

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

Held at Fire District Headquarters, 595 San Ysidro Road, August 20, 2012.

The meeting was called to order by Director Jensen at 8:38 am.

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

- 1. Public comment: Any person may address the Board at this time on any agenda matter or 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.**

Susan Keller and Martha Collins introduced themselves as candidates for the November 6, 2012 election. Travis Ederer reported on Montecito Firemen's Association (MFA) activities including a fundraising kickathon at Manning Park, Water Day with Montecito Covenant Church, 4th of July pancake breakfast and parade and the MDA Fill the Boot. He also reported that the MFA hopes to hold a Fundraiser for their Charitable Foundation in early November or Spring of 2013.

The Board took no action.

For Board Action:

- 2. Approval of Minutes of July 11, 2012 Special Meeting.**

On a motion made by Director Newquist, seconded by Director Venable, the Board unanimously approved the minutes of July 11, 2012 Special Meeting.

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

After an explanation of claims to Price, Postel and Parma and the impacts of the Station 3 litigation, the warrants and claims for July were unanimously approved on a motion made by Director Newquist, seconded by Director Jensen.

- 4. Consider request from Residents on Banana Road for an Agreement with Montecito Fire Protection District related to road improvements for Banana Road.**

Chief Hickman reviewed the requests made for the residents on Banana Road and how this type of agreement could impact future requests from others who want to build or improve their properties.

Kai Hoffman, Edan Johnson, Thomas Cole and Terry Grant, all residents or representatives of Banana Road property owners, expressed their desire for the District to allow them to build before the road is complete.

After further discussion the Board asked that this item be brought back to the next meeting, along with a draft agreement for review.

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

Name of Case: Montecito Agricultural Foundation, an Unincorporated Association vs. Montecito Fire Protection District; Board of Directors of the Montecito Fire Protection District; and DOES 1-10 Respondents, Petan Company, a California Limited Partnership; Palmer G. Jackson; and DOES 11-20, Real Parties in Interest, Santa Barbara Superior Court Case No. 1401924.

The Board went into closed session at 9:47 a.m. and reconvened at 10:15 a.m. Mr. Manion reported that the Board was updated on status of litigation and upcoming events, and directed the District to pay the attorney fees of approximately \$7,400 for Petan Company as a real party of interest from the litigation.

6. Approve Resolution 2011-12 regarding the negative impact of SRA Fees as a result of the adoption of Assembly Bill X1 29.

Chief Hickman reviewed the background of the new SRA Fees pursuant to Assembly Bill X1 29, and recommended that the Board take a strong opposition to the enacted legislation by adopting Resolution 2011-12.

On a motion by Director Newquist, seconded by Director Jensen, Resolution 2011-12 regarding the negative impact of SRA Fees as a result of the adoption of Assembly Bill X1 29 was approved by the following roll call vote:

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

7. Consider topics for inclusion of Code of Conduct and Ethics for Members of the Board of Directors.

Chief Hickman reviewed an outline of topics he would like to see included in a Code of Conduct and Ethics for Members of the Board of Directors, and asked the Board for input. The Board made no additional suggestions.

The Board asked that this item be brought to September Board meeting for consideration.

8. Consider authorizing the Fire Chief to execute an agreement with Hub Insurance to establish them as the District's Broker of Record for Worker's Compensation Insurance.

Chief McElwee reviewed how having a Broker of Record for Worker's Compensation Insurance could benefit the District, including their ability to advocate on behalf of the District by bringing competitive rates and helping to improve our programs to drop our experience modifier.

Chief Hickman asked the Board to authorize Chief McElwee to enter into an agreement with an insurance carrier after he does additional due diligence in researching other providers.

On a motion made by Director Venable, seconded by Director Newquist the Board authorized Chief McElwee to execute an agreement with an insurance company to establish them as the District's Broker of Record for Worker's Compensation Insurance.

For Information Only:

9. Fire Chief's report.

Chief Hickman reported on the following items: (1) receiving new Type 3 engine at the end of the month; (2) Station 3 MBAR on August 27, 2012; (3) Eight candidates for the upcoming Board Election; (4) A & E Inc. phone survey, not driven by the District; (5) Montecito Association unanimous vote in support of the 5 Member Board ballot initiative and a forum for Board candidates; (6) Structure Fire at 281 Hot Springs; (7) Responded with a Type 3 Strike Team to Jawbone Incident (8) Captain Edwards response to the Chips Incident; (9) fire activity occurring in the West Coast and State of California bringing the state's resources to draw down status.

10. Board of Directors report.

Director Newquist read a letter, which is on file, announcing he reasons for not filing for re-election, and presented a custom cutting board to the MFA.

Director Venable reported on his experience visiting Fire Agencies in Alaska while on vacation.

11. **Requests from Directors for items other than regular agenda items to be included for the September Regular Board meeting.**

There were no additional items requested.

Adjournment

Director Jensen adjourned the meeting at 10:50 am.

Roland J. Jensen

John Venable