

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

Held at Fire District Headquarters, 595 San Ysidro Road, January 21, 2009. The meeting was called to order by President Jensen at 8:43 am. Present were Director Jensen, Director Venable, and Director Newquist. Others present at the meeting: T. Edwards, E. Hvolbøll, E. Klemowicz, J. Langhorne, C. Lim, T. McElwee, G. Ventura, and K. Wallace.

1. There was no public comment.
2. On a motion made by Director Newquist, seconded by Director Venable, the minutes of the December 15, 2008 Special Meeting were unanimously approved.
3. After a brief explanation of payments made to various gasoline and diesel providers, JDL Mapping and Informa Corporation, the warrants and claims for the month of December 2008 were unanimously approved on a motion made by Director Newquist and seconded by Director Jensen.
4. Mr. Hvolbøll advised that the Board should set new rental rates pursuant to the District's Rental Housing program and that Mr. Peterson of the Laurel Company was asked to provide a fair market rent analysis so that there is not a conflict of interest with our current property management company. Coastal Property charges a percentage of the rental rates, which could be seen as a conflict, where Laurel Company offered to perform the analysis for a flat fee. Mr. Hvolbøll also reported on verbal opinions of rental values received last year from Coastal Properties and one from another realtor.

Mr. Peterson reviewed the extensive credentials of Laurel Company and presented a portfolio of properties they manage.

Mr. Peterson advised that the District's properties are in good condition overall, but there are some features that may decrease the rent if it were offered to the public, including a possible gravesite on the property, a common yard area, limited parking, no garage, and being on a busy street. Mr Peterson stated that the current rental rates fall within the fair market rents based on the property's unique features and condition.

Director Newquist advised that the local schools also add value to rental rates, and suggested raising the current rates \$100 each.

Director Newquist asked if we can qualify for work force housing credit by having lower rents. Mr. Hvolbøll advised that it is currently not available through the County and should not be a factor in determining the current

rental rates, which should be based on market analysis and expert opinion, taking into account the unique features of the rentals.

Mr. Hvolbøll asked Mr. Peterson if, in his professional opinion, an additional increase of \$100 per unit would still fall within fair market rents, bearing in mind the unique aspects of the properties and current economic conditions, which have changed a lot in recent months. Mr. Peterson advised that they would still be within fair market rental rates.

Director Newquist again suggested that they raise each unit \$100 and utilize a cost of living index. Director Venable suggested using Los Angeles Consumer Price Index (CPI) as a guide.

Director Newquist made a motion, based on testimony and evidence that Board heard from Mr. Peterson of the Laurel Company, that the current rental rates of \$1536 for 1255 East Valley Road, \$1110 for 1257 East Valley Road and \$1126 for 1259 East Valley Rd, be raised \$100 each to reflect new rental rates of \$1636, \$1210 and \$1226 respectively. Further that the Board review the rates annually in the future and adjust them as necessary utilizing the Los Angeles CPI. The motion was seconded by Director Venable, and approved unanimously

5. On a motion made by Director Newquist, seconded by Director Jensen , the Board unanimously accepted the \$5,000 donation from Casa Dorinda.

6. Director Newquist advised that he has spoken to many people in the community, and feels that the public wants to know who the accused people are that have been identified as being responsible for the Tea Fire. He asked that the Board write a letter to the District Attorney to seek out the names of the perpetrators.

Director Jensen stated that he feels that the Board should not write a letter, as it is not the Fire Districts responsibility. He suggested that Director Newquist write a letter to the District Attorney as a private citizen, not representing the Board or the Fire District. Director Jensen added that not all community members feel that the names should be made public at this time.

Mr. Hvolbøll advised that this would be outside of the Board's job description, but they are free to submit an official request should they choose to do so. He recommended that the Board not write a letter as it is not in the District's list of responsibilities in state law.

Director Venable advised that although he is curious to know who the suspects are, he has not been approached by anyone in the District to ask why the names have not been released or to pursue the matter.

The Board took no action and the topic was tabled for future consideration.

7. Chief Wallace advised that it was requested at the last meeting to consider permanently removing all properties but Site A "Palmer Jackson East" and Site B "Archdiocese of Los Angeles" parcels as described in AMEC's "Final Station 3 Site Identification Study" from future consideration.

Chief Wallace advised that the appraisal process has started on the two properties currently being considered, and an environmental study will be done.

Director Venable made a motion to permanently remove all properties but Site A "Palmer Jackson East" and Site B "Archdiocese of Los Angeles" parcels as described in AMEC's "Final Station 3 Site Identification Study" from future consideration.

He advised that property owners listed in the study are concerned that they have to disclose that their property is being considered for the third station to potential buyers.

Mr. Hvolbøll pointed out that whatever the Board does today, can be undone by future Boards. His concern is that many things could occur that could change the priority of the properties being considered for a third station.

Director Venable withdrew his motion and asked for further study to potentially remove some of the properties from consideration.

This topic was tabled for counsel to review the study and suggest language for removing some properties from future consideration.

8. Chief Wallace reported that a Fire Management Assistant Grant was approved within hours of the Tea Fire incident, which provides some reimbursement from the State and the Federal Government for the costs associated with the fire. The Federal reimbursements will cover 75% of the costs, and the State will cover 75% of the remaining 25% of the costs.

He advised that we will not know what the drop in revenue from the loss of improved structures will be until the assessor's office provides the information. We have asked them to provide us this information no later than March so that we can develop our 2009/2010 budget.

The Board took no action.

9. Chief Wallace advised that the CalPERS website reported that on December, 31, 2007 their value \$253 billion. As of January 19, 2009, it was \$178.3 Billion, which is down 23.99%.

Director Venable advised this is actually good compared to others; the current average portfolio loss is 38.5%.

Chief Wallace reported that as of 11/30/08, their portfolio is down 2.45% over a 3 year average and up 3.5% over a 5 year average.

The Board took no action.

10. Chief McElwee advised that there is a mutual aid plan for the Operational Area which includes a Communications Plan. In that plan, there are 3 frequency options for a Command Channel (Command is used by the Incident Commander and Operations to assign resources): the Forest Service, Santa Barbara County, and Santa Barbara City. All initial attack incidents within the District initially utilize our own frequency. This can be transitioned to another frequency if the incident becomes a larger event. There are also four frequency plans for tactical channels (tactical frequencies allow for fire equipment to talk to each other.)

The night of the Tea Fire, Santa Barbara City and Montecito were both receiving calls with reports of fire in various locations, so they responded on their frequency, and we responded on ours. Once it was determined that it was a large scale incident, we attempted to transition to the Santa Barbara County frequency as outlined.

Santa Barbara County Fire was also experiencing a large volume of calls that evening, and did not want to give up their frequency, so we ended up utilizing the Santa Barbara City frequency for Command.

Law enforcement is on a different radio band, so a law enforcement liaison was assigned to Operations to help coordinate information.

We have talked with the Operational Area Communications Group, and asked for a single frequency that all agencies could utilize for large events, but there has not been support from the County for this.

At the end of the incident, Incident Management Team 10 also recommended that the Operational Area have one dedicated frequency for front county incidents. This would help incoming mutual aid to have it preprogrammed in their radio banks.

Command frequencies use tones to access repeaters. Montecito's tone is not a common tone utilized statewide. He advised that we hope to change the tone on our current frequency to one of the standard tones utilized state wide.

Director Newquist stated that he thinks dispatching policies, auditing, radio frequencies and responses, should be streamlined to save the public money.

Chief McElwee explained that establishing commonality is the goal of the Incident Command System; however different agencies have different agendas. What may save one agency money, may make their situation less streamlined or more different than what is considered the norm with other agencies.

The Board took no action.

#### 11. Fire Chief's Report

Chief Wallace reported on several issues including the following: Montecito Association's Tea Fire Forum on January 26; County Fire's resistance to establishing a common frequency; MDA fill the Boot raised \$5,975; Dec 21<sup>st</sup> Fundraising Basketball Game raised \$1700 for the Tea Fire Long Term Recovery Fund, and \$1000 was donated to MDCA by the Montecito Firemen's Association, and Mike Doyle's retirement on Dec 29, 2008.

The Board did not discuss or take action on items in the Fire Chief's Report.

12. For future agenda items, Director Newquist asked for the Montecito Firemen's Association to present their new organizational outline to the Board; position firefighter IT; ask Supervisor Carbajal to attend; revisit GASB 45.

Director Jensen adjourned the meeting at 9:55 am.