



RESOLUTION # 19/20-09

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE ALPINE FIRE PROTECTION DISTRICT
MAKING THE REQUIRED FINDINGS OF THE
COUNTY OF SAN DIEGO FOR THE COUNTY FIRE
MITIGATION FEE ORDINANCE FOR FISCAL YEAR 2020-2021**

WHEREAS, The Alpine Fire Protection District is anticipating that further new development will occur within the District which will cause the further need for the expansion of existing fire protection facilities; and

WHEREAS, The Alpine Fire Protection District is currently participating in the San Diego County Mitigation Fee program; and

WHEREAS, The County of San Diego has established fee ceilings for types of constructions by Chapter 3 of Division 10 of Title 8, (commencing with Section 810.305) 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 Code of Regulator Ordinances relating to fire mitigation fees; and

WHEREAS, The Alpine Fire Protection District intends hereby to comply with said amendments to continue to participate in the Fire Mitigation Fee Program.

IT IS HEREBY FOUND THAT:

- A. The Alpine 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
- B. The Alpine 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
- C. 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
- D. The annexation fees and plan check fees charged by the Alpine Fire Protection District do not include a payment towards costs of capital facility and equipment expansion as a component of the fee.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Alpine Fire Protection District requests the County of San Diego to collect **100%** of the ceiling amount of the Fire Mitigation Fee on the District's behalf from applicants for building permits.

This percent of the ceiling fee is equal to or less than the capital expansion needs caused by new development.

2. The fee amounts do not exceed the ceiling for fire mitigation fees established by the San Diego 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 "San Diego Fire Mitigation Fee" account.
5. The District shall expend all 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. The fire mitigation fees will first be applied to reimburse district general funds that were used to make-up a shortfall of the fee portion of a scheduled payment for a facility necessitated by new development.
6. The District shall submit one copy of its annual audit report, no later than October 31st of each year, to the Department of Planning and Land Use specifying the amount of funds collected and the expenditures by category, and a report of the actions, which the District intends to take to address new facility needs.
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 each fiscal year by a committee established by the County Board of Supervisors.
10. The District shall submit a Fire Mitigation Fee Annual Report to the County of San Diego no later than October 31st of each year to the Director of the Mitigation Fee program. Said report shall include, but not be limited to, the balance in the County at the end of the previous fiscal year, the fee of revenue received, the amount and type of expenditures made and the ending balance in the fund. The report shall further specify the actions the equipment needs caused by new development. The District shall make available, upon request by the Director, a copy of its annual audit report.
11. By April 16th of each year following the year of original adoption of this District's resolution, the Alpine 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. 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,

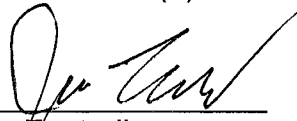
to identify the purpose to which the fee is to be placed and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged. The agency shall refund to the then current record owner or owners of the development project or projects on a prorated basis the unexpended or uncommitted portion of the fee, and any interest accrued thereon, for which need cannot be demonstrated.

13. All fees collected pursuant to the San Diego County Fire Mitigation Fee Ordinance shall be used by the District for the purpose of providing for capital facilities and equipment.

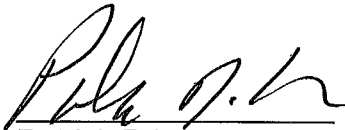
14. "Facilities and equipment" means any long-term capital facilities and equipment used by the Alpine Fire Protection District for suppression or emergency medical services, including station construction, station expansion and fire or emergency medical apparatus.

PASSED AND ADOPTED by the Board of Directors of the Alpine Fire Protection District, County of San Diego, State of California, on the 17th day of March, 2020 by the following vote:

AYES: (5) Easterling, Price, Mann, Taylor, Willis
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)



Jim Easterling
President of the Board



Patrick Price
Board Secretary

I, Hannah Hughes, Clerk of the Board of the Alpine Fire Protection District, do hereby certify that the foregoing Resolution 19/20-09 was duly passed, approved, and adopted by the Board at a regularly scheduled meeting of the Alpine Fire Protection District Board held on the 17th day of March, 2020.

Executed this March 17, 2020
(Date of Execution)



Hannah Hughes
Clerk of the Board