

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

Held at Fire District Headquarters, 595 San Ysidro Road, June 17, 2011.

**The meeting was called to order by Director Newquist at 8:30 am.**

**Present:** Director Newquist and Director Venable. Director Jensen and was absent. Chief Wallace and District Counsel M. Manion were also present.

**1. Public comment.**

Chief Wallace recognized Firefighter Scott Chapman for 5 years of service, Engineer Evan Skei, for 10 years of service, and Paramedic Firefighter Kurt Hickman, for 10 years of service.

**2. Approval of Minutes of May 16, 2011 Regular Meeting.**

On a motion made by Director Venable, seconded by Director Newquist, the minutes of May 16, 2011 were unanimously approved.

**3. Approval of Minutes of May 25, 2011 Special Meeting.**

On a motion made by Director Venable, seconded by Director Newquist, the minutes of May 16, 2011 were unanimously approved.

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

After an explanation regarding the process that is utilized to approve District payments, the warrants and claims were unanimously approved on a motion made by Director Venable, seconded by Director Newquist.

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

Ms. Collins reviewed the Report regarding the status of Upper Hyde Road including their proposed Water District agreement.

The Board took no action.

**6. Public Hearings on the Establishment of the Montecito Fire Protection District Community Facilities District No. 2011 (Upper Hyde Road) and the Incurring of Bonded Indebtedness.**

At 8:38 a.m. Director Newquist asked if there were any written protests to the proceeding, and finding that there were none, then opened the public hearing.

Mr. Lynch, District special counsel for formation of the CFD, reported on the previous approval of the resolution of intention, and modifications to the rate and method of apportionment, which are on file in the CFD report to the Board. Director Newquist asked for comments, questions, and or protests from the audience.

Ms. Noel questioned the project option(s) relating to construction and financing of the road above the washout (referred to as the East and West Forks).

Mr. Lynch and Mr. Manion reviewed the cost sharing agreement and confirmed the ability to fund only a portion of the road from the CFD and allowing private financing for the upper portions should the participants desire to do so in the future; cost apportionments would then be adjusted as necessary to reflect those changes.

Mr. Connelly asked who residents should speak to in the future if they have questions regarding the bonds or other CFD related issues. Director Newquist advised that their liaison will continue to be the Fire Chief.

The public hearing was closed at 8:50 a.m.

**a. Adopt Resolution No. 2011-07 - Formation of Community Facilities District.**

On a motion made by Director Venable, seconded by Director Newquist, Resolution No. 2011-07, Formation of Community Facilities District was approved by the following roll call vote:

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

**b. Adopt Resolution No. 2011- 08 - Determining Necessity to Incur Bonded Indebtedness.**

On a motion made by Director Venable, seconded by Director Newquist, Resolution No. 2011- 08 - Determining Necessity to Incur Bonded Indebtedness was approved by the following roll call vote:

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

**c. Adopt Resolution No. 2011-09 - Calling Special Election**

On a motion made by Director Venable, seconded by Newquist, Resolution No. 2011-09 - Calling Special Election was approved by the following roll call vote:

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

**d. Adopt Resolution No. 2011-10 - Declaring Results of Special Election and Directing the Recording of Notice of Special Tax Lien.**

The Board took a brief recess at 8:50 a.m. to count the ballots, and returned at 8:55 a.m.

Mr. Manion reported that there were 17 potential votes; 12 votes cast; 12 yes votes; 0 no votes.

On a motion made by Director Venable, seconded by Director Newquist, Resolution No. 2011-10 - Declaring Results of Special Election and Directing the Recording of Notice of Special Tax Lien was approved by the following roll call vote:

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

**7. Approve the first reading by title only of District Ordinance No. 2011-01 Levying Special Taxes within Community Facilities District No. 2011 (Upper Hyde Road).**

On a motion made by Director Venable, seconded by Director Newquist, the Board approved the first reading by title only of District Ordinance No. 2011-01 Levying Special Taxes within Community Facilities District No. 2011 (Upper Hyde Road) by the following roll call vote:

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

The Board took a recess at 9:00 a.m. and reconvened at 9:07 a.m.

**8. Adopt Resolution 2011-11 amending the 2010-2011 fiscal budget.**

Chief Wallace explained that the 2010-2011 fiscal budget needed to be amended to include the Side fund refinance that was approved at last month's meeting.

On a motion made by Director Venable, seconded by Director Newquist, Resolution 2011-11 amending the 2010-2011 fiscal budget was approved by the following roll call vote:

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

**9. Adopt Resolution 2011-12 regarding the 2011-2012 preliminary budget.**

Chief Wallace advised that the preliminary budget is based on zero increase in revenues. He reviewed the critical items that were included in the fixed assets list, and the establishment of the new fund 3651 for long term debt repayment of the side fund.

On a motion made by Director Venable, seconded by Director Newquist, Resolution 2011-12 regarding the 2011-2012 preliminary budget was approved by the following roll call vote:

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

**10. Closed Session (Pursuant to Government Code section 54957)**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**Title: Fire Chief**

The Board entered closed session at 9:12 a.m. and reconvened at 9:37 a.m.

Mr. Manion advised that no reportable action was taken.

**11. Report on Montecito Trail postings.**

Curtis Vincent reported on the trail signage, advising that there was previous grant funding, but the signs were removed after determining that there were safety and liability issues. Director Venable advised that he would like to see signage revisited in the future.

The Board took no action.

**12. Report on Hot Springs Canyon.**

Chief Wallace reviewed the maps provided by the Hot Springs Canyon land trust relating to the potential sale and transfer of ownership of Hot Springs Canyon to the Forest Service.

The Board took no action.

**13. Review Station 3 Project details.**

Chief Wallace reported that the Architect has been chosen through the RFQ process, and it is hoped that a draft Architectural Services Agreement will be brought to the Board to consider at the next meeting. He added that ingress, egress, size and mass, will be considered when the firm begins developing the proposed structure. Mr. Manion reminded the Board that the County approval process will also impact the development as it progresses.

Chief Wallace added that the Administrative Draft of the EIR was provided to staff on Wednesday, June 15, 2011.

The Board took no action.

**14. Fire Chief's report.**

Chief Wallace reported on Curtis Vincent's Retirement BBQ on 7/30; the Governor's veto of the State Budget; Cal Fire's new SRA Fee; Grand Jury request; Thank you letter for a fund raising dinner; MERRAG van housing at the Montecito Water District and ongoing hazard abatement cleanup being done at the Miramar.

**15. Board of Directors report.**

Director Newquist reported that the El Bosque resident's recent concern with a proposed drug rehab residence in the area.

Director Venable reported on the interview process with the architect firms for Station 3.

The Board took no action.

**16. Requests from Directors for items other than regular agenda items to be included for the regular meeting on July 18, 2011.**

Director Venable requested District look at its excess property / equipment policy to consider donations to Nature Conservancy in the future.

Director Newquist requested information on increasing the Board to a 5 member board.

The meeting was adjourned at 10:10 am.