



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Fire
Department No.: 031
For Agenda Of: 3/15/16
Placement: Departmental
Estimated Tme: 15 Minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
Board of Directors, Santa Barbara County Fire Protection District

FROM: Department Eric L. Peterson, Fire Chief
Director(s)
Contact Info: (805) 681-5507

SUBJECT: MOU and Operating Agreement for Fire Station 10 in the City of Goleta

County Counsel Concurrence

As to form: Yes

Other Concurrence: **General Services, Risk
Management**

As to form: Yes

Recommended Actions:

That acting as the Board of Supervisors, the Board:

- a) Approve and authorize the Chair to sign the Memorandum of Understanding with the City of Goleta for the design and construction of Fire Station 10;
- b) Authorize the transfer of County funds to the City of Goleta for the design and construction of Station 10 on a reimbursement basis, not to exceed the amount collected via the "Fire Facility" Development Impact Fee adopted by the Board in 1999 and held in Fund: 1129/Fire/AB1600/Fees-Goleta; and,
- c) Determine that this action is exempt from environmental review pursuant to Section 15378 of the State Guidelines for Implementation of California Environmental Quality Act (CEQA) because this is an administrative activity that will not result in direct or indirect physical changes in the environment.

Auditor-Controller Concurrence

As to form: Yes

Acting as the Santa Barbara County Fire Protection District Board of Directors, the Board:

- d) Approve and authorize the Chair to sign the Memorandum of Understanding with the City of Goleta for the design and construction of Fire Station 10;
- e) Approve and authorize the Chair to sign the Easement Operating Agreement with the City of Goleta, governing the ongoing use and operation of Fire Station 10; and,
- f) Determine that this action is exempt from environmental review pursuant to Section 15378 of the State Guidelines for Implementation of California Environmental Quality Act (CEQA) because this is an administrative activity that will not result in direct or indirect physical changes in the environment.

Summary Text:

The City of Goleta is proposing to design, permit and construct a new fire station, Fire Station 10, to serve the Goleta area. The City estimates the cost at approximately \$7.6 million. The City is requesting that the County contribute approximately \$1.5 million in already collected AB 1600 Goleta Fire Protection Fees towards the project. As discussed below, as a practical matter, the \$1.5 million in collected fees can only be used for Fire Station 10. The City will fund the remainder of the station. The City will convey an easement to the Fire District for exclusive use and operation of Fire Station 10 for as long as the Fire District provides fire services to the City of Goleta. Once constructed, there will be no immediate increase in staffing costs for the District because the plan is for three existing post positions at Fire Station 11 to move to Fire Station 10, with additional staff to be added incrementally. After completion of Fire Station 10, the City and the District will share in maintenance costs of the station according to specific terms and conditions in the Operating Agreement. A map showing the proposed location of the Station has been included for reference. (Attachment 4)

Background:

In 1999, the County adopted the Goleta Fire Protection Fee ordinance requiring payment of fire mitigation fees for certain new development in the Goleta planning area. The ordinance limited the use of the fees to acquiring, constructing and installing fire facilities such as fire stations.

Under the Mitigation Fee Act, when the County imposes a fee as a condition of approval on a development project, the County is required to “[i]dentify the use to which the fee is to be put.” (Gov. Code § 66001.) In compliance with this requirement, between 1999 and 2014, the County collected approximately \$1.5 million in Goleta Fire Protection Fees and designated them for “Station 10-Build new station.” Under the Mitigation Fee Act, the County may only use the fees “solely and exclusively for the purpose or purposes... for which is was collected.” (Gov. Code § 66008.)

City of Goleta staff and County staff have negotiated the terms and conditions of two separate agreements; a Memorandum of Understanding, and a Fire Station 10 Easement Operating Agreement. The Memorandum of Understanding addresses the costs and approval process for the City’s construction of Fire Station 10. The Easement Operating Agreement sets forth the District’s obligations in regard to operation of the Fire Station, and the respective maintenance and repair obligations of the City and the District for the ongoing operations of the Station.

At the conclusion of construction, the City would convey an easement (Attachment 3) to the District for the exclusive use and operation of Fire Station 10, pursuant to the Easement Operating Agreement. That Agreement would govern the District's operation and maintenance of the station, as well as the City's obligations in regard to maintenance and repair of the Station and the surrounding property. The Agreement would be in effect for as long as the District provides fire services to the City of Goleta. Upon termination of the Agreement, the County would quitclaim or otherwise transfer possession of the Station back to the City. On January 19th, 2016, the Goleta City Council approved the Memorandum of Understanding and the Easement Operating Agreement. Since that time, there have been minor revisions which will require the resigning of both documents.

Fiscal and Facilities Impacts:

See Below

Fiscal Analysis:

Based on the estimate provided by the City, acquisition, design, permitting and construction of Fire Station 10 is estimated at \$7.6 million. In accordance with the terms and conditions of the proposed Memorandum of Understanding, the City is requesting that the County contribute the funds in the Goleta Fee account, approximately \$1.5 million, towards Fire Station 10 and any interest from the fund. Those funds would be applied by the City toward planning, permitting and construction of the station. The City would be responsible for the remaining costs of construction. City staff is proposing to fund the station with City fire fees (approximately \$3.1 million) and City development agreement collections (approximately \$1.7 million) in addition to the \$1.3 million already spent by the City on land acquisition and other pre-development costs (e.g. environmental studies).

No mitigation fees will be transferred to the City in FY 2015-16 as per City projections. It is estimated that \$750,000 will be transferred in FY 2016-17 and the remainder of the Goleta development impact mitigation fee fund balance will be transferred in FY 2017-18.

Upon completion of construction, staffing, fire apparatus and equipment costs will be borne by the Fire Department/District. Ongoing facility operation and maintenance costs will be borne by the Fire Department/District and the City as identified in the Easement Operating Agreement. Since initial staffing, apparatus and equipment are expected to be transferred from Station 11 to Station 10, the initial incremental costs associated with Station 10 are primarily related to miscellaneous equipment as well as facility operations and maintenance and are estimated to be approximately \$150,000 annually.

Staffing Impacts:

Legal Positions:

N/A

FTEs:

N/A

Special Instructions:

After signing all originals, Fire Department requests that Clerk of the Board return all originals to the Fire Department for processing with the City of Goleta.

Attachments:

Attachment 1: Memorandum of Understanding Between Santa Barbara County Fire Protection District,
County of Santa Barbara and City of Goleta Regarding Fire Station 10

Attachment 2: Fire Station 10 Easement Operating Agreement between the Santa Barbara County Fire
Protection District and the City of Goleta

Attachment 3: Station 10 Easement

Attachment 4: Map of Proposed Site

Attachment 5: Notice of CEQA Exemption

Attachment 6: PowerPoint Presentation

Authored by: Eric L. Peterson, Fire Chief

cc: