



Staff Report

CONSIDERATION OF A RESOLUTION AMENDING THE AMENDED AND RESTATED EXERCISE OF JOINT POWERS AGREEMENT FOR THE BELMONT-SAN CARLOS FIRE DEPARTMENT (CONTINUED FROM DECEMBER 12, 2006).

Honorable President and Board Members:

Summary

This report supplements the report issued on December 12, 2006 and updates the Fire Board on actions taken at the Belmont-San Carlos Fire Commission. Furthermore, this report outlines several options the Fire Board could consider relative to amending the Amended and Restated Joint Exercise of Powers Agreement.

Background & Discussion

On December 12th, the Fire Board received a report from staff, as well as a resolution drafted by legal counsel amending the JPA Agreement. At the conclusion of that meeting, action regarding the JPA Agreement was deferred to December 21st so that Belmont representatives on the Fire Commission could meet with their San Carlos counterparts in order to obtain consensus regarding the future provision of fire services that could be considered by the Fire Board tonight. A copy of the December 12th staff report is attached as Attachment A.

On December 13th, the Fire Commission deliberated the matter. The Fire Commissioners focused on several options for allocating costs and requested staff model the alternatives for consideration at their December 19th meeting.

On December 19th, staff presented a model of the various alternatives under consideration. During the course of the discussions, several new alternatives were added. The results of those alternatives have been embodied in the attached model shown as Attachment B. A brief description of the model and discussion of the alternatives follows:

- **General Fund Abstract** – This worksheet summarizes the various alternatives on a single document. The objective was to model the financial implications of each alternative assuming the FY 2007 Budget as the base. Care was taken to follow a similar methodology for each alternative. Towards that end, each alternative applies revenue against the requirement to be funded by the sponsoring agencies. As such, the respective agencies contribution is increased or decreased so that a constant overall revenue requirement is achieved. The exception to this rule is the last alternative, i.e. Grassilli,

which is shown in a box and discussed in greater detail below.

- Adopted FY 2007 Budget – This is the baseline values provided for comparison purposes.
- With Revenue Measure in Both Cities (RM) – This alternative was the original formula.
- Grocott 1 (MG1) – Similar to RM, but reflects 12 months of call volume (11/30-2005 to 11/30/2006) as provided by the Fire Department. This alternative also assumes new revenue from plan check and inspections fees within existing revenue authority. New revenues have been allocated by agency and offset the revenue requirement from each agency.
- Grocott 2 (MG2) – This alternative is similar to Grocott 1, but re-weights the percentages allocated to the various factors. Population is dropped as a factor (it is weighted at 0 percent) while the weights of the other factors are changed (the weight on Valuation decreases; the weights on the other factors increase)..
- Grocott 3 (MG3) – This alternative contains all of the factors in Grocott 1 with different allocations weights and adds parcels.
- Lieberman 1 (WL1) – This alternative uses parcels as the basis for allocation. Like Grocott 1, new revenues offset each agency's revenue requirement.
- Lieberman 2 (WL2) – This alternative is similar to the original formula, but includes only 4 factors: population, assessed valuation, call volume and fire stations. Each is weighted equally or 25%. Like Grocott 1, new revenues offset each agency's revenue requirement.
- Mathewson (PM) – This alternative is similar to Lieberman 2, but adds parcels as an additional factor. Each factor is weighted equally, or 20% and new revenues offset each agency's revenue requirement.
- Grassilli (BG) – This alternative sets a specified revenue contribution by each agency and then adds any new potential revenue sources. The revenue contribution is set at 47% for Belmont and 50% for San Carlos. The 3% difference is to be raised through new revenue sources. As a consequence of this approach, this alternative shows greater revenue generated than the other alternatives. As discussed during the December 19th meeting, it is not likely that the full amount of the additional revenues could be raised in 2007 – 2008 so fully funding the department's budget next year is likely to require additional funding from one or both of the agencies.

While no agreement was reached at the Fire Commission on a single alternative, the San Carlos representatives stated they would support the resolution prepared by their staff on the 6 month rolling extension dissolution and presenting all the formulas for consideration with Grocott 3, Lieberman 2 and Grassilli raised to the top.

The above merely summarizes the alternatives and discussions which took place at the Fire Commission meetings. It is suggested that the Fire Board hear further commentary from the Fire Commissioners and others present at those deliberations on these matters.

This report includes the resolution as originally proposed for your December 12th meeting. In addition, this report includes an alternative resolution that mirrors the 6 month rolling language that was adopted by San Carlos. The Fire Board can set an alternative time period should it so desire.

Should the Fire Board not adopt an extending resolution, the Fire Board should consider a motion directing staff to give notice of dissolution pursuant to the existing language in the JPA.

Lastly, the City of San Carlos has no further meetings planned prior to their next regularly schedule meeting date of January 8, 2007.

Fiscal Impact

The following table summarizes the fiscal impacts for each alternative.

Funding Alternative	Belmont Fire Protection District	San Carlos	New Fees
Revenue Measure	\$4,968,367	\$5,566,567	\$0
Grocott 1	\$4,893,126	\$5,358,808	\$283,000
Grocott 2	\$5,069,473	\$5,182,461	\$283,000
Grocott 3	\$4,997,035	\$5,254,899	\$283,000
Lieberman 1	\$4,464,475	\$5,787,459	\$283,000
Lieberman 2	\$4,920,886	\$5,331,048	\$283,000
Mathewson	\$4,829,604	\$5,422,330	\$283,000
Grassilli	\$4,951,419	\$5,267,467	\$283,000

Based on the FY 2007 Budget baseline, the fiscal impacts from the various alternatives range from \$4,464,475 to \$5,069,473 for the Fire District. The current contribution is \$5,267,467.

Public Contact

Posting of City Council agenda. San Carlos representatives have been informed of the meeting.

Recommendation

Consider the attached resolutions.

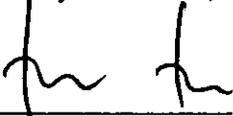
Alternatives

1. Give notice prior to December 31, 2006.
2. Take no action.
3. Provide the staff with alternative direction.

Attachments

- A. December 12, 2006 Staff Report
- B. Allocation Model
- C. Resolution of the Belmont Fire Protection District Amending the Amended and Restated Exercise of Joint Powers Agreement for the Belmont-San Carlos Fire Department (Original)
- D. Resolution of the Belmont Fire Protection District Amending the Amended and Restated Exercise of Joint Powers Agreement for the Belmont-San Carlos Fire Department (Rolling Notice)

Respectfully submitted,



Thomas Fil
Finance Director



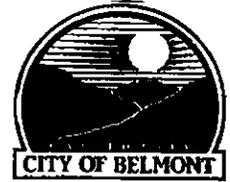
Terrance Belanger
Interim Executive Director

Staff Contact:

Thomas Fil, Finance Director
650-595-7435
tfil@belmont.gov

ATTACHMENT A

Belmont Fire Protection District # _____
; Special Meeting of December 12, 2006



Staff Report

CONSIDERATION OF A RESOLUTION AMENDING THE AMENDED AND RESTATED EXERCISE OF JOINT POWERS AGREEMENT FOR THE BELMONT-SAN CARLOS FIRE DEPARTMENT

Honorable President and Board Members:

Summary

Staff has prepared a resolution for the District Board's consideration that amends the Amended and Restated Joint Exercise of Powers Agreement to revise the conditions under which the Department may be terminated and to set the effective date for a change in the funding formula for the Fire Department.

Background & Discussion

On December 7th, the Fire Board met in special session to discuss its options regarding the future provision of fire services. At the conclusion of that meeting, direction was given to legal counsel to draft an amendment to the JPA Agreement to extend the noticing provisions and dissolution dates, as well as set July 1, 2007 as the Funding Effective Date for the allocation of ongoing costs for the Fire Department.

Legal counsel has completed their work and a resolution authorizing the amendment is attached to this staff report.

Staff has been in communication with the staff of the City of San Carlos regarding the direction of the Fire Board. Separately, the City of San Carlos is considering this matter at their regularly scheduled meeting of December 11, 2006. Staff will provide the Fire Board with a verbal update of the outcome of that meeting.

Fiscal Impact

Fiscal impacts were provided in a report dated December 7, 2006. That report is included by reference herein.

Public Contact

Posting of City Council agenda.

Recommendation

Consider the attached resolution.

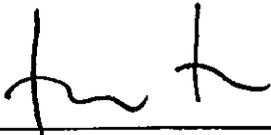
Alternatives

1. Adopt a resolution only amending an extension of noticing and dissolution dates by either definitive dates or 6 month notice period.
2. Give notice prior to December 31, 2006.
3. Take no action.
4. Provide the staff with alternative direction.

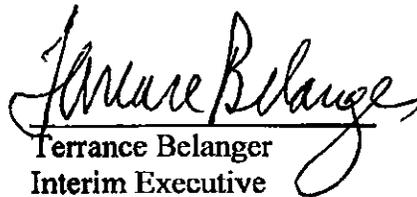
Attachments

- A. Resolution of the Belmont Fire Protection District Amending the Amended and Restated Exercise of Joint Powers Agreement for the Belmont-San Carlos Fire Department

Respectfully submitted,



Thomas Fil
Finance Director



Terrance Belanger
Interim Executive
Director

Staff Contact:

Thomas Fil, Finance Director
650-595-7435
tfil@belmont.gov

BELMONT FIRE PROTECTION DISTRICT RESOLUTION NO. _____

**RESOLUTION OF THE BELMONT FIRE PROTECTION DISTRICT
AMENDING THE AMENDED AND RESTATED EXERCISE OF JOINT
POWERS AGREEMENT FOR THE BELMONT-SAN CARLOS FIRE
DEPARTMENT**

WHEREAS, the City of San Carlos and the Belmont Fire Protection District are parties to a joint exercise of powers agreement (JPA) which created the Belmont-San Carlos Fire Department (Fire Department); and

WHEREAS, the two parties have been in discussions regarding the future of the Fire Department; and

WHEREAS, amending the Amended and Restated Exercise of Joint Powers Agreement for the Belmont-San Carlos Fire Department is necessary.

NOW, THEREFORE, BE IT RESOLVED that the Belmont Fire Protection District does hereby authorize an amendment to amend the amended and restated joint exercise of powers agreement for the Belmont-San Carlos Fire Department as provided in Exhibit A.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Belmont Fire Protection District at a special meeting thereof held on December 12, 2006 by the following vote:

AYES, DIRECTORS: _____

NOES, DIRECTORS: _____

ABSTAIN, DIRECTORS: _____

ABSENT, DIRECTORS: _____

Secretary, Belmont Fire Protection

District
APPROVED:

President, Belmont Fire Protection District

**AMENDMENT TO AMENDED AND RESTATED JOINT EXERCISE OF
POWERS AGREEMENT FOR THE BELMONT-SAN CARLOS FIRE
DEPARTMENT**

THIS AMENDMENT ("Amendment") is made and entered into as of the ___ day of _____, 2006 by the parties to the Amended And Restated Joint Exercise Of Powers Agreement dated as of the ___ day of _____, 2006 ("Agreement") by and between the City of San Carlos ("San Carlos") a general law city and the Belmont Fire Protection District ("Belmont"), a fire-protection district, each duly organized and existing in the County of San Mateo, State of California under the constitution and laws of the state and individually or collectively called Member or Members.

WITNESSETH:

WHEREAS, each of the Members is legally responsible for the provision of fire protection services within its respective jurisdiction; and

WHEREAS, the Joint Exercise of Powers Act (Government Code 6500 et seq, the Act) provides that two or more public agencies may by agreement jointly exercise any powers common to the parties to the agreement and may by that agreement create an entity which is separate from the parties to the agreement; and

WHEREAS, pursuant to the Agreement, the Members formed the "Belmont-San Carlos Fire Department," a joint powers authority created pursuant to the Act; and

WHEREAS, by this Amendment, the Members desire to amend the Agreement to revise the conditions under which the Department may be terminated and to set the effective date for a change in the funding formula for the Department.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

SECTION 1 The definition of "Funding Effective Date" contained in Section 1.1, Definitions, of the Agreement is amended to read as follows:
"Funding Effective Date" means July 1, 2007.

SECTION 2 Subdivisions (a) and (b) of Section 3.3 of the Agreement are amended to read as follows:

"(a) Notice. Either Member can dissolve the Department effective December 31, 2007 by giving written notice no later than June 30, 2007. Thereafter, the Department shall dissolve, and its assets be distributed in accordance with the provisions of this Agreement, upon written notice by either Member of its intention to dissolve the Department, provided that such notice shall be given eighteen (18) months prior to the date of dissolution."

“(b) **Distribution of Funds and Property.** If either Member gives notice of its intent to dissolve the Department pursuant to Section 3.3(a) above, any remaining funds, property or other assets of the Department, including all revenues generated by the Measure, following discharge of all debts, liabilities and obligations of the Department, shall be distributed to the Members. The formula used to pay off any remaining unfunded liabilities at the time of dissolution, as well as to divide the assets, shall be (i) equal shares between or among the Members until the Funding Effective Date or (ii) the average of the annual funding formulas that have been in effect from the Funding Effective Date through the fiscal year in which notice of intent to dissolve the Department is given. If, on or after the Funding Effective Date, Belmont gives notice of its intent to dissolve the Department prior to July 1, 2016, it shall also make payments to San Carlos as shown in the schedule attached hereto as Exhibit B. The Members acknowledge that the real property used by the Department as of the effective date of this Agreement is owned by the Members and will not be distributed according to this formula, but shall remain vested in the Member which owns each parcel.”

SECTION 3 This Amendment may be executed in one (1) or more counterparts, all of which together shall constitute a single agreement, and each of which shall be an original for all purposes.

SECTION 4 This Amendment shall be effective as of its date.

SECTION 5 The legislative bodies of the Members have each authorized execution of this Agreement, as evidenced by the respective signatures attested below.

BELMONT FIRE PROTECTION DISTRICT

President

Attest:

Secretary

CITY OF SAN CARLOS

Mayor

Attest:

City Clerk

Belmont-San Carlos Fire Department

General Fund Abstract

	Adopted FY 2007 Budget			With Revenue Measure in Both Cities		
	Belmont Fire Protection District	City of San Carlos	Combined	Belmont Fire Protection District	City of San Carlos	Combined
State Mandated Programs		\$ 35,000				\$ 35,000
Advanced Life Support JPA		196,500				196,500
Fire Plan Check Fees		150,000				150,000
<i>Fire Plan Check Fees (City Retained)</i>		-				-
<i>Fire Inspection Fees (Resume Fees)</i>		-				-
<i>Fire Inspection Fees (Full Recovery)</i>		-				-
Belmont Fire District Services		5,267,467		\$ 4,968,367		4,968,367
City of San Carlos Services		5,267,467		\$ 5,566,567		5,566,567
Alarm Responses		1,000				1,000
Interest Earnings-Investments		21,667				21,667
Refunds & Rebates		600				600
Hazardous Materials Reimbursement		435,990				435,990
Contributions & Donations		250				250
Miscellaneous Revenue		10				10
Total Revenues		11,375,951		4,968,367	5,566,567	11,375,951
Public Safety		10,776,464				10,776,464
EXPENDITURES:						
GROSS EXCESS OF REVENUES OVER (UNDER)						
EXPENDITURES		599,487				599,487
OTHER FINANCING						
SOURCES (USES)		627,188				627,188
NET EXCESS OF REVENUES OVER (UNDER)		\$ (27,701)				\$ (27,701)

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Belmont-San Carlos Fire Department

General Fund Abstract

	Grocott -1			Grocott -2		
	Belmont Fire Protection District	City of San Carlos	Combined	Belmont Fire Protection District	City of San Carlos	Combined
State Mandated Programs		\$	35,000		\$	35,000
Advanced Life Support JPA			196,500			196,500
Fire Plan Check Fees			150,000			150,000
<i>Fire Plan Check Fees (City Retained)</i>	\$ 20,000	\$ 60,000	80,000	\$ 20,000	\$ 60,000	80,000
<i>Fire Inspection Fees (Resume Fees)</i>	83,000	120,000	203,000	83,000	120,000	203,000
<i>Fire Inspection Fees (Full Recovery)</i>	0	0	-	0	0	-
<i>Belmont Fire District Services</i>	4,893,126		4,893,126	5,069,473		5,069,473
<i>City of San Carlos Services</i>		5,358,808	5,358,808		5,182,461	5,182,461
Alarm Responses			1,000			1,000
Interest Earnings-Investments			21,667			21,667
Refunds & Rebates			600			600
Hazardous Materials Reimbursement			435,990			435,990
Contributions & Donations			250			250
Miscellaneous Revenue			10			10
Total Revenues	4,996,126	5,538,808	11,375,951	5,172,473	5,362,461	11,375,951
Public Safety			10,776,464			10,776,464
GROSS EXCESS OF REVENUES OVER (UNDER)			599,487			599,487
OTHER FINANCING SOURCES (USES)			627,188			627,188
Operating Transfers (Out)						
NET EXCESS OF REVENUES OVER (UNDER)			\$ (27,701)			\$ (27,701)

Belmont-San Carlos Fire Department

General Fund Abstract

	Grocott -3		Lieberman -1	
	Belmont Fire Protection District	City of San Carlos	Belmont Fire Protection District	City of San Carlos
	Combined	Combined		Combined
State Mandated Programs	\$ 35,000	\$ 35,000		\$ 35,000
Advanced Life Support JPA	196,500	196,500		196,500
Fire Plan Check Fees	150,000	150,000		150,000
Fire Plan Check Fees (City Retained)	\$ 20,000	\$ 60,000	\$ 20,000	\$ 60,000
Fire Inspection Fees (Resume Fees)	83,000	120,000	83,000	120,000
Fire Inspection Fees (Full Recovery)	0	0	0	0
Belmont Fire District Services	4,997,035	4,997,035	4,464,475	4,464,475
City of San Carlos Services	5,254,899	5,254,899	5,787,459	5,787,459
Alarm Responses	1,000	1,000		1,000
Interest Earnings-Investments	21,667	21,667		21,667
Refunds & Rebates	600	600		600
Hazardous Materials Reimbursement	435,990	435,990		435,990
Contributions & Donations	250	250		250
Miscellaneous Revenue	10	10		10
Total Revenues	5,100,035	5,434,899	4,567,475	5,967,459
Public Safety	11,375,951	11,375,951		11,375,951
GROSS EXCESS OF REVENUES OVER (UNDER)	10,776,464	10,776,464		10,776,464
EXPENDITURES:				
OTHER FINANCING	599,487	599,487		599,487
SOURCES (USES)	627,188	627,188		627,188
NET EXCESS OF REVENUES OVER (UNDER)	\$ (27,701)	\$ (27,701)		\$ (27,701)
Operating Transfers (Out)				

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Belmont-San Carlos Fire Department

General Fund Abstract

	Lieberman -2			Mathewson		
	Belmont Fire Protection District	City of San Carlos	Combined	Belmont Fire Protection District	City of San Carlos	Combined
State Mandated Programs			\$ 35,000			\$ 35,000
Advanced Life Support JPA			196,500			196,500
Fire Plan Check Fees			150,000			150,000
<i>Fire Plan Check Fees (City Retained)</i>	\$ 20,000	\$ 60,000	\$ 80,000	\$ 20,000	\$ 60,000	\$ 80,000
<i>Fire Inspection Fees (Resume Fees)</i>	83,000	120,000	203,000	83,000	120,000	203,000
<i>Fire Inspection Fees (Full Recovery)</i>	0	0	-	0	0	-
<i>Belmont Fire District Services</i>	4,920,886		4,920,886	4,829,604		4,829,604
<i>City of San Carlos Services</i>		5,331,048	5,331,048	5,422,330		5,422,330
Alarm Responses			1,000			1,000
Interest Earnings-Investments			21,667			21,667
Refunds & Rebates			600			600
Hazardous Materials Reimbursement			435,990			435,990
Contributions & Donations			250			250
Miscellaneous Revenue			10			10
Total Revenues	5,023,886	5,511,048	11,375,951	4,932,604	5,602,330	11,375,951
Public Safety			10,776,464			10,776,464
GROSS EXCESS OF REVENUES OVER (UNDER)			599,487			599,487
EXPENDITURES			627,188			627,188
OTHER FINANCING						
SOURCES (USES)						
NET EXCESS OF REVENUES OVER (UNDER)			\$ (27,701)			\$ (27,701)

Belmont-San Carlos Fire Department

General Fund Abstract

	Grassilli		
	Belmont Fire Protection District	City of San Carlos	Combined
REVENUES:			
State Mandated Programs		\$	35,000
Advanced Life Support JPA			196,500
Fire Plan Check Fees			150,000
<i>Fire Plan Check Fees (City Retained)</i>			<i>80,000</i>
<i>Fire Inspection Fees (Resume Fees)</i>			<i>203,000</i>
<i>Fire Inspection Fees (Full Recovery)</i>			<i>-</i>
Belmont Fire District Services	\$ 4,951,419		4,951,419
City of San Carlos Services		\$ 5,267,467	5,267,467
Alarm Responses			1,000
Interest Earnings-Investments			21,667
Refunds & Rebates			600
Hazardous Materials Reimbursement			435,990
Contributions & Donations			250
Miscellaneous Revenue			10
Total Revenues	4,951,419	5,267,467	11,342,903
EXPENDITURES:			
Public Safety			10,776,464
GROSS EXCESS OF REVENUES OVER (UNDER)			566,439
EXPENDITURES			
OTHER FINANCING			
SOURCES (USES)			627,188
Operating Transfers (Out)			
NET EXCESS OF REVENUES OVER (UNDER)			\$ (60,749)
EXPENDITURES			

Belmont-San Carlos Fire Department

Allocation with Revenue Measure Passage in Both Cities

Allocation Matrix

Factor	Fill in %	Belmont Fire		City of San Carlos		Combined	
		Protection District	%		%		%
Population	25.00%	25,470	47.5%	28,190	52.5%	53,660	100.0%
Assessed Valuation	25.00%	\$ 3,761,924,464	41.2%	\$ 5,373,846,420	58.8%	9,135,770,884	100.0%
Call Volume	12.50%	1	50.0%	1	50.0%	2	100.0%
Fire Companies - Engines	6.25%	1.5	50.0%	1.5	50.0%	3	100.0%
Fire Companies - Trucks	6.25%	0.5	50.0%	0.5	50.0%	1	100.0%
Fire Stations	12.50%	2	50.0%	2	50.0%	4	100.0%
Budgeted Fire Suppression Employees	12.50%	19.5	50.0%	19.5	50.0%	39	100.0%
Total Weighted Allocation as a %	100.00%		47.2%		52.8%		100.0%
Comparison							
Current Approach		5,267,467	50.0%	5,267,467	50.0%	10,534,934	100.0%
Revenue Measure Pass		<u>4,968,367</u>	47.2%	<u>5,566,567</u>	52.8%	<u>10,534,934</u>	100.0%
Difference		299,100		(299,100)		-	

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Belmont-San Carlos Fire Department

Grocott -1 Allocation Model

Allocation Matrix

Factor	Fill in %	Belmont Fire Protection District		City of San Carlos		Combined	
			%		%		%
Population	25.00%	25,470	47.5%	28,190	52.5%	53,660	100.0%
Assessed Valuation	25.00%	\$ 3,761,924,464	41.2%	\$ 5,373,846,420	58.8%	9,135,770,884	100.0%
Call Volume	12.50%	2,200	52.1%	2,022	47.9%	4,222	100.0%
Fire Companies - Engines	6.25%	1.5	50.0%	1.5	50.0%	3	100.0%
Fire Companies - Trucks	6.25%	0.5	50.0%	0.5	50.0%	1	100.0%
Fire Stations	12.50%	2	50.0%	2	50.0%	4	100.0%
Budgeted Fire Suppression Employees	12.50%	19.5	50.0%	19.5	50.0%	39	100.0%
Total Weighted Allocation as a %	100.00%		47.4%		52.6%		100.0%
Comparison							
Current Approach		5,267,467	50.0%	5,267,467	50.0%	10,534,934	100.0%
Grocott -1 Formula		4,996,126	47.4%	5,538,808	52.6%	10,534,934	100.0%
Difference		271,341		(271,341)		-	

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Belmont-San Carlos Fire Department

Grocott -2 Allocation Model

Allocation Matrix

Factor	Fill in %	Belmont Fire		City of San Carlos		Combined	
		Protection District	%		%		%
Population	0.00%	25,470	0.0%	28,190	0.0%	53,660	0.0%
Assessed Valuation	15.00%	\$ 3,761,924,464	41.2%	\$ 5,373,846,420	58.8%	9,135,770,884	100.0%
Call Volume	20.00%	2,200	52.1%	2,022	47.9%	4,222	100.0%
Fire Companies - Engines	12.50%	1.5	50.0%	1.5	50.0%	3	100.0%
Fire Companies - Trucks	12.50%	0.5	50.0%	0.5	50.0%	1	100.0%
Fire Stations	20.00%	2	50.0%	2	50.0%	4	100.0%
Budgeted Fire Suppression Employees	20.00%	19.5	50.0%	19.5	50.0%	39	100.0%
Total Weighted Allocation as a %	100.00%		49.1%		50.9%		100.0%
Comparison							
Current Approach		5,267,467	50.0%	5,267,467	50.0%	10,534,934	100.0%
Grocott -2 Formula		5,172,473	49.1%	5,362,461	50.9%	10,534,934	100.0%
Difference		94,994		(94,994)		-	

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Belmont-San Carlos Fire Department

Grocott -3 Allocation Model

Allocation Matrix

Factor	Fill in %	Belmont Fire		City of San Carlos		Combined	
		Protection District	%		%		%
Parcel	10.00%	8,339	43.4%	10,895	56.6%	19,234	100.0%
Population	10.00%	25,470	47.5%	28,190	52.5%	53,660	100.0%
Assessed Valuation	10.00%	\$ 3,761,924,464	41.2%	\$ 5,373,846,420	58.8%	9,135,770,884	100.0%
Call Volume	10.00%	2,200	52.1%	2,022	47.9%	4,222	100.0%
Fire Companies - Engines	10.00%	1.5	50.0%	1.5	50.0%	3	100.0%
Fire Companies - Trucks	10.00%	0.5	50.0%	0.5	50.0%	1	100.0%
Fire Stations	20.00%	2	50.0%	2	50.0%	4	100.0%
Budgeted Fire Suppression Employees	20.00%	19.5	50.0%	19.5	50.0%	39	100.0%
Total Weighted Allocation as a %	100.00%		48.4%		51.6%		100.0%
Comparison							
Current Approach		5,267,467	50.0%	5,267,467	50.0%	10,534,934	100.0%
Grocott -3 Formula		5,100,035	48.4%	5,434,899	51.6%	10,534,934	100.0%
Difference		167,432		(167,432)		-	

Belmont-San Carlos Fire Department

Lieberman -1 Allocation Model

Allocation Matrix

Factor	Fill in %	Belmont Fire		City of San Carlos		Combined	
		Protection District	%		%		%
Number of Parcels	100.00%	8,339	43.4%	10,895	56.6%	19,234	100.0%
Total Weighted Allocation as a %	100.00%		43.4%		56.6%		100.0%
Comparison							
Current Approach		5,267,467	50.0%	5,267,467	50.0%	10,534,934	100.0%
Lieberman -1 Formula		<u>4,567,475</u>	43.4%	<u>5,967,459</u>	56.6%	<u>10,534,934</u>	100.0%
Difference		699,992		(699,992)		-	

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Belmont-San Carlos Fire Department

Lieberman -2 Allocation Model

Allocation Matrix

Factor	Fill in %	Belmont Fire		City of San Carlos		Combined	
		Protection District	%		%		%
Population	25.00%	25,470	47.5%	28,190	52.5%	53,660	100.0%
Assessed Valuation	25.00%	\$ 3,761,924,464	41.2%	\$ 5,373,846,420	58.8%	9,135,770,884	100.0%
Call Volume	25.00%	2,200	52.1%	2,022	47.9%	4,222	100.0%
Fire Companies - Engines	0.00%	1.5	0.0%	1.5	0.0%	3	0.0%
Fire Companies - Trucks	0.00%	0.5	0.0%	0.5	0.0%	1	0.0%
Fire Stations	25.00%	2	50.0%	2	50.0%	4	100.0%
Budgeted Fire Suppression Employees	0.00%	19.5	0.0%	19.5	0.0%	39	0.0%
Total Weighted Allocation as a %	100.00%		47.7%		52.3%		100.0%
Comparison							
Current Approach		5,267,467	50.0%	5,267,467	50.0%	10,534,934	100.0%
Lieberman -2 Formula		5,023,886	47.7%	5,511,048	52.3%	10,534,934	100.0%
Difference		243,581		(243,581)		-	

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Belmont-San Carlos Fire Department

Mathewson Allocation Model

Allocation Matrix

Factor	Fill in %	Belmont Fire Protection District		City of San Carlos		Combined	
			%		%		%
Parcel	20.00%	8,339	43.4%	10,895	56.6%	19,234	100.0%
Population	20.00%	25,470	47.5%	28,190	52.5%	53,660	100.0%
Assessed Valuation	20.00%	\$ 3,761,924,464	41.2%	\$ 5,373,846,420	58.8%	9,135,770,884	100.0%
Call Volume	20.00%	2,200	52.1%	2,022	47.9%	4,222	100.0%
Fire Companies - Engines	0.00%	1.5	0.0%	1.5	0.0%	3	0.0%
Fire Companies - Trucks	0.00%	0.5	0.0%	0.5	0.0%	1	0.0%
Fire Stations	20.00%	2	50.0%	2	50.0%	4	100.0%
Budgeted Fire Suppression Employees	0.00%	19.5	0.0%	19.5	0.0%	39	0.0%
Total Weighted Allocation as a %	100.00%		46.8%		53.2%		100.0%
Comparison							
Current Approach		5,267,467	50.0%	5,267,467	50.0%	10,534,934	100.0%
Mathewson Formula		4,932,604	46.8%	5,602,330	53.2%	10,534,934	100.0%
Difference		334,863		(334,863)		-	

Belmont-San Carlos Fire Department

Grassilli Allocation Model

Allocation Matrix

Factor	Fill in %	Belmont Fire Protection District		City of San Carlos		Combined		
			%		%		%	
Desired Payment Level	97.00%	0.47	<u>47.0%</u>	0.50	<u>50.0%</u>	0.97		
Total Weighted Allocation as a %	97.00%		47.0%		50.0%			
Comparison								
Current Approach		5,267,467	50.0%	5,267,467	50.0%	10,534,934	100.0%	
Grassilli Formula		<u>4,951,419</u>	48.5%	<u>5,267,467</u>	51.5%	<u>10,218,886</u>	100.0%	
Difference		316,048		-		316,048		

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BELMONT FIRE PROTECTION DISTRICT RESOLUTION NO. _____

**RESOLUTION OF THE BELMONT FIRE PROTECTION DISTRICT
AMENDING THE AMENDED AND RESTATED EXERCISE OF JOINT
POWERS AGREEMENT FOR THE BELMONT-SAN CARLOS FIRE
DEPARTMENT**

WHEREAS, the City of San Carlos and the Belmont Fire Protection District are parties to a joint exercise of powers agreement (JPA) which created the Belmont-San Carlos Fire Department (Fire Department); and

WHEREAS, the two parties have been in discussions regarding the future of the Fire Department; and

WHEREAS, amending the Amended and Restated Exercise of Joint Powers Agreement for the Belmont-San Carlos Fire Department is necessary.

NOW, THEREFORE, BE IT RESOLVED that the Belmont Fire Protection District does hereby authorize an amendment to amend the amended and restated joint exercise of powers agreement for the Belmont-San Carlos Fire Department as provided in Exhibit A.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Belmont Fire Protection District at a special meeting thereof held on December 21, 2006 by the following vote:

AYES, DIRECTORS: _____

NOES, DIRECTORS: _____

ABSTAIN, DIRECTORS: _____

ABSENT, DIRECTORS: _____

Secretary, Belmont Fire Protection

District
APPROVED:

President, Belmont Fire Protection District

**AMENDMENT TO AMENDED AND RESTATED JOINT EXERCISE OF
POWERS AGREEMENT FOR THE BELMONT-SAN CARLOS FIRE
DEPARTMENT**

THIS AMENDMENT (“Amendment”) is made and entered into as of the ___ day of _____, 2006 by the parties to the Amended And Restated Joint Exercise Of Powers Agreement dated as of the ___ day of _____, 2006 (“Agreement”) by and between the City of San Carlos (“San Carlos”) a general law city and the Belmont Fire Protection District (“Belmont”), a fire-protection district, each duly organized and existing in the County of San Mateo, State of California under the constitution and laws of the state and individually or collectively called Member or Members.

WITNESSETH:

WHEREAS, each of the Members is legally responsible for the provision of fire protection services within its respective jurisdiction; and

WHEREAS, the Joint Exercise of Powers Act (Government Code 6500 et seq, the Act) provides that two or more public agencies may by agreement jointly exercise any powers common to the parties to the agreement and may by that agreement create an entity which is separate from the parties to the agreement; and

WHEREAS, pursuant to the Agreement, the Members formed the “Belmont-San Carlos Fire Department,” a joint powers authority created pursuant to the Act; and

WHEREAS, by this Amendment, the Members desire to amend the Agreement to revise the conditions under which the Department may be terminated and to set the effective date for a change in the funding formula for the Department.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

SECTION 1 The definition of “Funding Effective Date” contained in Section 1.1, Definitions, of the Agreement is amended to read as follows:
“Funding Effective Date” means July 1, 2007.

SECTION 2 Subdivisions (a) and (b) of Section 3.3 of the Agreement are amended to read as follows:

“(a) Notice. Either Member can dissolve the Department effective December 31, 2007 by giving written notice no later than June 30, 2007. Thereafter, the Department shall dissolve, and its assets be distributed in accordance with the provisions of this Agreement, upon written notice by either Member of its intention to dissolve the Department, provided that such notice shall be given eighteen (18) months prior to the date of dissolution.”

“(b) Distribution of Funds and Property. If either Member gives notice of its intent to dissolve the Department pursuant to Section 3.3(a) above, any remaining funds, property or other assets of the Department, including all revenues generated by the Measure, following discharge of all debts, liabilities and obligations of the Department, shall be distributed to the Members. The formula used to pay off any remaining unfunded liabilities at the time of dissolution, as well as to divide the assets, shall be (i) equal shares between or among the Members until the Funding Effective Date or (ii) the average of the annual funding formulas that have been in effect from the Funding Effective Date through the fiscal year in which notice of intent to dissolve the Department is given. If, on or after the Funding Effective Date, Belmont gives notice of its intent to dissolve the Department prior to July 1, 2016, it shall also make payments to San Carlos as shown in the schedule attached hereto as Exhibit B. The Members acknowledge that the real property used by the Department as of the effective date of this Agreement is owned by the Members and will not be distributed according to this formula, but shall remain vested in the Member which owns each parcel.”

SECTION 3 This Amendment may be executed in one (1) or more counterparts, all of which together shall constitute a single agreement, and each of which shall be an original for all purposes.

SECTION 4 This Amendment shall be effective as of its date.

SECTION 5 The legislative bodies of the Members have each authorized execution of this Agreement, as evidenced by the respective signatures attested below.

BELMONT FIRE PROTECTION DISTRICT

President

Attest:

Secretary

CITY OF SAN CARLOS

Mayor

Attest:

City Clerk

ATTACHMENT D

BELMONT FIRE PROTECTION DISTRICT RESOLUTION NO. _____

**RESOLUTION OF THE BELMONT FIRE PROTECTION DISTRICT
AMENDING THE AMENDED AND RESTATED EXERCISE OF JOINT
POWERS AGREEMENT FOR THE BELMONT-SAN CARLOS FIRE
DEPARTMENT**

WHEREAS, the City of San Carlos and the Belmont Fire Protection District are parties to a joint exercise of powers agreement (JPA) which created the Belmont-San Carlos Fire Department (Fire Department); and

WHEREAS, the two parties have been in discussions regarding the future of the Fire Department; and

WHEREAS, amending the Amended and Restated Exercise of Joint Powers Agreement for the Belmont-San Carlos Fire Department is necessary; and

WHEREAS, Section 3.3 of the JPA provides for either the City or District to issue a Notice prior to December 31, 2006 to dissolve the Fire Department effective June 30, 2007 in the event the proposed revenue measure in either jurisdiction failed; and

WHEREAS, the proposed revenue measures failed in both jurisdictions; and

WHEREAS, the District desires to extend the time period for giving notice of the six month expedited dissolution to facilitate continued discussions toward addressing revenue options.

NOW, THEREFORE, BE IT RESOLVED that the Belmont Fire Protection District does hereby authorize an amendment to the JPA to extend the deadline for giving notice of six month expedited dissolution of the Fire Department to _____, but not later than June 30, 2007.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Belmont Fire Protection District at a special meeting thereof held on December 21, 2006 by the following vote:

AYES, DIRECTORS: _____

NOES, DIRECTORS: _____

ABSTAIN, DIRECTORS: _____

ABSENT, DIRECTORS: _____

Secretary, Belmont Fire Protection

District
APPROVED:

President, Belmont Fire Protection District