

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

Held at Fire District Headquarters, 595 San Ysidro Road, March 22, 2011.

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

Present: Director Jensen, Director Venable, Director Newquist, Chief Wallace, District Counsel T. Amspoker, and M. Manion as well as approximately 15 members of the public 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.**

There was no public comment.

For Board Action:

- 2. Report on status of Upper Hyde Road Mello Roos District and related issues.**

Mr. Amspoker reported on the progress of forming the Mello Roos District and the options of funding maintenance on the road in the future. He also reviewed the issues relating to scheduling a meeting for the Board to consider a Resolution of Intention on the formation of a Mello Roos District.

Ms. Collins reviewed the Owner's Report and advised that they have provided a complete set of engineering documents for Mark Knudson.

The Board unanimously chose to hold a Special Meeting on May 2, 2011 at 8:30 am to consider a Resolution of Intent for the development a Mello Roos District and to include a maintenance reserve fund within the Mello Roos District.

- 3. Closed Session Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a)).**

- a. Name of Case: Montecito Fire Protection District, a public entity, vs. Jacqueline De Sitter MD, individually and as trustee of the Casa del Mar Trust, Fidelity National Title Company, JPMorgan Chase Bank, NA, Does 1-25 inclusive. Santa Barbara Superior Court Case No. 1371200.**

The Board entered closed session at 8:49 am and combined Agenda Item 3, Conference with legal counsel existing litigation, and Agenda Item 3, Conference with Real Property Negotiators (Government Code Sec. 54956.8) Property: portions of APN 155-070-008, 2500 East Valley Road, Montecito.

- 4. Closed Session – Conference with Real Property Negotiators (Government Code Sec. 54956.8) Property: portions of APN 155-070-008, 2500 East Valley Road, Montecito.**

- a. Agency Negotiators: Kevin Wallace, Fire Chief; and Price Postel & Parma LLP, District Counsel**

- b. Negotiating Party: Rancho San Carlos/The Petan Co.**

- c. Under Negotiation: Price and terms of payment.**

The Board reconvened at 9:10 am. and Mr. Manion advised that there were no reportable actions taken during the closed session.

- 5. Consideration and approval of Stipulation for Judgment in Eminent Domain, Final Order of Condemnation and Order for Release of Deposit in Santa Barbara Superior Court Case No. 1371200.**

Mr. Manion explained that an agreement has been approved and executed by DeSitter's and their attorney.

On a motion by Director Newquist, seconded by Director Venable, the Board unanimously approved the Stipulation for Judgment in Eminent Domain, Final Order of Condemnation and Order for Release of Deposit in Santa Barbara Superior Court Case No. 1371200.

6. Review status of environmental and planning review for proposed Station 3 at 2500 East Valley Road and Campbell Geo Inc.'s Geologic Hazards and Geotechnical Investigation.

Chief Wallace reported that the District has received the Geologic Hazards and Geotechnical Investigation report from Campbell Geo, and will begin the next phase of planning with AMEC.

Mr. Manion reviewed the options of preparing an environmental document in compliance with the California Environmental Quality Act for the Station 3 Project. Mr. Manion discussed the alternatives of preparing an Environmental Impact Report or a Mitigated Negative Declaration (MND). After explaining the options, the Board unanimously directed staff to move forward with a full Environmental Impact Report on a motion made by Director Newquist, seconded by Director Venable.

7. Approval of Minutes of February 22, 2011 Regular Meeting.

Director Venable advised that the minutes should be corrected to reflect that that LAFCO representative Jeff Moorehouse is a Board member for *Carpenteria* Sanitary District. The minutes were unanimously approved as corrected on a motion by Director Newquist, seconded by Director Venable.

8. Approval of District warrants and claims.

After an explanation on payments made for software support, hazard mitigation, roof repairs and Price, Postel & Parma, the Board unanimously approved the warrants and claims for the month of February on a motion by Director Newquist, seconded by Director Jensen.

9. Approve establishment of Fund 3654 for Mello-Roos District.

Chief Wallace advised that establishing Fund 3654 will provide for the accounting of costs associated with Mello Roos District.

The establishment of Fund 3654 for a Mello Roos District was unanimously approved on a motion made by Director Venable, and by seconded by Director Jensen.

10. Approve Resolution 2011-01 to Amend 2010/2011 FY Budget.

Chief Wallace advised that this amendment accounts for appropriating a donation of \$10,000 to our hazard mitigation program, unanticipated tax revenues, and reimbursements from fire assignments.

On a motion made by Director Newquist, seconded by Director Venable the Board approved Resolution 2011-01, Resolution of the Governing Board of the Montecito Fire Protection District Amending the Final Budget for Fiscal Year 2010-2011 by the following roll call vote:

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

11. Consider refinance of Cal PERS side fund.

Chief Wallace advised that this process is still being researched and advised that he will bring this back to the board when he has more information.

The Board took no action.

For Information Only:

12. Review Form 700 – Statement of Economic Interest requirements. (Due April 1).

Chief Wallace reminded the Board that it is important to review and complete the required information, and that there are new fines relating to late returns of the Statements of Economic Interest.

The Board took no action.

13. Report on Staff and Officer Workshop (Mission, Vision, Values)

Chief Wallace reviewed the results of the annual Staff and Officer Workshop held on March 3-4 including the District's Mission, Vision and Value Statements, and strategic planning for station 3.

Director Venable reported that he attended the first day and was impressed with the professionalism at the workshop.

The Board took no action.

14. Fire Chief's report.

Chief Wallace reported on the recent tsunami advisories which activated the Ambient Home Alert radios; the FDAC conference; the Miramar project status; the Grand Jury report on public information; and the new Board of Director's compensation reimbursement form.

15. Board of Directors report.

The Board had nothing to report.

16. Requests from Directors for items other than regular agenda items to be included for the April Regular Board meeting.

Director Newquist suggested that the District consider providing Earthquake and Tsunami preparedness training for the community. Geri Ventura advised that this has already been scheduled for April 11 at El Montecito Presbyterian Church and April 14 at Station 1. He also asked to review the Employee Housing Property Management Company. Chief Wallace asked to bring this back to the Board at the October regular meeting, because contract changes cannot be made with the management company until the end of the year.

Director Jensen asked for Fire District participation at Retiree Dave Powell's memorial service scheduled for March 25, 2010.

Adjournment

Director Jensen adjourned the meeting at 9:55 AM

John Venable, Secretary

Roland J. Jensen, President