

SPECIAL MEETING OF THE BOARD OF DIRECTORS
MONTECITO FIRE PROTECTION DISTRICT

Held at Fire District Headquarters, 595 San Ysidro Road, May 29, 2013 at 4:00 p.m.

The meeting was called to order by Director Venable 4:02 p.m.

Present: Director Venable, Director Powell, Director Jensen, and Director Sinser. Director Keller was absent. 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.)**

There was no public comment.

- 2. 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.**

Mr. Manion stated that the Board needs to make a decision on how to respond to the court's ruling no later than July 19, 2013. He also explained that the court's ruling has no affect on Director Sinser's conflict of interest. He also stated that Director Sinser will not be able to participate in any Board actions relating to the Station 3 project while the project is identified at its current location which is within 300 feet of Director Sinser's residence.

There was no closed session.

- 3. Review Rosenberg's Rules of Order for process of conducting meetings.**

The Board reviewed the basic process and order of procedures for the adopted rules of order.

The Board took no action.

- 4. Fire Chief's Report.**

The Fire Chief reviewed a letter from Mr. Von Weisenburg and suggested that the Board consider a special meeting so that the new Directors can get an update on where the District is on this issue, what has been invested, and how we are applying the codes and requirements. The Board agreed to a Special Meeting on June 10, 2012 at 2:30 pm.

The Fire Chief also reported on the District's response to the White Incident; a recent power outage; duckling rescue; tour of fire camp for White Incident; and a recent 4.6 magnitude earthquake.

5. Approval of Resolution 2013 – 07 regarding the rules and regulations for the purchase of supplies and equipment.

Director Sinser and Mr. Manion suggested several grammatical changes to the drafts as they were presented in the packet.

Director Sinser made a motion to approve Resolution 2013-07 subject to the suggestions made by Counsel. The motion was seconded by Director Venable.

After further discussion on how the changes to the resolution came about, it was determined that the recommended changes were suggestions from Director Sinser and that District Counsel had not been consulted.

There was no vote on the motion.

The Board directed District Counsel to review the resolution and draft any necessary changes.

6. Approval of Resolution 2013 – 08 regarding the capital assets policy.

Chief Hickman advised that the recommended changes on this resolution were also suggestions from Director Sinser, and District Counsel had not been consulted in making the proposed changes on this resolution.

The Board directed District Counsel to review the proposed resolution with the District Accountant and draft any necessary changes.

7. Consider adoption of By-Laws for the Board of Directors.

Director Venable stated that he felt this topic should be tabled for consideration in the future so that the District can focus on fire season activities. Director Powell agreed, stating that the Board's focus should be on fire season, District financial issues, and Station 3.

Mr. Manion explained that the District is governed by statutes, laws, and the Fire District Enabling Act, and that by-laws are not necessary. He added that he has not identified any advantages to have by-laws.

Director Sinser stated that he felt it would be a good idea to have all of the statutes and laws in one document, and asked to be on record as stating that while this may not need to be addressed today, he feels a governing document is important and that it should be a focus in the future and not be regarded as unnecessary.

J' Amy Brown introduced herself as the member of the Montecito Planning Commission, but stated that she is speaking as an individual. She felt that while the Montecito Association By-Laws are good for the Montecito Association, the format and length are not necessarily good for this Fire District.

The Board took no action.

8. Review the Demsey Filliger and Associates Unfunded Pension and Retiree Health Actuarial Liabilities as of June 30, 2013.

The Board reviewed the report and discussed the need to research the results given the discrepancies between the Demsey Filliger and Associates report and the CalPERS actuarial. Both report sets of numbers can be used as tools to plan ahead, adjust course as needed and budget accordingly.

In public comment, Bob Hazard referenced a letter submitted by Joe Cole; suggested that that Board research the implications of the new report and how it affects the District; stated that the District's pensions are a serious problem; and suggested that the Board take action to fix the problem in the same manner that Montecito Water had done with their employees.

Chief Hickman reviewed changes in state law and pension reform that will reduce the unfunded liabilities over time, including: all new employees will have 75% cap vs. 90% cap; final compensation will be computed over an average 3 years vs. 1 year; and they will all be required to pay 50% of "normal" pension costs. He also added that the District has a lower pension plan formula than any other Fire Department in Santa Barbara County. Additionally in the last contract, employees agreed to pay 4.5% cost share of the District's pension contribution which has helped reduce the District's expenditure toward future employee pensions.

Director Sinsler made a motion that the finance committee be charged with process of analyzing, determining and listing the options the District has, related to the deficit/unfunded liabilities of the District. The motion was seconded by Director Powell.

In public comment, Phyllis Marble pointed out that the Montecito Fire District is no different than any other agency or school district, and being in the cutting edge of this issue could be dangerous position.

Sylvia Easton stated that she would like to see more focus on fire season at this time.

The motion charging the Finance Committee with the process of analyzing, determining and listing the options the District has, related to the deficit/unfunded liabilities of the District was passed unanimously.

The Board took a break at 5:56 p.m., and reconvened at 6:12 p.m.

9. Report from the Finance Committee (Copy of Agenda for Finance Committee Meeting Attached).

Director Venable reported on the conference call with Mr. Filleger; report from auditors; reviewed cost breakdown for Station 3; reviewed a list of District vendors; reviewed check writing authority/limits; report on IT costs; staff report on Employee housing ; and review of the preliminary budget.

The Board took no action.

10. Report from the Strategic Planning Committee (Copy of Agenda for Strategic Planning Committee Meeting Attached).

Director Powell reported that the Committee answered questions from contractors regarding RFQ's; the deadline for RFQ submittals is May 31, 2013 and they will be reviewed at on June 18th. The Committee reviewed the zone map used for the Station 3 site study and directed staff to create new response zones in CAD similar to the evacuation zone map to assist in better tracking of response times. The Committee received a report on the District's communications project and submitted recommendations at the previous meeting for approval of contracts relating to the project.

Regular meetings of the Strategic Planning Committee were set for the 4th Tuesday of each month at 3:00 p.m.

The Board took no action.

11. Report from the Community Outreach Committee (Copy of Agenda for Community Outreach Committee Meeting Attached).

Director Sinsler reported that they discussed publication schedules; suggested weekly response reports for the Montecito Journal; reviewed the District's executive summary on emergency notifications; reviewed organizations that Board members could attend and came to no conclusion or schedule; recommendations were submitted regarding Website changes; reviewed the pre-hazard abatement flyer that was mailed out to the community and set regular meetings for the first Monday of each month at 3:00 p.m.

12. Approval of Resolution 2013-07 recognizing Engineer Loren Bass.

13. Approval of Resolution 2013-08 recognizing Captain Evan Skei.

14. Approval of Resolution 2013-09 recognizing Battalion Chief Todd Edwards.

Chief Hickman advised that these resolutions were the result of a request by Director Sinsler. Director Sinsler advised that he had meant for promotions to be recognized in the form of a certificate, not a resolution, and suggested certificates in the future.

On a motion made by Director Sinsler, seconded by Director Powell, the Board adopted Resolutions 2013-07 recognizing Engineer Loren Bass, 2013-08 recognizing Captain Evan Skei. and 2013-09 recognizing Battalion Chief Todd Edwards by the following roll call vote:

In favor:	G.B. Sinsler, J.A. Powell, J. Venable, R.J. Jensen,
Opposed:	None
Abstentions:	None
Absent:	S. Keller

15. Approval of Minutes of April 15, 2013 Regular Meeting.

On a motion made by Director Sinsler, seconded by Director Powell, the minutes of April 15, 2013 regular meeting were unanimously approved.

16. Approval of Minutes of April 19, 2013 Special Meeting.

Director Powell advised that the minutes need to reflect that it was a "Special" meeting.

The minutes were approved as corrected on a motion made by Director Powell, seconded by Director. Director Sinser abstained.

17. Board of Director's report:

Director Venable reported that he and the Fire Chief attended the Santa Barbara Chapter of Special Districts of California in April.

Director Sinser reported that he attended the Montecito Association.

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

Director Venable asked to review actions of District relating to benefits and pensions at the Finance Committee meeting.

The meeting was adjourned at 6:45 p.m.