**SLEEPY HOLLOW FIRE PROTECTION DISTRICT**

**STAFF REPORT**

To: District Board Members

From: Thomas J. Finn, District Director/Secretary, as Staff

Date: for June 2, 2022 Regular Meeting

Subject: Proposal re: Acceptance of Donation of Wildland Fire Vehicle by William S. Fisher

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**RECOMMENDATION**: Staff is recommending the following actions:

1. Adopt Resolution authorizing the Board President to negotiate and execute a Vehicle Donation Agreement with William S. Fisher pursuant to which the District shall accept a 1986 Ford F-350 wildland-urban fire response vehicle which Fisher owns and desires to donate to the District (the “Vehicle”) for the use and benefit of the District’s operations;

2. Authorize the Board President to make such inspections (or to have such inspections made by consultants) relating to the Vehicle’s physical or mechanical condition as the Board President deems reasonably necessary to obtain information regarding potential repairs or modifications to the Vehicle so as to bring the Vehicle into compliance with all operative laws and regulations to which the Vehicle is or may be subject following the Donation Date; and

3. Authorize the Board President to explore with San Domenico School terms and conditions for the possible storage and maintenance of the Vehicle on the San Domenico School campus within the District.

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**BACKGROUND**

The District is a political subdivision of the State of California responsible for fire protection and emergency services in the unincorporated area and surrounding parcels known as Sleepy Hollow. The District also provides support for significant community events and community disaster preparedness.

Fisher owns and desires to donate to the District, and the District desires to accept, the Vehicle. It is intended that Fisher’s donation shall qualify as a charitable contribution of a qualified vehicle made for exclusively public purposes and therefore allowable as a tax deduction under Internal Revenue Service regulations. The District and Fisher agree that the approximate value of the Vehicle is $4,200.

Under the terms of the proposed Agreement, Fisher will donate the Vehicle for use in the District’s operations, provided, however, that the District may allow any fire and/or emergency service agency or entity which is providing a service to the District or which is engaged in joint training activities with the District to utilize the Vehicle in accordance with District policies. The Vehicle will be owned and maintained as an asset of the District for so long as the District determines that it is reasonable to do so.

The Fire Protection District Law (Cal. Health & Safety Code §§13800 *et seq*.) empowers the District to accept such a donation. The District has the power to provide any services relating to the protection of lives and property and to establish and enforce rules and regulations for the administration, operation, and maintenance of its services. Sections 13862(f) and (i). In particular, the District also has the authority to acquire property within and for the benefit of the District by any means, including by donation. Section 13861(b).

With respect to the District’s utilization of the vehicle Section 13867 requires that any equipment acquired by the District for fire protection purposes shall conform to the standardization provisions of Section 13025.  Section 13877 grants the District Board the power to authorize the use of any District-owned vehicle, apparatus, or equipment outside the District, subject to any terms and conditions it prescribes.

**NEXT STEPS**

Today it is recommended that you:

1. Adopt a Resolution authorizing the Board President to make such final changes to the Vehicle Donation Agreement as are consistent with the Resolution and to execute that Agreement for the donation and acceptance of the Vehicle (Exhibit A);

2. Authorize the Board President to engage consultants to inspect and assess the Vehicle’s working condition and to recommend such repairs and modifications to the Vehicle as may be necessary or advisable to bring the Vehicle into compliance with the applicable laws and regulations; and

3. Authorize the Board President to engage in discussions with San Domenico School regarding possible terms and conditions of an agreement permitting the District to store and maintain the Vehicle on the San Domenico campus.

Please let me know if you have any questions or concerns.