

12-00539

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OUR FILE NUMBER
12611.06

June 21, 2012

BY HAND DELIVERY

Chandra L. Wallar, Clerk of the Board of Supervisors
Michael Allen, Chief Deputy Clerk of the Board of Supervisors
County of Santa Barbara
105 East Anapamu Street, Room 407
Santa Barbara, California 93101

COUNTY OF SANTA BARBARA
CLERK OF THE BOARD OF SUPERVISORS
2012 JUN 21 11:11:24 AM

Re: Montecito Fire Protection District
Proposed Measure to Expand Size of Board
Request for Consolidation with November 6, 2012 Election

Dear Ms. Wallar and Mr. Allen:

Please include on the Board of Supervisors' agenda for July 3, 2012 the adoption of two resolutions of the Governing Board of the Montecito Fire Protection District concerning an election to be consolidated with the Presidential Election on November 6, 2012. I am enclosing one certified original and twelve copies of each of the two resolutions identified as Resolutions 2011-15 and 2011-16.

The proposed measure to be considered by the voters of the District would expand the size of the Governing Board from three members to five and would elect two new members in the same election. Resolution 2011-15 provides for an election and sets forth the wording of the measure to be voted upon. Resolution 2011-16 requests that the Board of Supervisors authorize the Elections Official in the Office of the Clerk-Recorder-Assessor to render specified services and conduct the election.

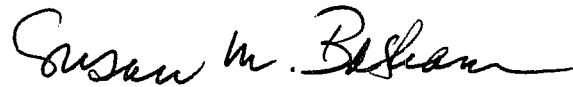
After the Board's action, please forward to me a copy of the resolution(s) or minute orders(s) of the Board of Supervisors.

Ms. Wallar and Mr. Allen
June 21, 2012
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If you require additional information, please call me at 962-0011.

Thank you.

Very truly yours,

A handwritten signature in black ink that reads "Susan M. Basham". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Susan M. Basham
for PRICE, POSTEL & PARMA LLP

SMB:lkh
Enclosures

cc: Montecito Fire Protection District
Ms. Renee Bischof, Elections Division
County Counsel

RESOLUTION NO. 2011-15

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTECITO FIRE PROTECTION DISTRICT PURSUANT TO SECTION 13845 OF THE HEALTH AND SAFETY CODE PLACING THE QUESTION OF WHETHER THE DISTRICT BOARD OF DIRECTORS SHOULD INCREASE FROM THREE DIRECTORS TO FIVE DIRECTORS ON THE BALLOT FOR THE GENERAL DISTRICT ELECTION ON NOVEMBER 6, 2012, AND CALLING FOR THE ELECTION OF TWO ADDITIONAL DIRECTORS AT THE SAME ELECTION

WHEREAS, Health and Safety Code section 13845 authorizes the Board of Directors to adopt a resolution placing the question of whether the District board should increase from three directors to five directors on the ballot at a general district election; and

WHEREAS, Health and Safety Code section 13845(d) provides that if the voters approve of increasing the number of directors, and if the district board is elected, then the new members may be elected at the same election; and

WHEREAS, the second Tuesday after the first Monday in November 2012 is an established election date for a District general election and also an established date for the statewide election; and

WHEREAS, the Board of Directors, by adopting this resolution, intends to submit the question of an increase in the number of directors to be decided by a majority of the qualified voters at the next general district election and to call for the election of two new directors at the same election.

NOW, THEREFORE, the Board of Directors of the Montecito Fire Protection District does hereby resolve, determine and order as follows:

Section 1. Pursuant to Health and Safety Code section 13845, the District voters will vote on the question of whether the Board of Directors should increase from three directors to five directors.

Section 2. On the ballots to be used in said election, in addition to any other matters required by law, there shall be printed substantially the following:

***INCREASE IN THE NUMBER OF DIRECTORS
OF THE MONTECITO FIRE PROTECTION DISTRICT
FROM THREE TO FIVE***

Shall the number of directors for the Montecito Fire Protection District, which is organized pursuant to California Health and Safety Code sections 13800 et seq., be increased from three directors to five directors as authorized by Health and Safety Code section 13842?

If the question is approved by the voters, the resulting number of directors will be five. The increase in the number of directors shall be effective upon certification of the election results following the general district election on November 6, 2012. One of the new director positions approved by the voters will have an initial term of only two years. The new director serving the two year term shall be the individual who receives the fourth greatest number of votes at the general district election on November 6, 2012.

Section 3. Pursuant to Election Code section 13247, the abbreviated statement of the measure shall be as follows:

Shall the Montecito Fire Protection District increase its number of directors from three to five?

Yes _____ No _____

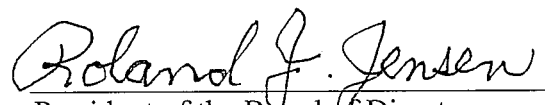
Section 4. The Board declares that each candidate for the two new Board seats shall be a resident of the District and shall be a registered voter of the District. If expansion of the Board is approved by the voters of the District, one of the two new Board members shall have an initial term of two years and the other new Board member shall be elected for a term of four years commencing on December 17, 2012.

Section 5. The Secretary of the District is hereby directed to file a certified copy of this Resolution with the County Board of Supervisors and to file such other documents as may be required by the Elections Official to cause the election to take place on November 6, 2012.

Section 6. The Board of Supervisors is hereby requested to approve the consolidation this District general election with the statewide election on November 6, 2012 and to allow the County Elections Official to conduct the election and to give, or cause to be given, all such notices of the election as may be required by law.

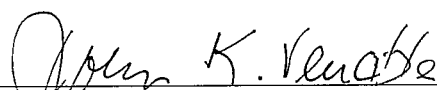
PASSED AND ADOPTED by the Governing Board of Montecito Fire Protection District this 19th day of September, 2011, by the following vote, to wit:

AYES: R. J. Jensen, J. Venable, D. Newquist
NOES: None
ABSENT: None



President of the Board of Directors

ATTEST:

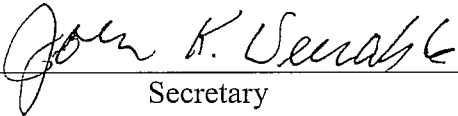


Secretary of the Board of Directors

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA BARBARA)

I, John Venable, Secretary of the Board of Directors of MONTECITO FIRE PROTECTION DISTRICT, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2011-15 of said Board, and that the same has not been amended or repealed.

DATED: September 19, 2011


Secretary

RESOLUTION NO. 2011-16

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTECITO FIRE PROTECTION DISTRICT REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA TO AUTHORIZE THE ELECTIONS OFFICIAL OF THE COUNTY CLERK-RECORDER-ASSESSOR'S OFFICE OF SAID COUNTY TO RENDER SPECIFIED SERVICES TO THE DISTRICT RELATING TO THE CONDUCT OF A GENERAL ELECTION OF SAID DISTRICT ON NOVEMBER 6, 2012, PURSUANT TO SECTION 10002 OF THE ELECTIONS CODE

WHEREAS, this Board of Directors has commenced proceedings for a general election in the Montecito Fire Protection District to be consolidated with the statewide general election on November 6, 2012; and

WHEREAS, the Board of Directors desires that the Board of Supervisors of the County of Santa Barbara permit the Elections Official of County Clerk-Recorder-Assessor's Office of said County to render specified services to the Montecito Fire Protection District relating to the conduct of said general election as authorized by Section 10002 of the California Elections Code;

NOW, THEREFORE, the Board of Directors of the Montecito Fire Protection District does hereby resolve, determine and order as follows:

Section 1. That the Board of Supervisors of the County of Santa Barbara is hereby requested to permit the Elections Official of the County Clerk-Recorder-Assessor's Office of said County to render services to the Montecito Fire Protection District in connection with the general election to be held on November 6, 2012, including, but not limited to, the following:

1. Prepare a calendar of events and due dates for the election.
2. Publish notice of election, candidate filing period, measure information (notice to submit arguments) and precinct officers and polling places.
3. Establish polling places and recruit and train election officers.
4. Determine all argument information, e.g., deadline dates, maximum number of words, format., etc.
5. Prepare and process the filing of nomination documents, resolve ballot designation issues, and address all other legal requirements for district offices.
6. Print candidate statements exactly as submitted unless they are not in compliance with codes, laws, and policies.
7. Arrange for the Spanish translation of all materials provided to voters.
8. Prepare and arrange for the printing of sample ballot booklets and official ballots.

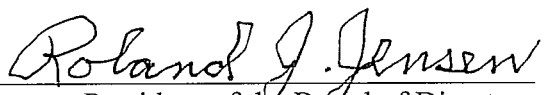
9. Implement the vote-by-mail ballot process.
10. Tally votes at the polling locations or by vote-by-mail ballot.
11. Conduct election canvass procedures.
12. Provide to District a copy of the election certification and final results.
13. Furnish Certificates/Oaths of Office for District candidates.
14. Prepare and mail invoice to jurisdiction for costs of election.
15. Take all actions necessary to properly and lawfully conduct the election.

Section 2. That the Montecito Fire Protection District shall reimburse said County for services performed when the work is completed and upon presentation to the District of a properly approved bill.

Section 3. That the Secretary of the Montecito Fire Protection District is hereby directed to file with the County Clerk-Recorder-Assessor of said County a Request for Consolidated Election Services in the form specified by the Elections Official, along with a certified copy of this resolution and a separate resolution calling the general election for the Montecito Fire Protection District, and to file the original resolutions with the Board of Supervisors.

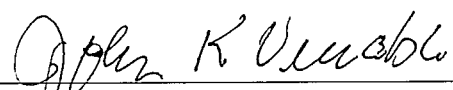
PASSED AND ADOPTED by the Governing Board of Montecito Fire Protection District this 19th day of September, 2011 by the following vote, to wit:

AYES: R. J. Jensen, J. Venable, D. Newquist
 NOES: None
 ABSENT: None



 President of the Board of Directors
 MONTECITO FIRE PROTECTION DISTRICT

ATTEST:

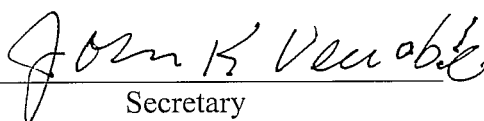


 Secretary

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.

I, John Venable, Secretary of the Board of Directors of MONTECITO FIRE PROTECTION DISTRICT, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2011-___ of said Board, and that the same has not been amended or repealed.

DATED: September 19, 2011



Secretary