



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: September 11, 2018
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Ray Navarro, Fire Chief, 566-2454
Director(s) Carpinteria-Summerland Fire Protection District
Jerry F. Czuleger, Senior Deputy County Counsel, 568-2955
SUBJECT: Mitigation Fee Act Annual Review – Carpinteria-Summerland Fire Protection District

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:

- a. Receive and file the 2018 Annual Review of the Carpinteria-Summerland Fire Protection District's – Fire Protection Mitigation Fees; and,
- b. 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. More recently a new report was produced in 2016. This report includes an update of the cost associated with construction and apparatus as recalculated to reflect the 2016 construction market process.

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.

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 3.5% 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.

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 2017-18 Fiscal Year, the fund revenue was \$16,615.68 due to various new estate and ocean front developments; interest generated was \$4,711.67. The expenditures during this period were dedicated to Professional Services for a property appraisal and alternate locations for Station 2. Total expenditures were \$29,023.00 leaving the fund balance of \$242,304.35.

The specific reporting requirements for this year are set forth below:

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.

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 or by 2029. (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 1: Staff Report - 2018 Annual Review of the Carpinteria-Summerland Fire Protection District's – Fire Protection Mitigation Fees.

Authored by:

Jerry F. Czuleger, Senior Deputy County Counsel, 568-2955

cc: Ray Navarro, Fire Chief, 566-2454