



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:** Carpinteria-Summerland  
FPD (Independent  
Special District)  
**Department No.:** 890  
**For Agenda Of:** May 6, 2014  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Select\_Board(s)

**FROM:** Department Michael D. Mingee, Fire Chief, 566-2450  
Director(s) Carpinteria-Summerland Fire Protection District  
Jenna Richardson, Deputy County Counsel, 568-2964

**SUBJECT:** Mitigation Fee Act Annual Report

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

1. Receive and file the 2012-2013 annual report for the Carpinteria-Summerland Fire Protection District Development Impact Fee Mitigation fees; and,
2. Find the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

**Background:**

AB 1600, passed into law in 1989, allows for government agencies to impose Development Impact Fees (DIF). The law was codified in Government Code section 66000 et seq., also referred to as the Mitigation Fee Act. In 2003, the City of Carpinteria and the County of Santa Barbara adopted ordinances imposing Fire Protection Mitigation Fees on any new development within the Carpinteria – Summerland Fire Protection District. The mitigation fees are imposed by the City and County for the benefit of the District. *(It is important to note that these impact fees are levied by one of the two land use agencies within the Fire District; the City of Carpinteria and the County of Santa Barbara)* The City

ordinance is codified in Chapter 8.26 of the Carpinteria Municipal Code. The County ordinance is codified in Chapter 15, Article IIIA, of the County Code.

AB 1600 requires that projects to be financed with DIF be identified in a Master Facilities Plan. Periodic review and adjustment to the DIF is appropriate and warranted in order to insure that the District collects sufficient funds to construct and purchase additional facilities and equipment to serve new residential and commercial development. In 2008, the District hired Revenue and Cost Specialist LLC to prepare an updated Development Impact Fee Nexus Calculation Report. This was the first update of the original 2003 study. The cost associated with construction and apparatus was recalculated to reflect today's construction market prices. The law also requires that a portion of the Nexus report be developed which identifies the proportion of the improvement cost related to the new development and the existing community known as a proportional analysis. (*For example, proportional analysis means that a new fire station that serves an existing population could not be attributed totally to new development.*) The report also takes into account the total available land for development, what demand for service would be at total build out, and factors those numbers into the cost of each project. Because of these and other requirements, the adoption of this new report was necessary. More importantly, however, was that the Master Facilities Plan was reviewed, amended and adopted on February 17, 2009 by the District Board of Directors to reflect a new direction being taken by the Fire District. The impact fees identified in the 2008 report should serve the District for many years with periodic economic indicator adjustments.

**Discussion:**

Government Code Section 66002 requires that an annual report be prepared that reviews the District's Master Facilities Plan and the estimated costs for constructing the public facilities that are contained therein. The estimated costs for constructing these facilities are adjusted each year by the Engineering News Record Construction Cost Index which was 2.7% for this reported year. In accordance with Carpinteria Municipal Code 8.26.040 and Santa Barbara County Code 15-67 the fees are automatically adjusted as well. The specific reporting requirements are contained below.

Your Board shall review estimated costs of the public facilities described in the reports, and the continued need for these facilities. Your Board may revise the fire protection mitigation fee to include additional projects not previously identified as being needed, provided that such revisions comply with the provisions of the County Code and California Government Code section 66001. (County Code, § 15-71.4(b).)

**A brief description of the type of fee in the account or fund.**

Development Impact Fees or Mitigation Fees are intended to assist local fire agencies in delivering the increasing service demand caused by additional development. In the 2012-13 Fiscal Year, the fund revenue was underestimated by \$111,000. While this unexpected revenue was from two developments (Dahlia Ct. and Lagunitas), may indicate an upward swing of new construction within the Fire District. The expenditures during this period were dedicated to the on-going lease purchase payment of a Type III Wild Land Fire Engine Project # FD-07, Professional Services for the conceptual design of FD Project # FD-01 Northerly Fire Station Relocation and Professional Services for Expanding Southern Fire Station Project # FD-02.

**The amount of the fee.**

See Exhibit A

**It shows the beginning and ending balance of the account or fund as well as the amount of the fees collected and the interest earned.**

See Exhibit B

**Identifies each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.**

See Exhibit C

**Identifies an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.**

As outlined in the Nexus Calculation Report, the Fire District approved Master Facility Plan presents a 20-year vision. Since the plan is dependent on development fees, it is extremely difficult to forecast completion dates for the listed projects. However, the Fire District expects to complete all of the projects within the 20-year span of the plan.

See Exhibit C

**Gives a description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fee will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan.**

No inter fund loans were made from or to the Development Impact fund during this reporting period.

The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds or allocations have been made.

**Attachments:**

- Attachment A – 2013-2014 Adopted Fire Protection Development Impact Fee Schedule
- Attachment B – 2012-2013 Development Impact Fee Fund Ledger
- Attachment C – Carpinteria-Summerland Fire Protection District Master Facility Plan
- Attachment D – CEQA Notice of Exemption

**Authored by:**

Jenna Richardson, Deputy County Counsel, 568-2964

**cc:** Michael D. Mingee, Fire Chief, 566-2450