

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

Held at Fire District Headquarters, 595 San Ysidro Road, June 27, 2016 at 2:00 p.m.

The meeting was called to order by Director Powell at 2:03p.m.

Present: Director Powell, Director van Duinwyk, Director Sinser, Director Easton, Director Venable. Fire Chief Hickman and District Counsel, Mark 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.**

There were no public comments.

- 2. Recognition for 15 years of service: Firefighter Paramedic, Kurt Hickman.**

Chief Hickman commended and thanked Kurt Hickman for 15 years of service.

- 3. TIME CERTAIN: 2:00 p.m. Public Hearing regarding the final Environmental Impact Report for Station 3. Presentation by Dan Gira, Project Principal for Amec Foster Wheeler.**

Director Sinser stepped down from the Board. Dan Gira provided a power point presentation regarding the Final EIR for Station 3. Mary Rose, representing the East Valley Preservation Association, provided a summary of her June 27, 2016 letter to the Board supporting the extension and recirculation of the Final EIR.

- 4. Consider the adoption of a resolution making certain findings and certifying the Final Environmental Impact Report for the Station 3 Project and approval of the Station 3 Project.**

After thorough Board discussion, the motion was made by Director Venable, seconded by Director Easton to approve Resolution 2016-05 (with the following modification to Section 1, Finding 5: A monitoring and reporting program for the mitigation measures adopted for the Project has been incorporated into the Final Environmental Impact Report in compliance with Public Resources Code section 21081.6, to ensure implementation of the adopted mitigation measures to reduce potentially significant impacts on the environment. Montecito Fire Protection District staff will extract the monitoring and reporting program from the Final Environmental Impact Report in order to prepare a separate Mitigation Monitoring Program document forthwith). The roll call vote was as follows:

Ayes: P. van Duinwyk, J. A. Powell, J. Venable, S. Easton

Nays: None

Abstain: None

The Board took a break at 3:07 p.m. The meeting reconvened at 3:17 p.m.

5. Accept resignation from Director Sinsler.

Director Sinsler commended the Chief on “running a tight ship”. The Board accepted his resignation.

- a. Discuss and determine whether or not to fill vacant Board seat. If so, provide direction to the Fire Chief regarding the appointment or election of a replacement Director.**

District Counsel provided background information regarding procedures related to filling the vacant Board seat. He stated that the Board has two options, to appoint a Director within 60 days, or call a special election. Director van Duinwyk recommended that the Board appoint a Director, instructing the Chief to move ahead, replicating the last Board member replacement process. After thorough discussion, it was determined that a Notice of Vacancy will be posted at the Montecito Library, Montecito Water District, and the Montecito Sanitary District. The notice will also run in the Montecito Journal and Santa Barbara News Press. The motion to change the Regular Board meeting from July 25 to July 21, 2016 at 2:00 p.m., where the Board of Directors will conduct interviews for the position of Director was made by Director van Duinwyk, seconded by Director Venable and the motion carried. Director Sinsler abstained from the vote. The Board determined that the appointment will be made at the same meeting, with the appointed Director immediately commencing service on the Board.

6. Report on the status of transferring of access easement to Upper Hyde Road property owners and quitclaiming District’s easement interest.

The District Counsel indicated that there is one property owner yet to sign. He also suggested that the quitclaim deed be signed in 60 days.

7. Report from the Finance Committee:

- a. Consider recommendation to approve April and May 2016 financial statements.**

Director Sinsler provided a report of the financial statements for April and May 2016. The motion to approve the financial statements was made by Director van Duinwyk, seconded by Director Venable and unanimously passed.

- b. Consider recommendation to approve Resolution 2016-03, Amending Final Budget for FY 2015-16.**

Director Sinsler reported that the Finance Committee found nothing unusual. The motion to approve Resolution 2016-03, amending the Final Budget for 2015-16

was made by Director Sinser, seconded by Director Easton. The roll call vote was as follows:

Ayes: P. van Duinwyk, G. Sinser, J. A. Powell, J. Venable, S. Easton

Nays: None

Abstain: None

c. Consider recommendation to approve Resolution 2016-04, Adoption of the Preliminary Budget for the Fiscal Year 2016-17.

The District Accountant provided an update regarding the Preliminary Budget, specifically the addition of \$100,000 to line item 7205, Fire Defense Zone (Hazard Mitigation). Michael Lee asked what part of the \$100,000 would be allocated to education? He also inquired about the length of the contract for Branch Out Tree Care. The motion to approve Resolution 2016-04, adoption of the Preliminary Budget for Fiscal Year 2016-17 was made by Director Venable, seconded by Director van Duinwyk. The roll call vote was as follows:

Ayes: P. van Duinwyk, G. Sinser, J. A. Powell, J. Venable, S. Easton

Nays: None

Abstain: None

The Board took a break at 4:15 p.m. The meeting reconvened at 4:24 p.m.

8. Review and adopt price and population factors for establishing the appropriations limit for fiscal year 2015-16.

The District Accountant provided a staff report regarding the price and population factors. The motion to adopt the price factor of 5.37% and the unincorporated population factor of 1.02% was made by Director Sinser, seconded by Director Easton. The roll call vote was as follows:

Ayes: P. van Duinwyk, G. Sinser, J. A. Powell, J. Venable, S. Easton

Nays: None

Abstain: None

9. Approval of Minutes of the May 24, 2016 Special Meeting.

The motion to approve the minutes of the May 24, 2016 Special Meeting was made by Director van Duinwyk, seconded by Director Sinser and unanimously passed.

10. Fire Chief's report.

Chief Hickman provided an update regarding current Mutual Aid assignments. He also mentioned up-staffing for recent Red Flag events. The Chief provided an update regarding significant calls during the month of May. Chief Hickman highlighted an award from the County of Santa Barbara Board of Supervisors, recognizing the Santa Barbara County

Emergency Medical System. The Chief reviewed an e-mail of appreciation regarding a recent trail head rescue.

11. Board of Director's report.

There were no items to report at this meeting.

12. Suggestions from Directors for items other than regular agenda items to be included for the July Regular Board meeting.

Director Sinsler repeated his recommendation that a discussion item of Station 3 alternatives be placed on the next agenda. The Board took a break at 4:42p.m. The Board reconvened at 4:45 p.m.

13. CLOSED SESSION -

A. Pursuant to Government Code Section 54957.6, conference with labor negotiators to review the District's position and instruct the District's designated representatives regarding salaries and benefits.

- **District negotiators: Abe Powell and John Venable**
- **Employee Organization: Montecito Firefighters' Association**
- **Unrepresented Employees: Fire Marshal, Division Chief Operations, Battalion Chiefs, Accountant, Administrative Assistant.**

B. Conference with Legal Counsel – Existing Litigation [Government Code section 54956.9 (d)]

Montecito Agricultural Foundation v. Montecito Fire Protection District, Santa Barbara Superior Court Case No. 1401924

The Board reported out at 5:15 p.m. There was no action taken.

14. Consider final action on: (a) agreement concluding labor negotiations (including salaries and benefits) with Montecito Firefighters' Association; and (b) agreement concluding labor negotiations (including salaries and benefits) for unrepresented employees: Fire Marshal, Division Chief Operations, Battalion Chiefs, Accountant, Administrative Assistant.

The Board instructed the District negotiator to present a contract to the Montecito Firemen's Association, and Unrepresented Employees: Fire Marshal, Division Chief Operations, Battalion Chiefs, Accountant, Administrative Assistant for execution. The Board authorized the Board President to execute the MOUs after they have been executed by the represented and unrepresented employees. The fully executed MOUs will be presented to the public.

The meeting was adjourned at 5:18 p.m.

President John Abraham Powell

Secretary Sylvia Easton