



**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

December 29, 2008
10:00 am PST

Director Hillgren will participate via teleconference
0183 E Fork Road
Snowmass, Colorado 81615

December 29, 2008
11:00 am MST

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. Closed Session

- a. With respect to every item of business to be discussed in closed session pursuant to Section 54956.8
 - i) Conference with Negotiators for Real Property to Address the District's Parking Needs

5. Resolutions/Ordinances

- a. Resolution No. 2008-14

To adopt Ordinance No. 2008-14 – *entitled* a Resolution of the Rancho Santa Fe Fire Protection District Board of Directors to Acquire Certain Real Property by Eminent Domain Proceedings and Directing the District Counsel to Commence an Action in the Superior Court for the Purpose of Acquiring Said Real Property

ACTION REQUESTED: **ADOPT**

6. 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.

RESOLUTION NO. 2008-14

A RESOLUTION OF NECESSITY BY THE BOARD OF DIRECTORS OF THE RANCHO SANTA FE FIRE PROTECTION DISTRICT, TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN PROCEEDINGS AND DIRECTING THE DISTRICT COUNSEL TO COMMENCE AN ACTION IN THE SUPERIOR COURT FOR THE PURPOSE OF ACQUIRING SAID REAL PROPERTY

(HEARING DATE: December 29, 2008)

BE IT RESOLVED by the Board of Directors of the RANCHO SANTA FE FIRE PROTECTION DISTRICT, as follows:

SECTION 1. The Board of Directors of the RANCHO SANTA FE FIRE PROTECTION DISTRICT, after Notice and Hearing pursuant to Code of Civil Procedure, Section 1245.235 finds and determines and hereby declares that:

- A. The public interest and necessity require the proposed project, namely, Administration Building expansion and parking.
- B. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.
- C. The property sought to be acquired by this Resolution and which is described and depicted in Exhibit "A," attached and incorporated by this reference, is necessary for the proposed project.

SECTION 2. That the proposed uses of the property described above are public uses and are authorized by law; that the acquisition and taking of the real property described in Exhibit "A" is necessary to such public use and it is necessary that such real property is so acquired and taken.

SECTION 3. That the property described in Exhibit "A" is being taken for Public Improvement Project pursuant to the following sections of law:

- A. Article I, Section XIX, of the California Constitution;
- B. Code of Civil Procedure Section 1240.010, and 1240.120;
- C. Health and Safety Code Section 13861(c).

SECTION 4. That an offer of just compensation as required by Government Code Section 7267.2 has not been made to the owner of owners of record.

SECTION 5. That the District Counsel of the RANCHO SANTA FE FIRE PROTECTION DISTRICT, is hereby authorized and directed to institute eminent domain proceedings in the Superior Court of the State of California for the County of San Diego, in the name and on behalf of the RANCHO SANTA FE FIRE PROTECTION DISTRICT, against all owners and claimants of the property described in Exhibit "A" for the purposes of acquiring fee simple title to such property for public use. This eminent domain proceeding shall be prosecuted in accordance with applicable provisions of law.

SECTION 6. That portions of the said real property sought to be acquired are appropriated to public use, and that the proposed use will not unreasonably interfere with or impair the continuance of the public use as it then exists or may reasonably be expected to exist in the future. That pursuant to Code of Civil Procedure section 1240.510; RANCHO SANTA FE FIRE PROTECTION DISTRICT is authorized to acquire said real property by eminent domain.

PASSED, ADOPTED AND APPROVED by the Board of Directors of the RANCHO SANTA FE FIRE PROTECTION DISTRICT at a special meeting thereof this 29th day of December, 2008 by the following vote to wit:

AYES:

NOES:

ABSENT:

JAMES H ASHCRAFT
President

ATTEST:

Karlana Rannals
Secretary

EXHIBIT "A"

LOT 24 IN THE RESUBDIVISION OF BLOCKS 25 AND 26, AND PORTIONS OF BLOCKS 19, 20, 32, AND 33, OF RANCHO SANTA FE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 2129, FILED IN THE OFFICE OF THE COUNTY RECORDER, SAN DIEGO COUNTY, ON SEPTEMBER 12, 1928, TOGETHER WITH THOSE CERTAIN ADJOINING PORTIONS OF PUBLIC ROADS ADJACENT TO THE HEREIN ABOVE DESCRIBED PROPERTY TO THE CENTER LINE OF SAID PUBLIC ROADS

APN: 266-182-21