

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

Held at Fire District Headquarters, 595 San Ysidro Road, September 17, 2012.

The meeting was called to order by Director Jensen at 8:34 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.**

Ivana Noel advised the Board that she is working on an information sheet listing the benefits and disadvantages of Mello-Roos funding. She requested that District review her list when it is completed, and invited the District to participate with her in the creation of the document.

Joe Cole reviewed his previous written request for budget projections relating to Station 3 and questioned information on Station 3 informational flyer.

Abe Powell introduced himself as a candidate for the upcoming election, reviewed his experience, and stated that while he is concerned with safe driveways and private roads as well as safe and adequate for firefighting equipment, he is concerned with the approach the District has taken to enforcing codes after the Tea and Jesuita Fires.

Gene Sinsler stated that he believes the information produced in the Board packets is "woefully inadequate."

The Board directed the Fire Chief to bring back responses to Mr. Cole's concerns relating to Budget projections for Station 3.

- 2. Approval of Minutes of August 20, 2012 Special Meeting.**

On a motion made by Director Newquist, seconded by Director Jensen, the Board unanimously approved the minutes of August 20, 2012 Special Meeting.

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

After an explanation of claims to Price, Postel and Parma relating to the Station 3 litigation, and costs associated with creating a written agreement with the Coyote Road residents, the warrants and claims for August were unanimously approved on a motion made by Director Newquist, seconded by Director Venable.

- 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 draft agreement, including a 7 year code assurance for

participant; road installation required prior to construction; and that there would be no final occupancy until road is completed.

After discussion between the Board and participants relating to the contents and restrictions of the proposed draft agreement, the Board directed the Fire Chief to distribute the agreement to all participants, and to bring this item back to the Board for consideration at the October meeting.

5. Approve Employee Reimbursement Disclosure report.

Ms. Lim advised that County guidelines (and Government Code Section 53065.5 as indicated on the document) require that the District to have Board approval on any reimbursements over \$100.

The Employee Reimbursement Disclosure Report was unanimously approved on a motion made by Director Venable, and seconded by Director Newquist.

6. Adopt Resolution 2012 - 09 Adopting the Final Budget for Fiscal Year 2012-13.

A motion was made by Director Venable, seconded by Director Jensen to adopt Resolution 2012-09, adopting the Final Budget for Fiscal Year 2012-13.

After public comment on the budget including concern with staffing for Station 3, the appearance of operating in a deficit, and a suggestion that financial information be made more readily available to the public, the Board approved Resolution 2012-09 by the following roll call vote:

AYES: R.J. Jensen, J. Venable,
NOES: None
ABSTAIN: D. Newquist
ABSENT: None

7. Adopt Resolution 2012 - 08 Establishing Appropriation Limits for the 2011-2012 Fiscal Year.

A motion was made by Director Jensen, seconded by Director Venable to adopt Resolution 2012-08 Establishing the Appropriation Limits for the 2011-12 Fiscal Year.

Chief Hickman advised that this resolution is a formality approved on an annual basis and required by the legislation to enable the District to utilize all of the tax revenues that are collected.

Resolution 2012-08 Establishing the Appropriation Limits for the 2011-12 Fiscal Year was approved by the following Roll call vote:

AYES: R.J. Jensen, J. Venable, D. Newquist
NOES: None
ABSENT: None

8. Consider adoption of Code of Conduct and Ethics for Members of the Board of Directors.

After a brief discussion on the background and need for a Code of Conduct, the Board unanimously adopted the Code of Conduct for Members of the Board of Directors, on a motion made by Director Jensen, seconded by Director Venable.

9. Consider cancelling Regular Board meeting scheduled for October 15, 2012 and schedule a Special Meeting for October 25, 2012.

Chief Hickman explained that he will be on vacation when the regular meeting is scheduled for October, and asked that the Board cancel that meeting, and schedule a special meeting for October 25, 2012.

On a motion made by Director Newquist, seconded by Director Venable, the Board unanimously approved cancelling the Regular Board meeting scheduled for October 15, 2012 and scheduled a Special Meeting for October 25, 2012.

10. Fire Chief's report.

Chief Hickman reported on the following items: (1) Station 3 MBAR, land use meeting on October 2, and Montecito Planning Commission meeting on October 24 Planning ; (2) Demur hearing for Station 3 litigation; (3) Staff activity for litigation discovery; (4) 5 Member Board Candidate forum on September 24; (5) Personnel on Fire Assignments; (6) two employees off for worker's compensation injuries, one off for family medical leave, one off for administrative leave, and there is one position shortage due to Fire Chief's promotion; (7) Loren Bass promoted to engineer;(8) Captain's and Battalion Chief promotions; (9) MOU signed (10) Communications issues relating to cell tower removal and antennas at QAD; (11) Trail fatality on September 14th (12) Participation at Prayer Breakfast,(13) LAFCO meeting, (14) meeting with Jim and Tim Buckley, (15) participation on yacht club fundraising event, (15) presentation to Featherhill HO relating to defensible space and notification systems (16) 9-11 ceremonies, (17) Oct 11-12 FDAC meetings, and (18) Fire Chief's vacation October 12 – 21.

11. Board of Directors report.

None.

12. Requests from Directors for items other than regular agenda items to be included for the October Board meeting.

None

Adjournment

Director Jensen adjourned the meeting at 10:12AM