



RESOLUTION No. 24-241

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF NEVADA, ROUGH & READY FIRE PROTECTION DISTRICT, PENN VALLEY FIRE PROTECTION DISTRICT, AND NEVADA COUNTY CONSOLIDATED FIRE DISTRICT TO SUPPORT THE REORGANIZATION OF THESE DISTRICTS INTO ONE CONSOLIDATED DISTRICT

WHEREAS, in recognition that independent fire protection districts in Nevada County are essential in ensuring public peace, health and safety, the County supports the efforts of the Rough & Ready Fire Protection District ("RRFPD"), Penn Valley Fire Protection District ("PVFPD"), and Nevada County Consolidated Fire District ("NCCFD") ("Districts") to reorganize into one district; and

WHEREAS, on August 8, 2023, the County Board of Supervisors approved a Memorandum of Understanding (MOU) to support the Districts' efforts to reorganize, and to operate the Rough & Ready Fire Station #59 prior to consolidation; and

WHEREAS, on December 5, 2023, the County Board of Supervisors approved "Amendment No. 1" to the MOU to extend the deadline for Section 4(b) "Milestone 2," and

WHEREAS, the Districts have requested a one-year extension of the MOU to support the consolidation effort underway; and

WHEREAS, the amendments to the MOU include the following replacement language:

Section 1(b), as amended to reflect the additional year, would read:

The County will provide temporary gap funding to support the operations of Rough & Ready Fire Station #59 to serve the residents of the RRFPD and other surrounding districts (e.g. PVFPD and NCCFD), for three years (Fiscal Years 23-24, 24-25, and 25-26), not to exceed \$600,000 in any fiscal year for a combined total of \$1,000,000 to support the long-term goal of the Districts' Reorganization.

The Districts may use up to \$60,000 of these funds to conduct necessary studies provided that the expenditures do not compromise the Districts' ability to operate Station #59 through June 30, 2026.

Section 2(c), as amended to reflect the additional year, would read:

The Districts will provide the County with a copy of their budgets and revenue and expenditure detail for Fiscal Years 2023-/24, 2024/25, and 2025/26, which shall include a clear accounting of where the funding is appropriated in their budgets and its intended use. Accounting records of the Districts shall be open to inspection by the County Auditor-Controller at any time during business hours for the purpose of determining whether the funds were utilized only for the purpose of fire protection services within RRFPD's boundaries.

Section 3(a), as amended to reflect the additional year, would read:

The Districts will enter into an agreement regarding coordination of efforts for preparation of substantially similar resolutions of applications for the Reorganization pursuant to Government Code section 56853, for consideration for approval by each of their Boards of Directors, and if the Resolutions of Application are approved, for preparation, completion, and submission of an application and related documents to LAFCo for the Reorganization no later than January 1, 2025.

The agreement will define the level of service the newly reorganized district ("Reorganized District") will provide, and will address governance, administration, and operations for the Reorganized district.

Section 4(b), as amended to reflect the additional year, would read:

Milestone 2: RRFPD, PVFPD, and NCCFD districts will bring the agreement regarding Reorganization for approval by each of their Boards of Directors by December 1, 2024.

Section 4(c), as amended to reflect the additional year, would read:

Milestone 3: The Districts will apply to LAFCo for reorganization by submitting Resolutions of Application and associated materials to LAFCo by January 1, 2025.

Section 4(d), as amended to reflect the additional year, would read:

Milestone 4: The Districts will prepare for LAFCo to take action on the reorganization proposal at a LAFCo hearing to be held on or before April 17, 2025. (The intention is that LAFCo would complete the final filing of the reorganization of the new district by June 1, 2025.)

Section 4(e), as amended to reflect the additional year, would read:

Milestone 5: The Districts will provide enhanced services to the newly reorganized district by December 31, 2025.

Section 13, as amended to reflect the additional year, would read:

This Memorandum will expire June 30, 2026.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of the County of Nevada, State of California, approves Amendment No. 2 to the Memorandum of Understanding between the County of Nevada and the Districts, and authorizes the Chair of the Board of Supervisors to execute the Amendment to the Memorandum of Understanding on behalf of the County.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of May 2024, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Susan Hoek,
Lisa Swarthout and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: _____



Hardy Bullock, Chair

Milestone 3: The Districts will apply to LAFCo for reorganization by submitting Resolutions of Application and associated materials to LAFCo by January 1, 2025.

Section 4(d), as amended to reflect the additional year, would read:

Milestone 4: The Districts will prepare for LAFCo to take action on the reorganization proposal at a LAFCo hearing to be held on or before April 17, 2025. (The intention is that LAFCo would complete the final filing of the reorganization of the new district by June 1, 2025.)

Section 4(e), as amended to reflect the additional year, would read:

Milestone 5: The Districts will provide enhanced services to the newly reorganized district by December 31, 2025.

Section 13, as amended to reflect the additional year, would read:

This Memorandum will expire June 30, 2026.

IN WITNESS WHEREOF, County and Districts, by their duly authorized representatives, have executed the amendment to the Memorandum of Understanding.

COUNTY OF NEVADA

Heidi Hall
Hardy Bullock Heidi Hall
Chair, Board of Supervisors

Date: _____

APPROVED AS TO FORM:

K. L. Elliott
Katharine L. Elliott, County Counsel

ROUGH AND READY FIRE PROTECTION DISTRICT

Doug Wittler
Doug Wittler / Aug 17, 2024 08:21 PDT

Date: 17/08/24

PENN VALLEY FIRE PROTECTION DISTRICT

Bruce Stephenson
Bruce Stephenson / Aug 15, 2024 16:55 PDT

Date: 15/08/24

NEVADA COUNTY CONSOLIDATED FIRE DISTRICT

Keith Grueneberg
Keith Grueneberg / Aug 14, 2024 14:38 PST

Date: 14/08/24

**AMENDMENT NO. 2 TO MEMORANDUM OF UNDERSTANDING
BETWEEN COUNTY OF NEVADA, ROUGH & READY FIRE PROTECTION DISTRICT, PENN VALLEY FIRE
PROTECTION DISTRICT, AND NEVADA COUNTY CONSOLIDATED FIRE DISTRICT**

NOW, THEREFORE, the Parties agree to amend and replace, in their entirety, the following sections of the MOU as follows:

Section 1(b), as amended to reflect the additional year, would read:

The County will provide temporary gap funding to support the operations of Rough & Ready Fire Station #59 to serve the residents of the RRFPD and other surrounding districts (e.g. PVFPD and NCCFD), for three years (Fiscal Years 23-24, 24-25, and 25-26), not to exceed \$600,000 in any fiscal year for a combined total of \$1,000,000 to support the long-term goal of the Districts' Reorganization.

The Districts may use up to \$60,000 of these funds to conduct necessary studies provided that the expenditures do not compromise the Districts' ability to operate Station #59 through June 30, 2026.

Section 2(c), as amended to reflect the additional year, would read:

The Districts will provide the County with a copy of their budgets and revenue and expenditure detail for Fiscal Years 2023-24, 2024-25, and 2025-26, which shall include a clear accounting of where the funding is appropriated in their budgets and its intended use. Accounting records of the Districts shall be open to inspection by the County Auditor-Controller at any time during business hours for the purpose of determining whether the funds were utilized only for the purpose of fire protection services within RRFPD's boundaries.

Section 3(a), as amended to reflect the additional year, would read:

The Districts will enter into an agreement regarding coordination of efforts for preparation of substantially similar resolutions of applications for the Reorganization pursuant to Government Code section 56853, for consideration for approval by each of their Boards of Directors, and if the Resolutions of Application are approved, for preparation, completion, and submission of an application and related documents to LAFCo for the Reorganization no later than January 1, 2025.

The agreement will define the level of service the newly reorganized district ("Reorganized District") will provide, and will address governance, administration, and operations for the Reorganized district.

Section 4(b), as amended to reflect the additional year, would read:

Milestone 2: RRFPD, PVFPD, and NCCFD districts will bring the agreement regarding Reorganization for approval by each of their Boards of Directors by December 1, 2024.

Section 4(c), as amended to reflect the additional year, would read: