



RANCHO SANTA FE FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MEETING AGENDA

Rancho Santa Fe FPD
Board Room – 18027 Calle Ambiente
Rancho Santa Fe, California 92067

August 26, 2014
Special Meeting
10:00 am PT

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

All items listed on the Consent Calendar is considered routine and will be enacted by one motion without discussion unless Board Members, Staff or the public requests removal of an item for separate discussion and action. The Board of Directors has the option of considering items removed from the Consent Calendar immediately or under Unfinished Business.

4. New Business

a. LAFCO Application

To discuss the proposed application to LAFCO to reorganize with County Service Area 107.

ACTION REQUESTED: **Approve submission of application to LAFCO**

b. Ad Hoc Committee Appointment

To discuss and /or appoint a special ad hoc committee to meet with representatives from Rancho Cielo and Crosby Homeowners Association to discuss the fire agreement

ACTION REQUESTED: **Appoint board member(s) to an ad hoc committee**

5. Resolution/Ordinance

a. Resolution No. 2014-10

To Discuss and/or Adopt a Resolution *Entitled* A Resolution Of Application by the Board of Directors of the Rancho Santa Fe Fire Protection District Requesting The Local Agency Formation Commission to Take Proceedings for Reorganization of the Rancho Santa Fe Fire Protection District and County Service Area No. 107 (Elfin Forest/Harmony Grove)

ACTION REQUESTED: **Adopt**

b. Resolution No. 2014-11

To discuss and/or adopt a resolution *entitled* A Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Designating Volunteer Workers as “Employees” for the Purpose of Workers’ Compensation Coverage and Providing Workers Compensation Coverage for Volunteer Workers

ACTION REQUESTED: **Adopt**

6. Closed Session

a. With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: Jim Ashcraft, Randy Malin, and assigned Staff

Represented Employees: Rancho Santa Fe Professional Firefighters Association – Local 4349

Under Negotiation: Appeals process cited within Memorandum of Understanding

b. With respect to every item of business to be discussed in closed session pursuant to Section 54957:

PUBLIC EMPLOYEE EVALUATION

Title: Fire Chief

7. Adjournment

The next regular Board of Directors meeting to be held September 10, 2014 in the Board Room located at 18027 Calle Ambiente, Rancho Santa Fe, California. The business meeting will commence at 1:00 p.m.



RANCHO SANTA FE FIRE PROTECTION DISTRICT
Board of Directors Special Meeting Agenda
Tuesday, August 26, 2014 10:00 am PT

CERTIFICATION OF POSTING

I certify that on August 22, 2014 a copy of the foregoing agenda was posted on the District's website and near the 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 August 22, 2014

A handwritten signature in black ink, appearing to read "Karlana Rannals", written over a horizontal line.

Karlana Rannals
Board Clerk

RESOLUTION NO. 2014-10

**A RESOLUTION TO MAKE APPLICATION
BY THE BOARD OF DIRECTORS OF THE RANCHO SANTA FE FIRE PROTECTION DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR
REORGANIZATION OF THE RANCHO SANTA FE FIRE PROTECTION DISTRICT and
COUNTY SERVICE AREA No. 107 (ELFIN FOREST/HARMONY GROVE)**

RESOLVED by the Board of Directors of the Rancho Santa Fe Fire Protection District, that

WHEREAS, the Board of Directors of the Rancho Santa Fe Fire Protection District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56700 of the California Government Code, for Reorganization of the Rancho Santa Fe Fire Protection District and CSA No. 107 (Elfin Forest/Harmony Grove); and

WHEREAS, the proposed Reorganization includes the following jurisdictional changes and sphere of influence action:

SUBJECT AGENCY

CSA No.107(Elfin Forest/Harmony Grove)
Rancho Santa Fe Fire Protection District

NATURE OF PROPOSED REORGANIZATION

Dissolution

Amendment to the sphere-of-influence for the Rancho Santa Fe Fire Protection District to include the entire boundary/service area of CSA No.107 (Elfin Forest/Harmony Grove); and

Annexation of the former territory of the dissolved CSA No.107 (Elfin Forest/Harmony Grove) into the Rancho Santa Fe Fire Protection District

WHEREAS, the principal reason for the proposed Reorganization is to improve the delivery of fire protection, emergency medical, fire prevention, and public education services within the San Dieguito sub-region; and

WHEREAS, the proposed Reorganization fosters and enhances logical and reasonable development of public agencies while protecting the long standing social, economic, and cultural ties of the Elfin Forest, Harmony Grove and Rancho Santa Fe communities.

WHEREAS, maps of the boundary of the Rancho Santa Fe Fire Protection District and the boundary of CSA No. 107 (Elfin Forest/Harmony Grove) are attached hereto as Attachment A; and

WHEREAS, the Rancho Santa Fe Fire Protection District requests that the proposed Reorganization be subject to the Terms and Conditions set forth in Attachment B; and

WHEREAS, the proposed Reorganization is contingent upon the Rancho Santa Fe Fire Protection District approving and adopting *prior to the effective date*, resolutions of the San Diego County Board of Supervisors, which transfer the negotiated exchange of property tax revenue, General Fund monies, and any real property from the County of San Diego to the Rancho Santa Fe Fire Protection District as set forth in Attachment B: Terms and Conditions of Reorganization of the Rancho Santa Fe Fire Protection District and CSA No. 107 Elfin Forest/Harmony Grove); [Govt. Code § 57202(a)]; and

WHEREAS, the Board of Directors of the Rancho Santa Fe Fire Protection District hereby finds that Reorganization of the Rancho Santa Fe Fire Protection District and CSA No. 107 (Elfin Forest/Harmony Grove) qualifies for a categorical exemption from the application of CEQA pursuant to CEQA Guideline 15320, Categorical Exemption, Class 20;

NOW, THEREFORE, this Resolution to Make Application is hereby approved and adopted by the Board of Directors of the Rancho Santa Fe Fire Protection District. The Local Agency Formation Commission of San Diego County is hereby requested to take proceedings for the proposed Reorganization that includes the territory as described in Exhibit A, according to the terms and conditions stated in Attachment B and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

PASSED AND ADOPTED at a special meeting of the Board of Directors of the Rancho Santa Fe Fire Protection District on August 26, 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES H ASHCRAFT

President

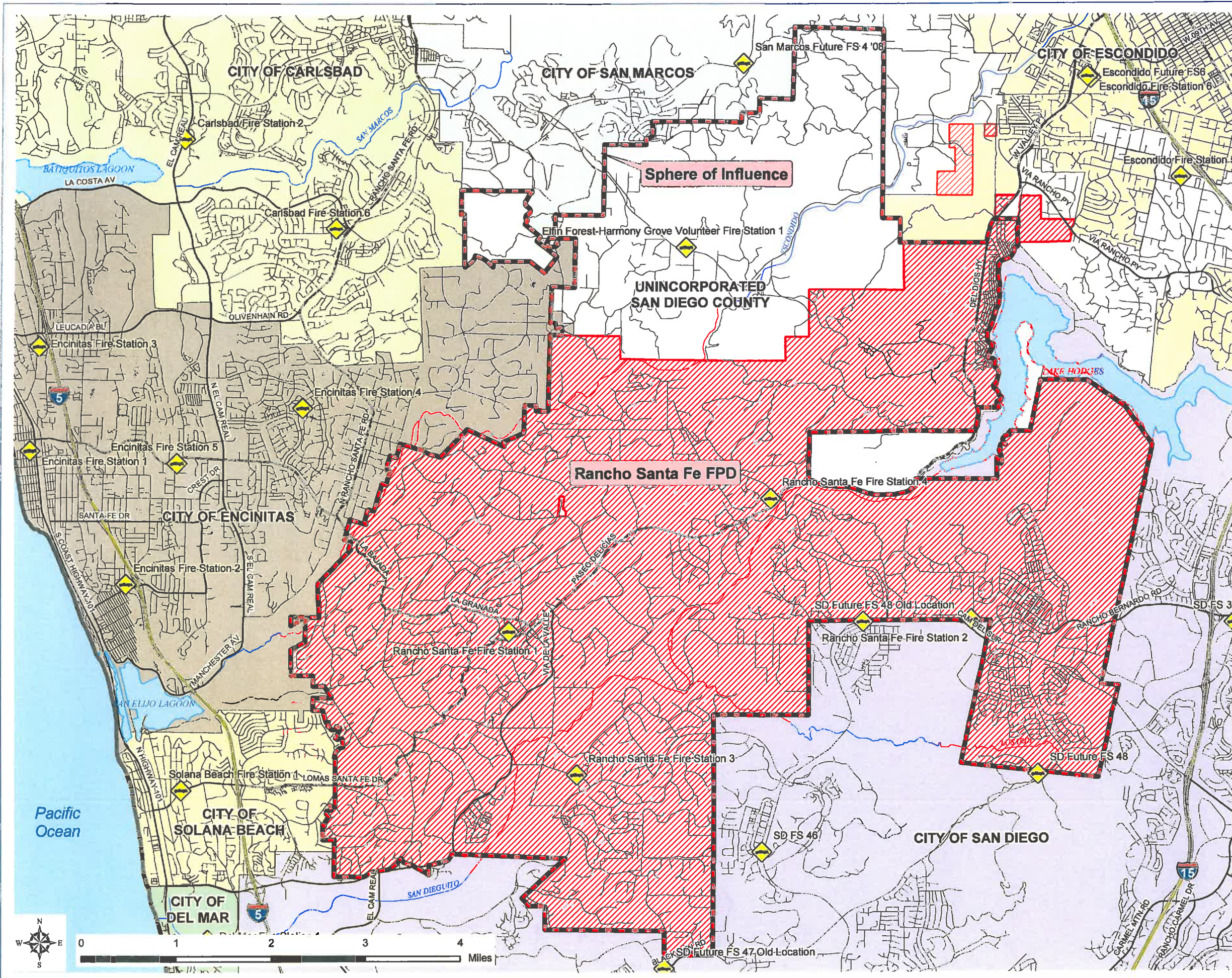
ATTEST:

Karlana Rannals

Secretary

ATTACHMENT A

MAP of Rancho Santa Fe Fire Protection District
Map of CSA No. 107 (Elfin Forest/Harmony Grove)



Rancho Santa Fe FPD

LEGEND

- Rancho Santa Fe FPD
- Sphere of Influence (SOI)
- Fire Stations

SOI Adopted: 7 / 1 / 87
 SOI Affirmed: 5 / 7 / 07
 SOI Affirmed: 8 / 6 / 07

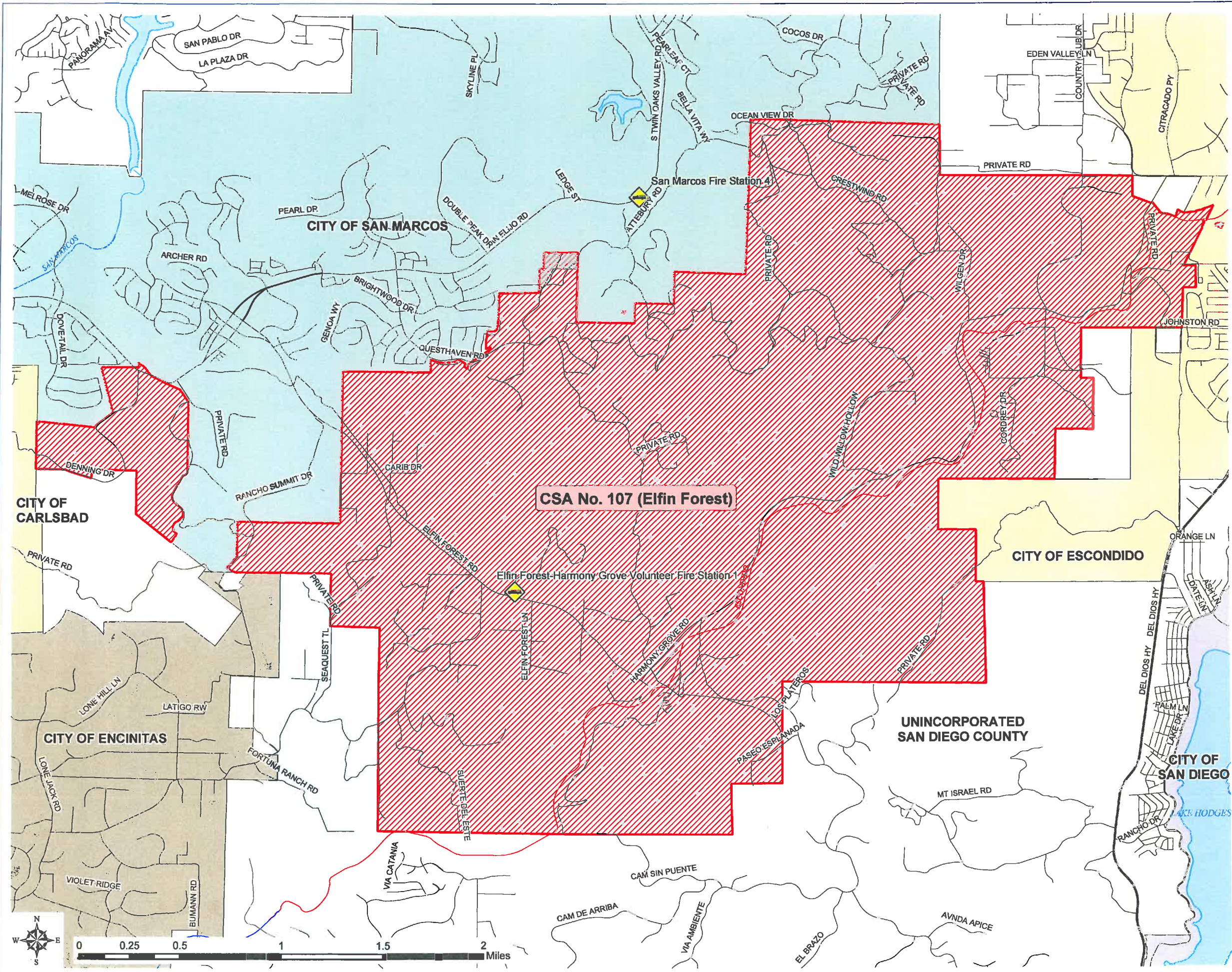


SAN DIEGO **LAFCO**



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This map has been prepared for descriptive purposes only and is considered accurate according to the GIS and LAFCO data.
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 Printed February 2008.



County Service Area No. 107 (Elfin Forest)

LEGEND

 CSA No. 107 (Elfin Forest)

Zero SOI Adopted: 2 / 6 / 84
Zero SOI Affirmed: 5 / 7 / 07
Zero SOI Affirmed: 8 / 6 / 07

SOI = Sphere of Influence



SAN DIEGO **LAFCO**



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File: G:\GIS\PROJECTS\Maps\11x17\Districts\CSA_107.mxd
Printed July 2008.

ATTACHMENT B

TERMS and CONDITIONS

Attachment B

TERMS and CONDITIONS

Reorganization of Rancho Santa Fe Fire Protection District and CSA No. 107 (Elfin Forest/Harmony Grove)

1. The effective date for Reorganization of the Rancho Santa Fe Fire Protection District and CSA No. 107 (Elfin Forest/Harmony Grove) shall be July 1, 2015 or the date of recordation, whichever is later.
2. Upon the effective date, CSA No. 107 (Elfin Forest/Harmony Grove) shall be dissolved, dis-incorporated, and extinguished; its existence shall be terminated, and all of its corporate powers shall cease.
3. Upon the effective date, the Rancho Santa Fe Fire Protection District shall be the successor to CSA No. 107 (Elfin Forest/Harmony Grove) for the purpose of succeeding to all rights, duties, and obligations of providing structural fire protection and emergency medical services within the former service area of the dissolved CSA No. 107 (Elfin Forest/Harmony Grove).
4. *Prior to* the effective date of Reorganization, the Rancho Santa Fe Fire Protection District shall approve and adopt a Resolution of the San Diego County Board of Supervisors that transfers the negotiated annual exchange of property tax revenue—from the County of San Diego to the Rancho Santa Fe Fire Protection District.
5. *Prior to* the effective date of Reorganization, the Rancho Santa Fe Fire Protection District shall approve and adopt a Resolution of the County of San Diego Board of Supervisors and approve a Memorandum of Understanding (MOU) that transfers an amount of County General Fund monies, on an annual basis that is sufficient to cover the shortfalls in operating revenue within the to be extinguished CSA No. 107 (Elfin Forest/Harmony Grove).
6. *Prior to* the effective date of Reorganization, the Rancho Santa Fe Fire Protection District and the County of San Diego shall approve a Memorandum of Understanding containing a payment schedule and projected payment amounts associated with transferring the fire protection component of funds from the Harmony Grove Community Facility District special tax (CFD 2008-01) to the successor district.

7. *Prior to* the effective date of Reorganization, the Rancho Santa Fe Fire Protection District and the County of San Diego shall approve a Memorandum of Understanding instructing the County to provide the successor district with a fully operational district-approved fire station and district-approved Type I ALS fire engine. The District may, at its discretion, enter into an agreement with the County to accept in-Lieu funds that are sufficient to purchase the district-approved fire apparatus.
8. Upon the effective date, all County property of the extinguished CSA No. 107 (Elfin Forest/Harmony Grove), whether real or personal, including lands, facilities, equipment, apparatus, tools, materials and supplies, cash-on-hand, and monies due, fees collected or accrued but uncollected from first responder fees, mitigation fees, or other fees or charges earned as an incidence of providing structural fire protection and emergency medical services; shall be transferred to and vested with the Rancho Santa Fe Fire Protection District.
9. *Prior to* the effective date of Reorganization, the Rancho Santa Fe Fire Protection District shall approve an inventory of County/CSA No. 107 assets, including real property, which will be transferred to the successor district from the County of San Diego.
10. There will be no payment by Rancho Santa Fe Fire Protection District for the acquisition, transfer, use, or right-of-use of any property real or personal, which is transferred from the extinguished District or the County of San Diego to the Rancho Santa Fe Fire Protection District.
11. The County of San Diego shall assume obligations of the extinguished district in maintaining mutual aid agreements for ambulance transport services within areas of the successor district that are not included in an ambulance transport service area.
12. As successor for providing fire protection and emergency medical services, the Rancho Santa Fe Fire Protection District shall be authorized to levy all previously authorized special taxes in TRAs of the extinguished CSA No. 107 (Elfin Forest/Harmony Grove) including but not limited to, Fund No. 2901-10 Special Tax for structural Fire in TRAs:

| | | | | | | |
|-------|-------|-------|-------|-------|-------|-------|
| 71001 | 71056 | 71057 | 73224 | 74023 | 74046 | 74118 |
| 74130 | 74173 | 74228 | 76031 | 76032 | 76033 | 76168 |
| 76209 | 74008 | 74226 | | | | |

Taxing Authority
CSA No. 107

Fund No.
2901-10

Description
Structural Fire

13. The ability to levy and collect the special taxes in the aforementioned TRAs is a condition precedent to the annexation of the former territory of CSA No. 107 by Rancho Santa Fe Fire Protection District.
14. The Successor Rancho Santa Fe Fire Protection District shall maintain separate accounts for each voter-approved special tax fund. Funds in each account may not be used for any purpose not directly related to activities sanctioned by voters when approving each assessment.
15. As of the date of adoption of the Commission's Resolution approving the Reorganization, CSA No. 107 (Elfin Forest/Harmony Grove) is prohibited from taking any of the following actions, unless a finding is made that an emergency situation exists as defined in Section 54956.5 of the Government Code:
 - (a) Appropriating, encumbering, expending, or otherwise obligating, any revenue of the agency beyond that provided in the current budget at the time the dissolution is approved by the commission
 - (b) Appropriating, encumbering, expending, transferring, selling, or otherwise obligating, any assets of the agency beyond that provided in the current budget at the time the dissolution is approved by the commission.
16. Notwithstanding Government Code § 57159 (c) and (e), all proper expenses, for an election on the question of the Reorganization of the Rancho Santa Fe Fire Protection District and CSA No. 107 (Elfin Forest/Harmony Grove), which is called because protests sufficient to require an election have been verified, will be paid by the County of San Diego, whether the reorganization is ordered or is terminated.
17. *Prior to* the effective date of Reorganization, the County of San Diego will give written notice to North County Dispatch Joint Powers Authority (North Comm) of the intention to terminate the contract for dispatch services to CSA No. 107 (Elfin Forest/Harmony Grove) according to the terms of the Agreement between the County and North County Dispatch Joint Powers Authority. The County of San Diego shall pay all costs related to the termination of the contract with North County Dispatch Joint Powers Authority.
18. *Prior to the* effective date of Reorganization, the County of San Diego shall provide an inventory of all contracts and/or leases to the benefit of CSA No. 107 (Elfin Forest/Harmony Grove). The inventory shall provide details concerning terms of each contract/lease and required notices for terminations or extensions. Rancho Santa Fe Fire Protection District shall have the right to accept or reject any or all of the contracts and/or leases. The County of San Diego shall pay any and all costs related to termination of any contracts and/or leases rejected by Rancho Santa Fe Fire Protection District.

RESOLUTION NO. 2014-11

A Resolution of the Board of Directors of the Rancho Santa Fe Fire Protection District Designating Volunteer Workers as “Employees” for the Purpose of Workers’ Compensation Coverage and Providing Workers Compensation Coverage for Volunteer Workers

WHEREAS, the Rancho Santa Fe Fire Protection District (District) has seen fit to utilize volunteer workers from time to time in various district sponsored programs and functions; and

WHEREAS, while participating as volunteers such individuals are exposed to the possibility of work related injury or illness stemming from their participation as a volunteer; and

WHEREAS, the District has deemed it appropriate to provide workers’ compensation coverage for such volunteer employees who become injured or ill as a result of volunteer activity; and

WHEREAS, Section 3363.5 of the Labor Code of the State of California requires the Board of Directors to designate by resolution that the District wishes to designate volunteer workers as “employees” for the purpose of workers’ compensation coverage.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Rancho Santa Fe Fire Protection District that a person who performs voluntary services without pay as designated and authorized by the Board of Directors of the Rancho Santa Fe Fire Protection District shall be deemed to be an employee of the District for purposes of workers’ compensation coverage while performing such service. This section does not make a volunteer an employee of the District for any purpose other than for such coverage, nor grant or enlarge upon any other rights, duties or responsibilities of a volunteer.

PASSED AND ADOPTED at a special meeting of the Board of Directors of the Rancho Santa Fe Fire Protection District on August 26, 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES H ASHCRAFT
President

ATTEST:

Karlana Rannals
Secretary