



**RANCHO SANTA FE FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING
AGENDA**

Rancho Santa Fe FPD
Board/Community Room – 16936 El Fuego
Rancho Santa Fe, California 92067

April 8, 2010
Special Session 8:30 am

RULES FOR ADDRESSING BOARD OF DIRECTORS

Members of the audience who wish to address the Board of Directors are requested to complete a form near the entrance of the meeting room and submit it to the Board Clerk.

Any person may address the Board on any item of Board business or Board concern. The Board cannot take action on any matter presented during Public Comment, but can refer it to the Administrative Officer for review and possible discussion at a future meeting. As permitted by State Law, the Board may take action on matters of an urgent nature or which require immediate attention. The maximum time allotted for each presentation is FIVE (5) MINUTES.

Pledge of Allegiance

1. Roll Call

2. Public Comment

3. Motion waiving reading in full of all Resolutions/Ordinances

4. Resolutions/Ordinances

a. Resolution No. 2010-01

To discuss and/or adopt the resolution entitled a *Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District to Participate in the San Diego County Fire Mitigation Fee Program*

ACTION REQUESTED: **ADOPT**

5. Adjournment

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, please contact the Secretary at 858-756-5971. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to assure accessibility to the meeting.



RANCHO SANTA FE FIRE PROTECTION DISTRICT
Board of Directors Special Meeting – Agenda
Tuesday, April 8, 2010 8:30 am PST

CERTIFICATION OF POSTING

I certify that on April 6, 2010 a copy of the foregoing agenda near the regular meeting place of the Board of Directors of Rancho Santa Fe Fire Protection District, said time being at least 24 hours in advance of the meeting of the Board of Directors (Government Code Section 54954.2)

Executed at Rancho Santa Fe, California on April 6, 2010

Karlena Rannals

Karlena Rannals
Board Clerk

RESOLUTION No. 2010-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO SANTA FE FIRE PROTECTION DISTRICT TO PARTICIPATE IN THE SAN DIEGO COUNTY FIRE MITIGATION FEE PROGRAM

WHEREAS, the Rancho Santa Fe Fire Protection District is anticipating that new development will occur within the district which will cause the need for the expansion of existing fire protection facilities; and

WHEREAS, the Rancho Santa Fe Fire Protection District is currently participating in the San Diego County's Fire Mitigation Program; and

WHEREAS, the County of San Diego is empowered to collect mitigation fees from applicants for new development for the purpose of the expansion of fire protection and firefighting facilities and equipment; and

WHEREAS, the County of San Diego has established fee ceilings for types of construction by Chapter 3 of Division 10 of Title 8 (commencing with § 810.301) of the San Diego County Code; and

WHEREAS, the County of San Diego has amended Chapter 3, Division 10 of Title 8 of the San Diego County Code of Regulatory Ordinances relating to fire mitigation fees; and

WHEREAS, the Rancho Santa Fe Fire Protection District intend hereby to comply with said amendments to continue to participate in the fire mitigation fee program.

IT IS HEREBY FOUND THAT:

- (1) The Rancho Santa Fe Fire Protection District does not have existing facilities which could be used to provide an adequate level of service to new development within the district's boundaries; and
- (2) The Rancho Santa Fe Fire Protection District does not have sufficient funds available to construct additional facilities from fund balances, capital facility funds, property tax sources, or any other appropriate sources; and
- (3) The lack of fire protection facilities and equipment to serve new development would create a situation perilous to the public health and safety if fire mitigation fees are not levied within the district; and
- (4) The annexation fees and plan check fees charged by the Rancho Santa Fe Fire Protection District do not include a payment toward the costs of capital facility and equipment expansion as a component of the fee.

NOW, THEREFORE, BE IT RESOLVED THAT:

- (1) The Rancho Santa Fe Fire Protection District requests the County to collect 100% of the ceiling amount of the fire mitigation fee on the district's behalf from applicants for building permits. This percentage of the ceiling fee is equal to or less than the capital facility expansion needs caused by new development.
- (2) The fee amounts do not exceed the ceiling for fire mitigation fees established by the San Diego County Board of Supervisors.
- (3) Mitigation fees paid under this program will be used to expand the availability of capital facilities and equipment to serve new development.
- (4) The district shall place all funds received by the County under this program, and all interest subsequently accrued by the district on these funds, in a separate budget accounting category to be known as the "San Diego County Fire Mitigation Fee."
- (5) The district shall expend funds from said "San Diego County Fire Mitigation Fee" budget accounting category only for the purposes of providing capital facilities and equipment to serve new development.
- (6) The district shall submit a Fire Mitigation Fee Annual Report, not later than August 29 of each year, to the Director of the Office of Disaster Preparedness specifying the amount of funds collected and the expenditures by category. In addition, the report shall specify the actions the district plans to take to alleviate the facility and equipment needs caused by new development in a Multi-Year Facilities and Equipment Plan adopted at a noticed public hearing. The district shall make available, upon request by the Director, a copy of its annual audit report.
- (7) The district shall make its records available to the public on request, which justify the basis for the fee amount.
- (8) The district shall hold San Diego County harmless for any errors made by the County in collecting and/or transmitting these fees to the district.
- (9) The district agrees to a review of revenues and expenditures collected and dispensed pursuant to this resolution each fiscal year by a committee established by the County Board of Supervisors.
- (10) The district shall make findings, with respect to any portion of the fee remaining unexpended or uncommitted in its account five or more years after deposit of the fee, to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged. The agency

Resolution No. 2010-01

shall refund to the then current record owner or owners of the development project or projects on a prorated basis the unexpended or uncommitted portion of the fee, and any interest accrued thereon, for which need cannot be demonstrated.

- (11) By April 16 of each year following the year of original adoption of this District's resolution, the Rancho Santa Fe Fire Protection District shall submit a copy of a new resolution adopted by the Board of Directors making the required findings and setting the percentage of the fire mitigation ceiling requested by the District.
- (12) All fees collected pursuant to the San Diego County Fire Mitigation Fee Ordinance shall be used by the District for providing for capital facilities and equipment.
- (13) "Facilities and Equipment" means any long-term capital facilities and equipment used by the Rancho Santa Fe Fire Protection District for suppression or emergency medical services, including station construction, station expansion and fire or emergency medical apparatus.

BE IT FURTHER RESOLVED that this resolution supersede Resolution No. 2009-02 To Participate in the Fire Mitigation Fee Program adopted April 8, 2009.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Rancho Santa Fe Fire Protection District on April 8, 2010 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

JAMES H ASHCRAFT
President

ATTEST:

Karlana Rannals
Secretary