



UKIAH VALLEY FIRE DISTRICT BOARD OF DIRECTORS

JENIFER BAZZANI – PETER BUSHBY – ALLEN CHERRY – MICHAEL GRAHAM – DAVID B. HAAS

REGULAR MEETING

AGENDA

Willow Water District ♦ 151 Laws ♦ Ukiah, CA 95482

February 11, 2020

6:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS

4. PUBLIC EXPRESSION

Limited to 3 minutes per person and a total of 15 minutes per subject to address any matter not on the agenda. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

5. APPROVAL OF MINUTES

5.a. Approval of Minutes of October 8, 2019, a Regular Meeting.

Recommended Action: Approval of Minutes of October 8, 2019, a Regular Meeting

Attachments:

1. 2019-10-08 Minutes DRAFT

5.b. Approval of Minutes of December 10, 2019, a Regular Meeting.

Recommended Action: Approval of Minutes of December 10, 2019, a Regular Meeting.

Attachments:

1. 2019-12-10 Minutes - Draft

5.c. Approval of Minutes of January 7, 2020, a Special Meeting.

Recommended Action: Approval of Minutes of January 7, 2020, a Special Meeting.

Attachments:

1. 2020-01-07 Minutes - Draft

6. UNFINISHED BUSINESS - DISCUSSION/ACTION

7. NEW BUSINESS - DISCUSSION/ACTION

7.a. Introduction of an Ordinance by Title Only to Adopt the 2019 California Fire Code as Amended.

Recommended Action: Accept introduction, and first reading, by title only of an ordinance adopting the 2019 California Fire Code as amended.

Attachments:

1. Ordinance 2020-1v1 UVFD

- 7.b. Consider Request from Intents Emergency Response to Stage Base Camp Equipment at the North Station.

Recommended Action: Approve Intents Emergency response to stage base camp equipment at the North Fire Station for a nominal fee from June to November.

Attachments: None

- 7.c. Review of the Measure B Annual Report.

Recommended Action: Review and Discuss Measure B Annual Report.

Attachments:

1. Measure B Report 6.30.19

- 7.d. Approval of Resolution 2020-01, To continue the use of Fire Mitigation Fees for the Ukiah Valley Fire District.

Recommended Action: Approval of Resolution 2020-01; Requesting the Board of Supervisors for the County of Mendocino to Continue the Implementation of Fire Protection Mitigation Fees for the Ukiah Valley Fire District.

Attachments:

1. 2020-01 Resolution

- 7.e. Approval of Resolution 2020-02; Amending the Signature List for Authorizing Access to the Savings Bank of Mendocino County for Purposes of all Account Information and Inquiries.

Recommended Action: Approve Resolution 2020-02; Amending the Signature List for Authorizing Access to the Savings Bank of Mendocino County for Purposes of all Account Information and Inquiries.

Attachments:

1. 2020-02 Resolution

8. COMMUNICATIONS RECEIVED AND FILED - INFORMATION

9. CHIEFS AND VOLUNTEERS REPORT - INFORMATION

10. DIRECTOR'S REPORT for FEC AND LAFCO

11. CLOSED SESSION

- Closed Session may be held at any time during the meeting

12. ADJOURNMENT

Please be advised that the Ukiah Valley Fire Authority 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. The Ukiah Valley Fire Authority complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the Ukiah Valley Fire Authority 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, 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 locations: Ukiah Valley Fire District Office - 1500 South State Street and Willow Water District - 151 Laws Ave., Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.

February 7, 2020

Stephanie Abba
Ukiah Valley Fire District
Clerk of the Board



UKIAH VALLEY FIRE DISTRICT BOARD OF DIRECTORS

JENIFER BAZZANI – PETER BUSHBY – ALLEN CHERRY – MICHAEL GRAHAM – DAVID B. HAAS

REGULAR MEETING

MINUTES

October 8, 2019

PLACE: 151 Laws Ave.

TIME: 6:00 P.M.

1. CALL TO ORDER

Secretary Cherry called the meeting to order at 6:05

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chief Hutchison.

- b. **Roll call** was taken with the following **Directors Present:** Allen Cherry, Peter Bushby, and Michael Graham; **Directors Absent:** Jenifer Bazzani and David B. Haas. **Staff Present:** Douglas Hutchison, Fire Chief; Kevin Jennings, Division Chief/Fire Marshal; and Kristine Lawler, City Clerk.

3. ANNOUNCEMENTS

Secretary Cherry made the following announcements:

- a. Next Regular Meeting will be December 11, 2019, at 6:00 p.m.
b. Next FEC Meeting will be November 14, 2019, at 5:30 p.m.

4. PUBLIC EXPRESSION

No public expression was received.

5. APPROVAL OF MINUTES

- a. **Approval of Minutes of the August 14, 2019, Regular Meeting.**

Motion by Vice Chair Graham, Seconded by Director Bushby to approve the Minutes of August 14, 2019, as submitted. Motion **carried** by the following roll call votes: AYES: Cherry, Bushby, and Graham; NOES: None; ABSTAIN: None; ABSENT: Bazzani and Haas.

6. UNFINISHED BUSINESS - DISCUSSION/ACTION

- a. **Award Contract to Comfort Air for the Ukiah Valley Fire District HVAC Replacement, Specification No. 19-06, and Approve Corresponding Budget Amendment.**

Presenter: Mary Horger, City of Ukiah Procurement Manager.

Motion by Director Bushby, Seconded by Director Graham to award Contract to Comfort Air for the Ukiah Valley Fire District HVAC Replacement, Specification No. 19-06; Approve Corresponding Budget Amendment; and Authorize staff to execute Change Orders up to 10 percent of the total project. Motion **carried** by the following roll call

votes: Motion **carried** by the following roll call votes: AYES: Cherry, Bushby, and Graham; NOES: None; ABSTAIN: None; ABSENT: Bazzani and Haas.

7. NEW BUSINESS - DISCUSSION/ACTION

- a. Approval of Agreement with Van Lant and Fankhanel, LLP, for Professional, Independent Auditing Services for the Fiscal Years Ending in June 30, 2018 through June 30, 2022.**

Presenter: Mary Horger, City of Ukiah Procurement Manager.

Staff Comment:

Motion by Director Graham, Seconded by Vice Chair Bushby to approve and authorize the Fire Chief to sign an agreement with Van Lant and Fankhanel, LLP for professional, independent auditing services for the fiscal years ending in June 30, 2018 through June 30, 2022, and corresponding budget amendment. Motion **carried** by the following roll call votes: AYES: Cherry, Bushby, and Graham; NOES: None; ABSTAIN: None; ABSENT: Bazzani and Haas.

- b. Approve Budget Addendum for Funding of Building Maintenance Account.**

Presenter: Douglas Hutchison, Fire Chief.

Item was pulled by staff.

8. COMMUNICATIONS RECEIVED AND FILED – INFORMATION

- a. LAFCo; September 20, 2019; 200 S. School Street, Ukiah, CA 95482; eo@mendolafco.org; Mendocino LAFCo is accepting applications for Alternate Public Member; Application Deadline: October 28, 2019.**

Report of communication was received.

9. CHIEF'S AND VOLUNTEERS REPORT - INFORMATION

- **Volunteers Report**

No volunteers were present to give report.

- **Chief's Report**

Presenter: Douglas Hutchison, Fire Chief.

- **Fire Prevention Report**

Presenter: Kevin Jennings, Division Chief/Fire Marshal.

- **Operations/Training Report**

Presenter: Douglas Hutchison, Fire Chief.

Board Consensus directs staff to schedule a Special Meeting to address fire fees.

10. DIRECTOR'S REPORT for FEC AND LAFCO

Presenters: Secretary Cherry and Director Bushby.

11. CLOSED SESSION

No closed session was held.

12. ADJOURNMENT

Motion by Director Bushby, Seconded by Director Graham to adjourn the meeting. Motion **carried** by the following roll call votes: AYES: Cherry, Bushby, and Graham; NOES: None; ABSTAIN: None; ABSENT: Bazzani and Haas.

There being no further business to come before the Board the meeting was adjourned at 6:37p.m.

David Haas, President

Kristine Lawler, City Clerk



UKIAH VALLEY FIRE DISTRICT BOARD OF DIRECTORS

JENIFER BAZZANI – PETER BUSHBY - ALLEN CHERRY – MICHAEL GRAHAM - DAVID B. HAAS

REGULAR MEETING

MINUTES

December 10, 2019

PLACE: 151 Laws Ave.

TIME: 6:00 P.M.

1. Call to Order

President Haas called the meeting to order at 6:07

a. Pledge of Allegiance

The Pledge of Allegiance was led by Division Chief, Jeff Adair

- b. **Roll call** was taken with the following **Directors Present:** Jenifer Bazzani, Pete Bushby, Michael Graham, and David B. Haas; **Directors Absent:** Allen Cherry; **Staff Present:** Douglas Hutchison, Fire Chief, Kevin Jennings, Division Chief/Fire Marshal and Jeff Adair, Division Chief/Safety Officer.

2. ANNOUNCEMENTS

President Haas made the following announcements

- a. Next Regular Meeting will be February 11, 2020 at 6:00 p.m.
b. Next FEC Meeting will be January 09, 2020 at 5:30 p.m.

3. PUBLIC EXPRESSION

No public expression was received.

4. APPROVAL OF MEETING MINUTES – DISCUSSION/ACTION

- a. Approval of Minutes of November 19, 2019; a Special Meeting.

Motion by Vice Chair Bazzani, Seconded by Director Bushby to approve the Minutes of November 19, 2019, a Special Meeting. Motion **carried** by the following roll call votes: AYES: Bazzani, Bushby, Graham, and Haas; NOES: None; ABSTAIN: None; ABSENT: Cherry.

5. UNFINISHED BUSINESS – DISCUSSION/ACTION

No unfinished business.

6. PUBLIC HEARINGS (6:00 P.M.)

a. Discussion and Possible Adoption of Updated Fees for Fire Inspections and Plan Checks.

Presenter: Douglas Hutchison, Fire Chief.

Public Comment: Lee Howard

Motion by Vice Chair Bazzani, Seconded by Director Graham to bring back agenda items as a whole new item in February. Motion **carried** by the following roll call votes:

AYES: Bazzani, Bushby, Graham, and Haas; NOES: None; ABSTAIN: None; ABSENT: Cherry

7. NEW BUSINESS – DISCUSSION/ACTION

a. Consider Adoption of Resolution 2019-06 Regarding Required Inspections in the District.

Presenter: Douglas Hutchison, Fire Chief.

Motion by Vice Chair Bazzani, Seconded by Director Bushby to Adopt Resolution 2019-06 as submitted. Motion **carried** by the following roll call votes: AYES: Bazzani, Bushby, Graham, and Haas; NOES: None; ABSTAIN: None; ABSENT: Cherry

b. Annual Organizational Meeting to Elect Board Officers for 2020.

Presenter: Douglas Hutchison, Fire Chief.

Motion by Director Bazzani, Seconded by Director Bushby to re-elect President Haas for President. Motion **carried** by the following roll call votes: AYES: Bazzani, Bushby, Graham, and Haas; NOES: None; ABSTAIN: None; ABSENT: Cherry

Motion by Director Graham, Seconded by Director Bushby to elect Director Bazzani for Vice-President. Motion **carried** by the following roll call votes: AYES: Bazzani, Bushby, Graham, and Haas; NOES: None; ABSTAIN: None; ABSENT: Cherry

Motion by Director Bazzani, Seconded by Director Graham to elect Director Bushby for Secretary. Motion **carried** by the following roll call votes: AYES: Bazzani, Bushby, Graham, and Haas; NOES: None; ABSTAIN: None; ABSENT: Cherry

8. COMMUNICATIONS RECEIVED AND FILED

Communications Received.

8. CHIEF'S AND VOLUNTEERS REPORT - INFORMATION

a. Volunteers Report

No volunteers were present to give report.

- **Chief's Report**

Presenter: Douglas Hutchison, Fire Chief.

- **Fire Prevention Report**

Presenter: Kevin Jennings, Division Chief/Fire Marshal.

- **Operations/Training Report**

Presenter: Douglas Hutchison, Fire Chief.

9. DIRECTOR'S REPORT

Report Received

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

Motion to adjourn was unanimous by all Board Members present.

There being no further business to come before the Board the meeting was adjourned at 7:14 P.M.

David Haas, President

Stephanie Abba, Clerk of the Board



UKIAH VALLEY FIRE DISTRICT BOARD OF DIRECTORS

JENIFER BAZZANI – PETER BUSHBY - ALLEN CHERRY – MICHAEL GRAHAM - DAVID B. HAAS

SPECIAL MEETING

MINUTES

January 7, 2020

PLACE: 151 Laws Ave.

TIME: 6:00 P.M.

1. Call to Order

President Haas called the meeting to order at 6:03

a. Pledge of Allegiance

Not specified who led the Pledge of Allegiance

- b. **Roll call** was taken with the following **Directors Present:** Jenifer Bazzani, Pete Bushby, Allen Cherry, Michael Graham, and David B. Haas; **Directors Absent:** None **Staff Present:** Douglas Hutchison.

2. ANNOUNCEMENTS

No announcements were given

3. PUBLIC EXPRESSION

No public expression was received.

4. NEW BUSINESS – DISCUSSION/ACTION

a. Consideration of Nomination of Director Pete Bushby to the Countywide Redevelopment Agency Oversight Board.

Presenter: Douglas Hutchison, Fire Chief.

Motion by Director Cherry, Seconded by Director Bazzani to Nominate Director Bushby to be the Special District Regular Member for the Countywide Redevelopment Agency Oversight Board. Motion **carried** by the following roll call votes: AYES: Bazzani, Bushby, Cherry, Graham, and Haas; NOES: None; ABSTAIN: None; ABSENT: None

b. Reconsideration of Appointment(s) to the Fire Executive Committee.

Presenter: Douglas Hutchison, Fire Chief.

Consensus by the board to table this discussion until the next Regular Board Meeting in February 2020, in order to read and make changes to Policy 1006.30.

5. ADJOURNMENT

Motion by President Haas, Seconded by Director Graham to Adjourn. Motion was unanimous.

There being no further business to come before the Board the meeting was adjourned at 6:28 P.M.

David B. Haas, President

Stephanie Abba, Clerk of the Board



AGENDA SUMMARY REPORT

SUBJECT: Introduction of an Ordinance by Title Only to Adopt the 2019 California Fire Code as Amended.

DEPARTMENT: Fire **PREPARED BY:** Doug Hutchison, Fire Chief

ATTACHMENTS:

1. Ordinance 2020-1v1 UVFD

Summary: The Board will consider adopting by ordinance the 2019 California Fire Code as amended

Background: The State of California utilizes the International Fire Code (IFC) as published by the International Code Council (ICC). The State also amends the code to specifically meet the hazards encountered in the State and allows local jurisdictions to further amend the code based upon local conditions and needs.

Discussion: The IFC and California Fire Code are updated every three (3) years and were last updated and adopted in 2016. This is a routine update and adoption of the most recent code.

Recommended Action: Accept introduction, and first reading, by title only of an ordinance adopting the 2019 California Fire Code as amended.

BUDGET AMENDMENT REQUIRED: No

CURRENT BUDGET AMOUNT:

PROPOSED BUDGET AMOUNT:

FINANCING SOURCE:

PREVIOUS CONTRACT/PURCHASE ORDER NO.:

COORDINATED WITH: J. Buckingham/I. Broeske

ORDINANCE NO. 2020-1

AN ORDINANCE OF THE UKIAH VALLEY FIRE DISTRICT ADOPTING THE 2019 EDITION OF THE CALIFORNIA FIRE CODE WITH AMENDMENTS, AS WELL AS NFPA 1 CHAPTER 38, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION AND FOR PROVIDING FOR THE ISSUANCE OF PERMITS, REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES OF THE UKIAH VALLEY FIRE DISTRICT IN CONFLICT HERewith.

The Board of Directors of the Ukiah Valley Fire District does ordain as follows:

Part 1. That the California Fire Code, 2019 edition, including Appendix Chapter 4 and Appendices B, BB, C, CC, D, E, F, G, H, I, K, N, and O as published by the International Code Council, as well as NFPA 1 Chapter 38, be and is hereby adopted as the Fire Code of the Ukiah Valley Fire District in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Ukiah Valley Fire District are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Part 2 of this Ordinance. Further, the regulations known as the “SRA Fire Safe Regulations” as set forth within Title 14, Division 1.5, Chapter 7, Subchapter 2 of the California Board of Forestry applicable to the State Responsibility Area (“SRA”) are hereby incorporated, adopted verbatim and made a part hereof, and such SRA Fire Safe Regulations shall be enforced and implemented within the applicable SRA service area.

Part 2. That the following sections of the 20193 edition of the California Fire Code are hereby amended and changed in the following respects:

Section 101.1 Title of Chapter 1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the Ukiah Valley Fire District, hereinafter referred to as “this code.”

Section 105.1 General of Chapter 1 is amended to read as follows:

105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.7.25 or other provisions of this code as required by the Ukiah Valley Fire District.

Section 109.1 Board of Appeals Established of Chapter 1 is amended to read as follows:

109.1 Board of Appeals Established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the Board of Directors of the Ukiah Valley Fire District or a sub-committee as appointed by the Board of Directors of the Ukiah Valley Fire District. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the Appellant with a duplicate copy to the fire code official.

Section 109.3 Qualifications of Chapter 1 is deleted.

Section 109.3 Appeals Process of Chapter 1 is added to read as follows:

109.3 Appeals Process. The appeals process for appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code shall be defined by sections 108.4.1 through 108.4.5.

Section 109.3.1 Initiating Appeal of Chapter 1 is added to read as follows:

Section 109.3.1 Initiating Appeal. Any beneficially interested party has the right to appeal the order served by the fire code official by filing a written “NOTICE OF APPEAL” with the office of the fire code official within ten days after service of such order and upon payment of the sum of \$150. In the event the order of the fire code official is overturned following the appeal, the fee shall be returned. The notice shall state the order appealed from, the identity and mailing address of the Appellant, and the specific grounds upon which the appeal is made.

Section 109.3.2 Stay of Order of Chapter 1 is added to read as follows:

Section 109.3.2 Stay of Order. The timely filing of a properly completed notice of appeal shall have the effect of staying the implementation of the order appealed from until the final decision of the appeal. Failure to file a timely notice of appeal waives any right to further challenge the order of the fire code official. “File” means delivered to the office of the fire code official at 1500 South State Street, Ukiah, California.

Exception: Orders affecting acts or conditions which in the opinion of the fire code official, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion, or release are enforceable when made and are not stayed by the filing of a notice of appeal.

Section 109.3.3 Hearing of Appeal of Chapter 1 is added to read as follows:

Section 109.3.3 Hearing of Appeal. Following is the process for establishing and hearing appeals:

The Board of Appeals, or the secretary thereof, shall set the matter to be heard at a date within thirty (30) days of receipt of such notice of appeal. Written notice of the time and place set for hearing shall be served on the Appellant by first class mail to the mailing address given in the notice of appeal. A hearing may not be conducted less than 20 days after notice is given to the applicant. The Board of Appeals may adopt rules governing the conduct of its hearings. Those rules shall include, at least, the following:

1. The fire code official shall submit evidence at the hearing substantiating his/her decision. Such evidence may include testimony, fire district, police or other reports of the incident, witness statements, and other documents. Not less than 10 days prior to the scheduled hearing, the fire code official must notify the Appellant of the name, address and phone number of any witness to the violation and furnish Appellant with a copy of any document the fire code official intends to submit at the hearing. Not less than seven (7) days prior to the hearing, the Appellant may request the fire code official to produce at the hearing any witness he/she intends to rely upon to substantiate the violation. The written request must name the witness or witnesses who are requested to attend the hearing. The fire code official may not rely on the testimony of any witness (including such testimony contained in reports or written witness statements) whose appearance at the hearing is required by this subsection, if that witness fails to appear.

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2. Not less than 10 days prior to the hearing, the Appellant must notify the fire code official in writing of the name, address and phone number of any witness the Appellant intends to call as a witness at the hearing, provide a brief description of the proposed testimony, and furnish the fire code official with a copy of any document the Appellant intends to offer as evidence at the hearing. The Appellant may not call any witness to testify at the hearing who was not identified as required by this subsection or offer any document as evidence at the hearing that was not provided to the fire code official as required by this subsection.
3. At the hearing, the Appellant may be represented by an attorney, at Appellant's expense. Both the fire code official and the Appellant shall have the right to examine and cross-examine any witness produced at the hearing. The rules of evidence that normally apply in court shall not apply in a hearing before the Board of Appeals, but it shall only consider evidence which would be relied upon by reasonable people making an important decision, and shall disregard evidence which by its nature is unreliable or not credible.
4. The entire hearing shall be electronically or steno graphically recorded. The Board of Appeals shall base its decision exclusively on the evidence presented at the hearing and shall issue a written decision, which includes a statement of the relevant facts which it finds to be true and explains how the facts support its decision. The record of the hearing shall be preserved for not less than six (6) months after the decision is served on the Appellant.

Section 109.3.4 Hearing Decision of Chapter 1 is added to read as follows:

Section 109.3.4 Hearing Decision. The chairperson of the Board of Appeals shall issue the written decision required by subsection 4 of Section 108.4.3 Hearing of appeal. The Board of Appeals may issue a decision affirming, modifying or vacating the order of the fire code official. The decision shall be in writing and shall be served upon the Appellant by first class mail to the mailing address given in the notice of appeal. The hearing decision shall include notice of the Appellant's right to seek review of the decision pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.

Section 109.4.5 Finality of the Decision of the Board of Appeals of Chapter 1 is added to read as follows:

Section 109.4.5 Finality of the Decision of the Board of Appeals. The decision of the Board of Appeals shall be the final decision for the District. The Board of Appeals shall have the power to continue any hearing and may, in its discretion, take the appeal under submission. The Board of Appeals shall render a decision not later than the seventh (7th) day following the date the matter was taken under submission, and forthwith notify the interested parties as previously set forth.

Section 109.4.6 Appeal to Superior Court of Chapter 1 is added to read as follows:

Section 109.4.6 Appeal to Superior Court. Judicial review of the decision of the Board of Appeals shall be governed by the Code of Civil Procedure Sections 1094.5 and 1094.6.

Section 109.4.7 Enforcement of Decision of Chapter 1 is added to read as follows:

Section 109.4.7 Enforcement of Decision. Unless stayed by a court, any final decision of the Board of Appeals is effective immediately and may be implemented and enforced by the District. The remedies provided by this code are cumulative and in addition to any other remedies available at law or in equity.

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1. Causing, permitting, aiding, abetting, or concealing a violation of any provision of this ordinance shall constitute a violation.
2. Violations of this code are hereby declared to be public nuisances.
3. A violation of this code constitutes a misdemeanor/infracton punishable by a fine of \$1,000 or by imprisonment in the County jail for six months, or both.
4. In addition to other remedies provided by this ordinance or by other law, any violation of this ordinance may be remedied by a civil action brought by the District, including, for example, administrative or judicial nuisance abatement proceedings, other legally authorized enforcement proceedings, and suits for injunctive relief.

Section 110.4 Violation Penalties of Chapter 1 is amended to read as follows:

Section 110.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor/infracton. The first citation within a 12-month period, for violations of the Fire Code and any amendments adopted herein shall be treated as a Civil Penalty payable directly to the Ukiah Valley Fire District and is set at \$250.00 plus the actual costs of all inspections required to gain compliance at the current rate set by the Ukiah Valley Fire District, per hour with a 1 hour minimum. Said civil penalties shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided in this section. Upon failure to pay the civil penalty when due, the responsible person shall be liable in a civil action brought by the Ukiah Valley Fire District for such penalty and costs of the litigation, including reasonable attorney's fees.

Any subsequent citations within a twenty-four (24) month period for any violations of the Fire Code and any amendments adopted herein shall be misdemeanors/infractons, and shall be subject to the penalties set forth herein, or a civil penalty shall be assessed in the sum of \$500.00 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the Ukiah Valley Fire District. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day that a violation occurs or continues, after a final notice has been delivered shall constitute a separate offense. The application of both penalties shall be held to prevent the enforced correction of prohibited condition. Nothing contained in this Section shall be construed or interpreted to prevent the Ukiah Valley Fire District from recovering all costs associated with a Fire District response as described in Ordinance 2004-1 or subsequent cost recovery ordinances.

Any violation of any provision of this Chapter shall constitute a public nuisance and shall entitle the Ukiah Valley Fire District to collect the costs of abatement and related administrative costs by a nuisance abatement lien as more particularly set forth in Government Code Section 38773.1, and by special assessment to be collected by the County Tax Collector as more particularly set forth in Government Code Section 38773.5. At least thirty (30) days prior to recordation of the lien, or submission of the report to the Tax Collector for collection of this special assessment, the record owner shall receive notice from the Chief of the Ukiah Valley Fire District of the intent to charge the property

ATTACHMENT 1

owner for all administrative costs associated with enforcement of this Ordinance and abatement of the nuisance. The notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance. The property owner may appeal the Chief's decision to the Board of Directors of the Ukiah Valley Fire District within fifteen (15) days of the date of the notice and request a public hearing prior to recordation of the lien or submission of the report to the County Tax Collector for collection of the special assessment. In addition to the foregoing, the Ukiah Valley Fire District is authorized to prosecute a civil action to collect such abatement costs from the property owner or other person in possession or control of the affected property, and shall be entitled to recover such abatement costs, together with the cost of litigation, including reasonable attorney's fees.

Any person receiving a citation for a civil penalty pursuant to Section 109.3, Violation Penalties of Chapter 1, may file an appeal per Section 108.4 through 108.4.7 of this code against imposition of the civil penalty or response costs and expense.

Section 112.4 Failure to Comply of Chapter 1 is amended to read as follows:

Section 112.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine payable directly to the Ukiah Valley Fire District set at not less than \$250.00 or more than \$1000.00 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the Ukiah Valley Fire District. This civil penalty shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided for in Section 108.4.

Section 503.3.1 Fire Lane Designation of Chapter 5 is hereby added to read as follows:

Section 503.3.1 Fire Lane Designation. Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may designate existing roadways as fire access roadways as provided by Vehicle Code section 22500.1 (public) or 22658(a) (private).

Section 503.4.2 Roadway Design Features of Chapter 5 is hereby added to read as follows:

Section 503.4.2 Roadway Design Features. Roadway design features (speed bumps, speed humps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed on fire access roadways, unless they meet design criteria approved by the fire code official.

Section 505.1 Address Identification of Chapter 5 is hereby amended to read as follows:

Section 505.1 Address Identification. Approved numbers and/or addresses shall be placed and maintained on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background and shall meet the minimum standards as to size: 4" high with a 0.5" stroke for residential buildings, 6" high with a 0.5" stroke for commercial and multi-residential buildings, 12" high with a 1" stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners, and entrances to commercial centers. The fire code official may establish different minimum sizes for numbers for various categories of projects.

Section 505.3 Easement Address Signs of Chapter 5 is hereby added to read as follows:

Section 505.3 Easement Address Signs. All easements, which are not named differently from the roadway from which they originate, shall have an address sign installed and maintained, listing all street numbers occurring on that easement, located where the easement intersects the named roadway. Minimum size of numbers on that sign shall be 4" in height with a minimum stroke of 0.5" and shall contrast with the background.

Section 505.4 Map Directories of Chapter 5 is hereby added to read as follows:

Section 505.4 Map Directories. A lighted directory map, meeting current fire department standards, shall be installed at each driveway entrance to multiple unit residential projects and mobile home parks, where the numbers of units in such projects exceed 15.

Section 505.5 Response Map Updates of Chapter 5 is hereby added to read as follows:

Section 505.5 Response Map Updates. Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a format (PDF and/or CAD format as approved by the fire code official) or compatible with current department mapping services, and shall be charged a reasonable fee for updating all response maps.

Section 506.3 Emergency Electrical Disconnects of Chapter 5 is hereby added as follows:

Section 506.3 Emergency Electrical Disconnects. Where access to main electrical control panels requires entry to, and passage through, portions of a structure which may be involved with fire, smoke, gasses, hazardous materials, or which otherwise present unsafe conditions to emergency personnel, the fire code official may require that a means of remotely disconnecting electrical service to the structure be provided. This means of remotely disconnecting electrical service shall be by a secured key switch mechanism approved by the Fire District.

Section 604.3.1.1 Alternate Power Sources of Chapter 6 is hereby added to read as follows:

Section 604.3.1.1 Alternate Power Sources. All permanent installations of electrical generators, wind generators, or other power sources shall be approved by the building code official. All applicable provisions of the National Electrical Code, the Uniform Fuel Gas Code, the California Building Code, and this Code shall be followed for any such installation. Permanent engraved and affixed signage, red in color, reading "WARNING – This premise is provided with an Alternate Power source, Disconnection of commercial power may not disable the electric power source". Lettering shall be a minimum of ½" tall and shall be permanently affixed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.

Section 903.2 Where required of Chapter 9 is hereby amended to read as herein provided. This Section shall not amend the portion commencing and following Section 903.2.1

Section 903.2 Where required. Approved automatic sprinkler systems in new, additions to existing, remodeled, added to or altered buildings and structures shall be provided in the locations described in this section.

- A. Approved automatic sprinkler systems shall be provided in new buildings and structures requiring a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code.

ATTACHMENT 1

- B. Approved automatic sprinkler systems shall be provided in additions to existing structures where the new total building area would require a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code.
- C. Approved automatic sprinkler systems shall be provided in existing structures which are remodeled, added to or altered, except for ordinary maintenance and repair not involving structural alterations, requiring a fire flow of 2,000 gallons per minute (GPM) or greater as determined by Appendix B of this code, and when the cost of such remodels, additions, or alterations within any 36 month period exceeds \$60,000.
Exception: Projects which are solely complying with statutory regulations (examples may be Health and Safety Codes, earthquake/seismic, American Disabilities Act (ADA), or façade improvements) will not trigger this requirement.
- D. Approved automatic sprinkler systems shall be provided in new structures exceeding 30 feet in height above the lowest grade level.
- E. Approved automatic sprinkler systems shall be provided in those new, additions to existing, remodeled, added to or altered buildings and structures which require a fire flow, as determined by Appendix B of this code, in excess of the capability of the available water supply.
- F. The Ukiah Valley Fire District does not exempt Limited Density Rural Dwellings, as defined by the County of Mendocino in Ordinance 4404, from meeting the fire and life safety provisions within the Fire Code.

Section 3313.1 Where required of Chapter 33 is hereby amended to read as follows:

Section 3313.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed during construction for each story above or below the first floor grade. Such standpipes shall be provided with fire department hose connections at locations adjacent to stairways complying with Section 3311.1. Such standpipes shall be extended to the floor of the highest point of construction having secured decking or flooring.

Section B105.2 Buildings other than one- and two-family dwellings of Appendix B is hereby amended as follows:

Exceptions: 1. A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.

Section BB105.1 Fire-Flow requirements for buildings of Appendix BB is hereby amended as follows:

Section BB105.1 *The minimum fire flow and flow duration for school buildings shall be specified in Table BB105.1.*

Exception: *A reduction in required fire flow of up to 50 percent is allowed when the building is provided with an approved automatic sprinkler system.*

Part 3. That the geographic limits referred to in certain sections of the 2019 edition of the California Fire Code are hereby established as follows:

Section 5704.2.9.6.1 The geographic limits referred to in Section 5704.2.9.6.1 of the 2019 edition of the California Fire Code in which storage of Class I, Class II and liquids in outside aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino, and agricultural land of less than two (2) acres.

Section 5706.2.4.4 The geographic limits referred to in Section 5706.2.4.4. of the 2019 edition of the California Fire Code in which storage of Class I, Class II and liquids in aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino, and agricultural land of less than two (2) acres.

Section 5806.2 The geographic limits referred to in the 2019 edition of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: in all residential areas and in heavily populated or congested commercial areas, as established by the County of Mendocino.

Section 6104.2 The geographic limits referred to in Section 6104.2 of the 2019 edition of the California Fire Code in which storage of liquefied petroleum gas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7,570 liters), is restricted, are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the County of Mendocino.

Part 4. Upon its effective date, this Ordinance shall supersede any and all previous ordinances adopting earlier versions of the California Fire Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Part 5. That if any part, subpart, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors of the Ukiah Valley Fire District hereby declares that it would have passed this Ordinance, and each part, subpart, clause or phrase thereof, irrespective of the fact that any one or more parts, subparts, sentences, clauses and phrases be declared unconstitutional.

Part 6. That nothing in this Ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Part 4 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Part 7. That the Fire Chief of the Ukiah Valley Fire District is hereby ordered and directed to cause a notice of this Ordinance to be published in a newspaper in general circulation in accordance with Section 6066 of the California Government Code. Within fifteen (15) days after adoption, the Fire Chief of the Ukiah Valley Fire District shall also post in the office of the Ukiah Valley Fire District, a certified copy of the full text of this Ordinance along with the names of those Board of Directors members voting for and against this Ordinance.

ATTACHMENT 1

Part 8. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force upon ratification by the County of Mendocino pursuant to Health and Safety Code Section 13869.7(c). This Ordinance shall remain in full force and effect until a subsequent superseding ordinance becomes effective.

Part 9. The Fire Chief, Chief Officers, Deputy Fire Marshal, and Fire Inspectors shall have authority to arrest or to cite any person who violates any provision of this Ordinance involving the Fire Code or the California Building Standards Code regulations relating to fire and panic safety as adopted by the State Fire Marshal, in the manner provided for the arrest or release on citation and notice to appear with respect to misdemeanors or infractions, as prescribed by Chapters 5, 5c and 5d of Title 3, Part 2 of the California Penal Code, including Section 853.6, or as the same hereafter may be amended. It is the intent of the Board of Directors of the Ukiah Valley Fire District that the immunities provided in Penal Code Section 836.5 be applicable to aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Ordinance.

Part 10. The Board of Directors of the Ukiah Valley Fire District finds adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) under California Code of Regulation, Title 14, Chapter 3, Article 5, § 15061(b)(3).

The foregoing Ordinance 2020-1 was read and introduced at a regular meeting of the Board of Directors of the Ukiah Valley Fire District held on October 9, 2013. A second reading occurred at a regular meeting of the Board held on November 13, 2013. A public hearing was held at a regular meeting of the Board on December 11, 2013, and finally adopted and ordered passed to print by the following vote, to wit:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
BOARD MEMBER BAZZANI			
BOARD MEMBER BUSHBY			
BOARD MEMBER CHERRY			
BOARD MEMBER GRAHAM			
BOARD MEMBER HASS			

, President

ATTEST: _____, Secretary

MEETING DATE/TIME:2/11/2020



AGENDA SUMMARY REPORT

SUBJECT:Consider Request from Intents Emergency Response to Stage Base Camp Equipment at the North Station.

DEPARTMENT: Fire **PREPARED BY:** Doug Hutchison, Fire Chief

ATTACHMENTS:

None

Summary:The Board will consider a request from Intents Emergency Response to stage base camp equipment at the North Fire Station from June to November (6 months).

Background:The Fire Chief was approached by Intents Emergency Response about the possibility of staging base camp equipment at the North Fire Station, for a nominal fee, from June to November.

Discussion:The vendor is requesting to park approximately (3) pickup trucks, (4) trailers, and (2) generators on the District's property at 141 Lovers Lane.

Recommended Action:Approve Intents Emergency response to stage base camp equipment at the North Fire Station for a nominal fee from June to November.

BUDGET AMENDMENT REQUIRED: No

CURRENT BUDGET AMOUNT:

PROPOSED BUDGET AMOUNT:

FINANCING SOURCE:

PREVIOUS CONTRACT/PURCHASE ORDER NO.:

COORDINATED WITH:



AGENDA SUMMARY REPORT

SUBJECT: Review of the Measure B Annual Report.

DEPARTMENT: Fire **PREPARED BY:** Daphine Harris, Management Analyst, Stephanie Abba,
Administrative Secretary

PRESENTER: _____

ATTACHMENTS:

1. Measure B Report 6.30.19

Summary: The Ukiah Valley Fire District approved Resolution 2003-7, proposing the imposition of a special tax and ordering a Special Tax Election to be consolidated with the general election of November 4, 2003 for the purpose of submitting to the voters of the District the question of whether or not such a tax should be levied.

Background: On November 4, 2003 a special tax election was held and passed. The tax went into effect on July 1, 2004 as authorized by Health and Safety Code Section 13911 and Government Code Section 500075 and is to be used for the specific purpose of replacing fire suppression vehicles, emergency equipment, and personnel safety equipment and training. A special account was created into which the proceeds are deposited.

The Fire Chief is responsible for filing an annual report with the Board of Directors the first Board Meeting of each year indicating both of the following:

- a. The amount of funds collected and expended.
- b. The status of any project authorized to be funded

Discussion: Staff will provide the Ukiah Valley Fire District with a Measure "B" Annual Report for FY 2018/19.

Recommended Action: Review and Discuss Measure B Annual Report.

BUDGET AMENDMENT REQUIRED: No

CURRENT BUDGET AMOUNT:

PROPOSED BUDGET AMOUNT:

FINANCING SOURCE:

PREVIOUS CONTRACT/PURCHASE ORDER NO.:

COORDINATED WITH:

Approved: _____

Sage Sangiacomo, City Manager

Ukiah Valley Fire District
Comparative Statement of Revenues, Expenditures, and Changes in Fund Balances
Governmental Funds
For the Year Ended June 30, 2019

	UVFD MEASURE B
	2019
REVENUES	
Measure B	\$ 116,702
Investment earnings	(139)
Charges for service	15,470
Intergovernmental	65,104
Total revenues	<u>197,137</u>
EXPENDITURES	
Current:	
Fire services	2,568
Administration and overhead	3,887
Debt service:	
Capital leases	51,479
Capital outlay:	
Machinery and equipment	<u>204,700</u>
Total expenditures	<u>262,634</u>
Excess (deficiency) of revenues over expenditures	<u>(65,497)</u>
Net change in fund balances	(65,497)
Fund balances - beginning	414,496
	Fund balances - ending <u>\$</u>
	<u>348,999</u>



AGENDA SUMMARY REPORT

SUBJECT: Adoption of Resolution 2020-01; To continue the use of Fire Mitigation Fees for the Ukiah Valley Fire District

Summary: Resolution of the Board of Directors of the Ukiah Valley Fire District requesting the Board of Supervisors for the County of Mendocino to continue the implementation of Fire Protection Mitigation Fees for the Ukiah Valley Fire District.

Background: Original UVFD Resolution 2008-5 and County Resolution 08-129. The collection of fees assures that the Fire District can plan for and replace capital facilities and equipment in order to ensure an appropriate level of protection services that are required as new development projects arise within their jurisdiction.

Discussion: Review and Adoption of Resolution 2020-01; To continue the use of Fire Mitigation Fees for the Ukiah Valley Fire District.

FISCAL IMPACT:				
Budgeted Amount in 18-19 FY	New Appropriation Source of Funds (Title & No.)	Account Number	Budget Amendment Required	Previous Contract or Purchase Order No.
N/A	N/A	N/A	Yes ☐ No ☒	N/A

RECOMMENDED ACTION(S): Adoption of Resolution 2020-01; the continued use of Fire Mitigation Fees for the Ukiah Valley Fire District.

ALTERNATIVES: None

Citizens advised: N/A

Requested by: Doug Hutchison, Fire Chief

Prepared by/Contact: Stephanie Abba, Clerk of the Board

Coordinated with:

Presenter: Doug Hutchison, Fire Chief

Attachment:

BOARD ACTION DATE: _____: ☐ Approved ☐ Continued to _____ ☐ Other _____

RECORDS APPROVED: ☐ Agreement: _____ ☐ Resolution: _____ ☐ Ordinance: _____

Note: Please write Agreement No. in upper right corner of agreement when drafted.

Approved: _____
Doug Hutchison, Fire Chief

RESOLUTION 2020-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE UKIAH VALLEY FIRE DISTRICT REQUESTING THE BOARD OF SUPERVISORS FOR THE COUNTY OF MENDOCINO TO CONTINUE THE IMPLEMENTATION OF FIRE PROTECTION MITIGATION FEES FOR THE UKIAH VALLEY FIRE DISTRICT

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

WHEREAS, 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; and

WHEREAS, the Mendocino County Board of Supervisors, adopted and implemented, by Resolution No. 08-129, fire protection fees for the Ukiah Valley Fire District 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 Ukiah Valley Fire District pursuant to Mendocino County Code Chapter 5.36; and

IT IS HEREBY FOUND THAT:

- (1) The Ukiah Valley Fire District does not have existing fire protection facilities and equipment that could be used to provide an adequate level of services to new development projects within the Fire District's boundaries; and
- (2) The Ukiah Valley Fire 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
- (3) The lack of additional fire protection facilities and equipment to serve new development projects would create a situation that is dangerous to the public health and safety if fire protection mitigation fees are not levied within the Fire District.

IT IS HEREBY RESOLVED THAT:

- (1) The Ukiah Valley Fire District requests that the County of Mendocino continue to impose a specified fire protection mitigation fee of 39 cents per square foot of a proposed structure on the Fire District's behalf on applicants for development projects; and
- (2) The Ukiah Valley Fire District shall exempt the specified fire protection fee *for*:
 - (a) the first one thousand, five hundred (1,500) square feet of additions to existing single family dwellings, and
 - (b) the first five hundred (500) square feet of additions to other existing buildings, and
 - (c) the first five hundred (500) square feet of new accessory buildings, per assessor's parcel, and
 - (d) all existing non-conforming structures built prior to September 22, 2008; and

- (3) Fire protection mitigation fees imposed under the County of Mendocino's Fire Protection Mitigation Fee Ordinance (Ordinance) shall only be used to expand the availability of capital facilities and equipment to provide fire services to new development projects; and
- (4) The Ukiah Valley Fire District shall place all funds collected under this Ordinance and all interest subsequently accruing on these funds in a separate budget accounting category, known as "UVFD Fire Protection Mitigation Fee", only for those purposes of providing capital improvements and equipment to serve new development projects; and
- (5) The Ukiah Valley Fire District shall spend funds from the "UVFD Fire Protection Mitigation Fee" budget accounting category only for those purposes of providing capital improvements and equipment to serve new development projects; and
- (6) The Ukiah Valley Fire District shall submit a Fire Protection Mitigation Fee 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 fire protection mitigation fee revenue received, the amount and type of expenditures made and the ending balance in the fund. In addition, the report shall specify the actions the Fire District 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 noticed public hearing. The Fire District shall make available, upon request by the Clerk of the Board, a copy of the annual audited report; and
- (7) The Ukiah Valley Fire District shall make its records that justify the basis for the fire protection mitigation fee amount available to the public upon request; and
- (8) The Ukiah Valley Fire District shall agree to indemnify and defend the County of Mendocino and its officers, agents, and employees from any claim, action, or proceeding that arises from or is in any way related to the fire protection mitigation fees; and
- (9) For the fifth fiscal year following the first deposit into the "UVFD Fire Protection Mitigation Fee" account and every five (5) years thereafter, the Fire District shall make all of the following findings with respect to any cash portion of the fire protection mitigation fees remaining unexpended or 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 (9)(a) through (d) above are not made, the Ukiah Valley Fire 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:

- (10) The governing board of the Ukiah Valley Fire District adopted a Capital Fire Facilities and Equipment Plan in compliance with Government Code Section 66002 at a noticed public hearing on June 11, 2008; and
- (11) The Ukiah Valley Fire District will add a 9% charge to the specified fire protection mitigation fee that reflects the Fire District's reasonable costs of administering 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
- (12) The "UVFD Fire Protection Mitigation Fee" 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
- (13) Subject to the Board's approval, on July 1st of each fiscal year, beginning in July 2010, the Fire Chief, or his/her designee shall make annual adjustments to the dollar amounts of the Fire Protection Mitigation Fee by a percentage equal to the percentage change in the *"Engineering News Record's Construction Cost Index- 20 Cities Annual Average"* for the preceding 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 Fire Protection Mitigation Fee for adoption by resolution of the Board of Directors after at least one public hearing.

PASSED AND ADOPTED, by the Board of Directors of the Ukiah Valley Fire District, County of Mendocino, State of California, on the 11th Day of February, 2020 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

David B. Haas, President

ATTEST:

Stephanie Abba, Clerk of the Board



ITEM NO.: 2020-289

MEETING DATE: February 11, 2020

AGENDA SUMMARY REPORT

SUBJECT: Resolution 2020-02 Amending the Signature List for Authorizing Access to the Savings Bank of Mendocino County for Purposes of all Account Information and Inquiries.

Summary: Adoption of Resolution 2020-02; The Board of Directors of the Ukiah Valley Fire District requesting the Amendment of the Signature List for the Clerk of the Board, Stephanie Abba, who shall be authorized to access the Savings Bank of Mendocino for purposes of all account information and inquiries.

Background: Pursuant to Resolution 96-2, dated April 10, 1996; the Board of Directors of Ukiah Valley Fire District authorized a checking account with the Savings Bank of Mendocino County. The Clerk of the Board, Stephanie Abba, shall be authorized to access the Savings Bank of Mendocino for purposes of all account information and inquiries.

Discussion: Adoption of Resolution 2020-02; The Board of Directors of the Ukiah Valley Fire District requesting the Amendment of the Signature List for Authorizing access to the Savings Bank of Mendocino County for purposes of all account information and inquiries for the Clerk of the Board, Stephanie Abba.

FISCAL IMPACT:				
Budgeted Amount in 17-18 FY	New Appropriation Source of Funds (Title & No.)	Account Number	Budget Amendment Required	Previous Contract or Purchase Order No.
N/A	N/A	N/A	Yes ☐ No ☒	N/A

RECOMMENDED ACTION(S): Adoption of Resolution 2020-02; The Board of Directors of the Ukiah Valley Fire District requesting the Amendment of the Signature List for Authorizing Access to the Savings Bank of Mendocino County for Purposes of all Account Information and Inquiries for Clerk of the Board, Stephanie Abba.

ALTERNATIVES:

Citizens advised: N/A
Requested by: Stephanie Abba, Clerk of the Board
Prepared by/Contact: Stephanie Abba, Clerk of the Board
Coordinated with: Doug Hutchison, Fire Chief
Presenters: Doug Hutchison, Fire Chief
Attachment:

BOARD ACTION DATE: _____: ☐ Approved ☐ Continued to _____ ☐ Other _____

RECORDS APPROVED: ☐ Agreement: _____ ☐ Resolution: _____ ☐ Ordinance: _____

Note: Please write Agreement No. in upper right corner of agreement when drafted.

Approved: _____
Fire Chief

RESOLUTION 2020-02

RESOLUTION AMENDING THE SIGNATURE LIST FOR AUTHORIZING ACCESS TO THE SAVINGS BANK OF MENDOCINO COUNTY FOR PURPOSES OF ALL ACCOUNT INFORMATION AND INQUIRIES.

WHEREAS, pursuant to Resolution 96-2, the Board of Directors of Ukiah Valley Fire District authorized a checking account with the Savings Bank of Mendocino County; and

WHEREAS, the Clerk of the Board, Stephanie Abba, shall have access to the Savings Bank of Mendocino County for purposes of all account information and inquiries; and

NOW THEREFORE BE IT RESOLVED, that the signature list for authorizing the access to all account information and inquiries with the Savings Bank of Mendocino county be amended to add:

Stephanie Abba

PASSED AND ADOPTED, by the Board of Directors of the Ukiah Valley Fire District, County of Mendocino, State of California, on the 11th Day of February 2020 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

David B. Haas, President

Stephanie Abba, Clerk of the Board