

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

Montecito Fire Protection District Headquarters  
595 San Ysidro Road  
Santa Barbara, California

**July 15, 2013 at 3:00 p.m.**

Agenda Items May Not Be Taken In The Order Shown

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.)

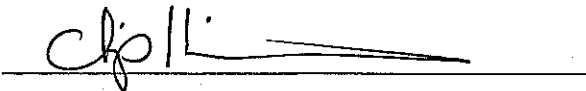
For Board Action:

2. Approve Resolution No. 2013-11 rescinding Resolution No. 2012-03 which certified the Final Environmental Impact Report for the Station 3 Site Acquisition and Construction Project.
3. Approve Resolution No. 2013-12 rescinding Resolution No. 2012-04 which approved the Station 3 Site Acquisition and Construction Project.

Adjournment

This agenda is posted pursuant to the provisions of the Government Code commencing at Section 54950. The date of the posting is July 12, 2013.

MONTECITO FIRE PROTECTION DISTRICT



Chip Hickman, Fire Chief

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.



# Agenda

## Item #2



RESOLUTION NO. 2013-11

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE MONTECITO FIRE PROTECTION DISTRICT  
RESCINDING RESOLUTION NO. 2012-03  
WHICH CERTIFIED THE FINAL ENVIRONMENTAL IMPACT REPORT  
FOR THE STATION 3 SITE ACQUISITION AND CONSTRUCTION PROJECT

WHEREAS, on April 23, 2012, the Board of Directors of the Montecito Fire Protection District passed and adopted Resolution No. 2012-03 certifying the Final Environmental Impact Report for the Station 3 Acquisition and Construction Project (State Clearinghouse No. 2011031094); and

WHEREAS, on May 23, 2012, Montecito Agricultural Foundation filed a Verified Petition for Writ of Mandamus in the Superior Court for the County of Santa Barbara, naming both the District and its Board of Directors as Respondents in their challenge to the action of the District Board of Directors to certify the Final Environmental Impact Report (Case No. 1401924); and

WHEREAS on May 21, 2013, the Superior Court entered Judgment in Case No. 1401924, granting the Peremptory Writ of Mandamus requested by Montecito Agricultural Foundation; and

WHEREAS, on May 15, 2013, the Superior Court issued a Peremptory Writ of Mandamus directing the District and its Board of Directors, among other things, to vacate the Board's certification of the Final Environmental Impact Report and to make and file an initial return to the Writ within sixty days of service of the Writ, setting forth what the District and its Board of Directors have done to comply with the Writ or otherwise respond; and

WHEREAS, service of the Writ on Fire Chief Chip Hickman occurred on May 22, 2013, thereby requiring a return on the Writ on or before July 21, 2013;

NOW, THEREFORE, the Board of Directors hereby resolves and finds as follows:

1. The District's best interests will be served by taking the actions required by the Peremptory Writ of Mandamus issued by the Superior Court.
2. The Board of Directors hereby rescinds Resolution No. 2012-03 and its certification of the Final Environmental Impact Report for the Station 3 Site Acquisition and Construction Project.
3. The Board of Directors hereby directs the Fire Chief and District Counsel to report this action to the Superior Court by making a timely return to the Writ.

PASSED AND ADOPTED by the Board of Directors of the Montecito Fire Protection District this 15th day of July 2013.



Agenda

Item #3





RESOLUTION NO. 2013-12

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE MONTECITO FIRE PROTECTION DISTRICT  
RESCINDING RESOLUTION NO. 2012-04  
WHICH APPROVED THE STATION 3 SITE ACQUISITION  
AND CONSTRUCTION PROJECT

WHEREAS, on April 23, 2012, the Board of Directors of the Montecito Fire Protection District passed and adopted Resolution No. 2012-04 approving the Station 3 Acquisition and Construction Project; and

WHEREAS, on May 23, 2012, Montecito Agricultural Foundation filed a Verified Petition for Writ of Mandamus in the Superior Court for the County of Santa Barbara, naming both the District and its Board of Directors as Respondents in a challenge to the action of the District Board of Directors approving the Station 3 Acquisition and Construction Project; and

WHEREAS, on May 21, 2013, the Superior Court entered Judgment in Case No. 1401924, granting the Peremptory Writ of Mandamus requested by Montecito Agricultural Foundation; and

WHEREAS, on May 15, 2013, the Superior Court issued a Peremptory Writ of Mandamus directing the District and its Board of Directors, among other things, to vacate the Board's approval of the Station 3 Acquisition and Construction Project and to make and file an initial return to the Writ within sixty days of service of the Writ, setting forth what the District and its Board of Directors have done to comply with the Writ or otherwise respond; and

WHEREAS, service of the Writ on Fire Chief Chip Hickman occurred on May 22, 2013, thereby requiring a return on the Writ on or before July 21, 2013;

NOW, THEREFORE, the Board of Directors hereby resolves and finds as follows:

1. The District's best interests will be served by taking the actions required by the Peremptory Writ of Mandamus issued by the Superior Court.
2. The Board of Directors hereby rescinds Resolution No. 2012-04 and its approval of the Station 3 Site Acquisition and Construction Project.
3. The Board of Directors hereby directs the Fire Chief and District Counsel to report this action to the Superior Court by making a timely return to the Writ.

PASSED AND ADOPTED by the Board of Directors of the Montecito Fire Protection District this 15th day of July 2013.

