

Sonoma Valley Fire District

Board of Directors Meeting

February 9, 2021





Sonoma Valley Fire District

Board of Directors Meeting

February 9, 2021

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**MEETING AGENDA
SONOMA VALLEY FIRE DISTRICT
BOARD OF DIRECTORS**

Tuesday, February 9, 2021 at 6:00 P.M.

Location: Glen Ellen Fire Station 1
13445 Arnold Drive, Glen Ellen, CA 95442

Due to COVID-19 precautions, board meetings will be open to the public via phone-in conference calls only. No public gatherings will be held at this site until further notice. Agendas and board packets are available at the following website: <http://svfra.org>

Join by phone: 1-669-900-9128

Meeting ID: 914 153 1767

1. Call to Order

2. Roll Call and Determination of a Quorum

Board of Directors: President William Norton, Vice President John (Matt) Atkinson, Treasurer Mark Johnson, Brian Brady, Raymond Brunton, Mark Emery, Terrence Leen.

3. Pledge of Allegiance

4. Confirmation of Agenda

Opportunity for the Board to reorder agenda items.

5. Comments from the Public

(At this time, members of the public may comment on any item not appearing on the agenda. It is recommended that you keep your comments to three minutes or less. Under State Law, matters presented under this item cannot be discussed or acted upon by the Board at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for consideration by the Board of Directors.)

6. Presentations

Service awards to past Board members.

7. Consent Calendar

a) Approval of minutes from the regular meeting, held on January 12, 2021. **Action Item**

8. Fire Chief's Monthly Report

Chief's activity report for January 2021

9. **Old Business**

- a) Station 5 Improvement Update from Peter van Fleet
- b) Fire Impact Fee Nexus Study, Updated final report - Resolution 2020/2021-15
Action Item with Roll Call vote

10. **New Business**

- a) Reinstatement of Administrative Battalion Chief - Resolution 2020/2021-16
Action Item with Roll Call vote

11. **Other Business to Come before the Board**

- a) LAFCO Special Districts Representative and Alternate
- b) SCFDA Ad-Hoc Committee for Tax Measure and Feb 25th Meeting

12. **Comments from the Floor**

13. **Comments/Reports from the Board**

14. **Closed Session**

15. **Adjournment**

This meeting will be adjourned to the regular Board meeting on March 9, 2021 at 6:00 p.m. Meeting access will be determined based on COVID-19 restrictions in place at that time.

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available at the following website at <http://svfra.org>.



Sonoma Valley Fire District
Board of Directors Meeting
 Agenda Item Summary
 February 9, 2021

Agenda Item No.	Staff Contact
7a	Maci Jerry, Clerk to the Board of Directors

Agenda Item Title
 Approval of regular meeting minutes held on January 12, 2021

Recommended Actions
 Approve the minutes

Executive Summary
 The minutes have been prepared for Board review and approval.

Alternative Actions
 Correct or amend minutes prior to approval

Fiscal Summary – FY 20/21			
Expenditures		Funding Source(s)	
Budgeted Amount	\$	District General Fund	\$
Add. Appropriations Req'd.	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
		Grants	\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (if required)
 Not Required

Attachments
 1. Minutes for January 12, 2021 meeting

SONOMA VALLEY FIRE DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Tuesday, January 12, 2021 at 6:00 P.M.

1. Call to Order

President Norton called the meeting to order at 6:02 p.m. via phone-in conference call.

2. Roll Call and Determination of a Quorum

Board of Directors: President William Norton, Vice President John (Matt) Atkinson, Treasurer Mark Johnson, Brian Brady, Raymond Brunton, Mark Emery, Terrence Leen.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Director Leen and recited by all.

4. Confirmation of Agenda

Chief Akre requested item 10c be moved ahead; Mitch Buttress from the County was in attendance to give the Board an overview of the proposed Groundwater Monitoring Well.

5. Comments from the Public

None

6. Presentations

7. Consent Calendar

President Norton addressed the need for two corrections on the November 10, 2020 meeting minutes.

- 1) Consent Calendar date should have read, October 13, 2020
- 2) Comments/Reports from the Board, accommodations should have read, commendations.

M/S/P Emery/Norton approved the meeting minutes from the regular board meeting held on November 10, 2020 Passed **7 ayes**

8. Fire Chief's Monthly Report

Chief Akre gave his monthly report covering many areas of operations, touching on personnel, finance, facilities, fleet and COVID-19. Items highlighted from his report:

- Extended two conditional offers for Lateral Firefighter positions, they are slated to begin their training the beginning of February 2021.
- January 11, 2021, Battalion Chief John Franceschi retired with over 30 years of service to the Sonoma Valley Community. He was instrumental in bringing the organization to where it is today.
- The District extended offers to 11 new prospective volunteers. Hopeful for a new volunteer academy in March with COVID precautions in place.

- Property tax revenue was received in late December, easing cash flow concerns. The District has over 3 million dollars in outstanding OES reimbursements to collect as well.
- Finance has an early start on next year's budget, as well as projections to help plan out the next few years, especially with the SAFER grant.
- Fire impact fee has had a few hurdles with the BOS; however, it is moving forward and on the agenda for the March 23rd County Board of Supervisors meeting.
- The County is working on the transfer of Mayacamas' assets from the County to the District.
- Interim City Manager, Dave Kiff, replaced outgoing City Manager, Cathy Capriola, after her retirement at the end of December.
- Contacted Steve Lanning with Lanning Construction regarding Station 6. Unable to move existing building, a new building would need to be constructed on a new site.
- Captain Cyr has continued to do a phenomenal job in regards to our COVID-19 response. Our policies and processes are holding us to a high level of effectiveness.

9. Old Business

- a) The Valley of the Moon Fire Protection District has changed its business name to the Sonoma Valley Fire District. **M/S/P Leen/Johnson, Passed 7 ayes**

10. New Business

- a) Adopted Resolution 2020/21-13, approving the SVFD's new investment policy. **M/S/P Leen/Johnson, Passed 7 ayes**
- b) Resolved that the President, Vice President and the Treasurer of this Non-Incorporated Association, or any one of such officers, he/she and they hereby are fully authorized and empowered to open a brokerage account, transfer, endorse, sell, assign, set over and deliver any and all shares of stock, options, bonds, debentures, notes, evidences of indebtedness or other securities (including short sales) now or hereafter standing in the name of or owned by this Non-Incorporated Association, to purchase stocks, bonds, debentures, notes, evidences of indebtedness and other securities (on margin or otherwise), and to make, execute, and deliver, any and all written instruments necessary or proper to effectuate the authority hereby conferred. **M/S/P Brady/Emery, Passed 7 ayes**
- c) Approved the Chief to execute an agreement with the Sonoma Valley Groundwater Sustainability Agency to allow the installation of a groundwater monitoring well on the District's Felder Road property. **M/S/P Johnson/Brunton, Passed 7 ayes**
- d) Adopted Resolution 2020/21-14, approving a contract extension with side letter of agreement between the District and the Sonoma Valley Professional Firefighter's Association, Local 3593. **M/S/P Brady/Johnson, Passed 7 ayes**

11. Other Business to Come before the Board

Peter van Fleet gave an update on the Station 5 seismic upgrade project. He was able to review the plans in November, however those plans were incorrect and no new plans have been issued. Peter will notify the District once corrected plans are received and will then set a meeting between the facility Directors and the Contractor.

12. Comments from the Floor

None

13. Comments/Reports from the Board

Director Johnson thanked both Peter and Carol for their dedication to their work with the District.

14. Closed Session

None

15. Adjournment

M/S Brady/Leen with 7 ayes

This meeting was adjourned at 7:19p.m. to a regular Board meeting on February 9, 2021 at 6:00 p.m. Meeting access will be determined based on COVID-19 restrictions in place at that time.

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available at the following website at <http://svfra.org>

Respectfully submitted,

Maci Jerry



Sonoma Valley Fire District
Board of Directors Meeting
 Agenda Item Summary
 February 9, 2021

Agenda Item No.	Staff Contact
9a	Steve Akre, Fire Chief

Agenda Item Title
 Receive an update from past GEFPD Board President Peter van Fleet on the Station 5 seismic improvement project.

Recommended Actions
 Receive the update

Executive Summary
 In 2019, the Glen Ellen Fire District Board requested a structural engineering evaluation of the Glen Ellen Fire Station 5. This report has been completed and delivered to the former GE Board President, Peter van Fleet. It has since been determined that the report contained errors that needed to be corrected. Former President van Fleet will provide an update on the current status of the project.

 The Board is being asked to receive the update.

Alternative Actions
 Provide comments and/or further direction to former President van Fleet and the Facilities subcommittee.

Strategic Plan Alignment
 This effort is in alignment with Goal 3. Continue to provide well-maintained facilities, equipment, and technology to enable personnel to perform their jobs safely and efficiently.

Fiscal Summary – FY 20/21			
Expenditures		Funding Source(s)	
Budgeted Amount	\$	District General Fund	\$
Add. Appropriations Req'd.	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
		Contingencies	\$
		Grants	\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (if required)
 None

Attachments



Sonoma Valley Fire District
Board of Directors Meeting
 Agenda Item Summary
 February 9, 2021

Agenda Item No.	Staff Contact
9b	Steve Akre, Fire Chief

Agenda Item Title
 Updated Fire Impact Fee Study and Fee Program

Recommended Actions
 Approve the updated Fire Impact Fee Nexus Study and Fee Program through Resolution 2020/2021-15

Executive Summary
 Consider a resolution concerning the approval of an administrative update to the District’s Fire Impact Fee Nexus Study and approval of new fire impact fees charged on new development pursuant to California Government Code Section 66000 et al.

 The purpose of the fee is to fund one-time costs when expanding the District’s facilities, apparatus, and equipment needed to accommodate new development. The fee program contains specific requirements for the annual administration of the fee program.

Alternative Actions
 Do not approve or approve with changes

Strategic Plan Alignment
 This effort is in alignment with Goal 3c, 3d, 4b, and 4c

Fiscal Summary – FY 20/21			
Expenditures		Funding Source(s)	
Budgeted Amount	\$	District General Fund	\$
Add. Appropriations Req’d.	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
		Contingencies	\$
		Grants	\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (if required)
 This Impact Fee Program will generate the revenue necessary for the SVFD to continue to provide current service levels by funding future apparatus, equipment and facilities improvements.

- Attachments**
1. Resolution 2020/2021-10 (for reference)
 2. Updated Fire Impact Fee Nexus Study - Final
 3. Resolution 2020/2021-15

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA VALLEY
FIRE DISTRICT, SONOMA COUNTY, STATE OF CALIFORNIA, APPROVING
THE SONOMA VALLEY FIRE DISTRICT FIRE IMPACT FEE NEXUS STUDY
AND REQUESTING THAT THE SONOMA COUNTY OF BOARD OF
SUPERVISORS ADOPT AND IMPLEMENT THE PROPOSED FIRE IMPACT
FEE PROGRAM ON BEHALF OF THE DISTRICT**

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 Sonoma Valley Fire District ("District") Board of Directors ("District Board") desires to establish a new Fire Impact Fee program to fund fire protection facilities, apparatus, and equipment necessary to mitigate the impacts caused by new development; and

WHEREAS, the District Board as received and considered the District's Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated September 2020 Final Report ("Nexus Study") that provides the required information to establish a new Fire Impact 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 Board conducted a public hearing at which oral and written presentations were made, as part of the District's regularly scheduled October 13, 2020, 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 ten 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 Board, hereby makes the following findings:
 - a) The Fire Impact Fee program and Fire Impact Fee 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 District; and
 - b) The Fire Impact Fee proposed in the Nexus Study and approved pursuant to this Resolution will be used to expand the District's facilities and equipment, and replace and expand the District's apparatus and vehicles to serve new development; and

- c) The uses of the Fire Impact Fee 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 District's facilities and equipment, and replace and expand the District'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
 - d) The Fire Impact Fee 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 District's fire protection and emergency response services and a corresponding need for new or expanded facilities, apparatus, and equipment. The fee 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
 - e) The Nexus Study demonstrates that there is a reasonable relationship between the amount of the Fire Impact 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 District's existing fire protection facilities and applied proportionately to seven land use categories in proportion to the need they create for expanded fire facilities, apparatus, and equipment.
- 4) The District Board 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 Board does hereby approve the following Fire Impact Fees on new development, which shall be collected upon issuance of a building permit:

<u>Land Use</u>	<u>Fire Impact Fees</u>
<u>Residential Development</u>	<u>Per Living Area Sq. Ft.</u>
Single-Family Housing	\$1.87
Multi-Family Housing	\$3.13
Mobile Home	\$2.22
Accessory Dwelling Unit	See Note
<u>Nonresidential Development</u>	<u>Per Building Sq. Ft.</u>
Retail / Commercial	\$1.99
Office	\$3.28
Industrial	\$1.38

Note: Pursuant to Govt. Code § 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit shall be 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 District Board formally requests that the County Board of Supervisors adopt and implement this approved Fire Impact Fee program on behalf of the District with the District agreeing to be responsible for the proper accounting for and expenditure of said moneys and further agreeing to hold the County harmless from and to defend it from any action, claim, or damages related to said fees, including any challenge to the validity of or use thereof.
- 7) The District Board formally requests that the resolutions or ordinances adopted by the County Board of Supervisors to establish the Fire Impact Fee program on behalf of the District authorize an automatic annual inflationary adjustment.
- 8) 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.

IN REGULAR SESSION, the foregoing resolution was introduced by Director _____, who moved its adoption, seconded by Director _____, and passed by the Board of Directors of the Sonoma Valley Fire District this 13th day of October

President Norton	Aye_____	No_____	Absent_____
Vice President Atkinson	Aye_____	No_____	Absent_____
Treasurer Johnson	Aye_____	No_____	Absent_____
Director Brady	Aye_____	No_____	Absent_____
Director Brunton	Aye_____	No_____	Absent_____
Director Emery	Aye_____	No_____	Absent_____
Director Leen	Aye_____	No_____	Absent_____
Vote:	Aye_____	No_____	Absent_____

WHEREUPON, the President declared the foregoing resolution adopted, and

SO ORDERED:

ATTEST:

William Norton, President

Maci Jerry, Clerk



SONOMA VALLEY FIRE DISTRICT

FIRE IMPACT FEE NEXUS STUDY

FEBRUARY 2021
UPDATED FINAL REPORT

PREPARED FOR:

**BOARD OF DIRECTORS
SONOMA VALLEY FIRE DISTRICT**

PREPARED BY:



SCI Consulting Group
4745 MANGELS BOULEVARD
FAIRFIELD, CALIFORNIA 94534
PHONE 707.430.4300
www.sci-cg.com

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SONOMA VALLEY FIRE DISTRICT

BOARD OF DIRECTORS

Bill Norton, President
Matt Atkinson, Vice President
Mark Johnson, Treasurer
Brian Brady, Director
Ray Brunton, Director
Mark Emery, Director
Terry Leen, Director

FIRE CHIEF

Steve Akre

ADMINISTRATIVE BATTALION CHIEF (FORMER)

Jim Comisky

IMPACT FEE CONSULTANT

Blair Aas, Director of Planning Services
SCI Consulting Group

ACKNOWLEDGMENTS

This Fire Impact Fee Nexus Study was prepared by SCI Consulting Group (“SCI”) under contract with the Sonoma Valley Fire District (“District”). The work was accomplished under the general direction of Steve Akre, Fire Chief of the District.

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

Jim Comisky, formerly with Sonoma Valley Fire District
Brian Cyr, Sonoma Valley Fire District
John Franceschi, Sonoma Valley Fire District
Trevor Smith, Sonoma Valley Fire District
William Adams, Johnston Thomas Attorneys at Law, PC
William Arnone, Merrill, Arnone & Jones, LLP
Linda Schiltgen, County of Sonoma
Terri Wright, County of Sonoma
Sonoma County Auditor’s Office
Sonoma County Assessor’s Office

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EXECUTIVE SUMMARY

INTRODUCTION

The Sonoma Valley Fire District (“District”) provides first-responder fire protection, rescue, and emergency medical services to the City of Sonoma (“City”) and the unincorporated communities of Agua Caliente, Boyes Hot Springs, Diamond-A, El Verano, Fetters Hot Springs, Temelec, Six Flags, Glen Ellen, Mayacamas, and Eldridge in the County of Sonoma (“Sonoma”). Specifically, the District’s services include fire prevention and suppression, emergency medical response and transport and rescue, and hazardous materials response.

Until 2002, the City was a standalone fire agency that provided all-risk fire protection and provided advanced life support care and transport for most of the Sonoma Valley. Valley of the Moon Fire District provided all-risk fire protection within its boundaries. In 2002 the City and District formed the Sonoma Valley Fire and Rescue Authority (SVFRA); however, each agency maintained its respective employees. In 2011, the City signed a contract with Valley of the Moon Fire District dba Sonoma Valley Fire and Rescue Authority as the sole employer and governing agency. July 1, 2017, Glen Ellen Fire District signed a contract with Valley of the Moon Fire District dba Sonoma Valley Fire and Rescue Authority to provide staffing and oversight. The Glen Ellen personnel, both career, and volunteer became SVFRA employees. In 2019 a contract was signed with the County of Sonoma for the SVFRA to take on Mayacamas VFC. Their volunteers became employees of the SVFRA and are now managed by the SVFRA. Currently, the State of California is contracted with the SVFRA to provide staffing for 1 of 3 shifts at Eldridge. As of July 1, 2020, what has been the SVFRA and the associated contract for services is now the Sonoma Valley Fire District, one governing and employing agency.

This Fire Impact Fee Nexus Study (“Nexus Study”) was prepared pursuant to the “Mitigation Fee Act,” as found in California Government Code § 66000 et seq (the “Act”). The purpose of this Nexus Study is to establish the legal and policy basis for the imposition of new fire impact fees (“fees”) on new residential and nonresidential development within the District. The fee’s purpose is to fund the one-time cost of expanding the District’s facilities, apparatus, and equipment needed to maintain its existing level of service. No capacity exists to serve new development. If the District’s fire system capacity is not increased to satisfy the additional demand, the quality and responsiveness of the District’s fire protection and emergency response services will deteriorate.

For purposes of this Nexus Study, the term “facilities” or “fire system facilities” will refer to facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment. The term “new development” will generally refer to the persons (residents and employees working in the District) and the structural area (residential area and nonresidential building area) in which the persons live or work.

The fire impact fee has been determined on a districtwide basis. However, City of Sonoma (“City”) will not participate in the imposition of the fee. The District is under contract with the City of Sonoma to provide fire and emergency medical services. Under this contract, the District’s future station, apparatus, equipment needs, and related costs are funded directly by the City. (A map of the District’s boundaries and the area to be subject to the proposed fee program is provided in Appendix A.)

Under California law, the District does not have land-use authority to impose impact fees on development projects. Because the District serves unincorporated areas of the County, the County Board of Supervisors must adopt the fire impact fee program on behalf of the District. The County currently does not impose a fee program on behalf of the District.

In order to impose such fees, this Nexus Study will demonstrate that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for fire protection facilities, apparatus, and equipment as a result of new development. More specifically, this Nexus Study will present findings in order to meet the procedural requirements of the Act, 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 public facility and the type of development project on which the fee is imposed (“**impact or need 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 (“**rough 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 are consistent with the County General Plan.

METHODOLOGY / APPROACH

To determine the District's fire impact fee consistent with these **substantive requirements**, this Nexus Study utilizes a systemwide existing facility standard methodology. The facility standard methodology is a commonly used method for the calculation of fire impact fees. It was validated by the Homebuilders Association of Tulare/Kings Counties, Inc. v. City of Lemoore in 2010. Under this method, identification and use of an existing facility standard and the restricted uses of fee revenue ensure that new development will not fund any existing deficiencies as prohibited by the Act. Instead, only capital improvements and apparatus, vehicle, and equipment purchases that expand the District's fire system are allowable uses of fee revenue. Likewise, the fee program will generate only enough revenue to proportionally expand the fire system to maintain the existing level of service.

The existing facility standard is based on the District's ratio of existing fire protection and emergency response facilities, apparatus, and equipment to the existing service population. Existing development refers to the persons (residents and employees working in the District) and the structural area (residential area and nonresidential building area) in which the persons live or work. Existing development demand is based on the District service call data. The District's existing fire system's value is determined using the replacement value of the District's existing inventory of fire protection facilities, apparatus, and equipment. These costs are then applied to six land use categories in proportion to the need they create for fire protection and emergency response services.

The Act requires that in establishing a development impact fee program, the facilities funded by the fee must be identified. However, the Act provides flexibility regarding how that identification may be made. The fee program may identify a broad class of projects¹ or made by reference to a capital improvement plan, made in applicable general or specific plan requirements, or made in other public documents². Since the District just recently consolidated and has not yet prepared a comprehensive, long-term capital improvement

¹ According to Government Code § 66000(b) and validated by Homebuilders Association of Tulare/Kings Counties, Inc. v. City of Lemoore in 2010.

² According to Gov't Code Section 66001(a)(2).

plan and facilities master plan, this fee program identifies facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment as the broad classes that will be funded with the fee.

The capital improvements within the District and apparatus and equipment purchases will benefit the District's entire fire system. The District's fire protection and emergency response resources are organized as an integrated fire system. The resources of a one fire station do not serve a particular area in isolation from the District's other fire stations and resources. When the District has a service call, whether for a fire or other emergency, the District's response often involves resources from multiple fire stations. Likewise, new development in area of the District is served by all the District facilities, apparatus, and equipment, not just by the nearest fire station.

OTHER REVENUE SOURCES

Based on the findings concerning the District in the 2018 Municipal Service Review prepared and approved by the Sonoma County Local Agency Formation Commission ("LAFCO"), ad valorem property tax revenues, sometimes referred to as the "AB8 rate", are the largest revenue source for the District. The District also levies a voter-approved District-wide special tax. The County of Sonoma makes annual direct payments to the District based on a Property Tax Exchange Agreement that was part of the LAFCO-approved consolidation(s). The District also occasionally receives one-time grant money, usually for specific purposes, i.e., SAFER staffing grants, designated equipment improvements, FMAG emergency response enhancements. These various revenue sources will continue to comprise the vast majority of District revenue after approval of District fire impact fees – so that prior revenue sources from all District residents will be the primary funder of new facilities and equipment. There are also potential additional revenue sources in the future through transient occupancy or sales tax measures.

FEE PROGRAM IMPLEMENTATION

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 on behalf of the District. 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 GENERAL FINDINGS

The following general findings from the Nexus Study are presented:

1. Impact fees are necessary to ensure that the District can adequately expand its fire protection facilities, apparatus, and equipment needed for the resident and employee growth and new structural area created by new development.
2. It is the objective of the District to maintain its existing level of service by establishing a fire impact fee to fund the cost of expanding the District's facilities, apparatus, and equipment attributable to new development.
3. Consistent with the Act's nexus requirement, this Nexus Study demonstrates a reasonable relationship between new development, the amount of the proposed fee, and facilities, apparatus, and equipment funded by the fee.
4. Fee revenue may only fund the costs of expanded facilities, apparatus purchases that expand the District's existing inventory, and up to 14.8 percent of apparatus replacement costs, and fee administrative costs.
5. 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 District.
6. The maximum fire impact fee determined by this Nexus Study is consistent with the Sonoma County General Plan.

7. The District may approve, and County may adopt on their behalf, the fees at or below the maximum level determined by this Nexus Study.

FIGURE 1 – MAXIMUM FIRE IMPACT FEE SCHEDULE

Land Use	Maximum Fire Impact Fee
	Per Living Area Sq. Ft.
Residential Development	
Single Family Housing	\$1.72
Multi-Family Housing	\$2.91
Mobile Home	\$1.90
Assessory Dwelling Unit	See Figure 1
	Average per Unit ²
Residential Development	
Single Family Housing	\$3,096
Multi-Family Housing	\$3,201
Mobile Home	\$2,660
	Per Building Sq. Ft.
Nonresidential Development	
Retail / Commerical	\$1.95
Office	\$3.23
Industrial	\$1.36

Notes:

¹ Pursuant to Gov't. Code § 65852.2(f)(3)(A), development impact fees for a new accessory dwelling unit must be 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 Based on the average living area square footage for each unit. See Figure 8.

SUMMARY OF GENERAL RECOMMENDATIONS

Based on the findings presented in the Nexus Study, the following general recommendations are presented:

1. The District should establish a fire impact fee to fairly allocate the costs of providing fire protection facilities, apparatus, and equipment to new development.
2. The District's new fire impact fee should be adopted and implemented in accordance with the applicable provisions of the Act (Government Code § 66000 et al.).
3. Fee revenue should be used to fund only the cost of expanded facilities, apparatus, ambulances, vehicles, and equipment to serve new development, as further detailed in Figure 11.
4. The District and the County 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 2021 dollars. The fire impact fee should be adjusted automatically without further action by the District Board or the County Board of Supervisors 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), or its successor publication.

DETERMINATION OF EXISTING DEVELOPMENT

The District serves both residences and businesses throughout their service area. As such, the demand for the District's fire protection services and associated fire protection facilities, apparatus, ambulances, and equipment is measured by its service population (residents or employees) and the structural area (i.e., living area or nonresidential building area) in which they live or work. This section will first determine the service population and structural area within the District. These figures, along with the District's service call data, will be used to establish an existing facility demand factor for the various residential and nonresidential land uses within the District, which in turn will be used to determine existing development's total facilities demand.

The 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.

EXISTING SERVICE POPULATION AND STRUCTURAL AREA

The District provides first-responder fire protection, rescue, and emergency medical services to the City of Sonoma and the unincorporated communities of Agua Caliente, Boyes Hot Springs, Diamond-A, El Verano, Fetters Hot Springs, Temelec, Six Flags, Glen Ellen, Mayacamas, and Eldridge in the Sonoma County. A map of the District's boundaries is provided in Appendix A.

As shown in Figure 2 on the following page, the District currently serves an estimated resident population of 31,847 and protects approximately 14,655 occupied and vacant dwelling units. These figures are based on figures from the U.S. Census Bureau's 2015-2019 American Community Survey 5-Year Estimate for the District's service area, Sonoma County Assessor's data as of July 2020, and an 8 percent vacancy rate as reported by the California Department of Finance.

The District also serves an estimated 14,655 workers and protects approximately 6,430,000 square feet of new nonresidential building area. The estimated number of workers in the District is based on an estimated jobs-to-housing ratio of 1.0. The estimated nonresidential structural area is calculated by multiplying the number of workers by 439 square feet of nonresidential building area for every worker (or 2.28 workers per 1,000 square feet.)

FIGURE 2 – CURRENT RESIDENTIAL DEMOGRAPHICS

Land Use Categories	Total Dwelling Units ¹	Vacant Dwelling Units ²	Occupied Housing Units	Dwelling Unit Occupancy Factor ³	Resident Population
	Calc	a	b	c	d
Single-Family Housing	10,908	873	10,035	2.38	23,884
Multi-Family Housing	2,434	195	2,239	2.45	5,486
Mobile Home	1,313	105	1,208	2.05	2,476
Total Residential	14,655	1,172	13,483	2.37	31,847

Notes:

¹ From the U.S. Census Bureau's 2015-2019 American Community Survey 5-Year Estimate for City of Sonoma and Census-Designated Places within the District plus and estimate for Diamond A, Seven Flags, Mayacamus, and Eldridge.

² Based on an estimated 8% vacancy rate.

³ See Figure 4.

RESIDENT EQUIVALENT DEMAND FACTOR

For purposes of this Nexus Study, a calls-for-service approach is used to help establish the relative fire facilities demand from residential and nonresidential land uses. Specifically, service call data is converted into a resident equivalent demand factor, which represents the demand for service from a worker compared to a household resident.

As shown in Figure 3 on the following page, service call data indicates the property used for service calls for years 2017 through 2019 were gathered from the District's Emergency Reporting database. Over the three years, the District had an average of 3,231 service calls originating from residential property and 1,106 service calls originating from nonresidential properties. Service calls originating from highways, roads, open fields, or otherwise not classified as originating from residential or nonresidential land use are excluded. By dividing service calls for residential and nonresidential land uses by the corresponding estimated number of residents and workers results in the relative number of per capita for residential and nonresidential land uses. As shown, District residents are served at 1.0, and workers in the District are served at 0.75 compared to District residents.

FIGURE 3 – RESIDENT EQUIVALENT DEMAND FACTOR

	Calc	Residential	Nonresidential
Average Annual Service Calls ¹	a	3,231	1,106
Residents or Workers ²	b	30,504	13,990
Per Capita Fire Service Demand	$c = a / b$	0.1059	0.0791
	$d = c / 0.0791$		
Resident Equivalent Demand Factor	(Rounded)	1.00	0.75

Sources: Sonoma Valley Fire Protection District; SCI Consulting Group

Notes:

¹ Average for fiscal years 2016-17 thru 2018-19 from District's Emergency Reporting database for the District's service area. Excludes Mayacamas and Eldridge service areas.

² See Figure 2. Workers is based on estimated jobs-to-housing ratio of 1.0. Excludes Mayacamas and Eldridge service areas.

FACILITIES EDU DEMAND FACTOR

Next, equivalent dwelling unit (“EDU”) demand factors are established to compare the relative fire facilities demand across three residential and three nonresidential land uses. The EDU is also used to convert nonresidential building area to a residential dwelling unit value. This common approach allows for the cost of fire protection facilities, apparatus, and equipment to be equitably apportioned among residential and nonresidential land uses.

Figure 4 below shows the calculation of the facilities EDU demand factor for six land use categories. The residential land use categories are expressed per dwelling unit, and the nonresidential land use categories are expressed per 1,000 square feet of building area. Each land use category’s occupancy density is multiplied by their respective resident equivalent demand factor, then converted to single-family home value. By this measure, for example, one single-family home creates the demand for fire facilities equal to 630 square feet of retail / commercial building area.

FIGURE 4 – FACILITIES EDU DEMAND FACTOR

Land Use Category	Unit	Occupancy Density per Unit ¹	Resident Equivalent Demand Factor ²	Facilities EDU Demand Factor
	Calc	a	b	$c = (a * b) / 2.38$ (rounded)
Single-Family Housing	DU	2.38	1.00	1.00
Multi-Family Housing	DU	2.45	1.00	1.03
Mobile Home	DU	2.05	1.00	0.86
Residential	DU	2.37	1.00	1.00
Retail / Commerical	KBSF	2.00	0.75	0.63
Office	KBSF	3.30	0.75	1.04
Industrial	KBSF	1.40	0.75	0.44
Nonresidential	KBSF	2.28	0.75	0.72

Notes: DU = Dwelling Unit; KBSQ = 1,000 square feet of building area

¹ Residents per unit is based on census data from the U.S. Census Bureau's 2015-2019 American Community Survey 5-Year Estimate for City of Sonoma and Census-Designated Places within the District plus and estimate for Diamond A, Seven Flags, Mayacamus, and Eldridge. Retail / commercial, office, and industrial density figures the 2017 Town of Windsor Impact Fee Study 2017.

² See Figure 3.

EXISTING FACILITIES DEMAND EDUS

Figure 5 below calculates the District's existing demand EDUs based on the total number of dwelling units and estimated nonresidential building area within the District. As shown, the total existing demand EDUs for the District is 19,172. Existing demand EDUs represents the level of existing development served by the District's existing fire system.

FIGURE 5 – EXISTING DEMAND EDUS

Land Use	Unit	Existing Units ¹	Fire Facilities EDU Demand Factor ²	Total Existing Demand EDUs
	Calc	a	b	c = a * b
Single Family Housing	DU	10,908	1.00	10,908
Multi-Family Housing	DU	2,434	1.03	2,507
Mobile Home	DU	1,313	0.86	1,129
Nonresidential	KBSF	6,428	0.72	4,628
Total		21,083		19,172

Notes:

¹ See Figure 2.

² See Figure 4.

DETERMINATION OF EXISTING FIRE PROTECTION FACILITIES

The next step in determining the District's existing fire facilities standard is to calculate the replacement value of the District's fire protection facilities, apparatus, and equipment. Figure 6 below presents a summary of replacement cost (in 2021 dollars) for the District's existing fire facilities (land and fire stations), apparatus (engines, ambulances, and special vehicles), and equipment.

Fire station replacement costs are based on replacement cost per square foot estimates provided by the Sonoma County Fire District. The estimated replacement value of the District's apparatus, vehicles, and equipment inventory is based on unit cost assumptions provided by the District. 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 are provided in Appendix B.)

As shown below, the estimated replacement value of the District's existing fire protection facilities, apparatus, and equipment is approximately \$57.3 million.

FIGURE 6 – REPLACEMENT VALUE OF EXISTING FIRE SYSTEM

Fee Components	Total Replacement Value (2021 \$) ¹
Land Value	\$1,605,000
Building Value	\$48,453,925
Apparatus / Vehicles Value	\$5,356,250
Equipment Value	\$1,890,000
Total Fire System Facilities	\$57,305,175

Source: Sonoma Valley Fire Protection District; SCI Consulting Group

Notes:

¹ See Appendix B for more detail.

DETERMINATION OF THE FIRE IMPACT FEE

The Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the need for fire protection facilities, apparatus and equipment, and the type of development project on which the fee is imposed. In this section, the District's existing fire facilities standard is determined and then applied to three residential and three nonresidential land uses categories in proportion to the demand they create as measured by their EDU demand factor.

EXISTING FACILITIES STANDARD

The District's ratio of existing fire facilities, apparatus, and equipment to the District's service population establishes the standard for determining new development's fair share of the cost to expand the District's fire facilities as growth occurs. As shown in Figure 7 below, this standard is represented by the existing fire system facilities cost of \$2,989.00 per demand EDU.

FIGURE 7 – EXISTING FACILITIES STANDARD

Existing Fire System Facilities ¹	\$57,305,175
Existing Demand EDUs ²	19,172
Existing Facilities Standard	\$2,989.00

Notes:

¹ See Figure 6.

² See Figure 5.

RESIDENTIAL LAND USE DETERMINATION

Since residential land uses have different dwelling unit occupancies and living areas, the residential fire impact fees are expressed on a per square footage basis for four residential land use categories. The four residential land use categories are defined below.

- **“Single-family housing”** means detached or attached one-family dwelling unit with an assessor’s parcel number for each dwelling 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.
- **“Mobile home”** means a development area for residential occupancy in vehicles that require a permit to be moved on a highway, other than a motor vehicle designed or used for human habitation and for being drawn by another vehicle.
- **“Accessory dwelling unit” or “ADU”** 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 residential fire impact fee shall be charged on the square footage within the perimeter of a residential structure. Garages, carports, walkways, overhangs, enclosed patios, detached storage structures, or similar areas are excluded.

Figure 8, on the following page, presents the calculation of the maximum residential fire impact fee. As shown, the residential fee is determined by multiplying the fire facility standard by their respective EDU demand factor plus an additional 4 percent for administration of the fire impact fee program. The fee program administrative cost component is designed to offset the cost of District and County collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates, and other costs reasonably related to compliance with the Act.

Pursuant to 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit 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 fire impact fee for the construction of a 750 square foot accessory dwelling unit on a single-family parcel with a 2,250 square foot single-family home would be $(750 / 2,250) * \$4,300 = \$1,433.33$. Construction of ADUs less than 750 square feet of living area is exempt.

The District may approve, and the County may adopt fees lower than the maximum, justified amounts shown below, provided that they are reduced by the same percentage for each land use category.

FIGURE 8 – MAXIMUM RESIDENTIAL FIRE IMPACT FEE

Residential Land Use	Existing Facilities Standard ¹	EDU Demand Factor ²	Cost per Dwelling Unit	Fee Program Admin. 4%	Average Living Area (Sq. Ft.) ³	Maximum Residential Fire Impact Fee ⁴
Calc	a	b	c = a * b	d = c * 0.04	e	f = (c + d) / e
----- per dwelling unit -----						- per sq. ft. -
Single Family Housing	\$2,989.00	1.00	\$2,989.00	\$119.56	1,800	\$1.72
Multi-Family Housing	\$2,989.00	1.03	\$3,078.67	\$123.15	1,100	\$2.91
Mobile Home	\$2,989.00	0.86	\$2,570.54	\$102.82	1,400	\$1.90
Assessory Dwelling Unit						See Figure 5

Notes:

¹ See Figure 7.

² See Figure 4.

³ Average living areas area from data from the Sonoma County Assessor and expressed in terms of square feet.

⁴ The maximum residential fire impact fee is rounded down to the nearest cent.

⁵ Pursuant to Govt. Code § 65852.2(f)(3)(A), development impact fees for a new assessory dwelling unit must be imposed proportionately in relation to the square footage of the primary dwelling unit. Assessory dwelling units less than 750 square feet of living area are exempt.

NONRESIDENTIAL FIRE IMPACT FEE DETERMINATION

As stated earlier, the 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 and structural area, the nonresidential fire impact fee is expressed per square foot of building area for three nonresidential land use categories. The three nonresidential land use categories are defined below.

- **“Retail / Commercial”** means retail, commercial, educational, and hotel/motel construction.
- **“Office”** means general, professional, and medical office construction.
- **“Industrial”** means manufacturing construction.

The nonresidential fee shall be charged for “covered and enclosed space” within the perimeter of a nonresidential structure. Garages, parking structures, unenclosed walkways, utility or disposal areas, and storage areas incidental to the development’s principal use are excluded.

Figure 9 below presents the calculation of the nonresidential fire impact fee. As shown, the fee for the three nonresidential land uses is determined by multiplying the existing facilities standard by their respective EDU demand factor plus an additional four percent for administration of the fire impact fee program. Note that the costs are expressed per 1,000 square feet of nonresidential building area and then converted to a per-square-footage fee.

The District may approve, and the County may adopt fees lower than the maximum, justified amounts shown below, provided that they are reduced by the same percentage for each land use category.

FIGURE 9 – MAXIMUM NONRESIDENTIAL FIRE IMPACT FEE

Nonresidential Land Use	Existing Facilities Standard ¹	EDU Demand Factor ²	Cost per Unit	Fee Program Admin. 4%	Total Cost per Unit	Maximum Fire Impact Fee ³
Calc	a	b	c = a * b	d = c * 0.04	e = c + d	f = e / 1,000
			----- per 1,000 sq. ft. -----			- per sq. ft. -
Retail / Commerical	\$2,989.00	0.63	\$1,883.07	\$75.32	\$1,958.40	\$1.95
Office	\$2,989.00	1.04	\$3,108.56	\$124.34	\$3,232.91	\$3.23
Industrial	\$2,989.00	0.44	\$1,315.16	\$52.61	\$1,367.77	\$1.36

Notes:

¹ See Figure 7.

² See Figure 4.

³ The maximum nonresidential fire impact fee is rounded down to the nearest cent.

PROJECTED FEE REVENUE

Figure 10 projects fire impact fee revenue through 2040 for the unincorporated service area of the District. Based on household and employment projections from the Association of Bay Area Governments (“ABAG”), residential demand assumes an annual growth rate of 0.5 percent. It is assumed that nonresidential development will occur proportionately. Total fire impact fee revenue (in 2021 dollars) is then calculated by multiplying demand EDU growth by the existing facilities standard. As shown, fire impact fee revenue will contribute approximately \$6.0 million (in 2021 dollars) towards the District’s future long-term capital improvement plan, representing new development in the unincorporated area’s fair share of the plan.

Certainly, arguments can be made for higher or lower demand growth. However, the projected demand growth and fee revenue are merely estimates for planning purposes. The fee program is designed not to depend on a specific capital improvement plan and a specific level of new development. Only enough fee revenue will be generated for the District to expand its existing service level to serve the growing service population.

FIGURE 10 – PROJECTED FIRE IMPACT FEE REVENUE (UNINCORPORATED SERVICE AREA)

Land Use Category	Current Demand	Demand EDU	Existing Facilities	Projected Fire	
	EDUs (2021) ¹	Growth (2040) ²	Standard ³	Impact Fee Revenue (2021\$) ⁴	
	Calc	a	b	c	d = b * c
Residential		8,780	1,038	\$2,989.00	\$3,101,000
Nonresidential		2,803	972	\$2,989.00	\$2,906,000
Total District		11,583	2,010	\$2,989.00	\$6,007,000

Source: Association of Bay Area Governments; SCI Consulting Group

Notes:

¹ See Figure 5.

² Based on a projected annual growth rate from the Association of Bay Area Governments of 0.5% , or about 50 housing units per year.

³ See Figure 7.

⁴ Rounded to the nearest thousand.

Fee revenue may be used to fund up to 100 percent of the cost of new (added) or expansion of fire stations or new apparatus, vehicles, ambulances, and equipment added to the District's inventory. Additionally, the District may need to replace apparatus and vehicles more quickly due to increased service calls from the growth in the persons and structure area created by new development. The District may use fee proceeds to fund up to 14.8 percent of apparatus, ambulance, and vehicle replacement costs.³ This amount represents costs attributable to the increased demand for existing apparatus and vehicle replacement to maintain the District's existing level of service.

Fee revenue may not be used to fund 1) existing deficiencies such as station renovations and 2) operational, maintenance or repair costs. (The use of the fee is detailed further in the next section.)

The District will need to fund existing deficiencies and any other purchases and improvement costs above District existing level of service with other funding sources. Other potential sources of funds 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

³ Represents the percentage growth in EDUs.

NEXUS FINDINGS

This section frames the Nexus Study findings in terms of the legislated requirements to demonstrate the legal justification of the fire impact fee. 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 District. The fire impact fee will ensure that new development will not burden existing development with the cost of expanded facilities, apparatus, and equipment required to accommodate growth as it occurs within the District.

USE OF FEE REVENUE

Fee revenue will be used solely and exclusively to fund facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment costs that expand the District's fire system capacity. 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>New (added) or expanded land and facilities costs (100%)</i> • <i>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>A portion of apparatus, vehicles, and equipment replacement costs attributable to new development (14.8%)</i> • <i>A portion of a renovation project that expands service capacity</i> • <i>Collection, accounting, documentation, annual reporting requirements, five-year report requirements, periodic nexus studies, and other costs reasonably related to compliance with the Act.</i> 	<ul style="list-style-type: none"> • <i>Existing deficiencies, such as improvements to existing facilities that do not expand service capacity</i> • <i>A portion of apparatus, vehicles, and equipment replacement costs attributable to existing development (85.2%)</i> • <i>Operational, maintenance, or repair costs</i>

BENEFIT RELATIONSHIP

The fee will be collected as development occurs. To maintain its existing level of fire protection and emergency response services, fee revenue will be used to expand the District'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. The fee revenue will be restricted to the uses described in the "Use of Fee Revenue" finding. Additionally, the Act ensures that fee revenue is expended expeditiously or refunded to the developer. These Act requirements ensure that a development project paying the fire impact fee will benefit from its use. Moreover, since the District's fire protection and emergency response resources are organized as an integrated fire system, improvements and purchases with the District benefit the entire fire system.

IMPACT OR NEED RELATIONSHIP

New residential and nonresidential development projects in the District will increase the number of persons (residents and employees) and the structural area (residential area and nonresidential building area) in which persons live or work. The growth in persons and structural area will create additional need for the District's fire protection and prevention, emergency response service, and a corresponding need for new or expanded facilities and replacement of apparatus, vehicles, and equipment in order to maintain the District's existing service level. 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.

ROUGH PROPORTIONALITY

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 District's existing fire system. The use of an existing facilities standard methodology to determine the fire impact fee achieves proportionality between existing development and new development. Moreover, these equivalent costs are applied to six land use categories in proportion to the need they create for expanded facilities.

The use of a fire facilities demand factor to determine the fire impact fee schedule achieves proportionality across the types of development on which the fee is imposed. Larger development projects will generate a higher number of residents and structural area to protect and, as a result, will pay a higher fee than smaller development projects. Thus, the application fire impact fee schedule to a specific project ensures a reasonable relationship between the fee and the cost of the facilities, equipment, and apparatus 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 District. The specific statutory requirements for the adoption of the fee program may be found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.).

SCI recommends that the District and the County duplicate the notice and hearing requirements.

SONOMA VALLEY FIRE 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 the Nexus Study available to the public for review.
4. At least ten days before the public hearing, a notice of the meeting’s time and place 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.

COUNTY OF SONOMA

1. The 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 the Nexus Study available to the public for review.

4. At least ten days before the public hearing, a notice of the meeting's time and place 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 fee shall become effective 60 days after the adoption of the ordinance or longer as specified by the 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 revenues. 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 solely 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.

For the fifth fiscal year following the first receipt of any fire impact fee proceeds, and every three 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 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 shall be provided for 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, 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 following 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 Fee Nexus Study, Final Report

FEE EXEMPTIONS

The following development projects are exempted from payment of the fee:

- A structure owned by a governmental agency.
- A structure which is being reconstructed following damage or destruction by fire or another casualty, or the voluntary demolition thereof, provided that the number of structures or the size in such reconstructed structure is no greater than the number of structures or the size of the structure prior to such damage, destruction or demolition.
- A development project found to have no impact on the District's fire system.
- An accessory dwelling unit less than 750 square feet.

FEE CREDITS

A fee credit shall be given for demolished existing square footage as part of a new development project in order to comply with the Act and recent court cases. The fee credit shall be based on the effective fee for the land use category that was demolished.

IMPROVEMENTS IN-LIEU OF FEES

Subject to certain restrictions, if a developer dedicates land, constructs facilities, or provides apparatus/equipment for the District, the fire impact fees imposed on that development project shall be adjusted to reflect a credit for the dedicated land's cost constructed or apparatus/equipment provided.

FEE PROGRAM UPDATES

The fee program should be reviewed regularly and updated with any changes in the District's demographics, upon release of the 2020 U.S. Census, or significant changes in the District's facilities plan and associated costs.

AUTOMATIC ANNUAL INFLATIONARY ADJUSTMENT

The fire impact fee should be adjusted automatically without any further action by the District Board and the County Board on the first day of each fiscal year by the net percentage change during the preceding calendar in the Engineering News-Record Construction Cost Index (20-City Average), or its successor publication.

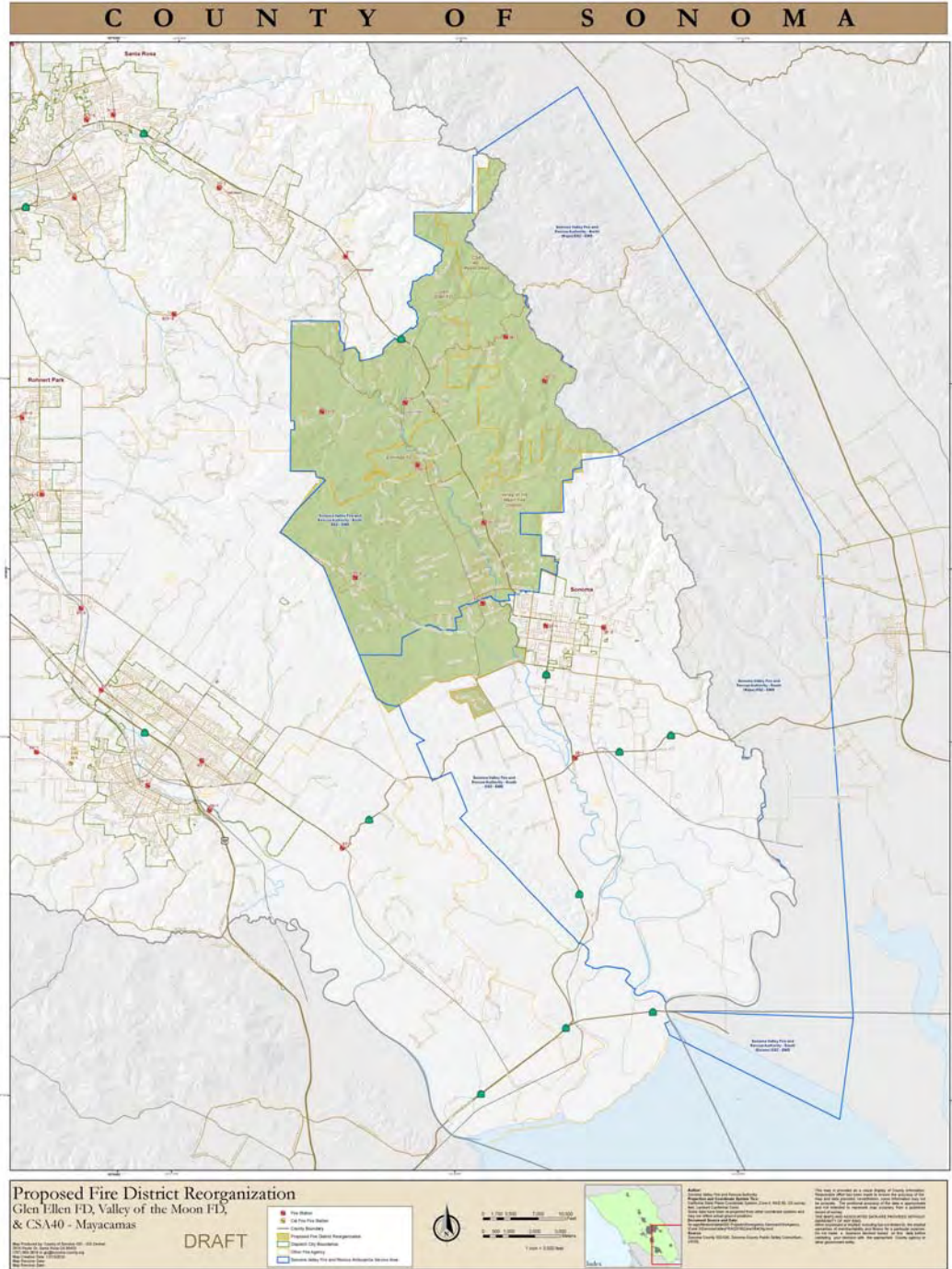
APPENDICES

Appendix A – Map of Fee Program Area

Appendix B – Fire System Inventory and Replacement Cost Estimates

APPENDIX A – MAP OF FEE PROGRAM AREA

FIGURE 12 – MAP OF FEE PROGRAM AREA



APPENDIX B – FIRE SYSTEM INVENTORY AND REPLACEMENT COST ESTIMATES

FIGURE 13 – EXISTING FIRE STATION INVENTORY

Fire Station	Amount	Unit Cost	Replacement Cost (2021\$)
Calc	a	b	c = a * b
Fire Station #1 and Headquarters, 630 Second Street West, Sonoma			
Land	1.50 acres	\$300,000 per acre	\$450,000
Buldings	15,260 sq. ft.	\$1,225.00 per sq. ft.	\$18,693,500
Fire Station #2, 877 Center Street, Sonoma			
Land	0.75 acres	\$300,000 per acre	\$225,000
Buldings	7,600 sq. ft.	\$1,225.00 per sq. ft.	\$9,310,000
Fire Station #3, 1 West Agua Caliente Road, Sonoma			
Land	0.90 acres	\$300,000 per acre	\$270,000
Buldings	8,251 sq. ft.	\$1,225.00 per sq. ft.	\$10,107,475
Fire Station #4, 18798 Prospect Avenue, Sonoma			
Land	0.50 acres	\$300,000 per acre	\$150,000
Buldings	700 sq. ft.	\$372.00 per sq. ft.	\$260,400
Fire Station #5, 13445 Arnold Drive, Glen Elen			
Land	0.70 acres	\$300,000 per acre	\$210,000
Buldings	7,350 sq. ft.	\$1,225.00 per sq. ft.	\$9,003,750
Fire Station #6, 7301 Sonoma Mountain Road, Glen Ellen			
Buldings	700 sq. ft.	\$372.00 per sq. ft.	\$260,400
Fire Station #8, 3252 Trinity Road, Glen Ellen			
Land	0.50 acres	\$300,000 per acre	\$150,000
Buldings	1,300 sq. ft.	\$372.00 per sq. ft.	\$483,600
Fire Station #9, 4501 Cavedale Road, Glen Ellen			
Land	0.50 acres	\$300,000 per acre	\$150,000
Buldings	900 sq. ft.	\$372.00 per sq. ft.	\$334,800
Total Replacement Cost (Land and Buildings)			\$50,058,925

Source: Sonoma Valley FD; Sonoma County FD; SCI Consulting Group

FIGURE 14 – APPARATUS, AMBULANCE, AND EQUIPMENT INVENTORY

Unit ID	Type	Make / Model	Apparatus / Vehicles ¹	Ancillary Equipment	Replacement Value (2021\$)
3381	Type 1 Engine	Rosenbauer	\$650,000	\$95,000	\$745,000
3361	Type 3 Engine	KME	\$262,500	\$95,000	\$357,500
3351	Truck	Truck	\$600,000	\$95,000	\$695,000
3300	Command Vehicle	Hybrid SUV	\$32,500	\$12,000	\$44,500
3321	Command Vehicle	4X4 Pickup	\$48,750	\$12,000	\$60,750
3300	Command Vehicle	Chev Tahoe	\$65,000	\$12,000	\$77,000
3344	Utility Vehicle	SUV	\$16,250	\$12,000	\$28,250
306	Ambulance Type III	Ford	\$52,500	\$65,000	\$117,500
305	Ambulance Type III	Ford	\$105,000	\$65,000	\$170,000
304	Ambulance Type III	Ford	\$105,000	\$65,000	\$170,000
302	Ambulance Type III	Ford	\$157,500	\$65,000	\$222,500
301	Ambulance Type III	Ford	\$157,500	\$65,000	\$222,500
303	Ambulance Type III	Ford	\$210,000	\$65,000	\$275,000
3382	Type 1 Engine	Rosenbauer	\$650,000	\$95,000	\$745,000
3383	Type 1 Engine	Pierce	\$162,500	\$95,000	\$257,500
3384	Type 1 Engine	Paoletti	\$162,500	\$95,000	\$257,500
3362	Type 3 Engine	HME	\$350,000	\$95,000	\$445,000
WT-2	Water Tender	KW	\$125,000	\$50,000	\$175,000
3340	Utility Vehicle	GMC	\$16,250	\$12,000	\$28,250
3342	Utility Vehicle	GMC	\$16,250	\$12,000	\$28,250
3343	Utility Vehicle	GMC	\$16,250	\$12,000	\$28,250
BC33	Command Vehicle	SUV	\$32,500	\$12,000	\$44,500
DC33	Command Vehicle	Chev 4x4	\$48,750	\$12,000	\$60,750
U-13	Command Vehicle	Chev 4x4	\$65,000	\$12,000	\$77,000
U-14	Shop Service Truck	Chev Utility Body	\$65,000	\$12,000	\$77,000
3347	Utility Vehicle	GMC	\$32,500	\$12,000	\$44,500
3335	Command Vehicle	GMC	\$16,250	\$12,000	\$28,250
GE-T-1	Trailer	Interstate	\$10,000	\$0	\$10,000
3345	Utility Vehicle	Chevrolet	\$65,000	\$12,000	\$77,000
3375	Type 3 Engine	International	\$87,500	\$95,000	\$182,500
3376	Type 3 Engine	International	\$87,500	\$95,000	\$182,500
3385	Type 1 Engine	HME	\$162,500	\$95,000	\$257,500
3395	Water Tender	International	\$125,000	\$50,000	\$175,000
E3385	Type 1 Engine	Pierce Dash	\$162,500	\$95,000	\$257,500
E3388	Type 1 Engine	International 4900	\$162,500	\$95,000	\$257,500
WT3398	Water Tender	International 9200	\$125,000	\$50,000	\$175,000
E3359	Ford 550	Type 6 Engine	\$131,250	\$30,000	\$161,250
U3348	Ford F-350	Utility	\$16,250	\$12,000	\$28,250
Total Apparatus and Equipment			\$5,356,250	\$1,890,000	\$7,246,250

Source: Sonoma Valley Fire Protection District

Notes:

¹ Replacement 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%.)

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RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA VALLEY FIRE DISTRICT, SONOMA COUNTY, STATE OF CALIFORNIA, CONFIRMING ADMINISTRATIVE CORRECTIONS TO THE SONOMA VALLEY FIRE DISTRICT FIRE IMPACT FEE NEXUS STUDY AND REQUESTING THAT THE SONOMA COUNTY BOARD OF SUPERVISORS ADOPT AND IMPLEMENT THE PROPOSED FIRE IMPACT FEE PROGRAM ON BEHALF OF THE DISTRICT

WHEREAS, on October 13, 2020, the Sonoma Valley Fire District (“District”) Board of Directors (“District Board”) conducted a duly noticed public hearing and thereafter adopted District Resolution No. 2020/2021-10 approving the District’s Fire Impact Fee Nexus Study (“Nexus Study”); and

WHEREAS, District Resolution No. 2020/2021-10, which is attached hereto and incorporated herein by reference, provides the District Board’s findings to establish the Fire Impact Fee program pursuant to Government Code section 66001, et seq.; and

WHEREAS, District Resolution No. 2020/2021-10 requests that the Board of Supervisors of the County of Sonoma adopt and implement the District-approved Fire Impact Fee program on behalf of the District; and

WHEREAS, during the review and coordination of the District-approved Fire Impact Fee program with the County of Sonoma staff, certain administrative corrections to the Nexus Study which resulted in slight reduction in fees were identified and implemented, in order for County staff to recommend approval of the District-approved Fire Impact Fee program by the Board of Supervisors; and

WHEREAS, by adopting this Resolution, the District Board intends to formally confirm the administrative corrections made to the Nexus Study.

NOW THEREFORE, IT IS HEREBY RESOLVED that:

1. The District Board hereby approves the administrative corrections to the Nexus Study.

- As set forth in detail in District Resolution No. 2020/2021-10, the District Board again formally requests the Board of Supervisors adopt and implement the District-approved Fire Impact program pm behalf of the District, including the administrative corrections to the Nexus Study, with the following Fire Impact Fees to be collected upon issuance of a building permit:

<u>Land Use</u>	<u>Fire Impact Fees</u>
<u>Residential Development</u>	
Single-Family Housing	<u>Per Living Area Sq. Ft.</u> \$1.72
Multi-Family Housing	\$2.91
Mobile Home	\$1.90
Accessory Dwelling Unit	See Note
<u>Nonresidential Development</u>	
Retail / Commercial	<u>Per Building Sq. Ft.</u> \$1.95
Office	\$3.23
Industrial	\$1.36

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

- The District agrees to be responsible for the property accounting for and expenditure of said moneys, and further agrees to hold the County harmless from and to defend it from any action, claim, or damages related to said fees, including any challenge to the validity of or use thereof.
- The District Board requests that the resolution or ordinances adopted by the Board of Supervisors to establish the Fire Impact Fee program on behalf of the District authorize an automatic annual inflationary adjustment.
- In 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.

IN REGULAR SESSION, the foregoing resolution was introduced by Director _____, who moved its adoption, seconded by Director _____, and passed by the Board of Directors of the Sonoma Valley Fire District this 9th day of February, 2021, on regular roll call vote of the members of said Board:

President Norton	Aye_____	No_____	Absent_____
Vice President Atkinson	Aye_____	No_____	Absent_____
Treasurer Johnson	Aye_____	No_____	Absent_____
Director Brady	Aye_____	No_____	Absent_____
Director Brunton	Aye_____	No_____	Absent_____
Director Emery	Aye_____	No_____	Absent_____
Director Leen	Aye_____	No_____	Absent_____
 Vote:	 Aye_____	 No_____	 Absent_____

WHEREUPON, the President declared the foregoing resolution adopted, and

SO ORDERED:

ATTEST:

William Norton, President

Maci Jerry, Clerk



Sonoma Valley Fire District
Board of Directors Meeting
 Agenda Item Summary
 February 9, 2021

Agenda Item No.	Staff Contact		
10a	Steve Akre, Fire Chief		
Agenda Item Title			
Reinstatement of the Administrative Battalion Chief position			
Recommended Actions			
Approve the reinstatement of this position and the corresponding Management and Administrative Employees agreement changes and Resolution.			
Executive Summary			
<p>In 2012, due to the ongoing financial impacts of the recession, the SVFRA was forced to eliminate the Administrative (or 40-hour) Battalion Chief’s position. This critical command staff position has been vacant for almost 10 years. The Department has made progressive efforts over the past 3 years to re-establish this position, similar to the process used to reinstate the Training Officer’s position. The part-time Administrative BC (Comisky) started out with a 20-hour work week and evolved out of work load necessity to a 30-hour position toward the end of FY 2018/19. This position played a critical role in our emergency preparedness, management and response to wildfires, PSPS events and the COVID Pandemic. Additionally, BC Comisky provided essential support with administrative, project and personnel management. As the final step in this reinstatement process, staff has performed a thorough budget analysis and projections that support the reinstatement and its fiscal sustainability.</p> <p>The Board is being asked to approve the reinstatement of this position along with the corresponding changes to the Management and Administrative Employees agreement and side letter through Resolution 2020/2021-16.</p>			
Alternative Actions			
Deny the reinstatement, request additional information or provide direction on desired changes			
Strategic Plan Alignment			
This effort is in alignment with Goal 1: Develop a comprehensive and robust workforce plan that addresses staffing, recruitment, retention, and succession planning and Objective 1A: Develop a revised staffing model to meet current and future community and operational demands.			
Fiscal Summary – FY 20/21			
Expenditures			
Budgeted Amount	\$	Funding Source(s)	
Add. Appropriations Req’d.	\$115,769	District General Fund	\$115,769
	\$	Fees/Other	\$
		Use of Fund Balance	\$
		Contingencies	\$
		Grants	\$
Total Expenditure	\$115,769	Total Sources	\$115,769
Narrative Explanation of Fiscal Impacts (if required)			
Staff recommends that the Board approve redirecting funds allocated in the FY 20/21 Budget for “transfer to operating reserves” (\$498,112 total) to salaries and benefits to fund this new position.			
Attachments			
<ol style="list-style-type: none"> 1. Updated Management MOU 2. Resolution 2020/2021-16 			

**ADMINISTRATIVE AGREEMENT
BETWEEN THE SONOMA VALLEY FIRE DISTRICT
AND
MANAGEMENT & ADMINISTRATIVE EMPLOYEES
FOR THE PERIOD OF**

June 30, 2018 THROUGH JUNE 30, 2021

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DEFINITIONS

1. **ANNIVERSARY DATE** - Shall mean the first day of the month an employee is employed, or the first day of the month an employee is promoted.
2. **BOARD** - Shall mean the Board of Directors of the Sonoma Valley Fire Protection District.
3. **CHIEF** – As determined by the Board of Directors, shall mean the Fire Chief of the District or Fire Chief of the Sonoma Valley Fire & Rescue Authority.
4. **DISTRICT** - Shall mean the Sonoma Valley Fire Protection District.
5. **EMPLOYEES** - Shall mean all Management and Administrative employees who are covered by this Agreement.
6. **EMPLOYER** (also referred to as DISTRICT) - Shall mean the Sonoma Valley Fire Protection District.
7. **MANAGEMENT** - Shall mean the Board of Directors and Chief Officers of the Sonoma Valley Fire Protection District and Chief Officers under the Sonoma Valley Fire & Rescue Authority.
8. **SONOMA VALLEY FIRE DISTRICT** – The City of Sonoma has entered into a contract for fire and emergency services with the Sonoma Valley Fire Protection District to eliminate duplication of equipment, personnel, and resources, and to provide higher levels of service to the community. This consolidated enterprise operates as the Sonoma Valley Fire District.
9. **RETIREMENT** - Shall mean a condition by which an employee has terminated their employment, with the District, by retiring through the Sonoma County General Retirement System.

GENERAL PROVISIONS

ARTICLE 1 PREAMBLE

This Agreement is between the Sonoma Valley Fire Protection District (hereinafter referred to jointly as the "District") and the Management and Administrative Employees.

This Agreement shall be presented to the Sonoma Valley Fire Protection District Board of Directors as recommendations of the undersigned for salary and fringe benefit adjustments for the period commencing on July 1, 2018 through June 30, 2020.

This Agreement has been arrived at as a result of meeting and conferring in good faith with two (2) members of the negotiating team for the Sonoma Valley Fire Protection District Board of Directors under the provisions of Section 3500-3509 of the Government Code of the State of California and by Resolution No. 2018/2019-03.

ARTICLE 2 RECOGNITION

Management and Administrative employees shall be considered as "Exempt" employees and include the following classifications:

Finance Officer
Fire Marshal
Battalion Chief
Fire Chief

ARTICLE 3 SEVERENCE

1. If any provision of this Agreement should be found invalid, unconstitutional, unlawful, or unenforceable by reason of any existing or subsequently enacted constitutional or legislative provision or by final judicial authority, the offending provision shall be severed, and all other provisions of the agreement shall remain in full force and effect for the duration of the agreement.
2. In the event that any provision of the Agreement should be found invalid, unconstitutional, unlawful, or unenforceable, the District and representatives of the management and administrative employees agree to meet and confer in a timely manner in an attempt to negotiate a substitute provision. Such negotiations shall apply only to the severed provision of the agreement and shall not in any way modify or impact the remaining provisions of the existing Agreement.
3. Employment of the Fire Chief at the Sonoma Valley Fire Protection District is offered on an "at will" basis within the meaning of California Labor Code §2922. This means that either the Fire Chief or the District may end the relationship at any time with or without cause or notice.

ARTICLE 4 FULL FORCE AND EFFECT

This Agreement will be automatically renewed from year to year thereafter unless amended by Resolution of the District's Board of Directors.

ARTICLE 5 MANAGEMENT RIGHTS

Except as expressly modified or restricted by a specific provision of this Agreement, all statutory and inherent managerial rights, prerogatives, and functions are retained and vested exclusively in the District, including, but not limited to, the rights, in accordance with its sole and exclusive judgment and discretion:

- to reprimand, suspend, discharge, or otherwise discipline employees for cause;
- to hire employees, determine their qualifications and assign and direct their work;
- to promote, demote, transfer, layoff, recall to work and retire employees;
- to maintain the efficiency of operation;
- to determine the personnel, methods, means and facilities by which operations are conducted;

- to set standards;
- to use independent contractors (in accordance with requirements of Meyers-Milias-Brown Act);
- to close down or relocate the district's operations or any part thereof;
- to expand, reduce, alter, combine, transfer, assign or cease any job, department, operation, or service;
- to control and regulate the use of machinery, facilities, equipment and other property of the District;
- to introduce new or improved research, service and maintenance and methods, materials, machinery and equipment;
- to issue, amend and revise policies, rules, regulations and practices;
- to take whatever action is either necessary or advisable to determine, manage and fulfill the mission of the District and to direct the District's employees.

ARTICLE 6 HOURS OF WORK

1. The normal work week for the Fire Chief, **Administrative Battalion Chief**, Fire Marshal, and Finance Officer shall be forty (40) hours per week (schedule to be determined by the Chief). The normal work week for Shift Battalion Chiefs shall be fifty-six (56) hours per week. During the term of this agreement, the standard work period for Shift Battalion Chiefs covered in this agreement shall consist of forty-eight (48) hours within six (6) consecutive calendar days corresponding to a fifty-six (56) hour week.
2. Rest and meal periods to be observed in accordance with law.
3. The usual work day for the Fire Chief, Administrative Battalion Chief, Fire Marshal, and Finance Officer shall be ten (10) hours. The usual work day for Battalion Chiefs shall be twenty-four (24) hours.

ARTICLE 7 OVERTIME

Management and administrative employees are considered to be "Exempt" employees and not normally entitled to overtime; however, Battalion Chiefs that cover operational shifts other than those assigned to them will be compensated at one and one-half (1-1/2) times the hourly rate. The current Fire Chief (S. Akre), due to his operational and local experience, will be compensated at the Fire Chief's OES straight time rate when covering operational Battalion shifts. When the Fire Marshal is performing fire investigations outside of normal work hours, the position will be compensated at one and one-half (1-1/2) times the hourly rate.

PAY PROVISIONS

ARTICLE 8 SALARY

1. The Salary Plan, as contained in Appendix 'A', shall be amended for all classifications listed in Article 2 (RECOGNITION), effective December 31st, 2018. Appendix 'A' is hereby incorporated in and made a part of this Agreement.
2. Normally a management or administrative employee will start at Step A, however an appointment to a higher step may be recommended by the Chief, or in the case of the Chiefs classification the Board of Directors. Such recommendation must meet with approval of the Board of Directors. This action would be based on previous experience and other qualifications shown by the appointed employee.
3. Newly employed employees, to a management or administrative employee class, will be eligible to advance from Step A to Step B after six (6) months of employment, and shall serve in each succeeding Step for a period of one (1) year before advancing to the next step on their anniversary date.

- (a) Advancement will be based on satisfactory performance evaluation, completion of all training assignments with recommendation and approval of the Chief.
- 4. For the purposes of salary comparisons and determination, the Fire Marshal position shall be compared with and compensated at the salary equivalent to the SVFRA Battalion Chief rank.

ARTICLE 9 HOLIDAYS

- 1. Recognized Holidays include:

- New Year's Day - January 1st
- Martin Luther King's Birthday - third Monday of January
- Lincoln's Birthday - February 12th
- Washington's Birthday - third Monday of February
- Memorial Day - last Monday of May
- Independence Day - July 4th
- Labor Day - first Monday of September
- California Admission Day - September 9th
- Columbus Day - second Monday of October
- Veterans' Day - November 11th
- Thanksgiving Day - fourth Thursday of November
- Employee's Birthday - day after Thanksgiving Day
- Christmas Day - December 25th

Forty (40) hour employees covered by this agreement are normally paid four (4) hours for the following holiday:

The afternoon of December 24th – Christmas Eve

If December 24th falls on a weekend, Christmas Eve holiday (4 hours paid leave) will be acknowledged on the preceding Friday.

- (a) And every day appointed by the President of the United States or the Governor of the State of California, which is observed by employees of the appointing authority (e.g. Federal employees are given the day off if the President declares a holiday).
- 2. Chief Officers and the Fire Marshal shall receive pay for the recognized holidays, whether scheduled on or off duty, by the following formula:
 - 12 hours of pay per holiday not to exceed one hundred and fifty-six (156) hours per year.
 - (a) Holiday pay will be paid to chief officers and the Fire Marshal on the 12th and 25th pay periods of each calendar year, or they may take the option to receive prorated payments with each payroll check.
 - (b) An employee must be in pay status on the date of payment to receive any pay for recognized holidays. An employee first employed after the previous payment pay period will receive a pro-rata amount of the half year's pay for recognized holidays, based on the ratio of hours worked to hours in a half year at the employee's regular schedule.
 - (c) It is understood and agreed that pay for recognized holidays is a form of deferred compensation and is deemed pensionable for the period it was earned and not for the pay period in which it was paid. No more than two (2) lump sum payments for recognized holidays will be included in any given year for retirement final average compensation calculation purposes.

3. Other management and administrative employees working a forty (40) hour week schedule will be given the holiday off.

ARTICLE 10 LONGEVITY PAY PLAN

1. Effective January 1, 2006, the Educational Incentive Program is replaced by the Longevity Pay Plan.
2. The District agrees to pay Longevity Pay to all management and administrative employees who have been employed on a full-time regular basis and for consecutive years of employment as follows:

Full Years of Employment Completed	Percentage of Pay over Monthly Base
5	2.5 %
10	5 %
15	7.5 %
20	10%

- (a) Employees that earned 8% longevity for completing 15 years of service prior to July 1, 2016 will retain this percentage.
- (b) Employees that are covered by this agreement who were employed as of July 1, 2016 will be recognized as having twenty (20) years of service.
3. Employees employed prior to January 1, 2006, will receive the percentage of Longevity Pay for those consecutive years of employment indicated in sub-section 2 above. Employees who were receiving a specific percentage of pay, based on the provisions of the Educational Incentive Program, shall continue to receive that percentage under the Longevity Pay Plan with any additional adjustments, if so warranted, being made as that employee meets the consecutive years of employment criteria.
 - (a) Employees who were employed prior to January 1, 2006, but were not eligible to participate in the Educational Incentive Program based on their probationary status, will not be eligible to participate in the Longevity Pay Plan until such time that they have met the longevity requirements of this Article.
 - (b) Employees employed on or after January 1, 2006, will not be eligible to participate in the Longevity Pay Plan until such time that they have met the longevity requirements of this Article.
4. Longevity pay will be paid to employees on the 12th and 25th pay periods of each calendar year, or they may take the option to receive prorated payments with each payroll check.
5. Employees transferring from the City of Sonoma shall retain their current longevity accrual benefit effective their last calendar day employed with the City of Sonoma as newly hired employees of the District. Years of service will transfer from the previous employer and continue for consecutive years.

ARTICLE 11 ADMINISTRATIVE LEAVE

1. To complete the responsibilities and tasks associated with their positions, management and administrative employees are required to work hours in excess of their, as assigned, forty (40) or fifty-six (56) hours per week.
 - (a) To compensate these management and administrative employees for this time, the District will annually grant those employees working a forty (40) hour week ten (10) eight (8) hour days

and those working a fifty-six (56) hour week six (6) shifts of "Administrative Leave." Employees accrue administrative leave on a prorated basis each payroll period.

- (b) Beginning on July 1, 2018, in consideration of increased workloads for management and administrative employees, the District will annually grant those employees working a forty (40) hour week an additional ten (10) eight (8) hours days and those working a fifty-six (56) hour week an additional six (6) shifts of "Administrative Leave." Employees will accrue the additional administrative leave on a prorated basis each payroll period. If/when workloads diminish, or if administrative staffing increases, the terms of this additional benefit will be revisited.
2. On the 12th payroll of each year, the management or administrative employee will have the option of receiving payment for a maximum of ninety-six (96) hours of administrative leave. All time cashed out will be deducted from the employees balance of accrued administrative leave.
3. Upon retirement, a management or administrative employee can elect to be compensated a maximum of two years' accrual of unused Administrative Leave. Such compensation will be at the retiring employee's hourly rate of pay. The maximum allowed pensionable hours for Administrative Leave per year are eighty (80) hours for those employees working a forty (40) hour week and ninety-six (96) hours for those employees working a fifty-six (56) hour week.
4. Except as provided in Article 11, sub-section 2 & 3, management and administrative employees terminating employment with the District will not be entitled to compensation for their balance of unused "Administrative Leave."
5. In the event that a management or administrative employee was not able to use their Administrative Leave during the year, that employee will be allowed to carry their unused balance into the next year.

ARTICLE 12 RETIREMENT PLAN

1. The retirement plan in effect on the effective date of this Agreement for employees covered by the Agreement will remain in effect for the duration of this Agreement, unless the parties, as herein below provided, agree otherwise.
2. The District agrees to contribute its proportional share towards employees' retirement in accordance with the rules and regulations applicable to public safety members of the Sonoma County Employees' Retirement Association.
3. Government Code, Section 31581.2, permits the District to agree to pay any portion of retirement contributions required to be paid by an employee. All such payments shall be in lieu of wages and shall be reported simply as normal contributions and shall be credited to employee accounts. The enactment of a resolution pursuant to Section 31581.2, shall not create vested rights in any employee. The District may amend or repeal the resolution at any time, subject to the provisions of Government Code Sections 3504 and 3505, or any similar rule or regulation of the District. The California Public Employees' Pension Reform Act of 2013 [AB 340, §7522.30(c)] prohibits the employer from paying any portion of the employee retirement contribution for those employees hired after December 31, 2012 and that are enrolled in Plan B.
 - (a) For employees hired prior to January 1, 2013, and employees in Plan A hired on or after January 1, 2013, the following employee contributions apply:
 - Plan "A" Safety Employees shall be responsible for 100% of the age-based employee contribution rate plus an additional 3% toward normal cost with a cap of 12%.

- Employer will pay all contributions in excess of 12% on behalf of Plan “A” Safety Employees and in excess of 8% for Plan “A” General Employees.
4. Effective January 1, 2005, the District authorized enhancement of the retirement plan with the Sonoma County Employees' Retirement System. This plan converted from the 2% at age 50 to the 3% at age 50 formula. The plan for non-safety employees provides 3% at age 60.
 - (a) Management or administrative employees hired after December 31, 2012, are eligible for the following retirement plans. Final compensation is based on 3-year highest salary average.
 - Safety – 2.7% at 57
 - Non-safety – 2.5% at 67

ARTICLE 13 SICK LEAVE

1. Management and administrative employees working a forty (40) hour schedule shall accrue sick leave at the rate of twelve (12) eight (8) hour days annually.
2. Management and administrative employees working a fifty-six (56) hour schedule shall accrue sick leave at the rate of seven and one half (7.5) shifts (180 hours) annually.
 - (a) In the event that the District fills a management or administrative position with an individual not previously employed as a regular and full time employee, the Board of Directors has the authority to advance that individual sick leave not to exceed ninety (90) days.
 - (b) Any sick leave advanced under this paragraph will be offset by the District as that employee accrues annual sick leave up to the amount advanced. Once accrued sick leave equals the original amount advanced by the Board, that employee will continue to accrue sick leave according to the remaining provisions of this Article.
3. Sick leave shall be accrued during the first twelve (12) months of the probationary period, but may only be taken after the sixth (6th) month of employment.
4. Employees accrue sick leave on a prorated basis each payroll period.
5. With the exception of retirement, employees will not be entitled to compensation of accrued sick leave. At retirement, the employee will be compensated for accrued sick leave as follows.
 - (a) If one hundred percent (100%) of benefit has not been attained, employee’s accrued sick leave (including remaining transfer of sick leave from City of Sonoma employment) will be applied towards service credit with SCERA.
 - (b) If one hundred percent (100%) of benefit has been attained (to be determined by SCERA), employee will be paid fifty percent (50%) of unused sick leave, up to a maximum of ninety (90) eight-hour days or thirty (30) shifts (720 hours). This is to be paid to the employee in cash at the employee’s hourly rate of pay at the time of retirement.
6. Sick Leave Incentive Program: Shift members using forty-eight (48) hours or less of sick leave, from the first day of the first pay period that begins in January through the last day of the last pay period that ends in December, shall earn one (1) twenty-four hour shift of vacation. Forty (40) hour members using twenty four (24) hours or less of sick leave, on a calendar-year basis, shall earn sixteen (16) hours of vacation.
7. Sick leave may be utilized for physical illness or physical incapacity caused by factors over which the employee has no reasonable immediate control. Refer to District criteria and procedures on sick leave usage.

8. The employee shall be entitled to use ten (10) eight hour days or six (6) shifts of their sick leave during the year for the care of immediate family members based on the following criteria:
 - (a) Hospitalization of an immediate family member or member of the immediate household for whom the employee may claim a Federal tax exemption or is responsible for.
 - (b) Care of a member of the immediate family who is seriously ill, incapacitated or injured.
 - (c) Care of newborn infants.
 - (d) Immediate family shall be restricted to those listed in Article 14, Funeral Leave.
9. The District can authorize the use of family sick leave, in excess of ten (10) eight hour days or six (6) shifts, in those instances where it is necessary for an employee to care for an immediate family member who has a serious long term illness, injury or incapacitation. It will be the individual employee's responsibility to request the use of additional accrued sick leave for this purpose. Appropriate documentation of the long term illness, injury or incapacitation is to be submitted to the Chief for consideration.
10. Employees shall have forty-eight (48) hours of sick leave designated as "Alternate Leave" per calendar year. The forty-eight (48) alternate leave hours may be used for any reason of the employee's choosing subject to scheduling considerations by the Chief. Alternate leave cannot accumulate but must be used during the calendar year in which it is granted.
11. When applicable, "Federal Family Medical Leave" runs concurrently with sick leave.
12. The District has the right to request proof of illness if there is a question of the validity of the illness or the ability of the employee to return to duty.

ARTICLE 14 FUNERAL LEAVE

1. In the event of a death in the immediate family of an employee, the employee shall, upon request, be granted such time off with pay as is necessary to make arrangements for the funeral and attend same not to exceed six (6) eight-hour, or two (2) regularly scheduled shifts (48 hours). This provision does not apply if a death occurs while the employee is on leave of absence, layoff or sick leave. For the purposes of this provision, the immediate family shall be restricted to the employee's spouse, father, mother, brother, sister, child, in-laws, grandchildren, grandparents, or domestic partner and any other person regularly residing in the employees home as a family member.
2. Substantiation of the death may be required by the Chief.
3. Funeral Leave applies only to instances in which the employee attends the funeral, or is required to make funeral arrangements, but is not applicable for other purposes such as settling the estate of the deceased.

ARTICLE 15 VACATION

1. Management and administrative employees shall accrue vacation leave based on the schedule that they are working be that a forty (40) hour or fifty six (56) hour work week as follows:

Forty Hour Work Week Schedule:

Years of Service	Annual Hours
1 through 5	96
6 through 10	136
11 through 15	176
16 through 20	216
21+	240

Fifty-Six Hour Work Week Schedule:

Years of Service	Shifts	Annual Hours
1 through 5	8	192
6 through 10	10	240
11 through 15	11	264
16 through 20	13	312
21+	14	336

2. Vacation leave shall be accrued during the twenty four (24) month probationary period; however, no vacation leave will be granted until the employee has completed one (1) full year of employment based on the employee's anniversary date of hire.
3. Employees accrue vacation leave on a prorated basis each payroll period.
4. Cap on Benefits: Employees are encouraged to use all earned vacation leave each year. The maximum benefits an employee may have at any time shall equal two years vacation accrual (based on the employee's accrual rate). If the employee's earned but unused vacation leave reaches the maximum, the employee will not accrue any additional benefits. If the employee later uses enough vacation leave to fall below the maximum, he/she will resume earning vacation benefits.
 - (a) Exception: If approved by the Chief, vacation leave can exceed the maximum for a limited term based on pending scheduled vacation accrual use or cash out.
5. Employees who terminate or retire will be paid for their accrued and unused vacation leave at their current hourly rate of pay.
6. Use of vacation time shall be charged to each employee at the rate of one hour for each hour of continued absence the employee would have normally worked. Vacation requests shall be made as outlined in District policy.
7. On the 25th payroll of each year, employees will have the option of receiving payment for a maximum of ninety-six (96) hours of their accrued vacation leave. All hours cashed out will be at the employee's current hourly base rate of pay and each hour cashed out will be deducted from their balance of accrued vacation leave

ARTICLE 16 MILITARY LEAVE

Leave is granted to employees ordered to active military service or training in accordance with the provisions of applicable state and federal law.

ARTICLE 17 JURY LEAVE

The District will pay wages for jury duty up to eighty (80) hours per calendar year.

ARTICLE 18 SHIFT TRADE

Shift employees shall have the right to exchange shifts when approved by the Chief and the change does not interfere with the operation of the District or Sonoma Valley Fire & Rescue Authority. All trades shall comply with current approved procedures.

ARTICLE 19 HEALTH, DENTAL, VISION INSURANCE AND EMPLOYEE ASSISTANCE PROGRAM

1. The District currently provides health, dental, and vision insurance plans for employees working a forty (40) or fifty-six (56) hour schedule and their eligible dependents. As of July 1, 2018, Health, Dental, and Vision care insurance plans currently include: FDAC EBA Medical Program, Sonoma County affiliated Delta Dental Plan, and Vision Service Plan.
2. The District shall contribute, based on the individual employee's family status, an amount not to exceed specific premium costs associated with the FDAC EBA (Employment Benefits Authority). The Kaiser Premium HMO Health Plan was chosen by Local 3593 and the administrative staff as the plan to use for a cap.
 - (a) Employees who choose a health plan that exceeds the cost of the Kaiser Premium HMO Health Plan will be required to pay the difference in premium.
3. The District shall contribute an amount equal to 100% of the entire cost of the respective dental and vision insurance coverage.
4. The District also provides, at no cost to the full-time employee, the "Employee Assistance Program", sponsored by the District Insurance carrier FASIS. This provision is not applicable to retirees.
5. Effective January 1, 2006, the District agrees to provide full-time employees covered by this Agreement with \$600.00 per year in deferred compensation, to be paid at the rate of \$50.00 per month to a 457 deferred compensation plan to offset the costs of health, dental, and vision care insurance benefit plans at retirement. It is understood that the \$50.00 per month contribution is made on behalf of the employee and does not require an additional dollar contribution by the employee.
6. **Employees hired prior to January 1, 2006:** When an employee who is covered by this specific provision retires, the District agrees to contribute an amount equal to sixty (60%) percent of the total cost of the employee's, and the employee's eligible dependents', health, dental, and vision care insurance benefit plans. This provision includes only those types of health, dental, and vision care plans comparable to the benefit levels provided at the time of retirement, and does not include any additions that might be negotiated by the bargaining unit after the employee's retirement. This shall continue on a monthly basis until either: the retired employee fails to make the forty (40%) percent plan contribution; the retired employee's death, or written notification from the retired employee to discontinue the benefit plan(s).
 - (a) In the event of the retiree's death, when covered by this specific provision, the surviving spouse will have the option to maintain the plan(s) under the 40% payment provision until remarriage or death.
7. **Employees hired on or after January 1, 2006:** Employees hired on or after January 1, 2006 are not eligible for District-paid health, dental, or vision care insurance benefit plans at retirement. The District will permit a retiree, who is covered by this specific provision, to continue to participate in the District's plans provided the retiree pays 100% of the premium for said plan(s). This shall continue on a monthly basis until either: the retired employee fails to make the one hundred (100%) percent contribution to the plan(s); the retired employee's death, or written notification from the retired employee to discontinue the benefit plan(s).

- (a) In the event of the retired employee's death, when covered by this specific provision, the surviving spouse will have the option to maintain the plans under the 100% payment provision until remarriage or death.
- 8. The District will not be liable for costs associated with any other health insurance benefit plans a retired employee joins, beyond those provided by the District to its retirees.
- 9. The District maintains the right to change health plan providers as circumstances warrant.
- 10. Health Insurance Opt Out

(a) Proof of Existing Alternative Equivalent Coverage

Employees may opt out of District health coverage and receive a "Cash in-Lieu Payment" if the employee meets the requirements set forth in this section. The employee must provide proof of existing alternative health insurance coverage that provides equivalent coverage to the FDAC/EBA "Kaiser Premium HMO." The employee must show that he or she has the required alternative health insurance coverage, as do all individuals for whom the employee expects to claim a personal exemption for the plan year. Proof of existing alternative health insurance will be in the form of an attestation signed by the employee. The employee must provide an attestation every plan year during open enrollment period.

(b) Opt-Out Rate

If an employee meets the requirements of this section and elects to opt out of District health coverage, the District will pay the employee a dollar amount equal to 50% of what the District would otherwise pay to cover the employee and his or her qualified dependents under the FDAC/EBA Kaiser Premium HMO plan. This Cash-in-Lieu Payment is taxable and will be paid on a proportionate basis every pay period.

ARTICLE 20 LIFE INSURANCE

The District will pay the full cost of providing term life insurance coverage, for those employees who are eligible and insurable, of One Hundred Thousand Dollars (\$100,000.00).

ARTICLE 21 LONG-TERM DISABILITY INSURANCE

- 1. The District will pay the full cost of providing long-term disability insurance for all employees in the representation unit.
 - (a) The District will purchase the group long-term disability insurance policy through the California Association of Professional Firefighters Self-Funded Program.
 - (b) Association of Professional Firefighters Self-Funded Program.

ARTICLE 22 UNIFORMS

- 1. All management and administrative employees who customarily and regularly wear uniforms, prescribed by the Chief, during scheduled duty hours, shall be covered by the following "Uniform Replacement Program". The District shall replace worn or damaged articles of uniform in kind based on the following:
 - (a) Uniform shirt, pant, T-shirt, work boots (as opposed to dress shoes) jacket or job shirt as needed.
 - (b) Dress uniform, white shirt and black tie, as needed, each five (5) years.

2. Damaged and/or worn articles of uniform shall be turned into the Chief who shall determine if the article warrants replacement. Items damaged as the result of the employee's negligence or carelessness will not be replaced in kind by the District under this program and may not be worn while on duty.
3. As an exception to the foregoing, the District will replace in kind those articles of uniform listed in paragraph 1. (a) above which, in the judgment of the Chief, have been damaged or destroyed as the result of unusual circumstances beyond the control of the employee incurred in the performance of his/her official duties.
4. Article of uniform provided under this program shall remain the property of the District and shall be turned into the Chief when replaced in kind or when the employee retires or terminates his/her employment with the District for any reason.

ARTICLE 23 PROMOTIONS

1. All positions shall be filled per the "Personnel Selection and Hiring Rules". Promotional examinations shall be first offered to qualified employees per Section 502.1 of the "Personnel Selection and Hiring Rules". Only in the event that there are no qualified employees, or none of those qualified successfully pass the promotional examination process, shall recruitment be open to candidates outside the Sonoma Valley Fire & Rescue Authority.
2. The District and Employees have entered into a Career Development plan. All candidates must meet the requirements stipulated in the Sonoma Valley Fire & Rescue Authority's "Career Development Guide".

ARTICLE 24 PROBATION

1. All newly employed management or administrative employees covered by this Agreement shall be required to serve a twenty four (24) month probationary period. An employee may be dismissed for any reason during the probationary period without right of appeal to the grievance procedure.
2. All employees promoted to officer classifications shall serve a twelve (12) month probationary period.

ARTICLE 25 STAFF VEHICLES

1. The Chief is assigned a staff vehicle with use of that vehicle intended for the performance of assigned duties. Off duty use of those vehicles is permitted by the Board of Directors, on a limited basis, due to the nature of the position held and need for emergency recall.
2. Other management and administrative employees can be assigned staff vehicles, as needed, for the conducting of District business including the need for emergency recall.
3. The use of District vehicles shall be in accordance with District procedures as outlined in the Sonoma Valley Fire Lexipol Manual.

ARTICLE 26 USE OF PRIVATE VEHICLES

1. The use of private vehicles, by management and administrative employees, for conducting District business, shall be limited to those situations approved by the Chief.
 - (a) Those situations can include: an emergency where a staff vehicle is not available; extended absences from the District due to attendance of a school, seminar or other training event; or other situations where the absence of a staff vehicle from the District would create a hardship for the District.

2. Those management and administrative employees who use their private vehicle for District business, as outline in the paragraph above, will be reimbursed on a per mile basis as outlined in District Policy.
3. The use of private vehicles for District business shall be in accordance with District policy as outlined in the Manual of Operations.

ARTICLE 27 LAYOFF AND REHIRE

1. A District employees' departmental seniority date shall be established when the employee is designated as having regular status (as opposed to temporary status) within the District. Where employees are hired or promoted on the same date, the order of seniority either department or classification, shall be based on the respective position each such employee was assigned on the eligibility list (e.g., the employee highest on the eligibility list will be accorded the most seniority).
2. If there should be a reduction from the management or administrative classification the employee with the least seniority within that classification will be demoted to their former classification.
 - (a) Classifications covered by the provisions of the Agreement shall be governed by the appropriate sections thereof.
 - (b) For City of Sonoma employees who transitioned into the District after January 2012, their date of hire by the City of Sonoma as full-time employees will be recognized for seniority purposes.
3. No new employees shall be employed until the laid off employee(s) has been given the opportunity to be reinstated. The last such employee laid off shall be the first rehired, provided not more than eighteen (18) months, per Section 901-A of the "Personnel Selection and Hiring Rules", has elapsed from the date of lay off.
 - (a) If a former District employee has been separated from the District for a period of more than six (6) months they shall, before being considered for reinstatement, pass a physical examination and be held to the hiring criteria in effect at the time of their layoff.
 - (b) A reinstated District employee will have six (6) months, from the date of reinstatement, to successfully update all certifications that they held prior to layoff.

ARTICLE 28 POLICIES SUBJECT TO CHANGE

All of the policies contained herein are subject to change at any time by a Resolution of the Board of Directors. Nothing herein shall bind the Board of Directors for any specific period of time, nor shall this Policy be considered to limit the Board's discretion to make any and all changes hereto that it deems necessary.

ARTICLE 29 NO DISCRIMINATION

There shall be no discrimination of any kind because of race, creed, color, national origin, gender, ancestry, political or religious opinion or activities, sexual orientation or marital status, medical condition or disability (as defined in state and federal law) except where physical strength, ability and agility are bona fide occupational qualifications; activities as described in the Meyers-Milias-Brown Act, and, to the extent prohibited by State and Federal law, A.D.A, age (over 40); provided, however, nothing herein shall be deemed to authorize the conduct of political, religious or activities on Employer time or with Employer equipment or Employer supplies.

ARTICLE 30 TERM

The term of this Agreement shall be July 1, 2018 through June 30, 2020.

ARTICLE 31 EXISTING BENEFITS CONTINUED

Except as provided herein, this Agreement does not modify existing benefits, policies or procedures, nor does it modify provision of the prior Agreement applicable to the employees covered by this Agreement. Such benefits, policies, procedures and provisions as remain unmodified shall continue in full force and effect throughout the term of this Agreement.

IN WITNESS WHEREOF, the parties hereby have executed this Agreement this 9th day of February 2021.

Management and Administrative
Employees Group

By _____
Spencer Andreis Date

Sonoma Valley Fire Protection District

By _____
Maci Jerry, Clerk Date

By _____
Bill Norton, President Date

APPENDIX 'A'

MANAGEMENT & ADMINISTRATIVE EMPLOYEES

SALARY PLAN

June 30, 2020 through June 30, 2021

(Updated 1/14/2020)

Finance Officer

		Step A	Step B	Step C	Step D	Step E
<i>Dec. 30, 2019</i>	Monthly:	7,770	8,003	8,243	8,490	8,745
	Hourly:	44.83	46.17	47.56	48.98	50.45

Fire Marshal

		Step A	Step B	Step C	Step D	Step E
<i>July 2, 2018</i>	Monthly:	10,253	10,560	10,877	11,203	11,539
	Hourly:	59.15	60.92	62.75	64.63	66.57
<i>Dec. 31, 2018</i>	Monthly:	10,356	10,666	10,986	11,315	11,654
	Hourly:	59.75	61.53	63.38	65.28	67.23
<i>July 1, 2019</i>	Monthly:	10,563	10,879	11,206	11,541	11,887
	Hourly:	60.94	62.76	64.65	66.58	68.58

Battalion Chief (56-HR)

		Step A	Step B	Step C	Step D	Step E
<i>July 2, 2018</i>	Monthly:	10,253	10,560	10,877	11,203	11,539
	Hourly:	42.14	43.40	44.70	46.04	47.42
<i>Dec. 31, 2018</i>	Monthly:	10,356	10,666	10,986	11,315	11,654
	Hourly:	42.56	43.83	45.15	46.50	47.89
<i>July 1, 2019</i>	Monthly:	10,563	10,879	11,206	11,541	11,887
	Hourly:	43.41	44.71	46.05	47.43	48.85

Administrative Battalion Chief (40-HR)

		Step A	Step B	Step C	Step D	Step E
<i>July 1, 2019</i>	Monthly:	10,563	10,879	11,206	11,541	11,887
	Hourly:	60.94	62.76	64.65	66.58	68.58

Fire Chief

		Step A	Step B	Step C	Step D	Step E
<i>July 2, 2018</i>	Monthly:	11,886	12,242	12,609	12,988	13,377
	Hourly:	68.57	70.63	72.74	74.93	77.18
<i>Dec. 31, 2018</i>	Monthly:	12,005	12,364	12,735	13,118	13,511
	Hourly:	69.26	71.33	73.47	75.68	77.95
<i>July 1, 2019</i>	Monthly:	12,245	12,611	12,990	13,380	13,781
	Hourly:	70.64	72.76	74.94	77.19	79.51

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA VALLEY FIRE DISTRICT, SONOMA COUNTY, STATE OF CALIFORNIA, APPROVING A SIDE LETTERS OF AGREEMENT BETWEEN THE SONOMA VALLEY FIRE DISTRICT AND THE SONOMA VALLEY FIRE MANAGEMENT AND ADMINISTRATIVE EMPLOYEES

WHEREAS, the Board of Directors of the Sonoma Valley Fire District, by approval of Resolution 2020/2021-16, dated February 9, 2021, amended the position descriptions and salary and benefit schedule of employees covered by the Management and Administrative Employees Agreement effective July 1, 2018 through June 30, 2021; and

WHEREAS, representatives of the Sonoma Valley Fire Management Employees Association, have met and conferred with the District; and

WHEREAS, a Side Letter of Agreement has been created to adjust Article 6 and Appendix A in the Agreement; and

WHEREAS, approval of Resolution 2020/2021-16 adds the position of Administrative Battalion Chief to the Agreement and salary schedule.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors approves the Side Letter of Agreement for the Management and Administrative Employees Agreement.

IN REGULAR SESSION, the foregoing resolution was introduced by Director _____, who moved its adoption, seconded by Director _____, and passed by the Board of Directors of the Sonoma Valley Fire District this 9th day of February, 2021, on regular roll call vote of the members of said Board:

President Norton	Aye_____	No_____	Absent_____
Vice President Atkinson	Aye_____	No_____	Absent_____
Treasurer Johnson	Aye_____	No_____	Absent_____
Director Brady	Aye_____	No_____	Absent_____
Director Brunton	Aye_____	No_____	Absent_____
Director Emery	Aye_____	No_____	Absent_____
Director Leen	Aye_____	No_____	Absent_____
Vote:	Aye_____	No_____	Absent_____

WHEREUPON, the President declared the foregoing resolution adopted, and

SO ORDERED:

ATTEST:

William Norton, President

Maci Jerry, Clerk