*DRAFT – REQUIRES BOARD APPROVAL*

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**SLEEPY HOLLOW FIRE PROTECTION DISTRICT**

**RESOLUTION NO. 2022-5**

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**RESOLUTION APPROVING AND AUTHORIZING AN AGREEMENT WITH**

**WILLIAM S. FISHER**

**FOR THE DONATION AND ACCEPTANCE OF A**

**1986 FORD F-350 WILDLAND-URBAN FIRE RESPONSE VEHICLE**

**TO THE DISTRICT**

WHEREAS, Mr. William S. Fisher has graciously offered to donate a gift of a 1986 Ford F-350 wildland-urban fire response vehicle (the “Vehicle”) to the District for the use and benefit of the District’s operations; and

WHEREAS, the Vehicle can potentially provide the District with critical fire and rescue capabilities, valuable training opportunities, and serve as a unique public education resource that will serve the health, safety, and welfare of the residents and others within the District; and

WHEREAS, Section 13861 of the California Health and Safety Code authorizes the Board of Directors of the District to acquire property for the benefit of the District, including by donation; and

WHEREAS, attached to this Resolution are:

1. A District Staff Report dated June 2, 2022 that sets forth the District’s intention and purpose in accepting Mr. Fisher’s donation of the Vehicle; and

2. A *Vehicle Donation Agreement* between Mr. Fisher and the District that has been prepared pursuant to California Health and Safety Code Section 13861 that sets forth the provisions of a proposed agreement between the District and Mr. Fisher pursuant to which Mr. Fisher shall donate, and the District shall accept, the Vehicle for zero consideration (the “Agreement”) (Exhibit A); and

WHEREAS, the Board of Directors has considered the evidence and testimony presented at a public meeting regarding the proposed donation;

NOW, THEREFORE, the Board of Directors of the Sleepy Hollow Fire Protection District hereby resolves as follows:

SECTION 1. The foregoing Recitals are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. The Board of Directors approves the gift and authorizes the President of the District Board of Directors to accept the gift of the Vehicle from Mr. Fisher, valued at $4,200, for the use and benefit of the District’s operations.

SECTION 3. The Board of Directors finds and determines that the approval and adoption of the Agreement will assist in the full implementation of the District’s Strategic Plans and therefore the Agreement will serve the health, safety, and welfare of the residents and others within the District.

SECTION 4. The Board of Directors hereby approves the Agreement substantially in the forms as attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 5. The President of the District Board of Directors is hereby authorized to make final changes to the Agreement that are consistent with this Resolution, and the President is hereby authorized to execute the Agreement and any other documents reasonably necessary to effectuate the provisions of the Agreement, to take all actions, on behalf of District, to enter into any amendments or modifications (including, without limitation, any Exhibits) to the Agreement that the President determines are in the best interests of the District, do not materially increase the obligations or liabilities of the District, and are necessary or advisable to complete the transaction and effectuate the purposes and intent of this Resolution and are in compliance with all applicable laws, all subject to final review and approval by the District’s Counsel.

SECTION 6. All acts and things that may be done pursuant to the authority of this Resolution by the President of the District Board of Directors shall be, and the same hereby are, fully ratified and approved, and this Resolution shall remain in full force and effect until written notice of revocation signed by the President, Secretary, or Treasurer of the District shall have been received by the parties to the Agreement.

SECTION 7. The Board of Directors finds and determines that the approval and adoption of the Agreement (a) does not commit the District to any action that may have a significant effect on the environment, and (b) is not a “project” under the California Environmental Quality Act because it does not involve any activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment (California Public Resources Code Section 21065).

SECTION 8. The Board of Directors extends its gratitude to Mr. Fisher for the generous gift to the District in support of public safety.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors held this 2nd day of June 2022 by the following vote:

AYES: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOES: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ABSENT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Richard C. Shortall, Jr., Director/President

ATTEST

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Thomas J. Finn, Director/Secretary