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2 **NORTHSHORE FIRE PROTECTION**
3 **DISTRICT**
4 **LAKE COUNTY, CALIFORNIA**

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6 **RESOLUTION 2017-4**

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8 **A RESOLUTION OF THE BOARD OF DIRECTORS OF NORTHSHORE FIRE PROTECTION DISTRICT**
9 **MAKING FINDING AND REQUESTING IMPOSITION OF FIRE MITIGATION FEES PURSUANT TO THE**
10 **LAKE COUNTY FIRE MITIGATION FEE ORDINANCE**
11

12 **WHEREAS**, the NORTHSHORE FIRE PROTECTION DISTRICT is anticipating that
13 new development will occur within the District which will cause the need for the
14 expansion of existing fire protection facilities; and

15 **WHEREAS**, the District does not have sufficient funds available to construct additional
16 facilities from fund balances, capital facility funds, property tax sources, fire suppression
17 assessments, or any other appropriate sources necessitated by new development; and

18 **WHEREAS**, in order to protect the health and safety of the residents of the District, it is
19 necessary to request the County of Lake to implement the Fire Mitigation Fee
20 Ordinance with the District.

21 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the District does
22 hereby make the following findings:

- 23 (1) The District does not have existing fire protection facilities and equipment
24 which could be used to provide an adequate level of services to new
25 Development within the District's boundaries;
26 (2) The District does not have sufficient funds available to construct additional
27 facilities from fund balances, capital facility funds, property tax sources, fire
28 suppression assessments, or any other appropriate sources;
29 (3) The lack of fire protection facilities and equipment to serve new Development
30 would create a situation perilous to public health and safety if fire mitigation
31 fees are not levied within the District.

32 **BE IT FURTHER RESOLVED** that:
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- 34 1) The District requests that the County of Lake collect 100%(\$1.00 per sq. ft.) of
35 the fire mitigation fee ceiling of \$1.00 on the District's behalf upon applicants for building
36 permits or other permits for development.
37 2) Mitigation fees paid pursuant to the Fire Mitigation Fee Ordinance shall only be
38 used to expand the availability of capital facilities and equipment to serve new
39 Development;
40 3) The District Shall place all funds received by the County under this Article, and all
41 interest subsequently accrued by the District on these funds in a separate budget
42 accounting category to be known as the "Lake County Fire Mitigation Fee";
43 4) The District shall expend funds from said "Lake County Fire Mitigation Fee"
44 budget accounting category only for the purposes of providing capital facilities and
45 equipment to serve new Development;
46 5) The District shall submit a Fire Mitigation Fee Annual Report no later than
47 October 31st of each year to the County Clerk. Said report shall include, but not be
48 limited to, the balance in the account at the end of the previous fiscal year, the fee

1 revenue received, the amount and type of expeditors made, and the ending balance in
2 the fund. In addition, the report shall specify the actions the District plans to take to
3 alleviate the facility and equipment needs caused by new Development in a capital fire
4 facilities and equipment plan adopted at a noticed public hearing. The District shall
5 make available, upon request by the County Clerk, a copy of its annual audit report;
6 6) The District shall make its records available to the public upon request which
7 justify the basis for the fee amount;
8 7) The District shall hold the County harmless for any errors made by the County in
9 collecting or accounting for the fees for the District;
10 8) The District shall make findings, with respect to any portion of the fee remaining
11 unexpended or uncommitted in its account five or more years after deposit of the fee, to
12 identify the purpose to which the fee is to be put and to demonstrate a reasonable
13 relationship between the fee and the purpose for which it was charged. The District shall
14 refund to the then current record owner or owners of the Development project or
15 projects on a prorated basis, the unexpended or uncommitted portion of the fee and any
16 interest accrued thereon, for which need cannot be demonstrated.

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18 A certified copy of this Resolution shall be delivered to the Clerk of the Lake County
19 Board of Supervisors
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21 **THIS RESOLUTION** was introduced and adopted at a regular meeting of the Board of
22 Directors of the Northshore Fire Protection District on March 8, 2017 by the following
23 vote:
24

25 AYES: *Barnette, Kingette, Shepherd, Burton and Haas*
26 NOES:
27 ABSENT:
28 ABSTAIN:
29

30 
31 John T. Barnette
32 Chairman of the Board

33 Attest:

34 
35 Julie Lindeblad/Secretary
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37