NORTHSHORE FIRE PROTECTION DISTRICT
LAKE COUNTY, CALIFORNIA

RESOLUTION 2021-1

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

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

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

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

(1) The District does not have existing fire protection facilities and equipment which could be used to provide an adequate level of services to new Development within the District's boundaries;

(2) The District does not have sufficient funds available to construct additional facilities from fund balances, capital facility funds, property tax sources, fire suppression assessments, or any other appropriate sources;

(3) The lack of fire protection facilities and equipment to serve new Development would create a situation perilous to public health and safety if fire mitigation fees are not levied within the District.

BE IT FURTHER RESOLVED that:

1) The District requests that the County of Lake collect 100%($1.00 per sq. ft.) of the fire mitigation fee ceiling of $1.00 on the District's behalf upon applicants for building permits or other permits for development.

2) Mitigation fees paid pursuant to the Fire Mitigation Fee Ordinance shall only be used to expand the availability of capital facilities and equipment to serve new Development;

3) The District Shall place all funds received by the County under this Article, and all interest subsequently accrued by the District on these funds in a separate budget accounting category to be known as the "Lake County Fire Mitigation Fee";

4) The District shall expend funds from said "Lake County Fire Mitigation Fee" budget accounting category only for the purposes of providing capital facilities and equipment to serve new Development;

5) The District shall submit a Fire Mitigation Fee Annual Report no later than October 31st of each year to the County Clerk. Said report shall include, but not be limited to, the balance in the account at the end of the previous fiscal year, the fee

revenue received, the amount and type of expeditors made, and the ending balance in the fund. 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 capital fire facilities and equipment plan adopted at a noticed public hearing. The District shall make available, upon request by the County Clerk, a copy of its annual audit report;

6) The District shall make its records available to the public upon request which justify the basis for the fee amount;

7) The District shall hold the County harmless for any errors made by the County in collecting or accounting for the fees for the District;

8) 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 District 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.

A certified copy of this Resolution shall be delivered to the Clerk of the Lake County Board of Supervisors

THIS RESOLUTION was introduced and adopted at a regular meeting of the Board of Directors of the Northshore Fire Protection District on February 17, 2021 by the following vote:

AYES: Burton, Barnette, Shepherd, Ringuette
NOES: none
ABSENT: Stilwell
ABSTAIN: –

Gerald Shepherd
Chairman of the Board

Attest:

Consuelo Jimenez
Clerk to the Board