

RESOLUTION NO. 2009-2

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT
APPROVING FIRE TRUCK MOU WITH AMENDMENTS**

WHEREAS, The Avila Beach Community Services District Board of Directors ("District") has reviewed the Proposed Avila Engine "Grandpa" Agreement regarding the 1941 Dodge Fire Engine owned by the District (Exhibit "A").

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. Subject to incorporating the amendments referenced in Section 2 below, The "Grandpa" Agreement (Exhibit "A") is hereby approved and the District President is authorized to sign on behalf of the District.
2. The following revisions to the Section of "Use of the Fire Engine" shall be incorporated into the Agreement:
 - A) Revise second paragraph to read:
The Engine will not be used for private events such as weddings, private functions or commercial advertisement unless prior written permission is granted by the Avila CSD District Manager. Scheduling of the use of the fire engine will be coordinated by CAL FIRE/ County Fire.
 - B) Add the following paragraphs:
 1. No alcoholic beverages are allowed on or about Grandpa.
 2. All drivers of Grandpa shall have in their possession an appropriate, valid, California drivers' license.
 3. All drivers of Grandpa shall be added to the District's insurance policies.
 4. CAL FIRE will be responsible for ensuring that all drivers of Grandpa have the proper drivers' license and

confirm that all drivers have been
added to the District insurance
policies.

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

DIRECTORS

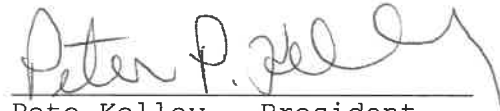
AYES: Simas, Brown, Kelley, Chilcott, Janowicz

NOES: None

ABSENT: None

ABSTAIN: None

the foregoing resolution is hereby adopted this 12th day of
May, 2009.



Pete Kelley, President
Avila Beach Community Services
District

ATTEST:



John Wallace
Secretary to the Board

Avila Engine Mission Statement

The 1941 Dodge Fire Engine known as “Grandpa” is owned by the Avila Beach Community Service District. It is the intent of the Avila Foundation, Avila Beach CSD and CAL FIRE / County Fire to preserve the Fire Engine. Further the Fire Engine is intended for use to promote community pride, historical awareness and fire department tradition in Avila Beach. Use of the Fire Engine is limited to public and community events within the CSD and is not to be used for private purposes such as weddings, private functions, or commercial advertisement unless prior written approval is granted by the Avila Beach CSD. Grandpa is owned by the Avila CSD and an account for its restoration is held by the Avila Foundation. Maintenance is done or coordinated by the designated Captain at Avila Valley Fire Station 62.

Avila Engine “Grandpa” Agreement

This agreement is between the Avila Beach Community Services District, the Avila Foundation, and CAL FIRE / County Fire. All parties agree to the improvement of the 1941 Avila Beach Fire Engine.

1. The Avila Beach CSD is the sole owner of the Fire Engine and is responsible for registration and insurance of the vehicle.
2. The Avila Foundation is responsible for financial support and distribution of funds for the preservation of the Fire Engine.
3. CAL FIRE / County Fire is responsible for maintenance, improvements, storage and scheduling of the fire engine as an agent of the Avila Beach CSD.

Use of the Fire Engine:

Use of the Fire Engine is limited to public and community events in Avila Beach unless prior written approval is granted by the Avila Beach CSD District Manager. Some accepted uses for the Engine are as follows:

- > Farmers Market in Avila
- > San Luis Holiday Parade
- > Santa Delivery to CSD building for Annual Holiday Party
- > Open House at the Avila Valley Fire Station 62

The Engine will not be used for private events such as weddings, private functions or commercial advertisement unless written permission is granted by the Avila CSD District

Manager. Scheduling of the use of the fire engine will be coordinated by CAL FIRE / County Fire.

Maintenance and improvements of the engine:

All Maintenance and improvements are to be performed or coordinated by the person designated by the Avila Beach CSD. Currently that is Captain Jason Cohn at Avila Valley Fire Station 62. The fire engines improvements and maintenance are to be done to protect the historical character and use of the vehicle. Any major modifications shall be approved by the Avila Beach CSD and the Avila Foundation.

Restoration Project:

Financial support for the improvements and maintenance for the fire engine will be sought, but must be approved by the Avila Beach CSD and the Avila Foundation which is designated as the non-profit agency which has taken on the fiscal management of the restoration project. The Grants that are applied for from the Avila Foundation currently pay for the upkeep and restoration. Any fundraising revenues will be given to the Avila Foundation and put into a special account. Any expenses outside the repairs listed in the Grant for that specific year need to be approved by the Avila Foundation prior to committing funds.