acceptable, Needs Improvement, and Unacceptable.

Director Jensen left at 5:02 p.m.

The Board agreed to Mr. Owens' recommended changes.

7. Approve and authorize the Fire Chief to enter into a contract with Aspen Helicopters, Inc. for emergency pre-positioning of a fire suppression helicopter to be utilized during severe fire weather events.

Chief Hickman reported that he has been working with a local helicopter vendor to expedite air support during down canyon wind events. A local helicopter would be a valuable resource if a fire were to occur during these kinds of predicted weather events.

Public comment:

Sylvia Easton stated that it would be beneficial to have a helicopter on scene during the initial critical minutes of a wind driven wildfire.

Bob Hazard suggested cost sharing with neighboring agencies.

On a motion by Director Powell, seconded by Director Keller, the Board authorized the Fire Chief to enter into a contract with Aspen Helicopters, Inc. for emergency pre-positioning of a fire suppression helicopter to be utilized during severe fire weather events by the following vote: Directors Sinser, Powell, and Keller voting yes. Directors Venable and Jensen were absent.

8. Approval of Minutes of April 28, 2014 Regular Meeting.

On a motion made by Director Powell, seconded by Director Sinser, the Minutes of April 28, 2014 Regular Meeting were approved by the following vote: Directors Sinser, Powell, and Keller voting yes. Directors Venable and Jensen were absent.

9. Fire Chief's report.

The Fire Chief had nothing to report.

10. Board of Director's report.

Director Sinser reported that he attended the recent Montecito Water Board meeting.

11. Suggestions from Directors for items other than regular agenda items to be included for the June 23, 2014 Regular Board meeting:

- Special meeting for the UHR request for funding and to dissolve the CFD.

12. CLOSED SESSION - Conference with Legal Counsel – Pending Litigation (Government Code Section 54956.9.)

Claimant: The Ivana Noell Family Trust and Ivana Noell

Agency claimed against: Montecito Fire Protection District

The Board entered closed session at 5:20 p.m. and reconvened at 5:45 p.m.

District Counsel announced that the Board considered the claim and directed the Fire Chief to reject the claim and provide a response to the claimant.

The meeting was adjourned at 5:46 p.m.