



June 2, 2016

TO: LOCSO Board of Directors

FROM: Peter J. Kampa, Interim General Manager

SUBJECT: Agenda Item 11I – 6/2/2016 Board Meeting
Adopt Resolution Approving a Policy Establishing the Fire Mitigation Fund, Detailing Appropriate Expenditures, and Establishing Program Guidelines

President

Marshall E. Ochylski

Vice President

Jon-Erik G. Storm

Directors

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STAFF RECOMMENDATION

This item will be approved along with the Consent Calendar unless it is pulled by a Director for separate consideration. If so, Staff recommends that the Board adopt the following motion:

Motion: I move that the Board approve Resolution 2016-21 approving a policy establishing the Fire Mitigation Fund, detailing appropriate expenditures, and establishing program guidelines.

DISCUSSION

The Board of Directors at its January 7, 2016 meeting directed the preparation of a resolution authorizing the transfer of the remaining General Fund Contingency monies for the Solid Waste Fund 650 with 100% of the monies to be designated in a Fire Mitigation Reserve Fund. On February 4, 2016 the Board adopted Resolution 2016-03, which declared that the Solid Waste Reserve Fund, totaling \$165,405.37, was no longer needed for the purpose of solid waste and ordered that said funds should be distributed to a new fund known as the Fire Mitigation Fund. The Resolution directed the General Manager to create the Fire Mitigation Fund and to deposit these monies into that fund.

The Emergency Services Advisory Committee (ESAC) at its March 15 and April 19, 2016 meetings discussed the definition of the Fire Mitigation Fund and proposed terms, conditions and appropriate expenditures for the Fund. A draft policy establishing the Fire Mitigation Fund, detailing appropriate expenditures from the fund and establishing program guidelines was reviewed at the May 18, 2016 ESAC meeting. The committee voted in favor of supporting the policy to the Board, with specified changes to the language, authorizing the use of the mitigation funds for the purchase of critical fire and rescue equipment.

The revised final draft policy language reflecting the May 18, 2016 ESAC input and resolution adopting the policy are included herein.

FINANCIAL IMPACT

There is no direct cost associated with the adoption of the Mitigation Fund Policy, however the establishment of and accounting for this separate fund will add a small amount to the workload of the District accounting and administrative staff.

Attachments

RESOLUTION NO. 2016-21

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT
APPROVING A FIRE MITIGATION FUND POLICY**

WHEREAS, the District is formed and operating in accordance with California Government Code Section 61100 et seq. to Provide fire protection services, rescue services, hazardous material emergency response services in the same manner as a fire protection district, formed pursuant to the Fire Protection District Law, Part 2.7 (commencing with Section 13800) of Division 12 of the Health and Safety Code; and

WHEREAS, the District Board of Directors has directed District management to propose the adoption of policies and to develop procedures that maximize the transparency and accountability of the District; and

WHEREAS, on February 4, 2016 the Board adopted Resolution 2016-03, which declared that the Solid Waste Reserve Fund, totaling \$165,405.37, was no longer needed for the purpose of solid waste and ordered that said funds should be distributed to a new fund known as the Fire Mitigation Fund, and for the General Manager to deposit the Solid Waste Reserve Fund balance into the Fire Mitigation Fund; and

WHEREAS, a policy statement has been developed and reviewed by the District Emergency Services Advisory Committee, which identifies the purpose of the Fund, appropriate expenditures using the Funds, and other procedures required to maximize the beneficial public use of the Fire Mitigation Funds; and

WHEREAS, the draft Fire Mitigation Fund Policy is included herein as EXHIBIT A.

NOW, THEREFORE, BE IT RESOLVED that the Los Osos Community Services District Board of Directors does hereby approve the Fire Mitigation Fund Policy as contained in EXHIBIT A herein.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

Ayes: _____
Nays: _____
Absent: _____
Conflicts: _____

The foregoing resolution is hereby passed, approved, and adopted by the Board of Directors of the Los Osos Community Services District this 2nd day of June 2016.

Marshall E. Ochylski
President, Board of Directors
Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

Peter J. Kampa
Interim General Manager and Secretary to the Board

Michael W. Seitz
District Legal Counsel

LOS OSOS COMMUNITY SERVICES DISTRICT**Policy and Procedures Manual**

POLICY TITLE: Fire Mitigation Fund

POLICY NUMBER: 4010 (Number example only, to be determined)

4010.1 The Board of Directors of the Los Osos Community Services District is committed to providing our community with high quality fire protection and emergency response services. To accomplish this, the Board must establish reasonable reserve funds to ensure that fire protection related programs and events can continue and potentially increase in the community, even during times of lean public funds to support the services.

A Fire Mitigation Fund has been established by the District in an initial amount of \$165,405.37 on February 4, 2016. The District has established a goal of maintaining this fund with a minimum balance of \$40,000 and the Board and staff of the District shall endeavor on a continuous basis to seek non-tax revenue in the form of grants, gifts, donations, and fundraising proceeds to maintain and increase the Fund balance.

The purposes of this policy are to describe in general the types of expenditures authorized from the Fire Mitigation Fund, and to establish goals for the Fund's perpetual nature.

4010.2 The Fire Mitigation Fund may be used for the following types of expenditures:

4010.2.1 Fuel Management and Maintenance for the purposes of abatement of hazardous vegetation (weeds and brush) in previously managed areas, and in areas determined necessary for future fuels management.

This is intended to be a joint effort between the Los Osos Community Services District and State and County resources to provide defensible space for firefighters, and to prevent and protect lives and property from the threat of wildfire. The District Board of Directors declares that all weeds which endanger the public safety by creating a fire hazard, impedes access to fire protection systems or facilities and are further declared to be a public nuisance such as those that block the vision of drivers or pedestrians, as stated in **Section 3**, Chapter 4.04.00 of the District's Fire Prevention Code, shall be abated.

4010.2.2 Community Health and Fire Safety Education Programs which include a variety of outreach opportunities designed to equip, educate and train the public regarding health and safety related issues, such as Cardio Pulmonary Resuscitation training, residential Carbon Monoxide Detector training and installation and like programs.

4010.2.3 Replacement of Emergency Equipment and Vehicles. Although the priority expenditures for the Fire Mitigation fund are for fire fuel management and community health and safety education, the Fire Mitigation Fund may also be used to fund emergency medical equipment, firefighting equipment, vehicle extrication equipment, rope and cliff rescue gear, surf and swift water rescue gear and emergency response vehicles.