

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

Held at Fire District Headquarters, 595 San Ysidro Road, September 16, 2013 at 3:00 p.m.

The meeting was called to order by Director Venable 3:00 p.m.

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 the following anniversary pins: Jackie Jenkins (15 years), Geri Ventura (20 years), Charlene Lim (25 years), Bret Koepke (25 years), Drue Holthe (25 years) Ed Fuentes (25 years), Terry McElwee (25 years), and Tom Poulos (25 years)

Director Keller congratulated Chief Hickman, Chief McElwee and Ms. Ventura for their preparedness presentation at the Montecito Planning Commission.

2. Approval of District warrants and claims.

After an explanation of payments made to Boundtree Medical, K. Kellogg, SB County Sheriff's Department, RIT Large Area Search System, Ohlin Batteries, AMEC, and overtime (Asterick on expense report for reimbursable) the warrants and claims for July were unanimously approved on a motion made by Director Powell, seconded by Director Keller.

The Board asked to include an asterisk on expenses and overtime that are reimbursable.

3. Report from the Finance Committee (copy of Agenda for Finance Committee Meetings attached), and Recommended Actions:

a. Approval of Annual Employee Reimbursement Disclosure report.

The employee Reimbursement Disclosure report was unanimously approved on a motion by Director Keller, seconded by Director Sinser.

b. Adopt Resolution 2013 - 15 Establishing Appropriation Limits for the 2012-2013 Fiscal Year.

On a motion made by Director Sinser, seconded by Director Keller, the Board approved Resolution 2013 – 15, Establishing Appropriation Limits for the 2012-2013 Fiscal Year by the following roll call vote:

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

c. Adopt payment schedule for OPEB funding utilizing the Constant Percentage Increase model provided by Demsey Filliger & Associates.

The Board discussed the committee's recommendation to utilize the CPI model. They discussed the various payment options, questions about Demsey Filliger's reports, and how the OPEB liabilities change as retirees pass away, existing employees retire, and new employees are hired.

Chief Hickman advised that paying the account off too quickly could overfund the account given the history of rate of return on the investment.

Public Comment:

Joe Cole questioned why liability amount originally reported by Demsey Filliger changed from \$7.4 million to a single payment pay off of \$10.3 million, and suggested that the District hire an expert to review its liabilities and make recommendations.

Bob Hazard stated that he also supports hiring an outside expert to analyze the District's finances and pension liabilities.

Director Sinser made a motion to engage an expert in finance to review the District's data and make recommendations to the Board. The motion was not seconded.

Director Venable made an alternate motion that Mr. Filliger address the questions regarding his report prior to hiring an outside consultant. The motion was not seconded.

Director Powell amended the motion to have the District hire an independent consultant to work with Demsey Filliger to ascertain correct figures and then to analyze the options to bring back the best possible option that is most advantageous to the District. Director Powell's motion was seconded by Director Keller. The motion passed with Aye votes from Directors Sinser, Powell and Keller. Directors Venable and Jensen abstained.

Director Sinser stated that he and Joe Cole met with Santa Barbara County Auditor Bob Gies who recommended someone from Orange County that could perform the financial analysis.

The Board authorized Chief Hickman to consult Mr. Geiss, and move forward with Mr. Geiss's recommended consultant; if Chief Hickman is not comfortable with the recommendation, he is to report to the Board.

d. Review Staff's Recommendation to postpone additional efforts to reduce CalPERS Pension liabilities until OPEB liabilities are paid, and provide direction.

The Board took no action.

e. **Adopt Resolution 2013 - 16 Adopting the Final Budget for Fiscal Year 2013-14.**

After the Chief reviewed the 2013/14 Final Budget the Board approved Resolution 2013 - 16 Adopting the Final Budget for Fiscal Year 2013-14, by the following roll call vote:

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

The Board took a recess at 4:35 p.m. and returned at 4:50 p.m.

4. Review current status of Upper Hyde Road Community Facilities District:

a. **Report from Director Powell regarding research on District's policies on Tea Fire Rebuilds.**

Powell reported that significant work has been done to engineer a revised driveway plan for UHD. The property owners' surveyor and engineer have met with Chief Hickman and Chief Gregson. They are tentatively scheduled to meet again on 9/19/13. The District's engineer will need to review the drawings with Chief Gregson, then it will go back to the property owners' engineer.

The Board took no action.

b. **Report from District Counsel on process to dissolve Community Facilities District (CFD) No. 2011 (Upper Hyde Road).**

Mr. Manion reported on the process and timeline to dissolve the CFD.

Director Powell asked that this matter be put on the next agenda for a status update and that District Counsel be in a position to initiate the dissolution process upon direction from the Board.

Ivana Noel reviewed her involvement in the establishment of the CFD, and advised that she felt pressured to vote in support of the CFD to provide a consensus vote, but later realized that she was jeopardizing her ability to move back into her property.

The Board took no action.

c. **Provide direction on how to proceed with Tea Fire Rebuilds and Upper Hyde Road Community Facilities District.**

The Board took no action.

5. Provide direction to District staff regarding the Environmental Impact Report for the Station 3 Site Acquisition and Construction Project located on East Valley Road on a portion of APN 155-070-008.

Director Sinser removed himself from the Dais.

The Board reviewed the timeline and why they postponed the vote until Director Jensen could be in attendance. They also discussed the pros and cons of doing the EIR now versus doing it later.

Chief Hickman recommended that the District proceed with the EIR at the same time that the studies are done. It would allow the District to be in a position to move forward if the studies do show a third station is valid.

Public Comment:

Sally Jordan stated that there is no downside to doing the EIR concurrent with the studies, and keeps all of the options open.

Sylvia Easton stated that time is of the essence and urged to Board move forward with correcting the EIR. It will be at no cost and can run concurrent with the District's studies.

Joe Cole stated that there is no such thing as free; the EIR revisions will take at least 6 months; the studies may or may not justify the 3rd station; and the option to purchase the land expires at the end of this year. He also stated that Judge Anderle has retained jurisdiction so it will likely go back to the courts. He suggested that the District find out how long the "free" services are available and revisit this after the studies are done.

On a motion by Director Jensen, seconded by Director Keller, the Board unanimously approved going forward with the EIR.

6. Approval of Agreement for Emergency Dispatch Services between Montecito Fire Protection District and Carpinteria/Summerland Fire Protection District.

Chief Hickman reviewed the agreement, the services provided and the proposed increases in costs.

Mr. Manion reviewed the history of this matter and informed the Board that the Montecito Fire District had provided a written waiver allowing Price Postel and Parma to represent the Carpinteria-Summerland Fire Protection District in this matter. Montecito Fire hired Rick Battles to represent the District in this matter.

Director Sinser suggested that we strike the word "personal" in item 16.

The agreement for Emergency Dispatch Services between Montecito Fire Protection District and Carpinteria/Summerland Fire Protection District was unanimously approved,

with the change recommended by Director Sinser, on a motion by Director Keller, seconded by Director Sinser.

7. Approval of Minutes of August 19, 2013 Regular Meeting.

Director Keller made a recommendation to remove the word “that” in the last paragraph of item two. The minutes were unanimously approved as amended on a motion made by Director Powell, seconded by Director Sinser.

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

Director Keller reported that the Community Outreach Committee received four website proposals; two were from out of the area, and up to 40% higher than the two local providers. They suggested focusing on local bids, and staff will be working with both local consultants to review their back end programming.

The Board took no action.

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

Director Powell reported that the Strategic Planning Committee had interviews with four contractors and will review their responses and develop a scope of work at the next meeting.

Public Comment:

Bob Hazard suggested that the study address consolidation.

The Board took no action.

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

Mark Manion to provide Director Keller a copy of documents relating to their litigation with the Water District so that she can report on this at a future meeting.

11. Board of Director’s report.

Directors Powell, Venable and Keller attended Montecito Planning Commission presentation, and felt it was very well done.

The Board took no action.

12. Fire Chief's report.

(1) Strike team response to Rim Fire (2) 9-11 memorial coin presented to the District from Kimi Beaven, widow of 9-11 victim (3) CSDA conference in Monterey.

13. Consider cancelling Regular Board meeting scheduled for October 21, 2013 and schedule and adjourning it to October 28, 2013.

The Board directed staff to adjourn the October 21, 2013 meeting to October 28, 2013.

The meeting was adjourned at 6:25 p.m.