

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

Held at Fire District Headquarters, 595 San Ysidro Road, May 16, 2011.

The meeting was called to order by President Jensen at 8:30 am.

Present: Director Jensen, Director Venable and Director Newquist. Chief Wallace, District Counsel M. Manion, and Scott Ferguson, as well as approximately 15 members of the public were also present.

1. **Public comment:** Alex Broumand explained the MFA Charitable foundation and recent fund raising activities. 1st District Supervisor Salud Carbajal discussed budget issues, and congratulated the District for their leadership in finding a creative solution for the residents. Kevin Connolly asked Supervisor Carbajal to pursue assistance from the County for the Upper Hyde Road project.

2. **Approval of Minutes of April 18, 2011 Regular Meeting.**

On a motion made by Director Newquist, seconded by Director Jensen, the minutes of April 18, 2011 were approved. Director Venable abstained.

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

After an explanation on payments made for MDC's, McPherson Tree Care, the Board unanimously approved the warrants and claims for the month of April on a motion by Director Newquist, seconded by Director Venable.

4. **Report on status of Upper Hyde Road and related issues.**

Ms. Collins and Ms. Noel reported on the status of engineering issues relating to Upper Hyde Road.

The Board took no action.

5. **Montecito Fire Protection District Community Facilities District No. 2011 (Upper Hyde Road).**

That the Board:

- a. **Adopt a resolution approving goals and policies in accordance with the requirements of the Mello-Roos Community Facilities Act of 1982.**
- b. **Adopt a resolution of intention to establish community facilities district.**
- c. **Adopt a resolution of intention to incur bonded indebtedness.**

Note: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District office at 969-7762. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements.

Materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Montecito Fire Protection District's office located at 595 San Ysidro Road during normal business hours.

Scott Ferguson reviewed the legal process necessary to create the Mello Roos District, including the basic content of the proposed resolutions.

A motion was made by Director Venable, seconded by Director Newquist to approve Resolution 2011-02, Approving Goals and Polices.

Property owners discussed several issues including: concern with the distribution of taxes; costs associated with access to some of parcels; and the inability of property owners to move forward without the formation of a Mello Roos District.

Resolution 2011-02 was approved by the following Roll call vote:

Ayes:	R.J. Jensen, J. Venable, D. Newquist
Noes:	None
Absent:	None

A motion was made by Director Newquist, seconded by Director Jensen to approve Resolution 2011-03, Resolution of Intention to Form a Community Facilities District. Resolution 2011-03 was approved by the following Roll call vote:

Ayes:	R.J. Jensen, J. Venable, D. Newquist
Noes:	None
Absent:	None

A motion was made by Director Newquist, seconded by Director Jensen to approve Resolution 2011-04, Resolution of Intention to Incur Bonded Indebtedness. Resolution 2011-04 was approved by the following Roll call vote:

Ayes:	R.J. Jensen, J. Venable, D. Newquist
Noes:	None
Absent:	None

Mr. Ferguson then reviewed the process relating to getting bids and issuing of bonds.

- 6. That the Board adopt a resolution authorizing the issuance and sale of pension obligation bonds to refinance outstanding side fund obligations of the Montecito Fire Protection District to the California Public Employees' Retirement System and approving forms of and authorizing the execution and delivery of an indenture and a bond purchase agreement and other matters relating thereto.**

Chief Wallace advised the District is currently paying 7.75% on side fund obligations and this process will reduce the interest being paid, thus saving the District money.

Mr. Ferguson reviewed the process to refinance the fund, including Resolution 2011-05 and the bond purchase agreement.

A motion was made by Director Venable, seconded by Director Newquist to approve Resolution 2011-05, Authorizing the Issuance and Sale of Pension Obligation Bonds

to Refinance Outstanding Side Fund Obligations of the District to the California Public Employees' Retirement System and Approving the Forms of and Authorizing the Execution and Delivery of an Indenture and a Bond Purchase Agreement and Other Matters Relating Thereto. Resolution 2011-04 was approved by the following Roll call vote:

Ayes:	R.J. Jensen, J. Venable, D. Newquist
Noes:	None
Absent:	None

7. Approve and authorize the Fire Chief to execute an Agreement for Placement Agent/Underwriting Services between the Montecito Fire Protection District and Brandis Tallman LLC for the District's Community Facilities District No. 2011 (Upper Hyde Road)

On a motion made by Director Venable, seconded by Director Newquist, the Board unanimously authorized the Fire Chief to execute the agreement for placement agent/underwriting services.

8. Adopt price and population factors for fiscal year 2011-2012 appropriations limits.

On a motion by Director Venable, seconded by Director Newquist, the Board unanimously adopted the percentage change in California per Capita personal income and the change in population within the unincorporated area of Santa Barbara County as to price and population factors for use in the computation of the District's Proposition 4 limit for fiscal year 2011-2012 by the following roll vote:

Ayes:	R.J. Jensen, J. Venable, D. Newquist
Noes:	None
Absent:	None

9. Review Scoping Meeting and overview Station 3 Project at 2500 East Valley Road.

Chief Wallace reviewed the information provided by AMEC at the Station 3 Project Scoping Meeting, which was attended by approximately 7 citizens. Director Newquist was also present for the beginning of the meeting.

The Board took no action.

10. Rotary Club Vocational Service Award for Jackie Jenkins.

Chief Wallace advised that this is an annual award, and Jackie Jenkins was selected as the recipient for her instrumental efforts in coordinating communications between agencies.

The Board took no action

11. Fire Chief's report.

Chief Wallace reported on the Montecito Land Use Committee; Montecito Association Meeting; Request for Qualifications for Architectural Services; and a Signed Option Agreement for Station 3 property; proposed purchase of Hot Springs Canyon to turn over to the Forest Service; Santa Barbara County LAFCO annexations; and thank you for Curtis Vincent.

The Board took no action

12. Board of Directors report.

John Venable volunteered to be on RFQ Interview committee for Station 3 architectural services.

13. Requests from Directors for items other than regular agenda items to be included for the adjourned regular meeting on June 17, 2011.

Director Venable asked for a report on trail posting and the Hot Springs Canyon purchase.

Director Newquist asked for a future Board workshop to review the Station 3 project.

Adjournment

At 10:10 am, the Board adjourned the meeting to June 17, 2011, at 8:30 a.m. at the Montecito Fire Protection District Headquarters.