

TO: Board of Supervisors

FROM: County Counsel Executive Office

MEETING DATE: September 14, 2021

DEPARTMENT CONTACT: Matthew Kiedrowski

PHONE: 234-6885

DEPARTMENT CONTACT:

PHONE:

ITEM TYPE: Noticed Public Hearing

TIME ALLOCATED FOR ITEM: 30 min,

AGENDA TITLE:

Noticed Public Hearing – Discussion and Possible Action Including Adoption of a Resolution Approving the Capital Fire Facilities and Equipment Plan and Adopting and Implementing Fire Protection Mitigation Fees for the Anderson Valley Community Services District Pursuant to Mendocino County Code Chapter 5.36

RECOMMENDED ACTION/MOTION:

Adopt Resolution approving the Capital Fire Facilities and Equipment Plan and adopting and implementing Fire Protection Mitigation Fees for the Anderson Valley Community Services District Pursuant to Mendocino County Code Chapter 5.36, and authorize Chair to sign same.

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:

Adoption of Ordinance No. 4175 adding Chapter 5.36 – Fire Protection Mitigation Fee to the Mendocino County Code.

SUMMARY OF REQUEST:

The Anderson Valley Community Services District (“District”) has taken the necessary steps to adopt a fire protection mitigation fee pursuant to the Mitigation Fee Act (Government Code section 66000 *et seq.*) and Mendocino County Code Chapter 5.36. On March 23, 2021, the District adopted a resolution approving a Nexus Study for a Fire Impact and Emergency Response Fee (“Nexus Study”) and adopting a Capital Fire Facilities and Equipment Plan (“Plan”) and requesting the Board of Supervisors to implement fire protection mitigation fees for the District, and then forwarded that resolution to the County. In response, County staff have noticed this meeting pursuant to the Mitigation Fee Act and Mendocino County Code Chapter 5.36.

Attached as part of this agenda item is a resolution prepared for the Board’s consideration, which includes the District’s resolution, Nexus Study and Plan as an exhibit. District staff will be available for any questions of the Board.

ALTERNATIVE ACTION/MOTION:

Not adopt resolution, provide direction to staff.

HOW DOES THIS ITEM SUPPORT THE GENERAL PLAN? N/A

SUPERVISORIAL DISTRICT: DISTRICT 5

VOTE REQUIREMENT: Majority

SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

FISCAL DETAILS:

SOURCE OF FUNDING: N/A

CURRENT F/Y COST: N/A

BUDGETED IN CURRENT F/Y: N/A

IF NO, PLEASE DESCRIBE:

ANNUAL RECURRING COST: N/A

REVENUE AGREEMENT: N/A

BUDGET CLARIFICATION:

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes

CEO LIAISON:

CEO REVIEW:

CEO COMMENTS:

FOR COB USE ONLY

Executed By:

Date:

Note to Department

Number of Original Agreements Returned to Dept:

Original Agreement Delivered to Auditor?

Final Status:

Executed Item Type: Number:

RESOLUTION NO.

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE CAPITAL FIRE FACILITIES AND EQUIPMENT PLAN AND ADOPTING AND IMPLEMENTING FIRE PROTECTION MITIGATION FEES FOR THE ANDERSON VALLEY COMMUNITY SERVICES DISTRICT PURSUANT TO MENDOCINO COUNTY CODE CHAPTER 5.36

WHEREAS, on October 17, 2006, the Board of Supervisors adopted Ordinance No. 4175, relating to fire protection mitigation fees, which was later codified as Mendocino County Code Chapter 5.36; and

WHEREAS, pursuant to Mendocino County Code Chapter 5.36, local fire protection districts may seek approval by the Board of Supervisors for the assessment and implementation of fire protection mitigation fees associated with new development within the boundaries of said districts; and

WHEREAS, the Anderson Valley Community Services District has adopted a resolution and a capital fire facilities and equipment plan pursuant to section 5.36.040 of the Mendocino County Code, and presented the same to the Clerk of the Board of Supervisors; and

WHEREAS, upon the implementation of said fire mitigation fee, the Anderson Valley Community Services District will comply with the provisions of Mendocino County Code Chapter 5.36.

NOW, THEREFORE, BE IT RESOLVED, that the Mendocino County Board of Supervisors hereby approves the resolution and capital fire facilities and equipment plan for the area within the district boundaries of the Anderson Valley Community Services District, in the form attached to this Resolution as Exhibit A, finding that the documents meet the requirements of Chapter 5.36 of the Mendocino County Code and Government Code section 66000 *et seq.*

BE IT FURTHER RESOLVED that the Mendocino County Board of Supervisors hereby approves a fire mitigation fee for, and to be collected by, the Anderson Valley Community Services District, with fees as specified in Anderson Valley Community Services District Resolution No. 2021-2 on applicants for development projects within the district boundaries of the Anderson Valley Community Services District, to be effective in 60 days (pursuant to Government Code section 66017) from the date of adoption of this resolution.

BE IT FURTHER RESOLVED that the Anderson Valley Community Services District is hereby directed to notify the County building official of the effective date of its mitigation fee.

BE IT FURTHER RESOLVED that by March 31 of each year following the year of the original adoption of a resolution and approval by the Board of Supervisors of fire mitigation fees under Mendocino County Code Chapter 5.36, the Anderson Valley Community Services District shall submit a copy of a new resolution adopted by the District's governing body making the findings required by section 5.36.040(A) of said Chapter and identifying the fire mitigation fees requested by the fire district. If the resolution proposes to increase the fire mitigation fees, the resolution shall only become effective if approved by the Board of Supervisors in the manner set forth in section 5.36.40(D) of said Chapter 5.36. A revision of fire mitigation fees shall become effective the following July 1.

The foregoing Resolution introduced by Supervisor _____, seconded by Supervisor _____, and carried this _____ day of _____, 2021, by the following vote:

AYES:
NOES:
ABSENT:

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board

DAN GJERDE, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy

BOS Resolution Exhibit A

**RESOLUTION NO. 2021-02
OF THE BOARD OF DIRECTORS
OF THE ANDERSON VALLEY COMMUNITY SERVICES DISTRICT
March 23, 2021**

**RESOLUTION APPROVING THE ANDERSON VALLEY FIRE
DEPARTMENT FIRE IMPACT AND EMERGENCY RESPONSE FEE
NEXUS STUDY AND REQUESTING THE MENDOCINO COUNTY OF
BOARD OF SUPERVISORS ADOPT AND IMPLEMENT THE
PROPOSED FIRE IMPACT AND EMERGENCY RESPONSE FEE
PROGRAM ON BEHALF OF THE DEPARTMENT**

WHEREAS, the Board of Directors of the Anderson Valley Community Services District ("District"), recognizes that continuing development within the District places added responsibilities and cost to the Anderson Valley Fire Department ("Department"); 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 and Emergency Response Fee program ("Fees or Fee Program") for the Department to fund fire protection facilities, apparatus and equipment necessary to mitigate the impacts caused by new development with the Department's Sphere of Influence; 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 Department's Sphere of Influence pursuant to County Code Chapter 5.36; and

WHEREAS, the District Board has received and considered the District's Fire Impact and Emergency Response Fee Nexus Study prepared by SCI Consulting Group dated July 2020 Final Report ("Nexus Study") that provides the required information to establish a new Fire Impact and Emergency Response Fee program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

- 1) The District Board hereby receives and approves the Nexus Study.
- 2) Prior to the adoption of this Resolution, the District conducted a public hearing at which oral and written presentations were made, as part of the District's August 5, 2020, special Board meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, has been published twice in the local

newspaper. Additionally, at least 10 days prior to the meeting the District made available to the public, data indicating the amount of the cost, or estimated cost, required to provide the service for which the fee or service charge is to be adjusted pursuant to the Resolution by way of such public meeting, the District received the Nexus Study attached as Exhibit A, which formed the basis for the action taken pursuant to this Resolution.

- 3) After considering the Nexus Study, this Resolution, and after considering the testimony received at this public hearing, the District, hereby makes the following findings:
- a) The Department does not have existing fire protection facilities and equipment that could provide an adequate level of services to new development within the Department's Sphere of Influence; 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 the 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 Department's service area; and
 - e) The Fee proposed in the Nexus Study and approved pursuant to this Resolution will be used to expand the Department's facilities and equipment, and 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 Department's facilities and equipment, and replace and expand the Department'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 Department'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 Department'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.
- 4) 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.)
- 5) The District does hereby approve the following Fire Impact and Emergency Response Fees on new development which shall be collected upon issuance of a building permit:

<u>Land Use</u>	<u>Fees</u>
<u>Residential Development</u>	
Single Family Housing	<u>Per Living Area Sq. Ft.</u> \$2.13
Multi-Family Housing	\$2.54
Accessory Dwelling Unit	See Note
<u>Nonresidential Development</u>	
Retail / Commercial	<u>Per Building Sq. Ft.</u> \$2.14
Office	\$2.87
Industrial	\$2.25
Agriculture	\$1.31
Warehouse / Distribution	\$1.41

Note: Pursuant to Govt. Code § 65852.2(f)(3)(A), the Fire Impact and Emergency Response Fee for an accessory dwelling unit 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.

- 6) 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
- 7) 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 "Anderson Valley Fire Department Fire Impact and Emergency Response Fee", only for those purposes of providing capital improvements and equipment to serve new development projects; and
- 8) The District shall spend funds from the "Anderson Valley Fire Department Fire Impact and Emergency Response Fee" budget accounting category only for those purposes of providing capital improvements and equipment to service new development projects; and
- 9) 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
- 10) The District shall make its records that justify the basis for the Fee amounts available to the public upon request; and
- 11) 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
- 12) For the fifth fiscal year following the first deposit into the "Anderson Valley Fire Department Fire Impact and Emergency Response 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 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 (12) (a) through (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 B, 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 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
- 3) The "District 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
- 4) Subject to the County Board's approval, on July 1st of each fiscal year, beginning in July 2021, 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 annual 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 mitigation 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 Sphere of Influence; 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 Anderson Valley Community Services District, at a special meeting held on the 23rd of March, Two-thousand and Twenty-one, by the following vote of said District Board:

AYES: HANELT, CHRISTEN, SODERMAN, MCKENNA
NOES: 0
ABSTAIN: 0
ABSENT: MAILLIARD

ATTEST:



Valerie Hanelt, Chair
Board of Directors 3/23/2021



Patty Liddy, Secretary
Board of Directors 3/23/2021





ANDERSON VALLEY FIRE DEPARTMENT

FIRE AND EMERGENCY RESPONSE IMPACT FEE NEXUS STUDY

JULY 2020
FINAL REPORT

PREPARED FOR:

BOARD OF DIRECTORS

ANDERSON VALLEY COMMUNITY SERVICES DISTRICT

PREPARED BY:



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ANDERSON VALLEY COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS

Valerie Hanelt, Chair
Larry Mailliard, Director
Kathleen McKenna, Director
Paul Soderman, Director
Francois Christen, Director

GENERAL MANAGER

Joy Andrews

FIRE CHIEF

Andres Avila

BATTALION CHIEF

Angela DeWitt

IMPACT FEE CONSULTANT

Blair Aas, Director of Planning Services
SCI Consulting Group

ACKNOWLEDGMENTS

This Fire Impact and Emergency Response Fee Nexus Study was prepared by SCI Consulting Group (“SCI”) under contract with the Anderson Valley Fire Department (“Department”). The work was accomplished under the general direction of Andres Avila, Fire Chief of the Department.

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

Angela DeWitt, Anderson Valley Fire Department
Mendocino County Auditor’s Office
Mendocino County Assessor’s Office

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EXECUTIVE SUMMARY

INTRODUCTION

This Fire Impact and Emergency Response Fee Nexus Study (“Nexus Study”) was prepared pursuant to the Mitigation Fee Act (“Act”) as found in Government Code § 66000 et seq. The purpose of this Nexus Study is to establish the legal and policy basis for the collection of a new fire impact and emergency response fee (“fire impact fee” or “fee”) on new development within the Anderson Valley Community Services District (“District”) Fire Department’s (“Department”) service area.

The Department provides first-responder fire protection and emergency response services to the unincorporated Anderson Valley communities of Boonville, Philo, Navarro, and Yorkville in Mendocino County (“County”). Specifically, the Department’s services include fire prevention and suppression, wildland fire protection, emergency medical services, rescue and extraction, hazardous material response, and fire prevention services.

The purpose of the proposed fee is to fund the one-time cost of expanding the Department’s facilities, apparatus, and equipment in order to maintain its existing level of service. 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 Department’s service area) and the structural area (residential area and nonresidential building area) in which the persons live or work.

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.
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 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 (“**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 general plan.

To determine the Department's fire impact fee consistent with these **substantive requirements**, this Nexus Study utilizes a system-wide existing facility standard methodology. Under this widely-used method, the Department'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 Department's fire system as growth occurs.

Existing development is determined based on the assumption that 50 percent of the need and demand for fire service (and associated facilities, apparatus, and equipment) is related to the persons (residents or employees), and the other 50 percent of the need is related to the structural area (i.e., living area or nonresidential building area) in which they live or work. The value of the Department's existing fire system is determined using the replacement value of the Department's existing inventory of fire protection facilities, apparatus, and equipment. These costs are then applied to seven land use categories in proportion to the need they create for fire protection and emergency response services to establish a cost/fee per square foot.

The Nexus Study also identifies the fair share cost of planned fire and emergency response services facilities needed to serve existing development at the same facilities standard applied to new development. The identification and use of a facilities standard ensure that new development will only fund the share of planned facilities needed to accommodate growth. Thus, consistent with the Act, this Nexus Study demonstrates that there is a reasonable relationship between new development, the amount of the fee, and facilities, apparatus, and equipment funded by the fee.

The Nexus Study also details the **procedural requirements** for approval of the Nexus Study and proposed fire impact fee program (“fee program”) by the District Board of Directors and adoption by the County Board of Supervisors on behalf of the Department. 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. A fire impact fee is necessary to ensure that the Department 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 does not impose fire impact fees on behalf of the Department.
3. The District may approve, and the County may adopt on their behalf, the following fee at or below the levels determined by this Nexus Study.

FIGURE 1 – MAXIMUM FIRE IMPACT FEE SCHEDULE

Land Use Category	Maximum Fire Impact Fee
	Per Living Sq. Ft.
Residential Development	
Single-Family Housing	\$3.20
Multi-Family Housing	\$3.81
Accessory Dwelling Unit	See Note 2
	Per Building Sq. Ft.
Nonresidential Development	
Retail / Commercial	\$3.21
Office	\$4.30
Industrial	\$3.37
Agriculture	\$1.96
Warehouse / Distribution	\$2.12

Notes:

¹ The maximum fire impact fee is rounded to the nearest whole cent.

² Pursuant to Govt. Code § 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit 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.

4. 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 Department's existing inventory, and up to 4.6 percent the replacement cost of apparatus, vehicle and equipment purchases.
5. 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.

SUMMARY OF GENERAL RECOMMENDATIONS

1. To keep the District's fire impact fee in line with similar fees of other Mendocino County Fire Protection Districts, the District Board of Directors approves the following fire impact fees which are two-thirds the maximum allowable fees.

FIGURE 2 – PROPOSED FIRE IMPACT FEE SCHEDULE

Land Use Category	Proposed Fire Impact Fee
	Per Living Sq. Ft.
Residential Development	
Single-Family Housing	\$2.13
Multi-Family Housing	\$2.54
Accessory Dwelling Unit	See Note 2
	Per Building Sq. Ft.
Nonresidential Development	
Retail / Commercial	\$2.14
Office	\$2.87
Industrial	\$2.25
Agriculture	\$1.31
Warehouse / Distribution	\$1.41

Notes:

¹ The proposed fire impact fee is rounded to the nearest whole cent.

² Pursuant to Govt. Code § 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit 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.

2. Since only cities and counties have land-use authority to impose development impact fees as a condition of project approval, the District's proposed fee must be adopted by the County on behalf of the Department.
3. The District's approved fee should be adopted and implemented in accordance with the applicable provisions of the Act.
4. The District should comply with the annual reporting requirements under Government Code § 66006(b).

5. Following the fifth fiscal year after the first deposit of fee revenue and every five years thereafter, the District should comply with the reporting requirements under Government Code § 66001(d).
6. The cost estimates presented in this Nexus Study are in January 2020 dollars. The fire impact fee should be adjusted automatically without further action by the District Board 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 (20-City Average).

DETERMINATION OF EXISTING DEVELOPMENT

The Department serves both residences and businesses throughout their service area. As such, the demand for the Department'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 Department's service area. This data will be used to establish an existing facilities demand factor for the various residential, and nonresidential land uses within the Department, which in turn will be used to determine existing development's total facilities demand.

EXISTING SERVICE POPULATION AND STRUCTURAL AREA

The Department provides first-responder fire protection and emergency response services to the unincorporated Anderson Valley communities of Boonville, Philo, Navarro, and Yorkville in Mendocino County ("County"). Specifically, the Department's services include fire prevention and suppression, wildland fire protection, emergency medical services, rescue and extraction, hazardous material response, and fire prevention services. See Appendix A for a map of the Department's service area which includes the legal boundaries of the District and surrounding areas in the Department sphere of influence ("SOI") approved by the LAFCo in 2016.

The Department currently serves an estimated resident population of 2,295. The Department's resident population estimate is based on figures from Mendocino County Assessor and the 2010 U.S. Census and assumes a 16.0 percent vacancy rate provided by the California Department of Finance. The Department also protects approximately 1,087 occupied and vacant housing units and approximately 260,000 square feet of nonresidential building area. Estimated total housing units are from the Mendocino County Assessor Nonresidential is estimated assuming a jobs-to-housing ratio of 0.5 and 565 square feet of building area per employee.

FIRE FACILITIES DEMAND FACTOR

To determine the relative demand for fire facilities for various land uses, this Nexus Study relies on equivalent dwelling unit (“EDU”) factors to compare fire facilities demand across multiple residential and nonresidential land uses. For purposes of this Nexus Study, it is assumed that 50 percent of the demand for fire protection and emergency response services is related to the persons (residents or employees). The other 50 percent of the need is to protect the structural area (living area or nonresidential building area) in which the persons live or work. The equivalent dwelling unit (“EDU”) is also used to convert the nonresidential building area to a residential dwelling unit value. This approach allows for the cost of facilities, apparatus, vehicles, and equipment to be equitably apportioned among residential and nonresidential land uses.

Figure 3 on the following page shows the calculation of the fire facilities demand factor for seven land use categories. The residential land use categories are expressed per dwelling unit, and the nonresidential land use categories are expressed per square foot of building area. By this measure, for example, one single-family home creates the demand for the Department’s facilities, apparatus, and equipment equal to 590 square feet of retail/commercial building area.

FIGURE 3 – FIRE FACILITIES DEMAND FACTOR

Land Use Category	Unit	Persons per Unit ¹	Persons EDU	Persons Demand Factor	Structural Area per Unit	Structural Area EDU	Structural Area Demand Factor	Fire Facilities
								EDU Demand Factor
Calc	a	b = a / 2.54	c = b * 50%	d	e = d / 1,700	f = e * 50%	g = c + f	
Single-Family Housing	DU	2.54	1.00	0.50	1,700	1.00	0.50	1.00
Multi-Family Housing	DU	1.85	0.73	0.36	900	0.53	0.26	0.63
Residential	DU	2.43	0.96	0.48	1,669	0.98	0.49	0.97
Retail / Commercial	KBSF	1.49	0.59	0.29	1,000	0.59	0.29	0.59
Office	KBSF	2.50	0.98	0.49	1,000	0.59	0.29	0.79
Industrial	KBSF	1.67	0.66	0.33	1,000	0.59	0.29	0.62
Agriculture	KBSF	0.33	0.13	0.06	1,000	0.59	0.29	0.36
Warehouse / Distribution	KBSF	0.50	0.20	0.10	1,000	0.59	0.29	0.39
Nonresidential	KBSF	1.77	0.70	0.35	1,000	0.59	0.29	0.64

Notes:

¹ Residents per unit is based on census data from the 2010 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.

EXISTING FIRE FACILITIES DEMAND EDUS

Figure 4 below calculates the Department's existing demand EDUs based on the total number of dwelling units and the estimated nonresidential building area within the Department. As shown, the total existing demand EDUs for the Department is 1,238. Existing demand EDUs represents the level of existing development served by the Department's existing facilities.

FIGURE 4 – EXISTING DEMAND EDUS

Land Use Categories	Unit	Units ¹	Fire Facilities EDU Demand Factor ²	Existing Demand EDUs
Calc		a	b	c = a * b
Single Family Housing	DU	1,045	1.00	1,045
Multi-Family Housing	DU	42	0.63	26
Nonresidential	KBSF	260	0.64	167
Total		1,347		1,238

Source: Mendocino County Assessor; SCI Consulting Group

Notes:

¹ Estimated housing unit count is from the Mendocino County Assessor Lien Roll as of February 2020. Nonresidential is estimated assuming a jobs-to-housing ratio of 0.5 and 565 sq. ft. of building area per employee.

DETERMINATION OF EXISTING FIRE SYSTEM FACILITIES

EXISTING FIRE SYSTEM FACILITIES

The next step in determining the Department's existing facilities standard is to calculate the replacement value of the Department's fire protection and emergency response facilities system. Figure 4 below presents a summary of replacement value (in 2020 dollars) for the Department's existing facilities (land and stations), apparatus (engines, ambulances, and other vehicles) and equipment (ancillary and station).

Fire station replacement costs are based on construction cost estimates from the Engineering News-Record Square Foot Costbook, 2016 Edition for fire station construction in the greater Sacramento area with a 12.4 percent adjustment for inflation. The estimated land value is based on market research conducted by SCI Consulting Group assessed land value for sales within 2019. The estimated replacement value of the Department's apparatus, vehicles, and equipment inventory is based on unit cost assumptions provided by the Department. 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 B.)

As shown below, the estimated value of the Department's existing facilities, apparatus, and equipment is \$6.5 million in 2020 dollars.

FIGURE 5 – REPLACEMENT VALUE OF EXISTING FIRE SYSTEM FACILITIES

Fee Components	Total Replacement Value (2020\$)
Land	\$43,750
Stations / Other Buildings	\$3,439,368
Apparatus / Vehicles	\$2,421,300
Ancillary Equipment	\$581,000
Total Existing Fire System Facilities	\$6,485,418

Source: Anderson Valley Fire Department ; SCI Consulting Group

EXISTING FIRE FACILITIES STANDARD

The Department'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 Department's facilities as growth occurs. As shown below, the standard is represented by the existing fire system facilities cost of \$5,238.63 per demand EDU.

FIGURE 6 – FIRE FACILITIES COST PER DEMAND EDU

Existing Fire System Facilities ¹	\$6,485,418
Existing Demand EDUs ²	1,238
Existing Fire Facility Cost Per EDU	\$5,238.63

Notes:

¹ See Figure 5.

² See Figure 4.

DETERMINATION OF THE FIRE IMPACT FEE

The Mitigation Fee Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the amount of the fee and the cost of facilities, apparatus, and equipment attributable to the development on which the fee is imposed. In this section, the Department's facilities standard determined and then applied to seven land uses categories in proportion to the demand they create as measured by their fire facilities EDU demand factor.

RESIDENTIAL FIRE IMPACT FEE

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.
- **"Accessory dwelling unit"** means a dwelling unit, or "granny flat," either a detached or attached dwelling unit, which provides complete, independent living facilities for one or more persons with provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary residence.

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 7, on the following page, presents the calculation of the Department's proposed residential fire impact fees. The District may approve, and the County may adopt on their behalf, the following fees at or below the levels determined by this Nexus Study. 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.

FIGURE 7 – 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	\$5,238.63	1.00	\$5,238.63	\$209.55	1,700	\$3.20
Multi-Family Housing	\$5,238.63	0.63	\$3,300.33	\$132.01	900	\$3.81
Accessory Dwelling Units	NA	NA	NA	NA	NA	See Note 6

Notes:

¹ See Figure 6.

² See Figure 3.

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 February 2020.

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 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.

Pursuant to 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit "ADU" of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit. For example, the calculation of the maximum park impact fee for the construction of a 750 square foot ADU on a single-family parcel would be charged at the single-family housing fee. ADUs less than 750 square feet of living area is exempt.

NONRESIDENTIAL FIRE IMPACT FEES

As stated earlier, the Mitigation Fee 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 as follows:

- **“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; and
- **“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.

Figure 8 on the following page presents the calculation of the nonresidential fire impact fees. The District may approve, and the County may adopt on their behalf, the following fees at or below the levels determined by this Nexus Study. As shown, the fees for the five nonresidential land uses are determined by multiplying the facility standard by their respective facilities demand factor plus an additional 4 percent for administration of the fire impact fee program.

FIGURE 8 – MAXIMUM NONRESIDENTIAL FIRE IMPACT FEES

Nonresidential 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
						- per 1,000 sq. ft. of building area -	- per sq. ft. -
Retail / Commercial	\$5,238.63	0.59	\$3,091	\$123.63	\$3,214.42	\$3.21	
Office	\$5,238.63	0.79	\$4,139	\$165.54	\$4,304.05	\$4.30	
Industrial	\$5,238.63	0.62	\$3,248	\$129.92	\$3,377.87	\$3.37	
Agriculture	\$5,238.63	0.36	\$1,886	\$75.44	\$1,961.34	\$1.96	
Warehouse / Distribution	\$5,238.63	0.39	\$2,043	\$81.72	\$2,124.79	\$2.12	

Notes:

¹ See Figure 6.

² See Figure 3.

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.

PROPOSED FIRE IMPACT FEES

To keep the District's fire impact fees in line with similar fees of other Mendocino County Fire Protection Districts, the District Board of Directors approves the following fire impact fees, which are approximately two-thirds of the maximum allowable fees.

FIGURE 9 – PROPOSED FIRE IMPACT FEES

Land Use Category	Proposed Fire Impact Fee
	Per Living Sq. Ft.
Residential Development	
Single-Family Housing	\$2.13
Multi-Family Housing	\$2.54
Accessory Dwelling Unit	See Note 2
	Per Building Sq. Ft.
Nonresidential Development	
Retail / Commercial	\$2.14
Office	\$2.87
Industrial	\$2.25
Agriculture	\$1.31
Warehouse / Distribution	\$1.41

Notes:

¹ The proposed fire impact fee is rounded to the nearest whole cent.

² Pursuant to Govt. Code § 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit 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.

PROJECTED FIRE IMPACT FEE REVENUE

Figure 11 projects fee revenue through 2040. Total fire impact fee revenue (in 2020 dollars) is then estimated by multiplying the facilities standard by demand EDU growth.

FIGURE 10 – PROJECTED FIRE IMPACT FEE REVENUE

Land Use Category	Current	Estimated	Total Cost per Demand EDU ³	Projected Fire	
	Demand EDUs (2020) ¹	Demand EDU Growth (2040) ²		Impact Fee Revenue (2020\$)	
	Calc	a	b	c	d = b * c
Residential	1,071	39	\$5,238.63	\$205,000	
Nonresidential	167	18	\$5,238.63	\$92,000	
Total	1,238	57	\$5,238.63	\$297,000	

Source: Anderson Valley Fire Department; SCI Consulting Group

Notes:

¹ See Figure 4.

² Estimated Demand EDUs based on projected residential annual growth rate of 0.18% , or approximately 2 new housing units per year and projected nonresidential annual growth rate of 0.5% .

³ See Figure 6.

USE OF FIRE IMPACT FEE REVENUE

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

Fee revenue may be used to fund up to 100% 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 Department existing inventory. Since the Department 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 Department may use fee proceeds to fund up to 4.6 percent of the replacement cost of existing apparatus, vehicle, and equipment. Fee revenue may not be used to fund 1) the renovation of existing facilities, and 2) operational, maintenance, or repair costs.

The Department will need to fund existing deficiencies with other funding sources. Other potential funding sources include, but are not limited to, a general obligation bond measure, state and federal grants, the District's general fund, and existing or new special tax and assessment proceeds, if allowable.

NEXUS FINDINGS

This section frames the Nexus Study findings in terms of the legislated requirements to demonstrate the legal justification of the fire impact fees. The justification of the fire impact fees on new development must provide information as set forth in Government Code § 66000. 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 in the Department. 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 within the Department.

USE OF FEE REVENUE

Fee revenue will be used to fund the cost of new and expanded facilities, apparatus, and equipment to serve new development. Provided below is a summary of the allowable and prohibited uses of fee revenue.

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

<u><i>Allowable Uses</i></u>	<u><i>Prohibited Uses</i></u>
<ul style="list-style-type: none"> • <i>The cost of new (added) or expanded land and facilities (100%)</i> • <i>The cost of apparatus, vehicles and equipment purchases that expand the system inventory (100%)</i> • <i>Facility costs already incurred to provide growth-related capacity (100%)</i> • <i>The portion of apparatus and vehicles replacement costs attributable to new development (4.6%)</i> • <i>The portion of a renovation project that expands service capacity</i> 	<ul style="list-style-type: none"> • <i>Existing deficiencies, such as improvements to existing facilities that do not expand service capacity</i> • <i>The portion of apparatus and vehicles replacement costs attributable to existing development (95.4%)</i> • <i>Operational, maintenance or repair costs</i>

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 Department'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 of the Department. The fee revenue will be restricted to uses described in the "Use of Fee Revenue" finding. These actions ensure development projects paying the fees will benefit from their use.

IMPACT RELATIONSHIP

New residential and nonresidential development projects in the Department 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 Department'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.

PROPORTIONALITY 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 Department'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 seven land use categories in proportion to the need they create for improved and expanded facilities.

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

The following are the general requirements for approval of the Nexus Study and proposed fire impact fee program (“fee program”) by the District Board of Directors and adoption by the County Board of Supervisors on behalf of the Department. 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.

SCI recommends that the notice and hearing requirements be satisfied by the District Board for approval and also by the County Board of Supervisors for adoption.

ANDERSON VALLEY COMMUNITY SERVICES DISTRICT

1. The District Board of Directors shall conduct at least “one open and public meeting” as part of a regularly scheduled meeting on the proposed fee program.
2. At least 14 days before the meeting, the District 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 ten days before the meeting, the District shall make available to the public the Nexus Study for review.
4. At least ten 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 a resolution approving the Nexus Study and proposed fee program with a recommendation that the County Board of Supervisors adopts the proposed fee program on behalf of the District.

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 14 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 ten days before the meeting, the County shall make available to the public the Nexus Study for review.

4. At least ten 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 establishing the proposed fee program on behalf of the District.
6. The fire impact fees take effect 60 days after the adoption of the County ordinance.

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 separate fund or account so that there will be no commingling of fees with other revenue. 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 District 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 District 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 District must comply with Government Code Section 66001(d)(1) by affirmatively demonstrating that the District still needs unexpended fire impact fees to achieve the purpose for which it was originally imposed and that the District has a plan on how to use the unexpended balance to achieve that purpose. Specifically, the District 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.

TRANSPARENCY REQUIREMENTS

Pursuant to AB 1483 enacted in 2019, the District must clearly post the information on the District's website regarding the fee program:

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

AUTOMATIC ANNUAL INFLATIONARY ADJUSTMENT

In order for the Department 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 on July 1 of each fiscal year by the percentage change in an appropriate engineering cost index as published by the Engineering News-Record, or its successor publication for the preceding twelve months.

IMPROVEMENTS IN-LIEU OF FEES

Subject to certain restrictions, if a developer dedicates land, constructs facilities or provide apparatus/equipment for the Department, 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.

FEE CREDITS

In order to comply with the Act and recent court cases, a fee credit must be given for demolished existing square footage as part of a new development project.

FEE EXEMPTIONS

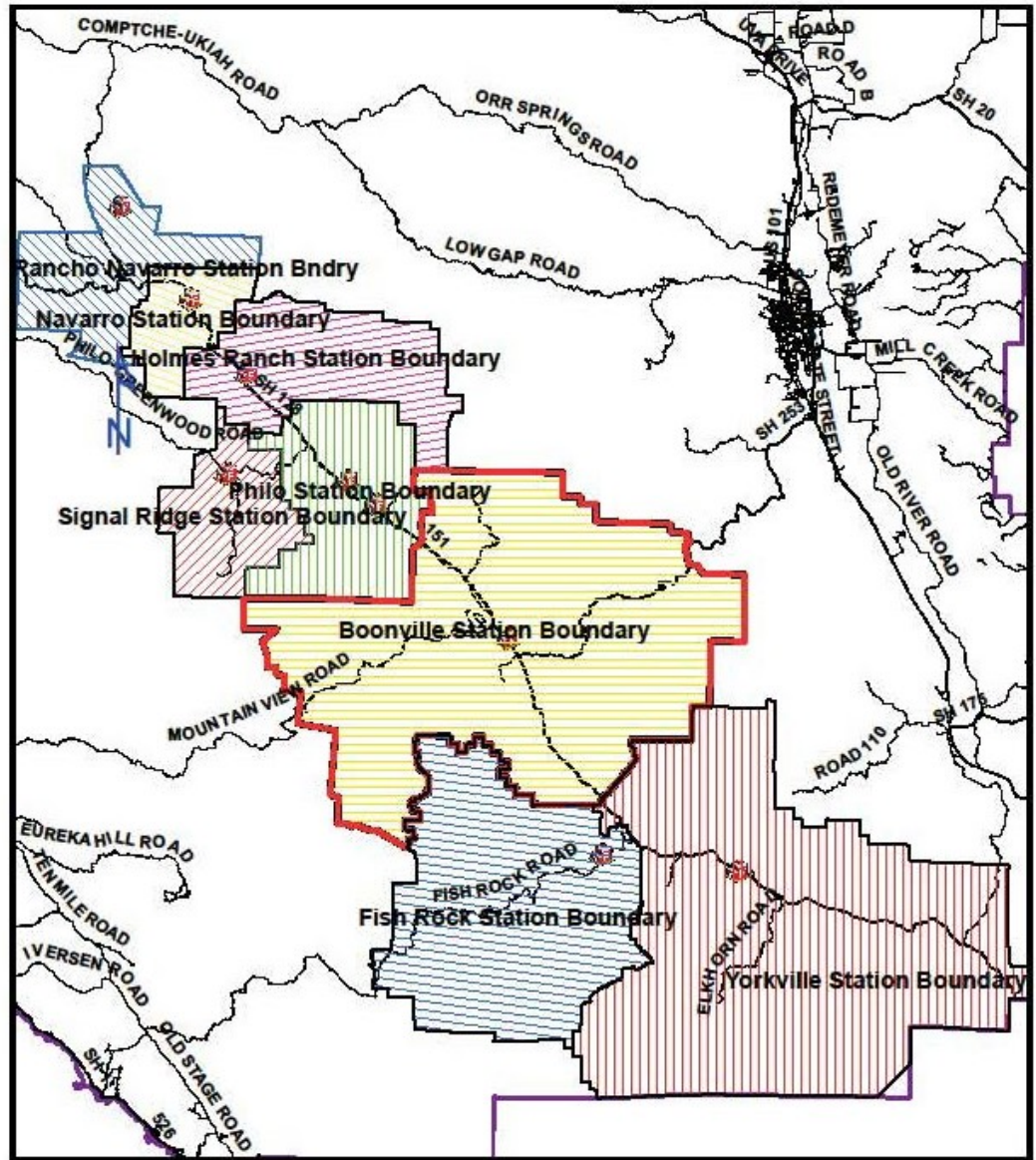
Accessory dwelling units less than 750 square feet of living area are exempt.

APPENDICES

Appendix A –Department Service Map

Appendix B – Fire System Inventory and Replacement Cost Estimates

APPENDIX A – DEPARTMENT SERVICE MAP



APPENDIX B – FIRE SYSTEM INVENTORY AND REPLACEMENT COST ESTIMATES

FIGURE 12 – EXISTING LAND AND BUILDING INVENTORY

Fire Station	Unit	Unit Cost	Replacement Cost (2020\$)
Calc	a	b	c = a * b
Fire Station 741 (14281 HWY 128, Boonville)			
Land	0.25 acres	\$35,000 per acre	\$8,750
Buildings	4988 sq. ft.	\$371.81 sq. ft.	\$1,820,368
Land	0.10 acres	\$25,000 per acre	\$2,500
Buildings	1296 sq. ft.	\$250.00 sq. ft.	\$324,000
Station 748 (7419 HWY 128, Philo)			
Land	1.30 acres	\$25,000 per acre	\$32,500
Buildings	2,680 sq. ft.	\$250.00 sq. ft.	\$670,000
Fire Station 749 (19200 Appian Way, Navarro)			
Land	0.25 acres	\$0 per acre	\$0
Buildings	2,500 sq. ft.	\$250.00 sq. ft.	\$625,000
Total Existing Facilities (Land and Buildings)			\$3,483,118

Source: Anderson Valley Fire Department; SCI Consulting Group

Notes:

¹ Stations not owned by the District are excluded.

FIGURE 13 – EXISTING APPARATUS AND EQUIPMENT INVENTORY

Make / Model	#	Type	Year Built	Apparatus / Vehicles ¹	Ancillary Equipment	Replacement Value (2020\$)
2005 FMC Interface	7489	Type II Wildland Engine	2005	\$200,000	\$52,000	\$252,000
2011 IHC Interface Engine	7484	Type III Interface Engine	2011	\$277,500	\$52,000	\$329,500
2011 Ford F550	7431	Rescue / Command Vehicle	2011	\$36,000	\$10,000	\$46,000
1995 Ford L8000	7499	Water Tender	1995	\$96,300	\$30,000	\$126,300
2014 Ford F-450	7464	Type VI Engine	2014	\$150,000	\$30,000	\$180,000
2010 Kenworth Pumper	7481	Type II Engine	2010	\$200,000	\$52,000	\$252,000
2001 HME Interface	7487	Type I Interface Engine	2001	\$125,000	\$52,000	\$177,000
2018 CJ Tanker	7491	Water Tender	2018	\$385,000	\$30,000	\$415,000
2006 Ford Ambulance	7420	Ambulance	2006	\$100,000	\$69,000	\$169,000
2009 Chevy Silverado Pick-Up	7441	Utility Vehicle	2009	\$24,000	\$10,000	\$34,000
Decon 74 Ford 250		Trailer	1974	\$2,500	\$0	\$2,500
1982 Cargostar Intl 1850B	7488	Type II Engine	1982	\$100,000	\$52,000	\$152,000
2019 BME Wildland Engine	7471	Type III Wildland Engine	2019	\$310,000	\$52,000	\$362,000
2019 Ford F350	7400	Type VI Engine	2019	\$65,000	\$30,000	\$95,000
2020 Ford F-550	7466	Ambulance	2020	\$200,000	\$30,000	\$230,000
2015 Ford F-550	7421	Type VI Engine	2015	\$150,000	\$30,000	\$180,000
Total Apparatus and Equipment				\$2,421,300	\$581,000	\$3,002,300

Source: Anderson Valley Fire Department; SCI Consulting Group

Notes:

¹ Value based on estimated current replacement value. Adjustments have been made to discount apparatus 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% .) Excludes apparatus and vehicles owned by other parties for the Department's use or determined by the Department to have no inventory or sales value.

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Anderson Valley Community Services District
Capital Fire Facilities and Equipment Plan

Description	Location	Size/Type	Timing of Availability	Facilities	Apparatus	Equipment	Total Estimated Cost (2021\$)
Facilities							
Training Facility (Grounds)	7419 Hwy 128, Philo	1 Acre	2024	\$150,000			\$150,000
Training Facility (Classroom)	7419 Hwy 128, Philo	2500 SqFt	2024	\$150,000			\$150,000
Fuel Dispensary	12400 Mountain View Rd., Boonville	1000 gallon	2022	\$30,000			\$30,000
Greenwood Ridge Fire Station	21600 Signal Ridge Rd. Philo	1600 SqFt	2027	\$150,000			\$150,000
Fire/ EMS Boonville Station Expansion	14281 Hwy 128, Boonville	2500 SqFt	2025	\$500,000			\$500,000
Fire/ EMS Designated Living Facilities	14281 Hwy 128, Boonville	2500 SqFt	2025	\$150,000			\$150,000
Apparatus, Vehicles and Ancillary Equipment							
Wildland Engine	2771 Guntley Rd., Philo	Type 3	2024		\$350,000		\$350,000
Wildland Engine	25400 Hwy 128, Yorkville	Type 3	2029		\$350,000		\$350,000
Wildland Engine	21600 Signal Ridge Rd., Philo	Type 3	2026		\$350,000		\$350,000
Water Tender (Tactical)	7419 Hwy 128, Philo	Type 1	2022		\$230,000		\$230,000
Water Tender (Tactical)	25400 Hwy 128, Yorkville	Type 1	2025		\$230,000		\$230,000
Brush Patrol/ Quick Attack Engine	170 Hwy 128, Navarro	Type 6	2025		\$90,000		\$90,000
Brush Patrol/ Quick Attack Engine	19200 Appian Way, Rancho Navarro	Type 6	2030		\$90,000		\$90,000
Rescue Vehicle	14281 Hwy 128, Boonville	Light Duty	2028		\$140,000		\$140,000
Rescue Equipment/Tools	14281 Hwy 128, Boonville	Hydraulic	2028			\$60,000	\$60,000
Total Capital Fire Facilities and Equipment				\$1,130,000	\$1,830,000	\$60,000	\$3,020,000

Source: Anderson Valley Fire Department (Board-Adopted 03/23/21)