UKIAH VALLEY FIRE DISTRICT
SPECIAL MEETING
AGENDA

(to be held both at the physical and virtual locations below)

Civic Center Council Chambers ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

To participate, go to the following link: https://us06we.zoom.us/j/97717635120
To view the meeting (without participating) go to: http://www.cityofukiah.com/meetings/

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November 28, 2023
6:00 PM

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1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

If you wish to speak on a matter that is not on this agenda that is within the subject matter jurisdiction of the Ukiah Valley Fire District Board, you may do so at this time. Please limit your comments to 3 minutes per person and a total of 10 minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

4. NEW BUSINESS - DISCUSSION/ACTION

4.a. Public Hearing to Discuss and Approve the Proposed Fire Impact Fee Increase and Adopt Corresponding Resolutions.

Recommended Action: Approve Resolutions 2023-05 and 2023-06 calling for the County of Mendocino and the City of Ukiah to adopt the increases to the Fire Impact Fees on the District's behalf..

Attachments:

1. Ukiah Valley Fire Authority IFNS 23 Final
2. Resolution- 2023-05; Ukiah Valley Fire Authority Nexus Study-County
3. Resolution- 2023-06 Ukiah Valley Fire Authority Nexus Study; City
4. UVFD - Public Notice Verification for Mitigation Fees

5. ADJOURNMENT

Please be advised that the Ukiah Valley Fire District complies with ADA requirements and needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. Materials related to an item on this Agenda submitted to the Ukiah Valley Fire District after distribution of the Agenda Packet, are available for public inspection at the front counter at the Ukiah Valley Fire District Office, 1500 South State Street, and 300 Seminary Ave., Ukiah, CA 95482, during normal business hours Monday through Friday, 8:00 am to 4:00 pm.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at the following location: Ukiah Valley Fire District Office - 1500 South State Street; 300 Seminary Ave. Ukiah, California; and online not less than 24 hours prior to the meeting set forth on this agenda. To view the meeting, click on the name of the meeting at: www.cityofukiah.com/meetings.

Stephanie Abba, Clerk of the Board
Dated: 11/21/23

Agenda Item No: 4.a.

MEETING DATE/TIME: 11/28/2023

AGENDA SUMMARY REPORT

SUBJECT: Public Hearing to Discuss and Approve the Proposed Fire Impact Fee Increase and Adopt Corresponding Resolutions.

DEPARTMENT:	Fire	**PREPARED BY:**	Doug Hutchison, Fire Chief
		PRESENTER:	Eric Singleton, Battalion Chief

ATTACHMENTS:
1. Ukiah Valley Fire Authority IFNS 23 Final
2. Resolution- 2023-05; Ukiah Valley Fire Authority Nexus Study-County
3. Resolution- 2023-06 Ukiah Valley Fire Authority Nexus Study; City
4. UVFD - Public Notice Verification for Mitigation Fees

Summary: The Board of Directors will hold a public hearing to consider the adoption of updated Fire Impact Fees for the Fire District.

Background: Since 2008, the Ukiah Valley Fire District has applied Fire Impact Fees to new construction. The fee rates have not been changed or updated since then.

Discussion: Fire Authority staff identified the need to update the Fire District's Fire Impact Fees to better correspond to today's increased costs for apparatus and facilities. Staff utilized SCI Consulting to perform the required Nexus Study (Attachment #1) to bring the fees up to date. SCI has considerable expertise and experience in this arena and has done other work in Mendocino County, including for the Hopland, Redwood Valley-Calpella and Little Lake Fire Districts.

Staff recommends that after the public hearing, the Board of Directors approve Resolutions 2023-05 and 2023-06 (Attachments #2 and #3) asking the County of Mendocino and the City of Ukiah respectively to adopt the updated fee schedule on behalf of the Fire District.

The County of Mendocino has, by Ordinance No. 4175, established and implemented a procedure for the adoption of fire protection mitigation fees and to ensure the assessment and collection of these fees in connection with the issuance of building permits. The fire protection mitigation fees are to be allocated to the fire district for the acquisition of capital facilities, apparatus, and equipment in order to ensure the provision of the capital facilities and equipment necessary to maintain the current levels of fire protection services that are required as the result of new development projects.

Proof of Public Notice publication is attached as well. (Attachment #4)

Recommended Action: Approve Resolutions 2023-05 and 2023-06 calling for the County of Mendocino and the City of Ukiah to adopt the increases to the Fire Impact Fees on the District's behalf..

BUDGET AMENDMENT REQUIRED: N/A

CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: N/A

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH:

Approved:

Approved:
Doug Hutchison, Fire Chief

Doug Hutchison, Fire Chief

UKIAH VALLEY FIRE AUTHORITY

FIRE IMPACT FEE NEXUS STUDY

AUGUST 2023
FINAL REPORT

PREPARED FOR:

BOARD OF DIRECTORS

UKIAH VALLEY FIRE AUTHORITY

PREPARED BY:

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UKIAH VALLEY FIRE AUTHORITY

BOARD OF DIRECTORS

David B. Haas, President
Peter Bushby, Secretary/Treasurer
Michael Graham, Director
Kevin Jennings, Director

FIRE CHIEF

Doug Hutchison

IMPACT FEE CONSULTANT

Blair Aas, Director of Planning Services
SCI Consulting Group

ACKNOWLEDGMENTS

This Fire Impact Fee Nexus Study was prepared by SCI Consulting Group ("SCI") under contract with the Ukiah Valley Fire Authority ("Authority"). The work was accomplished under the general direction of Doug Hutchison, Fire Chief of the Authority.

We want to acknowledge the special efforts made by the following individuals and organizations for this project:

Mendocino County Auditor's Office
Mendocino County Assessor's Office

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EXECUTIVE SUMMARY

INTRODUCTION

The Ukiah Valley Fire Authority ("Authority") provided fire protection and emergency medical response services to approximately 90 square miles in and around the City of Ukiah ("City"), containing a resident population of approximately 28,000. Its boundaries include historic downtown buildings, county governmental buildings, Mendocino Community College, Dharma Realm Buddhist University, a regional hospital, and all residential and commercial developments within the service area. The Authority is also responsible for the lower half of Lake Mendocino, including the Coyote Dam, expansive wildland-urban interface areas, the Ukiah Municipal Airport, US 101, and State Route 253.

As an urban/rural fire protection agency, the Authority provides first-responder fire protection and emergency response services to the City of Ukiah ("City") and the surrounding unincorporated Ukiah Valley in Mendocino County ("County"). Specifically, the Authority's services include fire prevention and suppression, wildland fire protection, emergency medical services, rescue and extraction, hazardous material response, and fire prevention services.

The Authority was formed on July 1, 2017, under a Joint Powers Agreement between the City of Ukiah and the Ukiah Valley Fire Protection Authority, titled the "Agreement for Shared Management of Fire Departments". The Agreement jointly manages, equips, maintains, and operates all-risk fire, emergency medical, and rescue services to the City and Fire Authority. The Authority was formed to maximize the use of existing resources, create cost containment opportunities, reduce duplication, maintain local control, and continue to deliver fire, medical, and other emergency services at a high level of service.

This Fire Impact Fee Nexus Study ("Nexus Study") was prepared pursuant to the Mitigation Fee Act as found in Government Code § 66000 et seq. (the "Act") The purpose of this Nexus Study is to establish the legal and policy basis for the collection of a new fire impact fee ("fee") on new development within the service boundaries of the Ukiah Valley Fire Authority ("Authority"). The purpose of the fee to fund the one-time cost of expanding the Authority's facilities, apparatus, and equipment needed to maintain its existing level of service. No capacity exists to serve new development. If the Authority's fire system capacity is not increased to satisfy the additional demand, the quality and responsiveness of the Authority's fire protection and emergency response services will deteriorate.

For purposes of this Nexus Study, the term “facilities” or “fire system facilities” refer to facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment (ancillary and station). The term “new development” refers to the persons (residents and employees working in the Authority’s service area) and the structural area (residential area and nonresidential building area) in which the persons live or work.

Under California law, the Authority does not have land-use authority to impose impact fees on development projects. Because the Authority serves the City and unincorporated areas of the County, the City Council and the County Board of Supervisors must adopt the fire impact fee program on behalf of the Authority.

In order to impose such fees, this Nexus Study demonstrates that a reasonable relationship between new development, the amount of the fee, and fire facilities, apparatus, and equipment funded by the fee. More specifically, this Nexus Study presents findings to meet the procedural requirements of the Mitigation Fee Act (“Act”), also known as AB 1600, which are as follows:

1. Identify the **purpose** of the fee. If the use is funding public facilities, the facilities must be identified. Identifying the public facilities may be a broad class of projects or made by reference to a capital improvement plan, made in applicable general or specific plan requirements, or made in other public documents.
2. Identify the **use** to which the fee is to be put.
3. Determine how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed (**“benefit relationship”**).
4. Determine how there is a reasonable relationship between the need for the fire facilities and the type of development project on which the fee is imposed (“**impact or need relationship**”).
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the facilities or portion of the facilities attributable to the development on which the fee is imposed (“**rough proportional relationship**”).

Additionally, the Act specifies that the fee shall not include costs attributable to existing deficiencies in public facilities but may include the costs attributable to the increased demand for public facilities reasonably related to the development project in order to refurbish existing facilities to maintain the existing level of service or achieve an adopted level of service that is consistent with the City General Plan and County General plan.

METHODOLOGY AND APPROACH

To determine the Authority's fire impact fee consistent with these **substantive requirements**, this Nexus Study utilizes a modified system-wide existing facility standard methodology. Under this widely-used used method, the Authority's ratio of existing fire protection facilities, apparatus and equipment to existing development establishes the standard for determining new development's fair share of the cost to expand the Authority's fire system as growth occurs.

The facility standard methodology is a commonly used method for the calculation of fire impact fees. It was validated by the Homebuilders Association of Tulare/Kings Counties, Inc. v. City of Lemoore in 2010. Under this method, identification and use of an existing facility standard and the restricted uses of fee revenue ensure that new development will not fund any existing deficiencies as prohibited by the Act. Instead, only capital improvements and apparatus, vehicle, and equipment purchases that expand the Authority's fire system are allowable uses of fee revenue. Likewise, the fee program will generate only enough revenue to proportionally expand the fire system to maintain the existing level of service.

The existing facility standard is based on the Authority's ratio of existing fire protection and emergency response facilities, apparatus, and equipment to the existing service population. Existing development refers to the persons (residents and employees working in the Authority) and the structural area (residential area and nonresidential building area) in which the persons live or work. Existing development demand is based on the Authority service call data. The Authority's existing fire system's value is determined using the replacement value of the Authority's existing inventory of fire protection facilities, apparatus, and equipment. These costs are then applied to nine land use categories in proportion to the need they create for fire protection and emergency response services.

The Act requires that in establishing a development impact fee program, the facilities funded by the fee must be identified. However, the Act provides flexibility regarding how that identification may be made. The fee program may identify a broad class of projects[1] or made by reference to a capital improvement plan, made in applicable general or specific plan requirements, or made in other public documents[2]. This fee program identifies facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment as the broad classes that will be funded with the fee.

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[1] According to Government Code § 66000(b) and validated by Homebuilders Association of Tulare/Kings Counties, Inc. v. City of Lemoore in 2010.
[2] According to Gov't Code Section 66001(a)(2).

The Authority's capital improvements and apparatus and equipment purchases will benefit the entire fire system. The Authority's fire protection and emergency response resources are organized as an integrated fire system. The resources of a one fire station do not serve a particular area in isolation from the Authority's other fire stations and resources. When the Authority has a service call, whether for a fire or other emergency, the Authority's response often involves resources from multiple fire stations. Likewise, new development in the Authority's services area is served by all the Authority facilities, apparatus, and equipment, not just by the nearest fire station.

The Nexus Study also details the **procedural requirements** for approval of the Nexus Study and proposed fire impact fee program ("fee program") by the Authority Board of Directors and adoption by the City Council and the County Board of Supervisors on behalf of the Authority. Also, the Act contains specific requirements for the **annual administration** of the fee program. These statutory requirements and other important information regarding the imposition and collection of the fee are provided in the last sections of the Nexus Study.

SUMMARY OF KEY FINDINGS

The following key findings from the Nexus Study are presented:

1. Fire impact fees are necessary to ensure that the Authority can adequately expand its fire protection facilities, apparatus, and equipment to accommodate the population and employment growth and new structural area created by new development.
2. Currently, the County and the City impose fire impact fees on behalf of the Authority in the amount of $0.39 per square foot for all new development plus 10% for administrative costs. The Authority's current fire impact fees imposed by the City and County are outdated and insufficient to mitigate the impact of new development.
3. It is the objective of the Authority to maintain its existing level of service by establishing a fire impact fee to fund the cost of expanding its facilities, apparatus, and equipment attributable to new development.
4. The Authority may approve, and the City and County may adopt on their behalf, the following fees at or below the levels determined by this Nexus Study.

FIGURE 1 – MAXIMUM FIRE IMPACT FEE SCHEDULE

Land Use Category	Unit	Maximum Fire Impact Fee
Single-Family Housing	BSQFT	$1.07
Multi-Family Housing	BSQFT	$1.22
Mobile Home	BSQFT	$1.15
Accessory Dwelling Unit => 750 sq. ft.	BSQFT	$1.07
Accessory Dwelling Unit < 750 sq. ft.	- - - Exempt - - -	
Retail / Commercial	BSQFT	$0.89
Office	BSQFT	$1.19
Industrial	BSQFT	$0.95
Agriculture	BSQFT	$0.57
Warehouse / Distribution	BSQFT	$0.62
Nursing Homes	BED	$3,974.06

5. Fee revenue may be used to fund 100% of the cost of new and expanded facilities, 100% of the cost of apparatus, vehicles, and equipment that expand the Authority's existing inventory, and up to 10.5 percent the replacement cost of apparatus, vehicle and equipment purchases.
6. Consistent with nexus requirements of the Act, this Nexus Study demonstrates that there is a reasonable relationship between new development, the amount of the proposed fee, and facilities, apparatus, and equipment funded by the fee.
7. Since only cities and counties have land-use authority to impose development impact fees as a condition of project approval, the Authority's proposed fee must be adopted by the County on behalf of the Authority.
8. The maximum fire impact fee determined by this Nexus Study is consistent with the Mendocino County General Plan.

SUMMARY OF GENERAL RECOMMENDATIONS

Based on the findings presented in the Nexus Study, the following general recommendations are presented:

1. Since only cities and counties have land-use authority to impose development impact fees as a condition of project approval, the Authority's proposed fee must be adopted by the City and the County on behalf of the Authority.
2. The Authority's approved fee should be adopted and implemented in accordance with the applicable provisions of the Act.
3. The Authority should comply with the annual reporting requirements under Government Code § 66006(b).
4. Following the fifth fiscal year after the first deposit of fee revenue and every five years thereafter, the Authority should comply with the reporting requirements under Government Code § 66001(d).
5. The cost estimates presented in this Nexus Study are in January 2023 dollars. The fire impact fee should be adjusted automatically without further action by the Authority Board, the City Council, or the County Board on the first day of each fiscal year by the previous calendar percentage change in the Engineering News-Record Construction Cost Index, or its successor publication.
6. Fee revenue should be used to fund only the cost of expanded facilities, apparatus, ambulances, vehicles, and equipment to serve new development, as further detailed in Figure 11.

DETERMINATION OF EXISTING DEVELOPMENT

The Authority serves both residences and businesses throughout its service area. As such, the demand for the Authority's services and associated facilities, apparatus, and equipment is measured by its service population and the structural area it protects. This section will first determine the service population and structural area within the Authority. These figures, along with the Authority's service call data, will be used to establish an existing facility demand factor for the various residential and nonresidential land uses within the Authority, which in turn will be used to determine existing development's total facilities demand.

EXISTING SERVICE POPULATION AND STRUCTURAL AREA

The Authority provides first-responder fire protection and emergency response services to the City of Ukiah ("City") and the surrounding unincorporated Ukiah Valley in Mendocino County ("County"). Specifically, the Authority's services include fire prevention and suppression, wildland fire protection, emergency medical services, rescue and extraction, hazardous material response, and fire prevention services.

The Authority currently serves an estimated resident population of 27,526. The Authority's resident population estimate is based on figures from U.S. Census Bureau, 2021 ACS 5-Year Estimate, for the census tracts 113, 114, 115.01, 115.02, 116, and 117 and assumes an 8.0 percent vacancy rate. The Authority also protects approximately 10,532 occupied and vacant housing units and approximately 7 million square feet of nonresidential building area. The estimated total housing units are from the U.S. Census Bureau, 2021 ACS 5-Year Estimate, for Ukiah Valley Census County Division. Nonresidential is estimated assuming a jobs-to-housing ratio of 1.33 for the City of Ukiah and 1.00 for the unincorporated area, and 513 sq. ft. of building area per employee.

FIGURE 2 – CURRENT RESIDENTIAL DEMOGRAPHICS

Land Use Categories	Total Dwelling Units [1]	Vacant Dwelling Units (8%) [1]	Occupied Housing Units	Dwelling Unit Occupancy Factor [1]	Resident Population
Calc	a	b	c	d	e = c * d
Single-Family Housing	7,025	562	6,463	3.02	19,518
Multi-Family Housing	2,675	214	2,461	2.38	5,857
Mobile Home	832	67	765	2.81	2,151
Total Residenital	10,532	843	9,689	2.83	27,526

Source: 2020 U.S. Census

Notes:

[1] Based on U.S. Census Bureau's 2021 American Community Survey 5-Year Estimate for Mendocino County Census Tracts 113, 114, 115.01, 115.02, 116 and 117.

RESIDENT EQUIVALENT DEMAND FACTOR

For purposes of this Nexus Study, a calls-for-service approach is used to help establish the relative fire facilities demand from residential and nonresidential land uses. Specifically, service call data is converted into a resident equivalent demand factor, which represents the demand for service from a worker compared to a household resident.

As shown in Figure 3, on the following page, service call data indicates the property used for service calls for years 2020 through 2022 were gathered from the Authority's Emergency Reporting database. Over the three years, the Authority annually averaged 2,108 service calls originating from residential property, 877 service calls originating from nonresidential properties, and 183. Service calls originating from highways, roads, open fields, or otherwise not classified as originating from residential or nonresidential land use are excluded. By dividing service calls for residential and nonresidential land uses and nursing homes by the corresponding estimated number of residents and workers results in the relative number of per capita for residential and nonresidential land uses. As shown, Authority residents are served at 1.00, and workers in the Authority are served at 0.87 compared to Authority residents.

FIGURE 3 – RESIDENT EQUIVALENT DEMAND FACTOR

	Calc	Residential	Nonresidential	Nursing Home
Average Annual Service Calls [1]	a	2,108	877	183
Residents or Workers [2]	b	27,144	12,849	338
Per Capita Fire Service Demand	c = a / b	0.078	0.068	0.542
Resident Equivalent Demand Factor	d = c / 0.078	1.00	0.87	6.95

Sources: Ukiah Valley Fire Authority; SCI Consulting Group

Notes:

[1] Average for years 2020 thru 2022 from District's Emergency Reporting database for the Authority's service area.

[2] See Figure 2. Workers is based on estimated jobs-to-housing ratio of 1.33 of the City and 1.0 for the unincorporated area.

FACILITIES EDU DEMAND FACTOR

Next, equivalent dwelling unit ("EDU") demand factors are established to compare the relative fire facilities demand across three residential and six nonresidential land uses. The EDU is also used to convert nonresidential building area to a residential dwelling unit value. This common approach allows for the cost of fire protection facilities, apparatus, and equipment to be equitably apportioned among residential and nonresidential land uses.

Figure 4 on the following page shows the calculation of the facilities EDU demand factor for nine land use categories. The residential land use categories are expressed per dwelling unit, and the nonresidential land use categories are expressed per 1,000 square feet of building area. Each land use category's occupancy density is multiplied by their respective resident equivalent demand factor, then converted to single-family home value. By this measure, for example, one single-family home creates the demand for fire facilities equal to 430 square feet of retail/commercial building area.

FIGURE 4 – FACILITIES EDU DEMAND FACTOR

Land Use Category	Unit	Occupancy Density per Unit [1]	Resident Equivalent Demand Factor [2]	Facilities EDU Demand Factor
	Calc	a	b	c = (a * b) / 3.02
Single-Family Housing	DU	3.02	1.00	1.00
Multi-Family Housing	DU	2.38	1.00	0.79
Mobile Home	DU	2.81	1.00	0.93
Residential	DU	2.83	1.00	0.94
Retail / Commerical	KBSF	1.49	0.87	0.43
Office	KBSF	2.50	0.87	0.72
Industrial	KBSF	1.67	0.87	0.48
Agriculture	KBSF	0.33	0.87	0.10
Warehouse / Distribution	KBSF	0.50	0.87	0.14
Nonresidential	KBSF	1.95	0.87	0.56
Nursing Homes	Bed	1.00	6.95	2.30

DU = Dwelling Unit; KBSQ = 1,000 square feet of building area

Notes:

[1] Residents per unit is based on census data from the 2020 U.S. Census. All nonresidential density figures (except Agriculture) based on the 2001 "Employment Density Study" prepared by The Natelson Company, Inc. for the Southern California Association of Governments expressed in terms of the number of employees per 1,000 square feet of building area. The density figure for Agriculture is from the 2004 "Employment Density in the Puget Sound Region" report prepared by E.K. Pflum for the University of Washington.

[2] See Figure 3.

EXISTING FACILITIES DEMAND EDUS

Figure 5 below calculates the District's existing demand EDUs based on the total number of dwelling units and estimated nonresidential building area within the District. As shown, the total existing demand EDUs for the District is 13,602. Existing demand EDUs represents the level of existing development served by the District's existing fire system.

FIGURE 5 – EXISTING DEMAND EDUS

Land Use Categories	Unit	Existing Units [1]	Fire Facilities EDU Demand Factor [2]	Total Existing Demand EDUs
Calc		a	b	c = a * b
Single Family Housing	DU	7,025	1.00	7,025
Multi-Family Housing	DU	2,675	0.79	2,113
Mobile Home	DU	832	0.93	774
Nonresidential	KBSF	6,589	0.56	3,690
Total		17,121		13,602

Source: U.S. Census Bureau; California Department of Finance; SCI Consulting Group

Notes:

[1] Housing unit count is from U.S. Census Bureau, 2021 ACS 5-Year Estimate, for the census tracts that generally cover the boundaries of the Authority. Nonresidential is estimated assuming a jobs-to-housing ratio of 1.0 for the City of Willits and 1.0 for the unincorporated area and 552 sq. ft. of building area per employee.

[2] See Figure 4.

DETERMINATION OF EXISTING FIRE SYSTEM FACILITIES

EXISTING FIRE SYSTEM FACILITIES

The next step in determining the Authority's existing facilities standard is to calculate the replacement value of the Authority's fire protection and emergency response facilities system. Figure 6 below presents a summary of replacement value (in 2023 dollars) for the Authority's existing facilities (land and stations), apparatus (engines, ambulances, and other vehicles) and equipment (ancillary and station).

The replacement cost for the main station is based on the construction cost of the Little Lake Fire Protection District fire station recently constructed in 2020. The cost estimate is $807.07 for the station which includes an adjustment for inflation. The estimated land value is based on market research conducted by SCI Consulting Group assessed land value for sales within 2022. The estimated replacement value of the Authority's apparatus, vehicles, and equipment inventory is based on unit cost assumptions provided by the Authority. Estimated values of older apparatus have been discounted from the replacement value of the new apparatus to reflect their age. (The detailed inventory and estimated replacement value for each is provided in Appendix A.)

As shown below, the estimated value of the Authority's existing facilities, apparatus, and equipment is $22.6 million in 2023 dollars.

FIGURE 6 – REPLACEMENT VALUE OF EXISTING FIRE SYSTEM FACILITIES

Fee Components	Total Replacement Value (2023$)
Land	$1,328,500
Stations / Other Buildings	$16,569,539
Apparatus / Vehicles	$3,425,300
Ancillary Equipment	$1,275,000
Total Existing Fire System Facilities	$22,598,339

Source: Ukiah Valley Fire Authority; SCI Consulting Group

DETERMINATION OF THE FIRE IMPACT FEE

The Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the need for fire protection facilities, apparatus and equipment, and the type of development project on which the fee is imposed. In this section, the Authority's existing fire facilities standard is determined and then applied to three residential and six nonresidential land uses categories in proportion to the demand they create as measured by their EDU demand factor.

EXISTING FIRE FACILITIES STANDARD

The Authority's ratio of existing facilities, apparatus, and equipment to the existing demand establishes the standard for determining new development's fair share of the cost to replace and expand the Authority's facilities as growth occurs. As shown below, the standard is represented by the existing fire system facilities cost of $1,661.40 per demand EDU.

FIGURE 7 – FIRE FACILITIES COST PER DEMAND EDU

Existing Fire System Facilities [1]	$22,598,339
Existing Demand EDUs [2]	13,602
Existing Fire Facility Cost Per EDU	$1,661.40

Notes:
[1] See Figure 6.
[2] See Figure 5.

RESIDENTIAL FIRE IMPACT FEE DETERMINATION

Figure 8 on the following page presents the calculation of the Authority's proposed residential fire impact fees. As shown, the residential fees are determined by multiplying the facilities standard by their respective facilities demand EDU factor plus an additional 4 percent for annual administration of the fire impact fee program. The fee program administrative cost component is designed to offset the cost of County collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates, and other costs reasonably related to compliance with the Act.

Since residential land uses have different dwelling unit occupancies and sizes, the residential fire impact fee is expressed on a per square footage basis for the following three residential land use categories. The three residential land use categories are defined below.

- **"Single-family housing"** means detached and attached one-family dwelling units with an assessor's parcel number for each unit.
- **"Multifamily housing"** means buildings or structures designed for two or more families for living or sleeping purposes and having kitchen and bath facilities for each family.
- **"Mobile home"** means a development area for residential occupancy in vehicles that require a permit to be moved on a highway, other than a motor vehicle designed or used for human habitation and for being drawn by another vehicle.

The fire impact fee shall be charged on the square footage within the perimeter of a residential structure. Garages, carports, walkways, overhangs, patios, enclosed patios, detached storage structures, or similar areas are excluded.

FIGURE 8 – MAXIMUM RESIDENTIAL FIRE IMPACT FEES

Residential Land Use Category	Facility Standard [1]	Facilities Demand EDU Factor[2]	Cost per Unit	Admin. Expense 4% [3]	Average Living Area per Sq. Ft. [4]	Proposed Residential Fees [5]
Calc	a	b	c = a * b	d = c * 0.04	e	f = (c + d) / e
			- per dwelling unit -			*- per sq. ft. -*
Single-Family Housing	$1,661.40	1.00	$1,661.40	$66.46	1,600	$1.07
Multi-Family Housing	$1,661.40	0.64	$1,063.29	$42.53	900	$1.22
Mobile Homes	$1,661.40	0.80	$1,329.12	$53.16	1,200	$1.15
ADUs => 750 sq. ft. [6]	NA	NA	NA	NA	NA	$1.07
ADUs < 750 sq. ft. [6]	NA	NA	NA	NA	NA	Exempt

Notes:

[1] See Figure 7.

[2] See Figure 4.

[3] County collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates and other costs reasonably related to compliance with the Act.

[4] Based on Mendocino County Assessor's Lien Roll Data as of July 1, 2022.

[5] Proposed residential fire impact fees are rounded down to the nearest cent.

[6] Pursuant to Govt. Code § 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit ("ADU") shall imposed proportionately in relation to the square footage of the primary dwelling unit. Accessory dwelling units less than 750 square feet of living area are exempt.

The Authority may approve, and the City and County may adopt fees lower than the maximum, justified amounts shown below, provided that they are reduced by the same percentage for each land use category.

NONRESIDENTIAL FIRE IMPACT FEE DETERMINATION

Figure 9 below presents the calculation of the nonresidential fire impact fee. As shown, the fee for the three nonresidential land uses is determined by multiplying the existing facilities standard by their respective EDU demand factor plus an additional four percent for administration of the fire impact fee program. Note that the costs are expressed per 1,000 square feet of nonresidential building area and then converted to a per-square-footage fee.

The Authority may approve, and the City and County may adopt fees lower than the maximum, justified amounts shown below, provided that they are reduced by the same percentage for each land use category.

FIGURE 9 – MAXIMUM NONRESIDENTIAL FIRE IMPACT FEES

Land Use Category	Facility Standard [1]	Facilities Demand EDU Factor [2]	Cost per Unit	Admin. Expense 4% [3]	Total Cost per Unit	Proposed Nonres. Fire Impact Fee [4]
Calc	a	b	c = a * b	d = c * 0.04	e = c + d	f = e / 1,000
Nonresidential			*- per 1,000 sq. ft. of building area -*			*- per sq. ft. -*
Retail / Commercial	$1,661.40	0.52	$864	$34.56	$898.48	$0.89
Office	$1,661.40	0.69	$1,146	$45.85	$1,192.22	$1.19
Industrial	$1,661.40	0.55	$914	$36.55	$950.32	$0.95
Agriculture	$1,661.40	0.33	$548	$21.93	$570.19	$0.57
Warehouse / Distribution	$1,661.40	0.36	$598	$23.92	$622.03	$0.62
Special			*- per bed -*			*- per bed -*
Nursing Home	$1,661.40	2.30	$3,821	$152.85	$3,974.06	$3,974.06

Notes:

[1] See Figure 7.

[2] See Figure 4.

[3] County collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates and other costs reasonably related to compliance with the Act.

[4] Proposed nonresidential fire impact fees are rounded down to the nearest cent.

As stated earlier, the Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the fee and the type of development on which the fee is imposed. Since different nonresidential land uses have varying employment densities, the nonresidential fire impact fee is expressed per square foot of building area based on their respective facilities demand EDU factor for five nonresidential land use categories. The five nonresidential land use categories are shown below.

- **"Retail/Commercial"** means retail, commercial, educational, and hotel/motel construction.
- **"Office"** means general, professional, and medical office construction.;
- **"Industrial"** means manufacturing construction.
- **"Agriculture"** means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products, including storage coolers. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.
- **"Warehouse/Distribution"** means buildings devoted to the storage or distribution of non-agricultural products. A distribution center for a set of products is a warehouse or other specialized building, which is stocked with products or goods to be redistributed to retailers, wholesalers, or directly to consumers.

The nonresidential fee shall be charged for "covered and enclosed space" within the perimeter of a nonresidential structure. Any storage areas incidental to the principal use of the development, garage, parking structure, unenclosed walkway, or utility or disposal area are excluded.

PROJECTED FIRE IMPACT FEE REVENUE

Figure 10 projects fee revenue through 2043. Total fire impact fee revenue (in 2023 dollars) is then estimated by multiplying the facilities standard by demand EDU growth. Residential demand assumes an annual growth rate of 0.5 percent. It is assumed that nonresidential development will occur proportionately. As shown, fire impact fee revenue will contribute approximately $2.98 million (in 2023 dollars) towards the Authority's future long-term capital improvement plan, representing new development fair share of the plan. Certainly, arguments can be made for higher or lower demand growth. However, the projected demand growth and fee revenue are merely estimates for planning purposes.

FIGURE 10 – PROJECTED FIRE IMPACT FEE REVENUE

Land Use Category	Current Demand EDUs (2023) [1]	Estimated Demand EDU Growth (2043) [2]	Total Cost per Demand EDU [3]	Projected Fire Impact Fee Revenue (2023$)
Calc	a	b	c	d = b * c
Residential	10,532	1,105	$1,661.40	$1,835,000
Nonresidential	6,589	691	$1,661.40	$1,148,000
Total	17,121	1,796	$1,661.40	$2,983,000

Source: Ukiah Valley Fire Authority; SCI Consulting Group

Notes:
[1] See Figure 3.
[2] Estimated Demand EDUs based on projected annual growth rate of 0.5%, or approximately 18 to 20 new housing units per year.
[3] See Figure 5.

It is important to note that the fire impact fee program is designed not to depend on a specific capital improvement plan and a particular level of new development. Only enough fee revenue will be generated for the Authority to expand its existing level of service to serve the growing community.

Fee revenue <u>may be used to fund up to 100%</u> of the cost of the new land for fire stations, construction of new fire stations, expansion of existing fire stations, and the purchase of apparatus, vehicle, and equipment purchases added to the Authority existing inventory. Since the Authority will need to replace apparatus, vehicles, and equipment more quickly due to the increased service calls from the growth in the persons and structure area created by new development, the Authority may use fee proceeds to fund up to 10.5 percent of the replacement cost of existing apparatus, vehicle, and equipment.[3] Fee revenue may not be used to fund 1) the renovation of existing facilities and 2) operational, maintenance, or repair costs. (The use of the fee is detailed further in the next section.)

The Authority will need to fund existing deficiencies and any other purchases and improvement costs above its existing level of service with other funding sources. Other potential funding sources include but are not limited to, a general obligation bond measure, state and federal grants, the Authority's general fund, and existing or new special tax and assessment proceeds, if allowable.

[3] Represents the percentage growth in EDUs.

NEXUS FINDINGS

This section frames the Nexus Study findings in terms of the legislated requirements to demonstrate the legal justification of the fire impact fee. These requirements are discussed below.

PURPOSE OF FEE

The purpose of the fire impact fee is to fund the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development. The fire impact fees will ensure that new development will not burden existing development with the cost of facilities required to accommodate growth as it occurs.

USE OF FEE REVENUE

Fee revenue will be used solely and exclusively to fund facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment costs that expand the Authority's fire system capacity. Below is a summary of the allowable and prohibited uses of fee revenue.

FIGURE 11 – SUMMARY OF ALLOWABLE AND PROHIBITED USES OF FEE REVENUE

Allowable Uses

- *The cost of new (added) or expanded land and facilities (100%)*
- *The cost of apparatus, vehicles and equipment purchases that expand the system inventory (100%)*
- *Facility costs already incurred to provide growth-related capacity (100%)*
- *Portion of apparatus and vehicles replacement costs attributable to new development (*10.5%*)*
- *Portion of a renovation project that expands service capacity*

Prohibited Uses

- *Existing deficiencies, such as improvements to existing facilities that do not expand service capacity*
- *Portion of apparatus and vehicles replacement costs attributable to existing development (*89.5%*)*
- *Operational, maintenance or repair costs*

BENEFIT RELATIONSHIP

The fee will be collected as development occurs. In order to maintain its existing level of fire protection and emergency response services, fee revenue will be used to replace and expand the Authority's facilities, apparatus, and equipment to meet the additional demand generated by the new residents and employees and new structural area created by new development projects.

Fee revenue will be deposited into a separate fire impact fee account or fund in a manner to avoid any commingling of the fees with other revenues and funds. The fee revenue will be restricted to the uses described in the "Use of Fee Revenue" finding. Additionally, the Act ensures that fee revenue is expended expeditiously or refunded to the developer. These Act requirements ensure that a development project paying the fire impact fee will benefit from its use. Moreover, since the Authority's fire protection and emergency response resources are organized as an integrated fire system, improvements and purchases with the Authority benefit the entire fire system.

IMPACT / NEED RELATIONSHIP

New residential and nonresidential development projects in the Authority will grow the persons (residents and employees) and the structural area (residential area and nonresidential building area) in persons live or work. The growth in persons and structural area will create additional need for the Authority's fire protection and prevention, emergency response service, and a corresponding need for new or expanded facilities and replacement of apparatus, vehicles, and equipment. The fee will be imposed on different types of development projects for the additional service population generated and structural area created by new development projects.

ROUGH PROPORTIONAL RELATIONSHIP

The cost of fire protection facilities, apparatus, and equipment attributable to a development project is based upon the level of existing development served by the Authority's existing fire protection and emergency response facilities. The use of a facility standard methodology to determine the fire impact fee achieves proportionality between existing development and new development. Moreover, these equivalent costs are applied to nine land use categories in proportion to the need they create for improved and expanded facilities.

The use of a fire facilities demand factor to determine the fire impact fee schedule achieves proportionality across the types of development on which the fee is imposed. Larger development projects will generate a higher number of persons and structural area to protect and, as a result, will pay a higher fee than smaller development projects. Thus, the application of the fire impact fee schedule to a specific project ensures a reasonable relationship between the fee and the cost of the facilities, apparatus, and equipment attributable to that project.

FEE PROGRAM ADOPTION REQUIREMENTS

Under California law, the Authority does not have land-use authority to impose impact fees on development projects. Because the Authority serves the City and unincorporated areas of the County, the City Council and the County Board of Supervisors must adopt the fire impact fee program on behalf of the Authority.

The following are the general requirements for approval of the Nexus Study and proposed fire impact fee program ("fee program") by the Authority Board of Directors and adoption by the City Council and County Board of Supervisors on behalf of the Authority. The specific statutory requirements for the adoption of the fee program are found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.) and County Ordinance Code Chapter 5.36.

UKIAH VALLEY FIRE AUTHORITY

1. The Authority Board of Directors ("Authority Board") shall present the Nexus Study and proposed fee program at a regularly scheduled meeting.
2. After taking public testimony on the proposed fire impact fee program, the Authority Board shall consider adopt a resolution <u>approving</u> the Nexus Study and proposed fee program with a recommendation that the City Council and the County Board of Supervisors adopts the proposed fee program on behalf of the Authority.

CITY OF UKIAH

1. The City Council shall conduct at least "one open and public meeting" as part of a regularly scheduled meeting on the requested fee program.
2. At least 30 days before the meeting, the City shall mail out a notice of the meeting to any interested party who filed a written request for notice of the adoption of new or increased fees.
3. At least 30 days before the meeting, the City shall make available to the public the Nexus Study for review.
4. At least 30 days before the public hearing, a notice of the time and place of the meeting shall be published twice in a newspaper of general circulation with at least five days intervening between the dates of first and last publication not counting such publication dates.

5. After the public hearing, adopt an ordinance or resolution establishing the proposed fee program on behalf of the Authority.
6. The fire impact fees take effect 60 days after the adoption.

MENDOCINO COUNTY

1. The County Board of Supervisors shall conduct at least "one open and public meeting" as part of a regularly scheduled meeting on the requested fee program.
2. At least 30 days before the meeting, the County shall mail out a notice of the meeting to any interested party who filed a written request for notice of the adoption of new or increased fees.
3. At least 30 days before the meeting, the County shall make available to the public the Nexus Study for review.
4. At least 30 days before the public hearing, a notice of the time and place of the meeting shall be published twice in a newspaper of general circulation with at least five days intervening between the dates of first and last publication not counting such publication dates.
5. After the public hearing, adopt an ordinance or resolution establishing the proposed fee program on behalf of the Authority.
6. The fire impact fees take effect 60 days after the adoption.

FEE PROGRAM ADMINISTRATION REQUIREMENTS

This section contains general requirements for the administration of the fee program. The specific statutory requirements for the administration of the fee program may be found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.).

ACCOUNTING REQUIREMENTS

Proceeds from the fire impact fee should be deposited into a new and separate fund or account so that there will be no commingling of fees with other revenue. The Authority's current fire impact funds or accounts should be closed after fully expended. The fire impact fees should be expended solely for the purpose for which they were collected. Any interest earned by such account should be deposited in that account and expended only for the purpose for which originally collected.

REPORTING REQUIREMENTS

The following information, entitled *Annual Report*, must be made available to the public within 180 days after the last day of each fiscal year:

- a brief description of the type of fee in the account;
- the amount of the fee;
- the beginning and ending balance of the account;
- the fees collected that year and the interest earned;
- an identification of each public improvement for which the fees were expended and the amount of the expenditures for each improvement;
- an identification of an approximate date by which development of the improvement will commence if the local agency determines that sufficient funds have been collected to complete financing of an incomplete public improvement;
- a description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, the date on which any loan will be repaid, and the rate of interest to be returned to the account; and
- the amount of money refunded under section Govt. Code § 66001.

The Authority shall review the information made available to the public pursuant to paragraph (1) at the next regularly scheduled public meeting, not less than 15 days after this information is made available to the public, as required by this subdivision. Notice of the time and place of the meeting, including the address where this information may be reviewed, shall be mailed, at least 15 days prior to the meeting, to any interested party who files a written request with the Authority or the County for mailed notice of the meeting. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

For the fifth fiscal year following the first receipt of any fire impact fee proceeds, and every five years thereafter, the Authority must comply with Government Code Section 66001(d)(1) by affirmatively demonstrating that the Authority still needs unexpended fire impact fees to achieve the purpose for which it was originally imposed and that the Authority has a plan on how to use the unexpended balance to achieve that purpose. Specifically, the Authority shall make all of the following findings, entitled Five-Year Report, with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

- Identify the purpose to which the fee is to be put;
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged;
- Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements; and
- Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

A refund of all or any part of such unexpended or unappropriated fee revenue, together with any actual interest accrued thereon, in the manner described in Section 66001 (e) of the Government Code, shall be provided to the current record owner of any property for which a fee was paid; provided that if the administrative costs of refunding such fee revenue exceed the amount to be refunded.

FEE PROGRAM UPDATES

The fee program should be reviewed regularly and updated with any changes in the Authority's demographics or significant changes in the Authority's capital facilities plan.

TRANSPARENCY REQUIREMENTS

The Authority must clearly post the information on the Authority's website regarding the fee program:

- The current fee schedule indicated the effective date when approved by the County Board of Supervisors and the City Council.
- Current and five previous annual accounting reports.
- Fire Impact Fee Nexus Study, Final Report

ANNUAL INFLATIONARY ADJUSTMENT

In order for the Authority to maintain its level of service, the fee will need to be automatically adjusted annually commensurate with changes in the cost of facilities, apparatus, and equipment. Therefore, the fire impact fee should be adjusted automatically without further action by the Authority Board, the City Council, or the County Board on the first day of each fiscal year by the previous calendar percentage change in the Engineering News-Record Construction Cost Index, or its successor publication.

FEE EXEMPTIONS

The following development projects are exempted from payment of the fee:

- A structure owned by a governmental agency.
- A structure which is being reconstructed following damage or destruction by fire or another casualty, or the voluntary demolition thereof, provided that the number of structures or the size in such reconstructed structure is no greater than the number of structures or the size of the structure prior to such damage, destruction or demolition.
- A development project found to have no impact on the Authority's fire system.
- An accessory dwelling unit less than 750 square feet.

FEE CREDITS

A fee credit shall be given for demolished existing square footage as part of a new development project in order to comply with the Act and recent court cases. The fee credit shall be based on the effective fee for the land use category that was demolished.

Additionally, subject to certain restrictions, if a developer dedicates land, constructs facilities or provide apparatus/equipment for the Authority, the fire impact fees imposed on that development project may be adjusted to reflect a fee credit for the cost of the dedicated land, facilities constructed, and apparatus/equipment provided.

APPENDIX A – FIRE SYSTEM INVENTORY AND REPLACEMENT COST ESTIMATES

FIGURE 12 – EXISTING LAND AND BUILDING INVENTORY

Fire Station	Unit		Unit Cost		Replacement Cost (2023$)
Calc	a		b		c = a * b
South Station (1500 S. State St., Ukiah)					
Land	0.64	acres	$150,000	per acre	$96,000
Buildings	6,532	sq. ft.	$807.07	sq. ft.	$5,271,781
Central Station (300 Seminary Ave., Ukiah)					
Land	6.58	acres	$150,000	per acre	$987,000
Buildings	10,772	sq. ft.	$807.07	sq. ft.	$8,693,758
North Station (141 Lovers Ln., Ukiah)					
Land	1.33	acres	$150,000	per acre	$199,500
Buildings	4,300	sq. ft.	$350.00	sq. ft.	$1,505,000
Talmage (1301 Talmage Rd., Ukiah)					
Land	0.46	acres	$100,000	per acre	$46,000
Buildings	3,140	sq. ft.	$350.00	sq. ft.	$1,099,000
Total Existing Facilities (Land and Buildings)					$17,898,039

Source: Ukiah Valley Fire Authority; SCI Consulting Group

FIGURE 13 – EXISTING APPARATUS AND EQUIPMENT INVENTORY

Number	Type	Apparatus / Vechicles [1]	Ancillary Equipment	Replacement Value (2023$)
E6881	Type I Engine	$460,000	$115,000	$575,000
E6882	Type I Engine	$115,000	$115,000	$230,000
E6883	Type I Engine	$460,000	$115,000	$575,000
E6861	Type II/III Engine	$277,500	$55,000	$332,500
E6862	Type VI Engine	$370,000	$55,000	$425,000
E6863	Type II/III Engine	$277,500	$55,000	$332,500
E6874	Type III Engine	$92,500	$55,000	$147,500
T6852	75' Quint	$600,000	$145,000	$745,000
WT6892	2000 Gal Water Tender	$87,500	$35,000	$122,500
S6856	Incident Rehab Unit	$16,300	$80,000	$96,300
M6821	Type 3 Ambulance	$187,500	$120,000	$307,500
M6822	Type 3 Ambulance	$250,000	$120,000	$370,000
M6823	Type 3 Ambulance	$62,500	$120,000	$182,500
C6800	F250 Pickup	$52,000	$15,000	$67,000
C6806	F250 Pickup	$52,000	$15,000	$67,000
C6807	2500 Pickup	$13,000	$15,000	$28,000
C6808				
P6815	2500 Pickup	$13,000	$15,000	$28,000
U6841	F250 Pickup	$26,000	$15,000	$41,000
U6842	F350 Utility Truck	$13,000	$15,000	$28,000
Total Apparatus and Equipment		$3,425,300	$1,275,000	$4,700,300

Source: Ukiah Valley Fire Authority; SCI Consulting Group

Notes:

[1] Value based on estimated current replacement value. Adjustments have been made to discount appartus and vehicles based on age (0 - 5 years at 100% , 6-10 years at 75% ; 11 - 15 years at 50% and 16 years or more at 25% .)

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RESOLUTION NO. 2023-05
OF THE BOARD OF DIRECTORS
OF THE UKIAH VALLEY FIRE DISTRICT
November 28th, 2023

RESOLUTION APPROVING THE UKIAH VALLEY FIRE DISTRICT FIRE IMPACT FEE NEXUS STUDY AND REQUESTING THE MENDOCINO COUNTY OF BOARD OF SUPERVISORS ADOPT AND IMPLEMENT THE PROPOSED FIRE IMPACT FEE PROGRAM ON BEHALF OF THE DISTRICT

WHEREAS, the Board of Directors of the Ukiah Valley Fire District ("District") recognizes that continuing development within the District places added responsibilities and costs to the District; and

WHEREAS, AB 1600 was adopted and codified in California Government Code Section 66000, allowing the establishing, increasing, or imposing of a development fee as a condition of approval where the purpose and use of the fee were identified, and reasonable relationship to the development project was demonstrated; and

WHEREAS, the District Board of Directors ("District Board") desires to establish a new Fire Impact Fee program ("Fees or Fee Program") for the District to fund fire protection facilities, apparatus, and equipment necessary to mitigate the impacts caused by new development with the District's service area; and

WHEREAS, the County of Mendocino ("County") has, by Ordinance No. 4175, established and implemented a procedure for the adoption of such Fees and to ensure the imposition and collection of these Fees in connection with the issuance of building permits. The Fees are to be allocated to the District for the acquisition of capital facilities and equipment in order to ensure the provision of the capital facilities and equipment necessary to maintain current levels of fire protection services that are required as the result of new development projects within the boundaries of the District's service area pursuant to County Code Chapter 5.36; and

WHEREAS, the District Board has received and considered the District's Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated August 2023 Final Report ("Nexus Study") that provides the required information to establish a new Fire Impact Fee program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

1) The District Board hereby receives and approves the Nexus Study.

2) After considering the Nexus Study, this Resolution, and after considering the testimony received at their November 28, 2023, meeting, the District, hereby makes the following findings:
   a) The District does not have existing fire protection facilities and equipment that could provide an adequate level of services to new development within the District's service area, and

   b) The District does not have sufficient funds available to construct additional facilities and purchase additional equipment from fund balances, capital facility funds, property tax sources, fire suppression assessments, or any other available sources, and

c) The lack of additional fire protection facilities and equipment to service new development projects would create a situation that is dangerous to public health and safety if fire protection mitigation fees are not levied within the District, and

d) The Fee Program and the Fees proposed in the Nexus Study and approved pursuant to this Resolution are for the purposes of funding the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District's service area, and

e) The fee proposed in the Nexus Study and approved pursuant to this Resolution will be used to expand the District's facilities and equipment, replace and expand the District's apparatus and vehicles to serve new development, and

f) The uses of the Fees proposed in the Nexus Study and approved pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that fee revenue from the development projects will be used to expand the District's facilities and equipment, and replace and expand the District's apparatus and vehicles to meet the additional demand generated by the new residents and employees and new structural area created by the development projects, and

g) The Fees proposed in the Nexus Study, and approved pursuant to this Resolution, bear a reasonable relationship to the need for fire protection and emergency response facilities, apparatus, and equipment in that each development project will create additional need for the District's fire protection and emergency response services and a corresponding need for new or expanded facilities, apparatus, and equipment. The Fees will be imposed on different types of development projects in proportion to the additional service population generated and structural area created by new development projects, and

h) The Nexus Study demonstrates that there is a reasonable relationship between the amount of the fee and the cost of the fire protection facilities, apparatus, and equipment attributable to the development on which the fee is imposed in that the costs are based upon the level of existing development served by the District's existing fire protection facilities and applied proportionately land use categories in proportion to the need they create for expanded fire facilities, apparatus, and equipment.

3) The District finds pursuant to the California Environmental Quality Act ("CEQA"), this action is not a "project" because the Resolution provides a mechanism for funding fire protection and emergency response facilities, apparatus, and equipment but does not involve a commitment to any specific project for such purposes that may result in a potentially significant impact on the environment. (CEQA Guidelines § 15378.)

4) The District does hereby approve the following Fees on new development, which shall be collected upon issuance of a building permit:

Land Use	**Fire Impact Fees**
Residential Development	**Per Living Area Sq. Ft.**
Single Family Housing	$1.07
Multi-Family Housing	$1.22
Mobile Home	$1.15
ADU => 750 sq.ft.	$1.07
ADU < 750 sq.ft.	Exempt
Nonresidential Development	**Per Building Sq. Ft.**
Retail / Commercial	$0.89
Office	$1.19
Industrial	$0.95
Agriculture	$0.57
Warehouse / Distribution	$0.62
Nursing Homes	$3,974.06 per bed

5) The Fees imposed under the County Ordinance 4175 shall only be used to expand the availability of capital facilities and equipment to provide fire services to new development projects; and

6) The District shall place all funds collected under Ordinance 4175 and all interest subsequently accruing on these funds in a separate budget accounting category, known as "Ukiah Valley Fire District Fire Impact Fee," only for those purposes of providing capital improvements and equipment to serve new development projects; and

7) The District shall spend funds from the "Ukiah Valley Fire District Fire Impact Fee" budget accounting category only for those purposes of providing capital improvements and equipment to service new development projects; and

8) The District shall submit an annual report no later than October 31st of each year to the Clerk of the Board of Supervisors. The report shall include, but not be limited to: the balance in the account at the end of the prior fiscal year, the Fees received, the amount and type of expenditures made, and the ending balance in the fund. In addition, the annual report shall specify the actions the District's plans to take to mitigate the facility and equipment needs caused by the new development projects in a capital fire facilities and equipment plan adopted at a notice public hearing. The District shall make available, upon request by the Clerk of the Board, a copy of the annual audited report; and

9) The District shall make its records that justify the basis for the Fee amounts available to the public upon request; and

10) The District shall agree to indemnify and defend the County and its officers, agents, and employees from any claim, action, or proceeding that arises from or is in any way related to the Fees; and

11) For the fifth fiscal year following the first deposit into the “Ukiah Valley Fire District Fire Impact Fee” account and every five (5) years thereafter, the District shall make all of the following findings with respect to any cash portion of the fees remaining unexpended ore uncommitted in the account:

(a) Identify the purpose to which the fee is to be put;
(b) Demonstrate a reasonable relationship between the fee and the purpose for which it was charged;
(c) Identify all sources and amounts of funding anticipated to complete financing all incomplete improvements, and
(d) Designate the approximate dates on which complete funding is expected to be deposited into the account.

If the findings in subsections (12) (a) though (d) above are not made, the District shall refund, on a prorated basis, to the current record owner or owners of the development projects for which the fees were paid the unexpended and uncommitted portion of the fees and any interest accrued for which a need cannot be demonstrated.

IT IS HEREBY FURTHER RESOLVED that:

1) The District Board of Directors (“District Board”) adopts the capital fire facilities and equipment plan, attached as Exhibit A, in compliance with Government Code Section 66002 at a noticed public hearing and

2) The District will add a 10% charge to the fee that reflects the District’s reasonable costs of administrating the fee and complying with all laws, ordinances, and regulations related to the fee, including the requirements imposed by the County’s Fire Protection Mitigation Fee Ordinance; and

3) The Fee Program may be amended annually or from time to time in accordance with the procedures and based upon the findings for such fees set forth in Government Code Section 66000 et seq., or any applicable successor statutes; and

4) Subject to the County Board’s approval, on July 1st of each fiscal year, beginning in July 2024, the Fire Chief, or his/her designee shall make automatic annual adjustments to the Fees by a percentage equal to the percentage change in the “Engineering News Record’s Construction Cost Index-20 Cities annual Average” for the proceeding twelve (12) month period calculated from January 1 to December 31. This adjustment will offset the effects of inflation-related construction cost increases (or any deflation-related decreases). If this index should cease publication, the Fire Chief shall use any appropriate official index published by the Bureau of Labor Statistics, or successor, or similar agency as may then exist or may then be most nearly equivalent thereto. Land costs may be evaluated annually and adjusted as necessary based on the current market conditions at the time. The Fire Chief shall present the new Fees or adopting by resolution of the District Board after at least one public hearing; and

5) The District Board formally requests that the County impose the specified fire impact fee on the District's behalf and that the County Board authorize the District to collect the fee from applicants prior to issuance of a building permit for new construction with the District's service area; and

6) If any portion of this Resolution is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Ukiah Valley Fire District, at a specially scheduled meeting held on the 28th of November, Two-thousand and Twenty-three, by the following roll call vote of said District Board:

AYES:
NOES:
ABSTAIN:
ABSENT:

____
David B. Haas, President

ATTEST:

____
Stephanie Abba, Clerk of the Board

EXHIBIT A

Ukiah Valley Fire District Capital Improvement Plan

RESOLUTION NO. 2023-06
OF THE BOARD OF DIRECTORS
OF THE UKIAH VALLEY FIRE DISTRICT
November 28th, 2023

RESOLUTION APPROVING THE UKIAH VALLEY FIRE DISTRICT FIRE IMPACT FEE NEXUS STUDY AND REQUESTING THE CITY OF UKIAH ADOPT AND IMPLEMENT THE PROPOSED FIRE IMPACT FEE PROGRAM ON BEHALF OF THE DISTRICT

WHEREAS, the Board of Directors of the Ukiah Valley Fire District ("District") recognizes that continuing development within the District places added responsibilities and costs to the District; and

WHEREAS, AB 1600 was adopted and codified in California Government Code Section 66000, allowing the establishing, increasing, or imposing of a development fee as a condition of approval where the purpose and use of the fee were identified, and reasonable relationship to the development project was demonstrated; and

WHEREAS, the District Board of Directors ("District Board") desires to establish a new Fire Impact Fee program ("Fees or Fee Program") for the District to fund fire protection facilities, apparatus, and equipment necessary to mitigate the impacts caused by new development with the District's service area; and

WHEREAS, the District Board has received and considered the District's Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated August 2023 Final Report ("Nexus Study") that provides the required information to establish a new Fire Impact Fee program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

1) The District Board hereby receives and approves the Nexus Study.

2) After considering the Nexus Study, this Resolution, and after considering the testimony received at their November 28, 2023 meeting, the District hereby makes the following findings:

    a) The District does not have existing fire protection facilities and equipment that could provide an adequate level of services to new development within the District's service area, and

    b) The District does not have sufficient funds available to construct additional facilities and purchase additional equipment from fund balances, capital facility funds, property tax sources, fire suppression assessments, or any other available sources, and

    c) The lack of additional fire protection facilities and equipment to service new development projects would create a situation that is dangerous to public health and safety if fire protection mitigation fees are not levied within the District, and

    d) The Fee Program and the Fees proposed in the Nexus Study and approved pursuant to this Resolution are for the purposes of funding the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District's service area; and

e) The fee proposed in the Nexus Study and approved pursuant to this Resolution will be used to expand the District's facilities and equipment, replace and expand the District's apparatus and vehicles to serve new development, and

f) The uses of the Fees proposed in the Nexus Study and approved pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that fee revenue from the development projects will be used to expand the District's facilities and equipment, and replace and expand the District's apparatus and vehicles to meet the additional demand generated by the new residents and employees and new structural area created by the development projects, and

g) The Fees proposed in the Nexus Study, and approved pursuant to this Resolution, bear a reasonable relationship to the need for fire protection and emergency response facilities, apparatus, and equipment in that each development project will create additional need for the District's fire protection and emergency response services and a corresponding need for new or expanded facilities, apparatus, and equipment. The Fees will be imposed on different types of development projects in proportion to the additional service population generated and structural area created by new development projects, and

h) The Nexus Study demonstrates that there is a reasonable relationship between the amount of the fee and the cost of the fire protection facilities, apparatus, and equipment attributable to the development on which the fee is imposed in that the costs are based upon the level of existing development served by the District's existing fire protection facilities and applied proportionately land use categories in proportion to the need they create for expanded fire facilities, apparatus, and equipment.

3) The District finds pursuant to the California Environmental Quality Act ("CEQA"), this action is not a "project" because the Resolution provides a mechanism for funding fire protection and emergency response facilities, apparatus, and equipment but does not involve a commitment to any specific project for such purposes that may result in a potentially significant impact on the environment. (CEQA Guidelines § 15378.)
4) The District does hereby approve the following Fees on new development which shall be collected upon issuance of a building permit:

<u>**Land Use**</u>	<u>**Fire Impact Fees**</u>
<u>**Residential Development**</u>	<u>**Per Living Area Sq. Ft.**</u>
Single Family Housing	$1.07
Multi-Family Housing	$1.22
Mobile Home	$1.15
ADU => 750 sq. ft.	$1.07

ADU < 750 sq. ft.	Exempt
Nonresidential Development	**Per Building Sq. Ft.**
Retail / Commercial	$0.89
Office	$1.19
Industrial	$0.95
Agriculture	$0.57
Warehouse / Distribution	$0.62
Nursing Homes	$3,974.06 per bed

5) The District Board formally requests that the City Council adopt and implement this approved Fire Impact Fee program on behalf of the District with the District agreeing to be responsible for the proper accounting for and expenditure of said moneys and further agreeing to hold the City harmless from and to defend it from any action, claim, or damages related to said fees, including any challenge to the validity of or use thereof.

6) The District Board formally requests that the resolutions or ordinances adopted by the City Council to establish the Fire Impact Fee program on behalf of the District authorize an automatic annual inflationary adjustment.

PASSED AND ADOPTED by the Board of Directors of the Ukiah Valley Fire District, at a regularly scheduled meeting held on the 28th of November, Two-thousand and Twenty-three, by the following vote of said District Board:

AYES:
NOES:
ABSTAIN:
ABSENT:

____
David B. Haas, President

ATTEST:

____
Stephanie Abba, Clerk of the Board

UKIAH VALLEY FIRE DISTRICT

PUBLIC HEARING

PROPOSED MITIGATION FEE INCREASE

Date: **November 28, 2023**
Time: **6:00 p.m.** or as soon thereafter as the matter may be heard
Place: **Civic Center Council Chambers**, 300 Seminary Ave. Ukiah, CA 95482

Description: The Ukiah Valley Fire District will be asking for Mitigation Fee increase.

Public Comment: A copy of said Mitigation Fee Proposal is on file in the Office of the Clerk of the Board and open to the public for inspection at 1500 South State St. Ukiah, CA 95482. Interested persons are invited to attend this hearing and be heard regarding this matter. Written comments may be submitted to the Fire District prior to the time set for the hearing. Address written comments: Attention: Clerk of the Board at 1500 S. State St. Ukiah, CA 95482, or by email to sabba@cityofukiah.com or Chief Hutchison at dhutchison@cityofukiah.com.

More Information: Questions concerning the public hearing matter should be directed to Doug Hutchison, Ukiah Valley Fire Authority Fire Chief, at (707) 463-6263 or by email to dhutchison@cityofukiah.com

Accessibility: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a Fire District meeting or other services offered by the District, please contact the Clerk of the Board Office at (707) 462-7921 option 3. Notification at least 48 hours prior to the meeting or time when services are needed will assist the District staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Dated this 3rd day of November 2023.

Stephanie Abba
Clerk of the Board

Advertising Order Confirmation

The Ukiah DAILY JOURNAL

Ad Order Number	*Customer*	*Payor Customer*	*PO Number*
0006790279	UKIAH VALLEY FIRE PROTECTION DISTRICT	UKIAH VALLEY FIRE PROTECTION DISTRICT	
Sales Representative	*Customer Account*	*Payor Account*	*Ordered By*
Molly Morandi	2117908	2117908	
Order Taker	*Customer Address*	*Payor Address*	*Customer Fax*
Molly Morandi	1500 S STATE ST UKIAH, CA 95482	1500 S STATE ST UKIAH, CA 95482	
Order Source	*Customer Phone*	*Payor Phone*	*Customer EMail*
Select Source	707-462-7921 x 5	707-462-7921 x 5	ap@cityofukiah.com

Current Queue	*Invoice Text*
Ready	

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Advertising Order Confirmation

Ad Number	Color	Production Color	Ad Attributes	Production Method	Production Notes
0006790279-01				AdBooker	

External Ad Number	Pick Up	Ad Type	Released for Publication
		Legal Liner	

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Clerk of the Board

Product	*Requested Placement*	*Requested Position*	*Run Dates*	*# Inserts*

Advertising Order Confirmation

The Ukiah DAILY JOURNAL

Ukiah Daily Journal	Legals CLS NC	General Legal NC - 1076~	11/08/23	1

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102.77	0.00	102.77	0.00	**$102.77**

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