

**AGENDA**  
July 13, 2021  
10:00 a.m.

**BOARD MEMBERS AND PUBLIC MAY ATTEND IN PERSON AT DISTRICT OFFICE OR VIA VIDEO CONFERENCE AS DETAILED BELOW**

**Call to Order**

**Pledge of Allegiance**

**Roll Call of Board Members**

Janice Kwiatkowski, President  
Nancy Mora, Vice President  
John Armstrong, Director  
Spencer Edwards, Director  
Robert Swan, Director

**1. Approve Order of Agenda**

**2. Public Comment**

Members of the public are appreciated for taking the time to attend this meeting and provide comments on matters of District business. Public comments are subject to a 3-minute time limit; 10 minutes on an individual topic. Although no action can be taken on items not listed on the agenda, please know we are listening carefully to your comments.

**3. Information Items**

Brief reports may be provided by District staff and/or Board members as information on matters of general interest. No action will be taken by the Board during Reports, however items discussed may be recommended for discussion and action on a future agenda. Public comments will be taken after each report is provided.

**A. Staff Reports**

- i. Fire Department Report
- ii. General Manager's Report
- iii. Operations Manager's Report
- iv. Administrative Services Manager's Report

**4. Consent Calendar**

Consent Calendar items are considered routine and will be acted upon by one motion. There will be no separate discussion on these items unless a member of the Board, Staff or a member of the public requests specific items be set aside for separate discussion.

- A. Approve Minutes from the June 8, 2021, Regular Meeting
- B. Approve Minutes from the June 17, 2021, Special Meeting
- C. Accept June 2021 Payables
- D. Waive Reading of Ordinances and Resolutions Except by Title

**5. Old Business**

(Items tabled or carried forward from a previous meeting to be considered on this agenda. The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action)

- A. Discussion of Options to Provide Law Enforcement within the District Boundaries

## **6. Discussion and Action Items**

The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action.

### **A. Public Hearing**

The District will Conduct a Public Hearing to Receive Public Comment and Input for the Placement of Delinquent Charges for FY 2020-21 on Property Tax Rolls

- i. Adoption of a Resolution Approving the Placement of Delinquent Charges for FY 2019-20 on Property Tax Rolls

### **B. Public Hearing**

The District will Conduct a Public Hearing to Receive Public Comment on the Acceptance of the Development Impact Fee Report and Adoption of the Development Impact Fee Schedule

- i. Adoption of a Resolution Accepting the Development Impact Fee Report Prepared by NBS Dated June 18, 2021 and Adoption of the Development Impact Fee Schedule

### **C. Public Hearing**

The District will Conduct a Public Hearing to Receive Public Comment on the Formation of a Community Facilities District Encompassing the District Boundaries for the Purpose of Levying Special Taxes on New Land Development Projects to Fund Fire and Park Services

- i. Adoption of a Resolution of Formation of the Groveland Community Services District Community Facilities District 2021-01 – Fire and Park Services
- ii. Introduction and First Reading of Ordinance No. 2021-01 Authorizing the Levy of Special Taxes on Parcels That Will Annex to a Community Facilities District – Groveland Community Services District Community Facilities District No. 2021-01 (Public Services)

## **7. Adjournment**

**HOW TO OBSERVE AND PARTICIPATE IN THE MEETING VIA VIDEOCONFERENCE:**

**Computer, tablet or smartphone:** Watch the live streaming of the meeting from a computer by navigating to <https://us02web.zoom.us/j/7688070165> using a computer with internet access that meets Zoom's system requirements

**Telephone:** Listen to the meeting live by calling Zoom at (253) 215-8782 or (301) 715-8592. Enter the Meeting ID# 279-281-953 followed by the pound (#) key. More phone numbers can be found on Zoom's website at <https://zoom.us/u/abb4GNs5xM> if the line is busy.

**Mobile:** Log in through the Zoom mobile app on a smartphone and enter Meeting ID# 279-281-953.

**HOW TO SUBMIT PUBLIC COMMENTS IF NOT ATTENDING IN PERSON:**

**Written/ Read Aloud:** Please email your comments to [board@gcsd.org](mailto:board@gcsd.org), write "Public Comment" in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. If you would like your comment to be read aloud at the meeting (not to exceed three minutes at staff's cadence), prominently write "Read Aloud at Meeting" at the top of the email.

**Telephonic / Electronic Comments:** During the meeting, the Board President or designee will announce the opportunity to make public comments by voice and in writing, and identify the cut off time for submission of written comments. Comments can be emailed in advance of the Board meeting and up to the time of Board consideration of the item during the meeting. Send email to [board@gcsd.org](mailto:board@gcsd.org), and write "Public Comment" in the subject line. Once you have joined the Board meeting online using Zoom, public comments can also be submitted using the Chat function while in the Zoom Meeting. In the body of the email or Chat, include the agenda item number and its title, as well as your comments. The Board President will also public comment to be made verbally prior to consideration of each agenda item, and will explain the procedure for making verbal comments during the meeting. Once the public comment period is closed, comments timely received in advance of consideration of the agenda item will be read aloud prior to Board action on the matter. Comments received after the close of the public comment period will be added to the record after the meeting.

**ACCESSIBILITY INFORMATION:**

Board Meetings are accessible to people with disabilities and others who need assistance. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to observe and/or participate in this meeting and access meeting-related materials should contact the District office at least 48 hours before a regular meeting at (209) 962-7161 or [pkampa@gcsd.org](mailto:pkampa@gcsd.org). Advanced notification will enable the District to swiftly resolve such requests to ensure accessibility.

**PUBLIC RECORDS:**

Public records that relate to any item on the open session agenda for a meeting are available for public inspection. Those records that are distributed after the agenda posting deadline for the meeting are available for public inspection at the same time they are distributed to all or a majority of the members of the Board. The Board has designated the District's website located at <https://www.gcsd.org> as the place for making those public records available for inspection. The documents may also be obtained by calling the District office.

**Groveland Community Services District  
Fire Department / CALFIRE**

18966 Ferretti Road Groveland, CA 95321

Staff Report  
July 1, 2021

To: Board of Directors

From: Andy Murphy, Assistant Chief  
By: Travis Chunn, Fire Captain

Subject: Monthly Activity Report – June 1, 2021 to June 30, 2021

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**Operations:**

**Emergency Incident Response:**

At approximately 8:45 PM on June 20, 2021, firefighters from Groveland CSD Fire (GCSD), Tuolumne County Fire (TCFD), CAL FIRE Tuolumne Calaveras Unit (TCU), and CAL FIRE Madera Mariposa Merced Unit (MMU) were dispatched to a working structure fire in the 12000 block of Mueller Drive in Groveland. On arrival, firefighters found a residential structure fully involved with fire and over 50% of the roof already collapsed in. Firefighters took aggressive action to keep the extension of the fire to about 0.01 acres of wildland while protecting nearby homes. The two residents were not home at the time of the fire and were able to find accommodations for the night. There were no reported injuries. The cause is under investigation.

At approximately 7:45 AM on June 26, 2021, E781 received a call into the station of smoke coming from the hill across from the Groveland Community Services District entrance. On arrival, firefighters found a 20' by 20' vegetation fire burning with a slow rate of spread. No civilians were present, however there was evidence of a homeless encampment adjacent to the fire origin. CAL FIRE Tuolumne Calaveras Unit (TCU) E4476 and E4450 assisted with extinguishing the fire. There was an active campfire/cooking fire approximately 30' from the area of origin. The fire was determined to be caused by campfire/cooking fire.

**Apparatus and Equipment:**

Apparatus	Description	Status
Engine 781	2009 Pierce Contender	In Service
Engine 787	2000 Freightliner FL112	In Service
Engine 783	1995 International Model 15	In Service
Utility 786	2008 Chevrolet 2500	In Service

**Training:**

In addition to our monthly Emergency Medical Technician (EMT) curriculum and engine company performance standards, Battalion personnel received the following specialized training:

- Hazardous Materials IC
- Vehicle Extrication
- Logistics
- Ropes
- Drafting
- Pumping
- SCBA



Photo of the structure fire on Mueller Drive on June 20, 2021

**MONTH - June 2021**

**STATION 78**

Alarm Sounding	0
Odor Investigation	0
Debris Fire	0
Medical Aid	25
Fire Menace Standby	2
Fire Other	0
Haz Mat	0
Landing Zone	0
Plane/Heli Crash	0
Public Assist	7
Smoke Check	1
Structure Fire	1
Commercial Structure Fire	0
Vegetation Fire	1
Vehicle Accident	3
Vehicle Accident/Pin in	0
Vehicle Fire	0
<b>TOTAL</b>	<b>40</b>

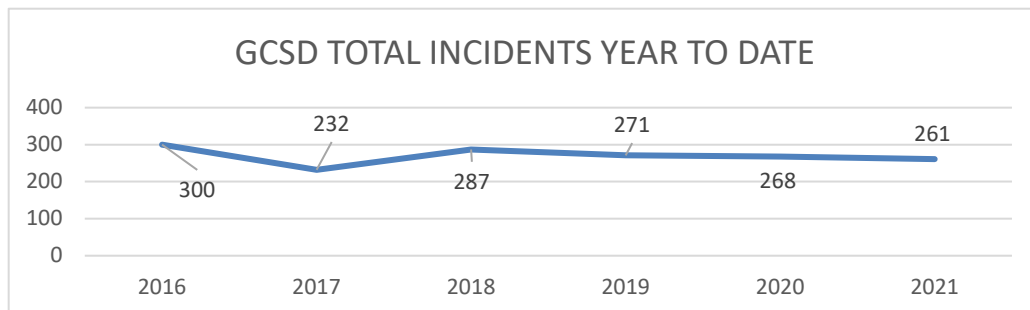
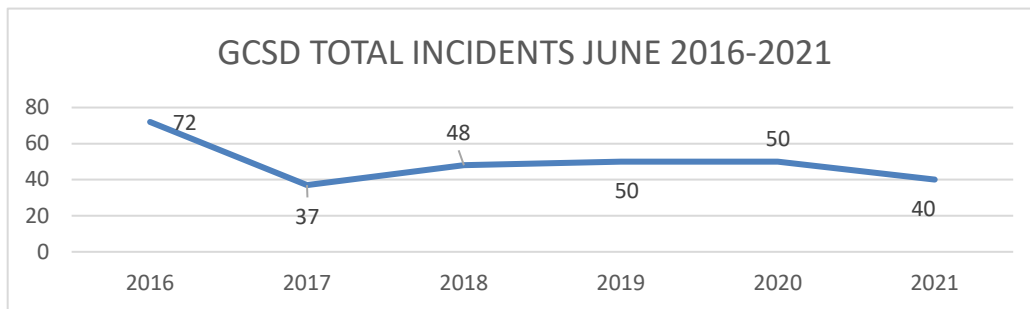


Auto Aid	Given
<b>Tuolumne County</b>	<b>3</b>
Inc# 7108 Medical Aid Prospect Heights Inc# 7421 Vehicle Accident Smith Station Rd Inc# 7646 Medical Aid Smith Station Rd	

(37 calls in GCSO district, 3 calls in Tuolumne County)

**Last Call Logged Run # 8233**

ALS	
Yes	No
19	15



**TO:** GCSB Board of Directors

**FROM:** Peter Kampa, General Manager

**DATE:** July 13, 2021

**SUBJECT:** Agenda Item 3Aii. General Managers Report

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### Overview

For the month of June 2021, we are pleased to be coming to close on a number of multi-year initiatives that are both on your Board's agenda today. In addition, we are making substantial progress on several major infrastructure projects and relationship initiatives. This report will provide a highlight of the most noteworthy items and as always, please contact me if you do not see information you desire.

### Big Creek Clearwell

The contractor has completed the interior and exterior recoating of the Big Creek Clearwell, and the tank has been inspected, disinfected, filled and all water samples



returned clear. The Big Creek water plant has been in operation for the past 4 weeks and producing great water. The contractor has completed the Butler Way Booster system except for the new sound enclosure, which will be delivered in mid-July and installed soon thereafter. The Second Garrotte Clearwell has been drained and an interior inspection completed to determine if a more detailed



evaluation of corroded areas was necessary prior to sandblasting. It has been initially determined that no such additional evaluation is necessary, based on the small amounts of corrosion related structural issues. Good news!

### Groveland/Big Oak Flat Sewer Collection Upgrades

The construction contract with Moyle Excavation was executed and all documents have been submitted to the state for their mandatory budget approval. Due to the fact that we awarded the contract for the bid additive items which were outside the original environmental evaluation, those areas must be reviewed and the CEQA document amended. This CEQA amendment will be completed in the next two months, and we expect state approval to proceed within four months.

## Failure of Measure V

As we all know by now, Measure V failed to receive voter approval, so the Tuolumne County Fire Authority is officially dissolved. It is strongly recommended that the Board schedule a workshop in the coming months to receive further Board and public input on how we should approach the fire department funding gap. Hopefully a revised funding measure can be crafted to address the fire department funding shortfall and the concerns raised by local citizens/voters. Final results place 59% of Groveland voters in favor of Measure V, far beyond the support in other areas of the county.

## Other Items

### **Coordination with County on CFD and Impact Fees**

We have met with the county on two occasions to discuss the structure and process for approval and implementation of both the Park/Fire Services CFD and Impact Fees. In addition, the county is nearing completion of its own update of Impact Fees, and we are coordinating the process of levy of the GCSD and County impact fees on development. In the August, the Board will review a draft form of agreement with the county regarding how the charges will be levied, paid, accounted for and reported. Collectively we expect all impact fees and the CFD to be in place by October 2021.

### **General Manager Leadership Summit**

Operations Manager Luis Melchor and I attended the CSDA General Manager Leadership Summit in Squaw Valley in late June. The 2-day conference was packed full of motivational and informational sessions focusing on areas from team building, leadership, organizational tactics, outreach and public engagement. As always, we never stop learning better ways to conduct business at GCSD.



**GROVELAND COMMUNITY SERVICES DISTRICT  
BIG CREEK AND SECOND GARROTTE CLEARWELLS REHABILITATION  
PROJECT  
CONSTRUCTION PROGRESS MEETING**

July 6, 2021 @ 8:30 AM

AGENDA

- I. INTRODUCTIONS
- II. CONSTRUCTION PROGRESS SNAPSHOT
  - a. Total Project Cost (Contractor) \$3,118,200.00
  - b. Total Project Cost (Total Project) \$3,954,200.00
  - c. Budget Spent to Date (Contractor) \$1,726,486.00
  - d. Budget Spent to Date (Total Project) \$2,037,990.00
  - e. Total Project Contingency \$361,000.00
  - f. Contingency Used to Date \$96,663.50 (+\$5,948.50 Pending CCO)
  - g. Percentage Funding Used to Date (Contractor) 55.4%
  - h. Percentage Funding Used to Date (Total Project) 51.5%
  - i. Percent Contingency Used to Date 26.8%
  - j. Days for Completion 135 Working Days
  - k. Elapsed Days 144 Working Days
  - l. Remaining Days -9 Working Days
- III. CONSTRUCTION SITE REPORTS
  - a. Progress to Date
  - b. Contractor (1-MONTH LOOK AHEAD)
- IV. CHANGE ORDERS
  - a. Fully Executed
    - i. Change Order No. 1 – Additional Structural Repairs in Big Creek Clearwell (\$33,217.80 and 8 Additional Working Days)
    - ii. Change Order No. 2 – Relocation of ARV to Adjacent Wye Fitting at Butler Way Pump Station (No Cost and 2 Additional Working Days)
    - iii. Change Order No. 3 – Installation of Insulation in Both the Big Creek and Second Garrotte New Electrical Cabinets (\$953.00 and No Working Days)
    - iv. Change Order No. 4 – Inspection Sand Blast (Time & Material) (\$46,457.90 and 4 Additional Working Days)

- v. Change order No. 5 – Addition of Inlet ARV at Butler Way Pump Station (\$2,116.00 and 1 Working Day)
    - vi. Change order No. 6 – Upgrade of Pressure Transmitter at Butler Way Pump Station (\$3,832.50 and 0 Working Day)
  - b. Received
    - i. Pending Change Order No. 3 – Additional Work at Butler Way (Time & Material)
    - ii. Pending Change Order No. 10 – Oil Removal from Big Creek Clearwell Baffles (Negotiating)
  - c. Requested
    - i. Pending Change Order No. 12 – Addition of Communications Between Butler Way Pump Station and Tank 1
  - d. Denied
    - i. Pending Change Order No. 1 – Oil in Tank (\$48,539.00 and 14 additional Working Days)
    - ii. Pending Change Order No. 6 – Lid Pin Holes Repairs (\$14,200 and 2 additional Working Days)
- V. SUBMITTAL REVIEW
  - a. Approved Submittals
    - i. Submittal No. 1 – 38
  - b. Remaining Submittals
    - i. None
- VI. REVIEW RFI LOG
  - a. Responded RFI's
    - i. RFI No. 1 – 31, 33 - 35
  - b. Pending RFI's
    - i. None
- VII. Claims
  - a. Claim No. 1 – Oil in the Tank
    - i. Responded
  - b. Claim No. 2 – Additional Expenses Incurred for Big Creek Clearwell Coating
    - i. Responded
  - c. Claim No. 3 – Relocation of ARV at Butler Way Pump Station
    - i. Claim Removed

- d. Claim No. 4 – Mill Scale in Big Creek Clearwell and Chlorine Contact Tank
  - i. Responded

VIII. PAYMENT REQUESTS

- a. Processed
  - i. Disbursement Request No. 1 (\$331,640.00)
    - 1. Received.
  - ii. Disbursement Request No. 2 (\$298,997.00)
    - 1. Received.
  - iii. Disbursement Request No. 3 (\$673,932.00)
    - 1. Received.
  - iv. Disbursement Request No. 4 (\$510,681.00)
    - 1. Received.
  - v. Disbursement Request No. 5
    - 1. Submitted 7/6/2021

IX. PROJECT SCHEDULE

- i. Butler Way Pump Station
  - 1. Communication Issue.
    - a. Problem with SCADA on GCSD side?
- ii. Second Garrotte
  - 1. Shutdown site today
  - 2. Internal inspection 7/7/21

X. CONCERNS

XI. ADJOURN



# Operations Report

Month of Review: June 2021

### Information Provided by:

- Luis Melchor, Operations Manager
- Greg Dunn, Chief Plant Operator
- Renee Van Dyk, Administrative Services Technician
- Adam Ahlswede, Operation Supervisor

### Wastewater Treatment Plant Flows

Influent Totals From: June 2021	
Total	3.78 MG
High	.16 MG
Low	.08 MG
Average	0.13 MG

Effluent Totals From: Plant: June 2021	
Total	3.77 MG
High	0.17 MG
Low	0.08 MG
Average	0.13 MG

### Rainfall Totals at the Sewer Treatment Plant Month of June 2021

Year	Total Rainfall-inches
2021	0.00 (High 0.00)
2020	0.00 (High 0.00)
2019	0.04 (High 0.04)
2018	0.00 (High 0.00)
2017	0.14 (High 0.09)
Current Season Total	20.74

### Wasting Totals

Total Inches	476
Total Pounds	6745

### Reclamation Totals

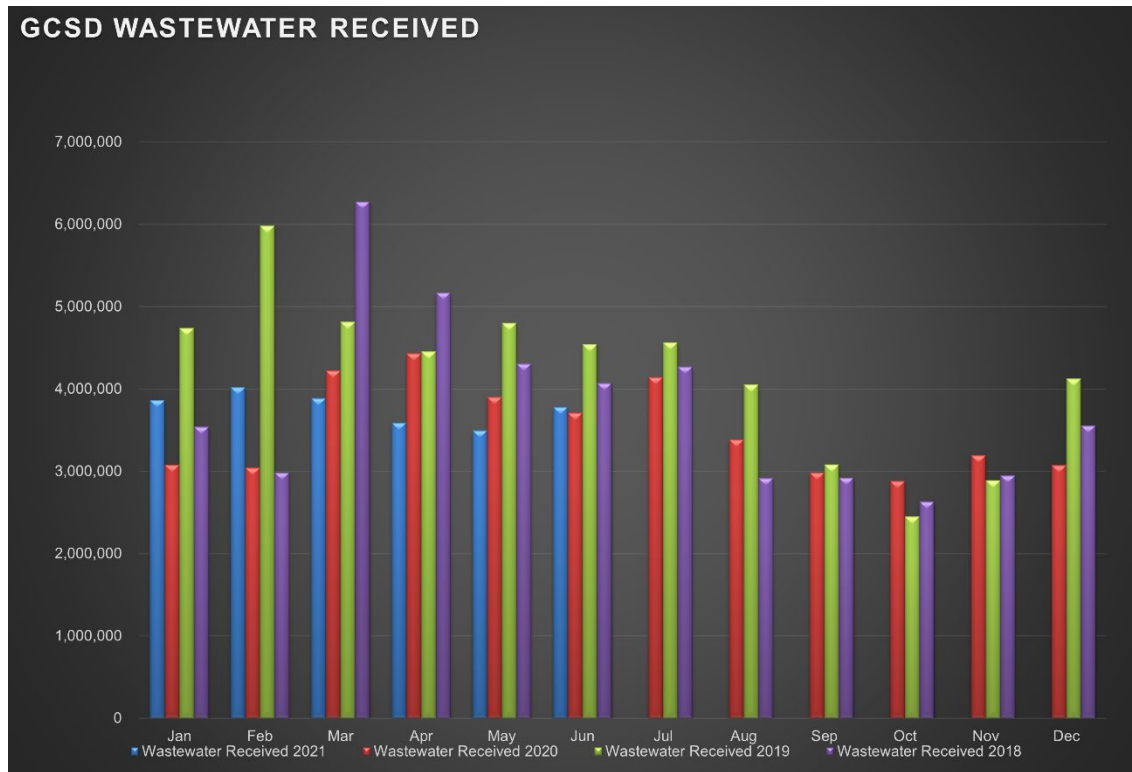
PML	0
Spray Fields	0
PML Season Total	0
Spray Fields Total	0

Active Sewer Accounts: 1562

## Activities at the Wastewater Treatment Plant

- Took weekly Bac-Ts and BOD of the Chlorine Contact Chamber (CCC) and sent into Aqua Lab for testing
- Completed monthly Wastewater Report and sent to the State Water Resources Control Board
- Completed daily rounds and Lab
- Cleaned out Chlorine Contact Vault
- Cleaned out STP clarifier and washed down
- Repaired valve for the Return Activated sludge line
- Installed new handrail/Fall protection around WWTP
- Cleaned air filters on blowers at the Headworks

### Current and Past Monthly Influent Totals



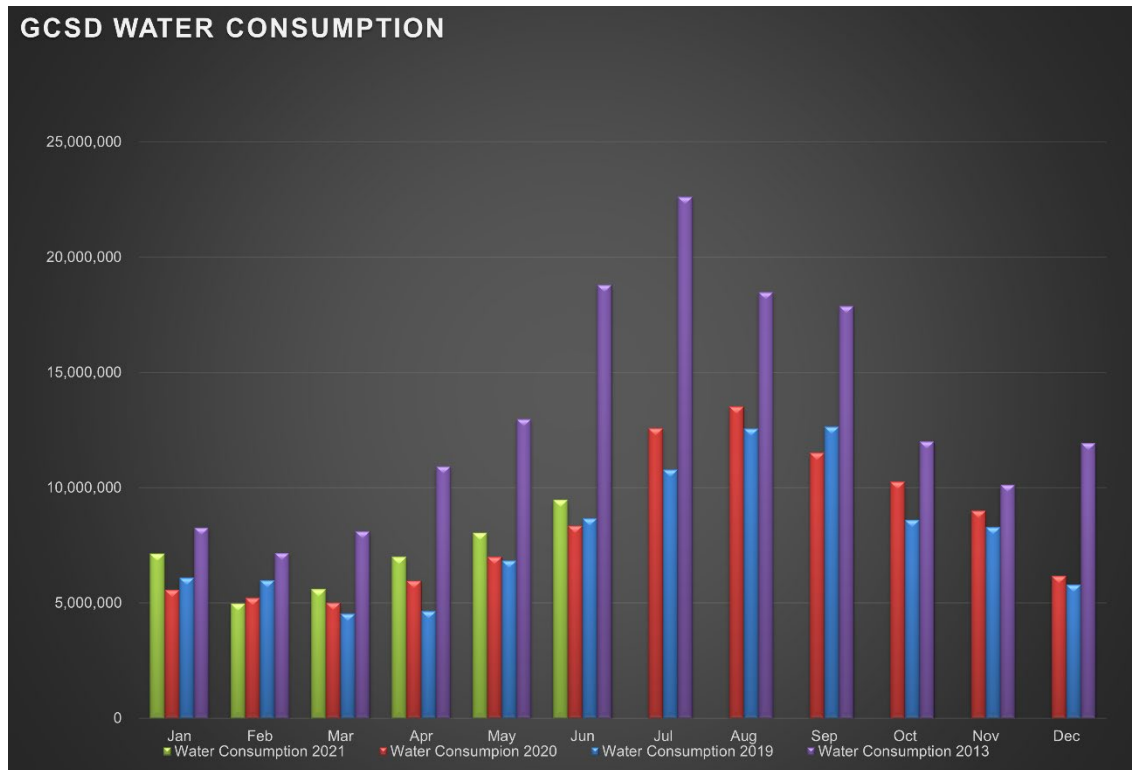
## Wastewater Collections Department

- Completed all Preventative Maintenance Check Sheets (PMCS) at all Lift Stations (weekly)
  - Added degreaser and odor control as needed
- Chemical flushed gravity sewer lines throughout the District for system maintenance
- Inspected and flushed problem manholes
- Hydro flushed multiple gravity lines throughout the District for system maintenance
- Sealed up Manholes on Ls 13 gravity lines heading to Lift Station 8
- Completed manholes inspection for Lift Station 6,7 and 8 gravity lines
- Completed sewer line repair on Hemlock
- Cleaned Lift Stations 1, 2, 3, 4, 13, 14, and 15
- Smart Cover at 19604 PMD detected high level- Jetted and CCTV to remove root ball at Private lateral
- Smart Cover at 13349 Clements Rd detected high level- Found that it was partially plugged with grease, removed debris and jetted line
- Moved Smart Cover from unit 12 to BOF
- Started sampling Lift Station 7 and 16 for reference data
- Installed new sewer connection on PMD and Forestwood
- Completed ground maintenance around Lift Stations 3, 4, 6 and 14
- Exposed manholes covered (asphalt) on Upper Skyridge Drive
- Investigated sewer odor complaint on Bigfoot Cir, found missing clean out cap resulting in odor coming from main line

## Treated Water Department

- Submitted monthly Water Treatment Report to State Water Resources Control Board
- Submitted monthly Conservation Report to State Water Boards
- Performed weekly checks and calibrations on all analyzers at 2G, BC, and AWS
- Performed monthly UV calibrations at 2G and BC
- Took weekly Treatment Plant samples and sent into Aqua Lab
- Took weekly distribution samples and sent into Aqua Lab
- Installed Post CCT sample pump at Big Creek Treatment plant
- Maintenance UV system at Big Creek Treatment plant

## Current and Past Monthly Water Consumption



## Distribution Department

- Monitored/sample Distribution Tank as needed
- Read all District Water Meters
- Normal day to day: Trouble calls (low press/high press, no water, shut off for repairs etc.)
- Completed weekly checks on Tank 4, Highlands Pump stations (Building, Pneumatic Tank, Pumps and MCC Cabinet)
- Responded and marked multiple USA throughout the District
- Repaired sheer coupling on Hydrant on Ridgecrest way
- Repaired water break (service Tube) on PML Drive and Cresthaven Drive
- Repaired water leak on Reid Cir.
- Replaced hydrant at Miller Brothers 17870 Hwy 120 and installed bollards
- Repaired water leak at the island as you enter PMD main Entrance
- Adjusted air/water balance for Tank 4 pneumatic tank, installed new timer for air compressor
- Replaced 1.5" meter on Dyer Ct

Meter Related Services	Total
Check/repair meter	1
Install water meter	0
Monthly Meter Restrictions	0
Meter change outs	1
Read tenant out	1
Re-Read	14
Turn off meter	2
Turn on meter	2
Test meter	2
<b>Total Distribution Issues</b>	<b>23</b>

**Active Water Accounts:3257**

Billed Consumption 2021		Gallons
Residential		9,473,684
Commercial		593,274
Billed Consumption 2020		Gallons
Residential		7,942,636
Commercial		398,863

## Construction and Maintenance

Description	Water	Sewer
Main line leaks	0	0
Main line break	0	0
Service leaks	3	0
Service breaks	0	0
Fire Hydrant replaced/repared	0	0
<b>Totals Per Service</b>	<b>3</b>	<b>0</b>

### Maintenance

- General yard maintenance around the District amenities (mow, weed eat, trash, debris removal, limb trees ETC)
- Cleaned around dumpster area and hauled cardboard to Moore Brothers
- Continuous Corp yard cleanup



- Cleaned/vacuumed all communication pull boxes for Fiberoptic internet installation
- Installed ice machine in Maintenance Department Office
- Vacuumed and washed-out generator room at 2G
- Took down trees near Big Creek treatment Plant
- Installed new pump control valve for Booster Pump #1 at Big creek TP
- Cleaned easement from Admin to Skate Park
- Adjusted block heater on 2g stand by generator
- Charged A/C; Replaced Plug #7 on Truck 15
- Repaired exhaust leak; repaired A/C on truck 7
- Repaired hydrant fill line on the Flush truck
- Greased 331 Bob Cat and New backhoe

### Projects/Contract Work

- Built database to move Manhole Inspection to digital format
- Assisted Cal-Fire with mop up at structure fire on Muller Dr
- Presidio Systems Inc (PSI)
  - Jetted and CCTV inflow sewer mains to LS1 (approximately 7500')

### After Hour Calls

- Staff had 9 after hour calls: 6 Water; 2 Sewer, other 1 all resolved

## Workplace Safety and Training

### Weekly Safety Meetings and Training

- Daily Tailgate Meetings
- Weekly Safety Meetings
- Weekly Security Checks
- Weekly Vehicle Inspection
- SDRMA Safety Courses
- CPR and First Aid
- New employee training- Andrew Klein
- Travis Deutsch obtained his CWEA Maintenance Technologist II Certificate

**REGULAR MEETING OF THE BOARD OF  
DIRECTORS GROVELAND COMMUNITY SERVICES  
DISTRICT GROVELAND, CALIFORNIA**

**June 8, 2021  
10:00 a.m.**

The Board of Directors of Groveland Community Services District met via zoom in regular session on the above mentioned date with Directors Janice Kwiatkowski, President, Nancy Mora, Vice President, John Armstrong, Robert Swan, and Spencer Edwards being present. Also present was Administrative Services Manager Jennifer Flores, Board Secretary Rachel Pearlman, Operations Manager Luis Melchor, and General Manager Pete Kampa.

**Call to Order**

Director Kwiatkowski called the meeting to order at 10:07am.

**Approve Order of Agenda**

Motion

*Director Edwards moved, seconded by Director Armstrong and the motion passed unanimously by roll call to approve the order of the agenda.*

**Public Comment**

None.

**Information Items**

Brief reports may be provided by District staff and/or Board members as information on matters of general interest. No action will be taken by the Board during Reports, however items discussed may be recommended for discussion and action on a future agenda. Public comments will be taken after each report is provided.

**Staff Reports**

Fire Department Report  
General Manager's Report  
Operations Manager's Report  
Administrative Services Manager's Report

**Proclamations**

Recognition of Rachel Pearlman for her 4 Years of Service to the Groveland Community Services District  
Recognition of Anthony Filippi for his 3 Years of Service to the Groveland Community Services District

**Consent Calendar**

Consent Calendar items are considered routine and will be acted upon by one motion. There will be no separate discussion on these items unless a member of the Board, Staff or a member of the Public requests specific items be set aside for separate discussion.

Approve Minutes from the May 11, 2021 Regular Meeting  
Approve Minutes from the May 15, 2021 Special Meeting  
Approve Minutes from the May 20, 2021 Special Meeting  
Accept May 2021 Payables  
Establishment of a Public Hearing to Receive Public Comments and Receive Input on the Acceptance of the Development Impact Fee Study Report Prepared by NBS  
Waive Reading of Ordinances and Resolutions Except by Title

Motion

*Director Swan moved, seconded by Director Armstrong and the motion passed unanimously by roll call to approve the consent calendar.*

The Board convened for a recess at 11:15am.

The Board reconvened from recess at 11:26am.

Director Edwards left the meeting at 12:09pm.

Director Edwards returned to the meeting at 12:10pm.

Director Kwiatkowski left the meeting at 12:21pm.

Director Armstrong left the meeting at 12:26pm.

**Old Business**

(Items tabled or carried forward from a previous meeting to be considered on this agenda. The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action).

Discussion and Board Direction on Groveland CSD Fire Department Operational and Financial Matters Including Tuolumne County Fire Authority's Measure V, Intended to Provide Funding for Fire and Emergency Response Services

Motion

*No action taken.*

The Board convened for a recess at 12:45pm.

The Board reconvened from recess at 1:17pm.

Adoption of a Resolution Approving Implementation of the Previously Authorized Sewer Rate Increase for the Fiscal Year 21/22

Motion

*Director Armstrong moved, seconded by Director Kwiatkowski and the motion passed unanimously by roll call to adopt Resolution 15-2021 approving implementation of the previously authorized Sewer Rate Increase for the Fiscal Year 21/22.*

Consideration of Establishing the Compensation Level for the General Manager for the 2021/22 Fiscal Year

Motion

*Director Swan moved, seconded by Director Armstrong and the motion passed unanimously by roll call to approve a 10% increase for the compensation level for the General Manager for the 2021/22 Fiscal year effective July 1, 2021.*

## **Public Hearing**

Conduct Public Hearing Regarding the Adoption of the FY 2021-2022 Final Budget

The Board convened into closed session at 2:23pm.

The Board reconvened into open session at 2:23pm

Adoption of a Resolution Approving the FY 2021-2022 Final Budget including Appropriations Limit, Investment of District Funds Policy, Miscellaneous Fee Schedule, Employee Salary Schedule, and Organizational Chart

### Motion

*Director Kwiatkowski moved, seconded by Director Armstrong and the motion passed unanimously by roll call to approve the FY 2021-2022 Final Budget including Appropriations Limit, Investment of District Funds Policy, Miscellaneous Fee Schedule, Employee Salary Schedule, and Organizational Chart.*

## **Discussion and Action Items**

The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action.

### **Items 7A & 7B Appointment at 11:30am**

Adoption of a Resolution Approving and Adopting Local Goals and Policies Relating to Community Facilities Districts

### Motion

*Director Swan moved, seconded by Director Edwards and the motion passed unanimously by roll call to adopt Resolution 17-2021 approving and adopting Local Goals and Policies relating to Community Facilities Districts.*

Adoption of a Resolution of Intention for the Formation of a Community Facilities District (CFD) within the GCSD Boundaries to Provide Funding for Fire and Park Services from New Development Projects

### Motion

*Director Swan moved, seconded by Director Armstrong and the motion passed unanimously by roll call to adopt Resolution 18-2021 of Intention for the Formation of a Community Facilities District (CFD) within the GCSD Boundaries to Provide Funding for Fire and Park Services from New Development Projects.*

Review, Discussion, and Acceptance of the Proposed Park Amenities Study and Plan Report Prepared by WRT Design with the Modifications as Recommended by the Park Committee and Authorization to Increase WRT Contract for the Delivery of a Final Product

### Motion

*Director Edwards moved, seconded by Director Armstrong and the motion passed unanimously by roll call to accept the Park Amenities Study and Plan Report as presented with the modifications as recommended by the Park Committee and authorize the increase of the WRT Contract for the delivery of a Final Park Amenities Study and Plan.*

**Adjournment**

Meeting adjourned at 2:50pm.

APPROVED:

Janice Kwiatkowski, President

ATTEST:

Rachel Pearlman, Board Secretary

DRAFT

**SPECIAL MEETING OF THE BOARD OF  
DIRECTORS GROVELAND COMMUNITY SERVICES  
DISTRICT GROVELAND, CALIFORNIA**

**June 17, 2021  
9:00 a.m.**

The Board of Directors of Groveland Community Services District met via zoom in special session on the above mentioned date with Directors Janice Kwiatkowski, President, Nancy Mora, Vice President, Robert Swan, John Armstrong and Spencer Edwards being present. Also present was Board Secretary Rachel Pearlman, and General Manager Pete Kampa.

**Call to Order**

Director Kwiatkowski called the meeting to order at 9:06am.  
Director Armstrong was not absent.

**Public Comment**

The District received 2 letters from FFC and CIFAC regarding the awarded contract to Moyle Excavation for the Groveland Community Services District Sewer Collection System Improvements Project. General Manager Kampa read the messages into the record.

**Discussion and Action Items**

The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action.

Adoption of a Resolution Awarding Contract to Lowest Bidder, Moyle Excavation, Inc. for the Groveland Community Services District Sewer Collection System Improvements Project

*Motion*

*Director Kwiatkowski moved, seconded by Director Swan and the motion passed by roll call to adopt resolution 19-2021 authorizing the award of the Sewer Collection System Improvements Project to Moyle Excavation for a bid amount of \$3,653,429.00 and to authorize the General Manager to sign an Agreement on behalf of the District.*

*Ayes: Directors Kwiatkowski, Mora, Edwards, and Swan*

*Absent: Director Armstrong*

**Adjournment**

Meeting adjourned at 9:45am

APPROVED:

\_\_\_\_\_  
Janice Kwiatkowski, President

ATTEST:

\_\_\_\_\_  
Rachel Pearlman, Board Secretary



# ACCOUNTS PAYABLE CHECK LISTING

June 2021  
Fiscal Year 20/21  
Board Approval Date \_\_\_\_\_

# Accounts Payable Checks



User: dpercoco  
Printed: 7/6/2021 2:05:04 PM

Check N	Vendor N	Vendor Name	Check Dat	Committe	Description	Amount
20379	am01	AM Consulting Engineers, Inc.	6/3/2021	True	April engineering fees - General District Big Creek Sewer Proj	\$67,049.04
20380	AME03	American Red Cross	6/3/2021	True	Annual First Aid Training for 5 members	\$970.00
20381	aqu5	Aqua Sierra Controls Inc.	6/3/2021	True	SCADA Upgrade Completion	\$12,031.53
20382	CAR06	Carbon Copy Inc.	6/3/2021	True	Monthly Copier Usage	\$58.51
20383	Cle04	Clean Republic SODO LLC	6/3/2021	True	100 ea. 12 Volt Batteries for UPS's- Lift Stat., Tanks, Computers	\$4,885.00
20384	COL03	Columbia Communications	6/3/2021	True	Maintenance on Base/Mobile Radios E781, E787, U786	\$1,088.15
20385	Com04	Comphel Heating & Air Conditioning, Inc.	6/3/2021	True	Performed Maintenance on 11 HVAC Units	\$825.00
20386	C-S	C-S Mobile Smoke Test	6/3/2021	True	Smoke Testing on Diesel Vehicles	\$425.00
20387	CTD01	CTDS Truck Driving School	6/3/2021	True	Extension for CDL Class A Training for Travis Deutsch	\$500.00
20389	Fas02	Fastenal	6/3/2021	True	9 Volt & AA Batteries for Fire Dept.	\$589.31
20390	FOO01	Foothill-Sierra Pest Control	6/3/2021	True	Pest Control	\$160.00
20391	GCS02	GCS D	6/3/2021	True	GCS D Water Bill	\$3,710.51
20392	GEN02	General Supply Co	6/3/2021	True	Parts for WWTP Res 2 Power repair	\$906.24
20393	UB*02859	Hampton, Gerald	6/3/2021	True	Refund Check 015337-000, 20712 Nonpareil Way 4/248	\$250.77
20394	UB*02855	Harris, Donald	6/3/2021	True	Refund Check 007633-000, 18909 HWY 120 / ACROSS FRO	\$341.21
20395	HIT01	Hi-Tech E V S, Inc	6/3/2021	True	Pump Test on Engine 781	\$1,840.00
20396	ind04	Industrial Electrical Co.	6/3/2021	True	Goulds Motor	\$805.06
20397	UB*02854	James, Laurie	6/3/2021	True	Refund Check 016897-000, 20020 BLUE BELL 13/52	\$60.85
20398	JOR01	Jorgensen Co.	6/3/2021	True	Confined space entry monitor repairs/calib.s.Fire extinguishers	\$1,468.64
20399	UB*02856	Kanani, Kashyap	6/3/2021	True	Refund Check 016054-002, 19124 Dyer Ct 5/273B	\$186.42
20400	UB*02857	Kanani, Kashyap	6/3/2021	True	Refund Check 016054-003, 19124 Dyer Ct 5/273C	\$167.23
20401	UB*02862	Kanani, Kashyap	6/3/2021	True	Refund Check 016054-001, 19124 Dyer Court 5/273A Refund	\$148.64
20402	UB*02860	Kizziar, Terran & Marche	6/3/2021	True	Check 011640-000, 13055 TIP TOP CT 2/69	\$83.46
20403	UB*02861	Knoth, Thomas	6/3/2021	True	Refund Check 015021-000, 12833 CRESTHAVEN 3/381	\$179.05
20404	UB*02839	Lawrence, Jill	6/3/2021	True	Refund Check 014112-000, 18680 Main St (Millard Bldg)	\$139.30
20405	UB*02846	Lewis, John	6/3/2021	True	Refund Check 015610-000, 12113 BRECKENRG13/22 FEMA	\$64.93
20406	Lex01	Lexipol	6/3/2021	True	Safer Grant- Grant Writing	\$2,500.00
20407	UB*02864	Monette, Mary	6/3/2021	True	Refund Check 010026-000, 19434 PINE MT DR 1/408	\$33.13
20408	MOO01	Moore Bros. Scavenger Co., Inc.	6/3/2021	True	30 Yd. Monthly Debris Box Rental	\$142.88
20409	MOU03	Mountain Oasis Water Systems	6/3/2021	True	Bottled Water	\$80.50
20410	UB*02851	Murchison, Kenneth & Carole	6/3/2021	True	Refund Check 014317-000, 19862 Pleasant View 1/155 Short	\$166.49
20411	NBS01	NBS Government Finance Group	6/3/2021	True	paid 3/31/21 invoice for Developmental Impact Fee study	\$350.00



Check N	Vendor N	Vendor Name	Check Dat	Committe	Description	Amount
20412	neu01	Neumiller & Beardslee	6/3/2021	True	Legal Services - April	\$4,012.00
20413	per04	Percoco, Ronald	6/3/2021	True	Monthly Uniform Laundering & Janitorial Cleaning	\$2,816.00
20414	pre02	Presidio Systems, Inc	6/3/2021	True	10 hrs Hydro Vac LS 6,7,8 CCTV & travel for Twin Pines Easement	\$6,750.00
20415	Rig01	Right Now Couriers	6/3/2021	True	Monthly Courier Service	\$135.00
20416	UB*02744	Roman, Robert & Lehlani	6/3/2021	True	Refund Check 009947-000, 12518 PINE BROOK 4/451	\$658.81
20417	SAF03	Safety Center Inc.	6/3/2021	True	Traffic control and flagging training for staff	\$2,400.00
20418	UB*02853	Slepets, Polina & Vasilij	6/3/2021	True	Refund Check 014776-000, 20614 Longview Street 3/312 Refund	\$330.43
20419	UB*02863	Sousa, Joseph	6/3/2021	True	Check 005222-001, 20873 Big Foot Ct 4/66	\$9.73
20420	Sprbrk	Springbrook Holding Co. LLC	6/3/2021	True	3 Months Civic Pay C/C Pmt Fees	\$5,014.70
20421	UB*02852	Syroock, Cory & Sara	6/3/2021	True	Refund Check 014900-001, 12612 Cresthaven	\$118.57
20422	TUO01	Tuo. Co. Public Power Agency	6/3/2021	True	Public Power Purchase	\$13,143.96
20423	ups9	UPS	6/3/2021	True	Shipping Astra fee	\$7.84
20424	Ver02	Verizon Wireless 5298	6/3/2021	True	Monthly Cell Phone	\$834.48
20425	Wells	Wells Fargo Vendor Financial Services, LLC	6/3/2021	True	Monthly Lease on Admin Copier	\$359.28
20426	Wood01	Wood Rodgers, Inc.	6/3/2021	True	Professional Services through 3/31/21 for Integrated Water/WW MP	\$16,380.65
20427	UB*02858	Yeh, Trustees, James & Buffy	6/3/2021	True	Refund Check 015006-000, 19669 PINE MT DR 1/476	\$294.82
115815	OE3	Operating Engineers Local #3	6/14/2021	True	PR Batch 00001.06.2021 Oper Engin Union Dues	\$326.76
902303	CAL09	CalPers 457 Plan Administrator	6/14/2021	True	PR Batch 00001.06.2021 CalPers Def Comp	\$1,000.00
902304	DCSS	Dept of Child Support Services	6/14/2021	True	PR Batch 00001.06.2021 Wage Garnish Child Support	\$205.03
902305	EDD01	EDD - Electronic	6/14/2021	True	PR Batch 00001.06.2021 SDI - Employee	\$2,691.02
902306	FedEFTPS	Federal EFTPS	6/14/2021	True	PR Batch 00001.06.2021 FICA Employer Portion	\$15,818.52
902307	Orion	Orion Portfolio Solutions	6/14/2021	True	PR Batch 00001.06.2021 Orion 457	\$1,305.00
902308	PER01	Pers - Electronic	6/14/2021	True	PR Batch 00001.06.2021 2nd Tier PERS	\$8,944.86
20428	am01	AM Consulting Engineers, Inc.	6/16/2021	True	May Engineering fees for District BC Clearwell Downtown/BOF	\$43,728.69
20429	Cle03	CleanSmith Solutions	6/16/2021	True	Disinfection Services	\$2,250.00
20430	Datapro	Dataprose LLC Attn AR	6/16/2021	True	2020 Consumer Confidence Report	\$2,608.27
20431	DIS01	Dish Network	6/16/2021	True	Satellite TV for FD	\$79.55
20432	Du-A01	Du-All Safety, LLC	6/16/2021	True	May Professional Safety Consultations- 66 Hours	\$9,900.00
20433	EDIS01	E.D.I.S.	6/16/2021	True	Supplemental Health Ins.	\$4,955.54
20434	flo01	Flores, Jennifer	6/16/2021	True	Monthly Internet Stipend	\$100.00
20435	FOO01	Foothill-Sierra Pest Control	6/16/2021	True	Pest Control	\$160.00
20436	For03	Forestry Suppliers	6/16/2021	True	Fire Engine #783 Equipment	\$1,779.73
20437	GEN01	General Plumbing Supply	6/16/2021	True	Parts for Mueller water leak repair	\$1,168.16
20438	gilb01	Gilbert Associates, Inc.	6/16/2021	True	Monthly CPA Services	\$3,400.00
20439	HOL01	Holt Of California	6/16/2021	True	Truck/Trailer rental/Class A	\$8,455.19
20440	Hun02	Hunt & Sons, Inc.	6/16/2021	True	Fuel & Oil	\$978.52
20441	Kam02	Kampa, Peter	6/16/2021	True	Monthly Internet Stipend	\$100.00
20442	Min01	Miner's Mart	6/16/2021	True	Fuel for rented truck for Class A licenses	\$361.12
20443	Mitel	Mitel	6/16/2021	True	District Telephone Service	\$699.23
20444	MOO01	Moore Bros. Scavenger Co., Inc.	6/16/2021	True	Garbage Service	\$591.92
20445	MOT03	Mother Lode Answering Service	6/16/2021	True	Monthly Call Forward/Paging	\$237.00
20446	Moy01	Moyle Paving, Inc.	6/16/2021	True	Asphalt Patching	\$1,173.46
20447	NBS01	NBS Government Finance Group	6/16/2021	True	May consulting for Development Impact Fee Study	\$6,128.50

Check N	Vendor N	Vendor Name	Check Dat	Committe	Description	Amount
20448	Oreil	O'Reilly Auto Parts	6/16/2021	True	Headlights, turn signals for Truck #6	\$237.79
20449	Pac06	PACE Supply Corp	6/16/2021	True	1 ea. 6" ClaVal Pump Control valve for Big Creek Treatment Plant	\$9,023.00
20450	Pea01	Pearlman, Rachel	6/16/2021	True	Monthly Internet Stipend	\$100.00
20451	PGE01	PG&E	6/16/2021	True	Monthly Electric Charges	\$631.30
20452	Pin07	Pine Mountain Auto	6/16/2021	True	May Auto Parts	\$578.28
20453	pml01	PML Hardware & Supply Inc.	6/16/2021	True	May Hardware supplies	\$178.28
20454	Ron01	Roni Lynn	6/16/2021	True	Social Media Management	\$2,600.00
20455	SFPUC	San Francisco Public Utilities Commission	6/16/2021	True	Monthly Water Purchase	\$17,989.00
20456	Sta15	Staples Credit Plan	6/16/2021	True	Office Supplies	\$351.13
20457	Tuo14	Tuolumne County Recorder	6/16/2021	True	8 Satisfaction of Liens	\$160.00
20458	UMP01	UMPQUA Bank	6/16/2021	True	May Credit Card Purchases	\$7,015.79
20459	UNI01	Union Democrat	6/16/2021	True	Newspaper advertising	\$121.50
20460	USP01	United States Postal Service	6/16/2021	True	Annual Post Office Box Rental fee	\$284.00
20461	Van01	VanDyk, Renee	6/16/2021	True	Monthly Internet Stipend	\$100.00
20462	Ver03	Verizon Wireless 7706	6/16/2021	True	Monthly Auto Dialers	\$130.64
20463	WRT01	Wallace, Robert & Todd	6/16/2021	True	Groveland Park Amenities Study/Plan through May 31, 2021	\$1,143.00
20464	zer01	Zero Waste USA	6/16/2021	True	2 cases Dog Waste bags	\$192.54
20465	AQU01	Aqua Labs	6/23/2021	True	Lab Tests	\$2,770.00
20466	ATT02	AT&T	6/23/2021	True	Monthly Cal Net phone service	\$416.04
20467	UB*02877	Benson, Debra & Larry	6/23/2021	True	Refund Check 016476-000, 13006 MOKELUMNES 2/201 M	\$244.65
20468	Bus03	Business First	6/23/2021	True	1 ea. Safety Vest for CERT	\$95.00
20469	CAD01	CALCAD	6/23/2021	True	Misc Project work for Jan-Jun 2021- GPS, Infr, Sewer, Fuel Red.	\$3,225.00
20470	COL03	Columbia Communications	6/23/2021	True	Amplifier for Station 78 base radio	\$787.95
20471	UB*02876	Coyoca, Joanna	6/23/2021	True	Refund Check 015963-000, 20766 Crestpine Esmt 3/478	\$70.26
20472	UB*02871	Digrazia, Paul & Lynne	6/23/2021	True	Refund Check 005119-000, 20722 Big Foot Circle 4/362	\$77.57
20473	Fas02	Fastenal	6/23/2021	True	4 ea. 12" Tongue/Groove Pliers, 20 bx Nitrite Gloves	\$581.93
20474	FOO01	Foothill-Sierra Pest Control	6/23/2021	True	Pest Control	\$250.00
20475	UB*02882	Gratian, Richard	6/23/2021	True	Refund Check 005104-000, 20697 Big Foot Circle 4/279 & 280	\$321.65
20476	UB*02870	Griener, Stephen & Maureen	6/23/2021	True	Refund Check 014591-000, 12645 CRESTHAVEN 4/444	\$72.12
20477	UB*02865	Guntren, Joseph	6/23/2021	True	Refund Check 008961-000, 12251 MILLS ST 8/113	\$130.00
20478	UB*02868	Hagen, Peter & Judith	6/23/2021	True	Refund Check 015803-000, 12800 Mueller Dr 5/160	\$57.03
20479	UB*02872	Hart Trustee, Joan Beverly	6/23/2021	True	Refund Check 009042-000, 12439 MILLS ST 8/29	\$231.78
20480	UB*02873	McCoy, Michelle	6/23/2021	True	Refund Check 014996-001, 19452 Pleasant View 1/115	\$16.71
20481	Min01	Miner's Mart	6/23/2021	True	Supplies for Snack Shack for Movies in the Park	\$195.70
20482	neu01	Neumiller & Beardslee	6/23/2021	True	May Legal Services	\$1,033.00
20483	Nex01	NextGen RF Design, Inc.	6/23/2021	True	3 Days Viper Training/Viper Network evaluation and travel expens	\$7,525.00
20484	UB*02879	Parsons, Ernest	6/23/2021	True	Refund Check 013778-000, 19061 JIMMIEBELL 7/155	\$202.28
20485	UB*02867	Paulino, John & Maria	6/23/2021	True	Refund Check 015262-000, 20610 LONGVIEW ST 3/313	\$11.55
20486	Rag01	Ragsdale & Son, Inc.	6/23/2021	True	Admin Parking lot asphalt paving	\$176,901.24
20487	UB*02880	Ripley Trustee, Robert	6/23/2021	True	Refund Check 014332-000, 12761 BOITANO RD 3/141 MER	\$173.64
20488	Roc02	Rockwell Engineering & Equipment Co.	6/23/2021	True	1 ea. Sludge Press Pump Boefer AL50 - Backup Pump	\$7,199.78
20489	UB*02874	Smith, Christopher & Michelle	6/23/2021	True	Refund Check 012204-000, 11966 MT SPRING 13/218	\$14.24
20490	UB*02878	Solorzano, Ramon & Bertha	6/23/2021	True	Refund Check 013564-000, 20721 Point View	\$257.78

Check N	Vendor N	Vendor Name	Check Dat	Committe	Description	Amount
20491	UB*02866	Spesak, John and Pamela	6/23/2021	True	Refund Check 015944-000, 21125 HEMLOCK ST 12/117	\$175.01
20492	UB*02881	Striegel, Lee	6/23/2021	True	Refund Check 016403-000, 20257 UPPR SKYRG 15/46	\$22.63
20493	SWR02	SWRCB	6/23/2021	True	Tony Filippi D1 Renewal	\$55.00
20494	TRO01	Trotter Welding & Steel Supply	6/23/2021	True	Railing for Sewer Plant	\$97.86
20495	Tuo14	Tuolumne County Recorder	6/23/2021	True	7 Satisfaction of Liens	\$140.00
20496	TWO1	Two Guys Pizza	6/23/2021	True	Water break on Pleasant View	\$62.69
20497	UB*02875	Webster, David & Olivia	6/23/2021	True	Refund Check 005004-002, 12048 Alcan Ct 8/172	\$6.26
20498	UB*02869	Zimmerman, Larry	6/23/2021	True	Refund Check 006297-000, 12854 CRESTHAVEN 3/437	\$295.32
115825	OE3	Operating Engineers Local #3	6/24/2021	True	PR Batch 00002.06.2021 Oper Engin Union Dues	\$353.99
902309	CAL09	CalPers 457 Plan Administrator	6/30/2021	True	PR Batch 00002.06.2021 CalPers Def Comp	\$1,000.00
902310	DCSS	Dept of Child Support Services	6/30/2021	True	PR Batch 00002.06.2021 Wage Garnish Child Support	\$205.03
902311	EDD01	EDD - Electronic	6/30/2021	True	PR Batch 00001.06.2021 SDI Adjustment	\$3,082.06
902312	FedEFTPS	Federal EFTPS	6/30/2021	True	PR Batch 00002.06.2021 Medicare Employer Portion	\$16,957.07
902313	Orion	Orion Portfolio Solutions	6/30/2021	True	PR Batch 00002.06.2021 Orion 457	\$1,305.00
902314	PER01	Pers - Electronic	6/30/2021	True	PR Batch 00002.06.2021 PERS Employer Expense	\$9,177.61
					June Direct Deposit Payroll	\$88,512.70
					<b>Total Accounts Payable</b>	<b>\$639,605.57</b>

**TO:** GCSB Board of Directors

**FROM:** Peter Kampa, General Manager

**DATE:** July 13, 2021

**SUBJECT: Agenda Item 5A: Discussion of Options to Provide Law  
Enforcement within the District Boundaries**

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**RECOMMENDED ACTION:**

Staff recommends the following action:

*No action required at this time.*

**BACKGROUND:**

This item is before you today because it was recommended by Director Edwards to be placed on the agenda for discussion.

**ATTACHMENTS:**

None



## **BOARD MEETING AGENDA SUBMITTAL**

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**TO:** GCSB Board of Directors

**FROM:** Peter Kampa, General Manager

**DATE:** July 13, 2021

**SUBJECT:** Agenda Item 6Ai: Adoption of a Resolution Approving the Placement of Delinquent Charges for FY 2020-21 on Property Tax Roll

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### **RECOMMENDED ACTION:**

Staff recommends the following action:

*I Move to approve Resolution 20-2021 approving the Report of Unpaid Charges and Delinquencies for FY 2020-21 and authorizing staff to file the Report and Resolution with the Tuolumne County Auditor on or before August 1, 2021, to collect the Delinquent Charges.*

### **BACKGROUND:**

Government Code Section 61115 (Code) provides for the collection of unpaid utility charges and delinquencies. There are two basic methods set forth in the Code that may be pursued simultaneously. The Code provides that the District may record a certificate of lien with the County Recorder's Office declaring the amount of charges and penalties due. The recorded lien attaches to any real property in the County that is owned by the delinquent property owner. The Code also authorizes the District to collect the delinquent charges and penalties on the tax rolls as part of the ad valorem property tax collected by the County on real property, after a public hearing.

Notice of such a public hearing must be published in the newspaper and mailed notice must be given to the delinquent property owner. Notice of this public hearing was published in the Sonora Union Democrat on June 26, 2021, and mailed notices were sent to the property owners on June 9, 2021.

In addition to providing notice of the hearing, the General Manager must file a report with the Board that describes the amount of unpaid charges and delinquencies, as well as the associated property owners and the assessors parcel numbers. At today's public hearing, the Board must hear and consider any objections and/or protests to this report. At the close of the public hearing, the Board must make a determination on each affected parcel by adopting or revising the report. The final report is filed with the County Auditor on or before August 1st and the amount entered on the property tax assessment roll for collection in the same manner as property taxes.

### **ATTACHMENTS:**

1. Resolution 20-2021
2. Report of Amount of Unpaid Charges and Delinquencies for FY 2020-21

Exhibit A  
 Groveland Community Services District  
 Report of Unpaid Charges and Delinquencies for FY 2020-2021

First	Last	APN	Amount
W	Moore, Jr	092-230-028-000	\$ 672.54
Carol	Sisemore	092-110-005-000	\$ 2,123.50
Lawrence	Fleenor, Sr.	092-060-030-000	\$ 944.72
Nancy	Lowe	091-300-021-000	\$ 508.22
Sandra	Harrison	093-170-022-000	\$ 811.98
Florella	Purdom	093-160-002-000	\$ 781.58
Jane	Hansen	093-150-011-000	\$ 2,343.90
Joyce	Messing	091-270-003-000	\$ 755.16
Rufus	Price	094-210-021-000	\$ 561.96
Donna	Christensen	092-300-021-000	\$ 4,631.10
Alicia	Bird	066-380-013-000	\$ 310.04
Wayne	Bonds	092-090-032-000	\$ 802.96
L.	Quintero	094-170-010-000	\$ 216.52
Norbert	La Haie	094-190-005-000	\$ 4,966.04
Leo	Vigil	090-130-019-000	\$ 2,417.26
Daniel & Sharon	Mello	090-150-036-000	\$ 743.90
Rachelle	Nichols	007-220-007-000	\$ 2,622.56
Gaskill	Winkler	066-480-010-000	\$ 1,204.54
Lily	Bogaards	007-190-021-000	\$ 1,464.50
Chisolm	Estate	091-260-660-000	\$ 1,256.54
Michelle	Hutson	066-570-006-000	\$ 648.28
James	Kersey	066-380-014-000	\$ 860.88
Fernando	Mayorga	091-160-020-000	\$ 1,620.20
Dan	Parsons	066-500-023-000	\$ 3,066.92
Marc	DeJong	007-190-023-000	\$ 1,857.34
Celeste	Ingvaldsen	094-060-038-000	\$ 1,274.86
Joel	McEwen-Patterson	092-120-014-000	\$ 1,339.18
Shannan & Jason	Jaime	093-120-014-000	\$ 183.14
Irma	Gil	091-280-017-000	\$ 172.56
Quingming	Hou	092-010-024-000	\$ 222.20
Jon	Espino	091-080-003-000	\$ 1,453.16
Jorden	Gaestel	093-230-002-000	\$ 2,341.56
Manuel	Avila	092-050-014-000	\$ 678.12
Pavel	Huliai	094-130-018-000	\$ 482.50
Roque & Josephine	Ramirez	093-260-001-000	\$ 686.48
Charles & Fiona	Huson	091-080-053-000	\$ 765.44
Kiel & Melissa	Christensen	091-200-031-000	\$ 449.36
2020-2021 Tax Roll Lien Amount			\$ 48,241.70

## RESOLUTION 20-2021

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT APPROVING THE PLACEMENT OF DELINQUENT CHARGES FOR FY 2020-21 ON PROPERTY TAX ROLLS

**WHEREAS**, the Groveland Community Services District (herein referred to as District) is a local government agency formed and operating in accordance with Section §61000 et seq. of the California Government Code; and

**WHEREAS**, Government Code Section 61115 specifies the permissible methods for collection and enforcement of unpaid charges for services which the District provides including, but not limited to, the following: (1) by recording in the office of the County Recorder of the county in which the affected parcel is located, a certificate declaring the amount of charges and penalties due and the name and last known address of the person liable for those charges and penalties which shall constitute as a lien against all real property of the delinquent property owner in that county; and (2) to provide that any and charges and penalties may be collected on the tax roll in the same manner as property taxes after giving notice to the affected property owner of the time and place for a public hearing to consider any objections or protests to the District's statement of delinquent charges; and (3) to provide for a basic penalty for the nonpayment of charges of not more than ten percent (10%) ; and

**WHEREAS**, the District's Water Ordinance authorizes the District to set user rates, charges, and fees for water related services; and

**WHEREAS**, the District's Sewer Ordinance authorizes the District to set user rates, charges, and fees for sewer related services; and

**WHEREAS**, pursuant to Government Code Section 61115, on June 9, 2021 the District mailed to all affected property owners a written Notice of Hearing for Filing of Report and Collection of Charges on Property Tax Roll, notifying property owners of a public hearing before the Board of Directors of this District on July 13, 2021 at 10:00 a.m. for the purpose of hearing and making determinations on a report by the General Manager describing the amount of charges and delinquencies for the FY 2020-21 on the affected parcels; and

**WHEREAS**, said Notice of Hearing for filing of Report and Collection of Charges on Property Tax Roll was published in the Union Democrat Newspaper, Sonora, California, as required by Government Code Section 61115 on June 26, 2021; and

**WHEREAS**, the Board of Directors of this District has conducted and completed the public hearing in accordance with the notice requirements specified in Government Code Section 61115.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Directors of Groveland Community Services District that the report from the General Manager describing the amount of charges and delinquencies for the FY 2020-21 is attached hereto entitled Exhibit A and is hereby approved, received and filed; the Board hereby determines that the charges and delinquencies in the amount of \$48,241.70 shall be collected by the Tuolumne County Tax Collector on the Property Tax Roll in the same manner as property taxes; and that staff is hereby directed to file with the Tuolumne County Auditor a copy of this Resolution on or before August 1, 2021, whereby the County Auditor shall enter the amount of the delinquent charges as specified in this Resolution against each of the affected parcels of real property specified herein as they appear on the current assessment roll, and collect the charges and delinquencies in the same manner as property taxes.

**WHEREFORE**, this Resolution is PASSED, APPROVED, and ADOPTED by the Board of Directors of the Groveland Community Services District on July 13, 2021, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

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Rachel Pearlman, Board Secretary

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Janice Kwiatkowski, President - Board of Directors

**CERTIFICATE OF SECRETARY**

I, Jennifer Flores, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on July 13, 2021.

DATED: \_\_\_\_\_



**TO:** GCSB Board of Directors

**FROM:** Peter Kampa, General Manager

**DATE:** July 13, 2021

**SUBJECT:** Agenda Item 6Bi: Adoption of a Resolution Accepting the Development Impact Fee Report Prepared by NBS Dated June 18, 2021 and Adoption of the Development Impact Fee Schedule

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**RECOMMENDED ACTION:**

Staff recommends the following action:

*I Move to approve Resolution 21-2021 accepting the Development Impact Fee Report prepared by NBS Dated June 18, 2021, and adoption of the Development Impact Fee Schedule.*

**BACKGROUND:**

Over the past two years, the District has been preparing long range improvement and financial plans for its Fire and Park services. The District has also engaged the public to determine community needs and opportunities for improvement of the GCSB parks to enhance local recreation and tourism opportunities, as well as to provide opportunities to improve the health and wellbeing of our population. Recognizing that the Groveland Fire Department was seeing an increase in emergency call volume and increased time spent responding to emergency calls outside of the District boundaries, a Fire Department Master Plan update was completed in 2020. Both the fire and park planning efforts resulted in a clear understanding that future land development projects will place a higher level of demand and have an impact on fire and park services provided by the District.

As a result, the District retained NBS Government Finance Group to prepare a detailed study to analyze the impacts of new development on certain of the District's capital facilities and to calculate impact fees based on that analysis. The methods used in the NBS study are intended to satisfy all legal requirements of the U. S. Constitution, the California Constitution, and the California Mitigation Fee Act (Government Code Sections 66000 et seq).

Chapter 1 of the attached report provides an overview of the legal requirements for establishing and imposing Development Impact Fees (or Mitigation Fees) and methods that can be used to calculate impact fees. Chapter 2 contains data on existing and future development that is used in this report. Chapters 3 and 4 analyze the impacts of development on parks and Fire Department facilities respectively. Chapter 5 contains recommendations for adopting and implementing impact fees, including suggested findings to satisfy the requirements of the Mitigation Fee Act.

The consultant team from NBS will be in virtual attendance at the meeting to provide an overview of the report and answer questions from the Board and public. Staff recommends adoption of the attached resolution which both accepts the Impact Fee Study Report and adopts the Impact Fee Schedule as detailed in Table S-2 of the report as shown below:

**Table S.2: Summary of Impact Fees with 2% Administrative Charge Included**

Development Types	Dev Units <sup>1</sup>	Park Land Impact Fees	Park Imprvmt Impact Fees	Fire Impact Fees	Total Impact Fees
Residential (All Types)	DU	\$ 460.03	\$ 1,769.34	\$ 500.94	<b>\$ 2,730.31</b>
Hotel/B&B/RV Park	Room or Space	\$ 278.16	\$ 1,069.83	\$ 662.17	<b>\$ 2,010.16</b>
Commercial/Office/Services	KSF			\$ 1,002.88	<b>\$ 1,002.88</b>

Bottom line is that the District is responsible to set the level of service desired for the community and establishing implementation and financing plans to maintain services at the desired service level while accommodating new development and community growth. Ultimately it will be up to the Tuolumne County Board of Supervisors to decide on the amount of the impact fees to be adopted (up to the amount justified in this study) and whether or not those fees should include the 2% administrative charge.

**ATTACHMENTS:**

1. Notice of Public Hearing published in the Sonora Union Democrat
2. NBS Presentation Slides
3. Development Impact Fee Report Prepared by NBS
4. Resolution 21-2021

***GCS D Board Meeting***



***Groveland Community Services District  
Parks and Fire Impact Fee Study***

*Presented by NBS Project Team  
Joe Colgan*




 July 13, 2021

1

**Impact Fee Definition**

- A Development Impact Fee (DIF) is a One-Time Fee...
- Imposed on a Development Project as a Condition of Approval...
- To Pay for Capital Facilities Needed to Serve New Development
- Impact Fees May Not Be Used to Pay for Maintenance or Operations

 GCS D Parks and Fire Impact Fees – Presentation to GCS D Board 2

2

## Legal Framework – U. S. Constitution

- Supreme Court decisions require a “**Nexus**” to justify impact fees under the “Taking” Clause of the 5<sup>th</sup> Amendment
- The Nexus Must Have Three Elements:
  - Development must create a **need** for facilities funded by the fees
  - Development must receive a **benefit** from facilities funded by the fees
  - Fees must be **proportional** to the impact created by the project subject to the fees



GCSO Parks and Fire Impact Fees – Presentation to GCSO Board

3

3

## Legal Framework – California Law

- Under the Mitigation Fee Act, an Agency Enacting Impact Fees Must Make Findings to:
  - Identify the **Purpose** of the Fee
  - Identify the **Use** of the Fee, and
  - Show a Reasonable Relationship between:
    - The use of a fee and the type of project on which the fee is imposed (**Benefit**)
    - The need for a facility and the type of project on which the fee is imposed (**Need**)
    - The amount of a fee and the facility cost attributable to the project paying the fee (**Proportionality**)



GCSO Parks and Fire Impact Fees – Presentation to GCSO Board

4

4

## Special Districts lack DIF Authority

- Impact Fees Are Imposed as a Condition of Development Approval by the Land Use Authority; Special Districts Do Not Have That Authority
- Fire Districts are Specifically Prohibited from Charging Impact Fees by the Fire Protection District Law of 1987 (Health and Safety Code Section 13916)
- Cities and Counties may Impose Impact Fees that Benefit Special Districts



GCSO Parks and Fire Impact Fees – Presentation to GCSO Board

5

5

## The Nexus for These Fees

- **Need**: New Development in the GCSO Service Area Increases the Need for Parks and Fire Protection/Emergency Medical Facilities
- **Benefit**: New Development in the GCSO Service Area Benefits from the Availability of Parks and Fire Protection/Emergency Medical Services
- **Proportionality**: Park and Fire Impact Fees Reflect the Impact of New Development Based on Added Service Population\* for Parks and Increased Calls for Service for Fire

\*Park Service Population Includes Residents and Overnight Lodgers



GCSO Parks and Fire Impact Fees – Presentation to GCSO Board

6

6

## Fee Calculation Method - Parks

- Park Impact Fees Based on the Existing Ratio of Park Acreage to Population (1.61 Acres per 1,000 Residents or **0.00161** Acres per Capita)
- Costs Used to Calculate Park Impact Fees:  
Land Cost = **\$130,000 per Acre**;  
Park Improvement Cost = **\$500,000 per Acre**
- Cost per Capita = \$630,000 X 0.00161 = **\$1,016**
- Park Impact Fee per Residential Unit = **\$2,186**
- Park Impact Fee per Hotel/B&B/RV Park Unit = **\$1,322**



GCSO Parks and Fire Impact Fees – Presentation to GCSO Board

7

7

## Fee Calculation Method – Fire pt 1

- Fire Impact Fees Based Future Development's Share of Cost of Existing and Future Facilities
- Costs Allocated Based on Calls for Service per Year by Development Type
- Depreciated Cost of Existing and Future Facilities, Apparatus and Vehicles = **\$2,451,316**
- Projected Buildout Calls per Year = **512**
- Cost per Call = **\$4,788**

(Continued on Next Slide)



GCSO Parks and Fire Impact Fees – Presentation to GCSO Board

8

8

## Fee Calculation Method – Fire pt 2

- Fire Impact Fees per Unit:
  - **Residential Fire Impact Fee** = \$4,788 X 0.103  
Calls per Unit per Year = **\$491 per Unit**
  - **Hotel/B&B/RV Park Fire Impact Fee** = \$4,788 X 0.136  
Calls per Unit per Year = **\$649 per Room or Space**
  - **Commercial Fire Impact Fee** = \$4,788 X 0.205  
Calls per Unit per Year = **\$983 per 1,000 Sq. Ft. (KSF)**



9

## Proposed 2% Admin Charge


- Table S.1 in the Executive Summary of the Impact Fee Report Shows the Base Impact Fees Shown in This Presentation
- Table S.2 in the Executive Summary Shows the Impact Fees with a **2% Administrative Charge** Added to Cover Costs of Complying with Mitigation Fee Act Requirements
- It is Common for Local Agencies in California to Add a Small Administrative Charge to Impact Fees



10

## Projected Revenue

- Projected Park Impact Fee Revenue = **\$1,659,220**  
Which Would Pay for **2.63 Acres** of New Parks
- Estimated Cost of Fire Station Expansion and New Type I Engine = **\$1,329,500**
- Projected Fire Impact Fee Revenue = **\$508,486**
- Additional Funding Needed for Fire Station Expansion and New Type I Engine = **\$821,014**


 **NBS**  
helping communities  
fund tomorrow

GCSO Parks and Fire Impact Fees – Presentation to GCSO Board 11

11

## Questions and Comments

**Thank you!**  
**Questions?**

 **Nicole Kissam**  
*NBS - Director*

 **Joe Colgan**  
*Colgan Consulting - President*

 [joe@colgan-consulting.com](mailto:joe@colgan-consulting.com)  
[nkissam@nbsgov.com](mailto:nkissam@nbsgov.com)

 800-676-7516

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12



GROVELAND COMMUNITY SERVICES DISTRICT

NOTICE OF PUBLIC HEARING REGARDING ADOPTION AND APPROVAL OF THE DEVELOPMENT IMPACT  
FEE STUDY FOR PARK AND FIRE SERVICES

The Groveland Community Services District has contracted with NBS for the completion of a Development Impact and Nexus Study related to Capital Fire and Park Facilities. NBS prepared a Development Impact Fee Study Report which documents their findings and recommendations related to offsetting the impact of new development and construction throughout the District's boundaries.

**Notice Is hereby given** that on July 13, 2021, at 10:00am or as soon thereafter as possible, the Groveland Community Services District Board of Directors will consider the adoption of a resolution accepting the Impact Fee Study Report and deeming the study complete. The Public Hearing will be held at 18966 Ferretti Road, Groveland.

After adopting this resolution, the Groveland Community Services District will work with the County of Tuolumne to establish new, maximum Development Impact Fees applicable to new land development projects pursuant to California Government Code sections 66000-66025, to mitigate the financial Impact of providing additional fire stations, public park facilities, fire and park equipment for the use and enjoyment of, and to safeguard the lives and property of those who occupy the new construction and development.

Ten (10) days prior to the meeting, copies of the Development Impact Fee Study Report will be available at the District Office, 18966 Ferretti Road, Groveland CA 95321. For questions, please call the Board Secretary at 209-962-7161.

# GROVELAND COMMUNITY SERVICES DISTRICT

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**Final Report**  
**Development Impact Fee Study**  
June 18, 2021

Prepared by:



# Table of Contents

<b>Executive Summary.....</b>	<b>S-1</b>
Organization of the Report.....	S-1
Development Types.....	S-1
Existing and Future Development .....	S-2
Impact Fee Analysis .....	S-2
Recovery of Administrative Costs.....	S-3
Impact Fee Summary.....	S-3
Projected Revenue .....	S-4
<b>Chapter 1. Introduction .....</b>	<b>1-1</b>
Purpose.....	1-1
Legal Framework for Impact Fees .....	1-1
Authority to Impose Impact Fees .....	1-5
Recent Legislation .....	1-6
Impact Fee Calculation Methodology .....	1-6
Facilities Addressed in this Study .....	1-8
<b>Chapter 2. Development Data .....</b>	<b>2-1</b>
Study Area .....	2-1
Time Frame.....	2-1
Development Types.....	2-1
Demand Variables .....	2-2
Existing and Forecasted Development.....	2-3
<b>Chapter 3. Park Land and Park Improvements.....</b>	<b>3-1</b>
Service Area.....	3-1
Methodology .....	3-1
Demand Variable.....	3-1
Existing Level of Service.....	3-1
Cost Per Capita .....	3-2
Impact Fees per Unit .....	3-3
Projected Revenue .....	3-4
Updating the Fees .....	3-4
Nexus Summary.....	3-4
<b>Chapter 4. Fire Department Facilities/Equipment .....</b>	<b>4-1</b>
Service Area.....	4-1
Demand Variable.....	4-1

Methodology .....	4-1
Facilities, Apparatus and Equipment.....	4-1
Cost per Call for Service.....	4-3
Impact Fees per Unit .....	4-3
Projected Revenue .....	4-4
Updating the Fees .....	4-4
Nexus Summary.....	4-5
<b>Chapter 5. Implementation .....</b>	<b>5-1</b>
Adoption.....	5-1
Administration.....	5-2
Recent Legislation .....	5-7
Training and Public Information.....	5-7

# Executive Summary

Groveland Community Services District retained NBS Government Finance Group to prepare this study to analyze the impacts of new development on certain of the District's capital facilities and to calculate impact fees based on that analysis. The methods used in this study are intended to satisfy all legal requirements of the U. S. Constitution, the California Constitution, and the California Mitigation Fee Act (Government Code Sections 66000 *et seq.*).

## Organization of the Report

Chapter 1 of this report provides an overview of the legal requirements for establishing and imposing such fees and methods that can be used to calculate impact fees. Chapter 2 contains data on existing and future development that is used in this report.

Chapters 3 and 4 analyze the impacts of development on parks and Fire Department facilities respectively. Chapter 5 contains recommendations for adopting and implementing impact fees, including suggested findings to satisfy the requirements of the Mitigation Fee Act.

## Development Types

Because of occupancy patterns characterizing residential development in the District, this study does not distinguish among single-family, multi-family and mobile home development. All types of residential units are treated as equivalent in terms of their impact on the facility types addressed in this report.

Similarly, various types of lodging accommodations are grouped into the Hotel/B&B/RV Park category, where "B&B" stands for bed and breakfast inn. The RV park category includes camping facilities. That category is intended to include all hotels, motels, bed and breakfast inns, hostels, RV parks and camping facilities but not dwelling units offered as temporary vacation rentals through Airbnb or similar services. Other types of non-residential development are included in the Commercial/Office/Services category.

This study does not calculate impact fees for accessory dwelling units (ADUs). Recent legislation (SB 13) requires that impact fees for ADUs must be proportional to the relationship between the square footage of the ADU and the square footage of the primary unit. Consequently, the calculation of impact fees must be done on a case-by-case basis. No impact fee may be imposed on an ADU smaller than 750 square feet.

To summarize, the three categories of development defined in this study are:

- Residential (All Types)
- Hotel/B&B/RV Park (including hotels, motels, hostels and other types of lodging)
- Commercial/Office/Services

## Existing and Future Development

Future residential development forecasted in Chapter 2 would increase the District's estimated full-occupancy population by about 17% from around 7,400 in 2020 to 8,700 at buildout. Full-occupancy population is used in this study to represent the total potential demand on District facilities. It assumes that all residential units are occupied at the average population per dwelling unit estimated from Census Bureau data.

Relatively small amounts of future development are forecast for the lodging and commercial/office/services categories, although the forecasted growth in guest rooms and RV/camping spaces is about 2.5 times the number of existing rooms and spaces.

## Impact Fee Analysis

The impact fee analysis for each type of facility addressed in this report is presented in a separate chapter. In each case, the relationship between development and the need for a particular type of facility is defined in a way that allows the impact of additional development on facility needs to be quantified.

Costs used in the impact fee calculations are for capital facilities needed to mitigate the impacts of additional development. Impact fees may not be used to pay for maintenance or operating expenses.

**Park Land and Park Improvements.** Chapter 3 of this report calculates separate impact fees for park land acquisition and park improvements. The impact fees for park land and park improvements are based on the cost of maintaining the District's existing ratio of improved park acres to park service population as additional development occurs in the District. As explained in Chapter 2, park service population includes both residents of the District and overnight guests staying in lodging accommodations in the District. Overnight guests are included because the District has plans to develop park facilities that will attract those visitors.

**Fire Department Facilities.** Chapter 4 calculates impact fees for Fire Department capital facilities including fire station improvements, firefighting apparatus and vehicles. Fire Department facilities are impacted by all types of development occurring in the District. That impact is represented in the impact fee calculations by calls for service per year.

NBS analyzed a random sample of Fire Department calls for service for a three-year period to estimate calls-for-service-per-year factors for each type of development defined in this study. The cost of both existing and future Fire Department facilities was divided by the projected number of calls for service at buildout to get an average cost per call for service per year. That cost per call was then used to calculate fire impact fees per unit for each type of development using the calls per unit per year factors discussed above and shown in Table 2.1, Chapter 2.

## Recovery of Administrative Costs

The District will incur costs to comply with the accounting and reporting requirements of the Mitigation Fee Act, including capital budgeting, fee adjustments, mandated annual reports and periodic impact fee study updates. This study proposes that the District add a 2% administrative charge to all of the impact fees calculated in this report to cover those costs.

In the following section, Tables S.1 and S.2 shows the proposed impact fees without the 2% administrative charge included (Table S.1) and with the admin charge (Table S.2). Ultimately it will be up to the Tuolumne County Board of Supervisors to decide on the amount of the impact fees to be adopted (up to the amount justified in this study) and whether or not those fees should include the 2% administrative charge.

## Impact Fee Summary

Table S.1 shows the impact fees calculated in this report.

**Table S.1: Summary of Impact Fees per Unit Calculated in This Report**

Development Types	Dev Units <sup>1</sup>	Park Land Impact Fees <sup>2</sup>	Park Imprvmt Impact Fees <sup>3</sup>	Fire Impact Fees <sup>4</sup>	Total Impact Fees
Residential (All Types)	DU	\$ 451.01	\$ 1,734.65	\$ 491.12	\$ <b>2,676.78</b>
Hotel/B&B/RV Park	Room or Space	\$ 272.70	\$ 1,048.86	\$ 649.18	\$ <b>1,970.74</b>
Commercial/Office/Services	KSF			\$ 983.22	\$ <b>983.22</b>
<b>Total</b>					

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel or B&B guest room; Space = RV parking space; KSF = 1,000 gross square feet of building area

<sup>2</sup> See Table 3.4

<sup>3</sup> See Table 3.5

<sup>4</sup> See Table 4.6

Table S.2 shows the proposed impact fees from Table S.1 with a 2% administrative charge added. See the discussion above.

**Table S.2: Summary of Impact Fees with 2% Administrative Charge Included**

Development Types	Dev Units <sup>1</sup>	Park Land Impact Fees	Park Imprvmt Impact Fees	Fire Impact Fees	Total Impact Fees
Residential (All Types)	DU	\$ 460.03	\$ 1,769.34	\$ 500.94	\$ <b>2,730.31</b>
Hotel/B&B/RV Park	Room or Space	\$ 278.16	\$ 1,069.83	\$ 662.17	\$ <b>2,010.16</b>
Commercial/Office/Services	KSF			\$ 1,002.88	\$ <b>1,002.88</b>
<b>Total</b>					

Note: All impact fees shown in this table are based on the impact fees from Table S.1 with a 2% administrative charge added

## **Projected Revenue**

Projected revenue from the park land acquisition and park improvement impact fees, based on the amount of future development forecasted in this report is about \$1.69 million, which would be enough to provide about 2.6 acres of additional parks in the District, using the costs estimated in Chapter 3.

Projected revenue from the Fire Department impact fees is \$508,486. That amount is more than adequate to cover the estimated cost of a future fire station expansion but well below the cost of acquiring a single piece of new firefighting apparatus.



# Chapter 1. Introduction

## Purpose

The purpose of this study is to analyze the impacts of development on the need for parks and fire protection/emergency response facilities and equipment provided by the Groveland Community Services District, and to calculate impact fees based on that analysis. This report documents the approach, data and methodology used in this study to calculate those impact fees.

The methods used to calculate impact fees in this report are intended to satisfy all legal requirements governing such fees, including provisions of the U. S. Constitution, the California Constitution and the California Mitigation Fee Act (Government Code Sections 66000-66025).

## Legal Framework for Impact Fees

This brief summary of the legal framework for development fees is intended as a general overview. It was not prepared by an attorney and should not be treated as legal advice.

**U. S. Constitution.** Like all land use regulations, development exactions, including impact fees, are subject to the 5th Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against “regulatory takings.” A regulatory taking occurs when regulations unreasonably deprive landowners of property rights protected by the Constitution.

In two landmark cases dealing with exactions, the U. S. Supreme Court has held that when a government agency requires the dedication of land or an interest in land as a condition of development approval, or imposes ad hoc exactions as a condition of approval on a single development project that do not apply to development generally, a higher standard of judicial scrutiny applies. To meet that standard, the agency must demonstrate an “essential nexus” between such exactions and the burden created by a development project (See *Nollan v. California Coastal Commission*, 1987) and make an “individualized determination” that the exaction imposed is “roughly proportional” to that burden (See *Dolan v. City of Tigard*, 1994).

Until recently, it was widely accepted that legislatively-enacted impact fees that apply to all development in a jurisdiction are not subject to the higher standard of judicial scrutiny flowing from the Nollan and Dolan decisions. But after the U. S. Supreme Court decision in *Koontz v. St. Johns Water Management District* (2013), state courts have reached conflicting conclusions on that issue.

In light of that uncertainty, any agency enacting or imposing impact fees would be wise to demonstrate a nexus and ensure proportionality in the calculation of those fees. That is the standard used in this study.

**Defining the “Nexus.”** While courts have not been entirely consistent in defining the nexus required to justify exactions and impact fees, that term can be thought of as having the three elements discussed below. We think proportionality is logically included as one element of that nexus, even though it was discussed separately in *Dolan v. Tigard*. The elements of the nexus discussed below mirror the three “reasonable relationship” findings required by the Mitigation Fee Act for establishment and imposition of impact fees.

Need or Impact. Development must create a need for the facilities to be funded by impact fees. All new development in a community creates additional demands on some or all public facilities provided by local government. If the capacity of facilities is not increased to satisfy the additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is related to the development project subject to the fees.

The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate impacts created by the development projects upon which they are imposed. In this study, the impact of development on facility needs is analyzed in terms of quantifiable relationships between various types of development and the demand for public facilities based on applicable level-of-service standards. This report contains all the information needed to demonstrate compliance with this element of the nexus.

Benefit. Development must benefit from facilities funded by impact fees. With respect to the benefit relationship, the most basic requirement is that facilities funded by impact fees be available to serve the development paying the fees. A sufficient benefit relationship also requires that impact fee revenues be segregated from other funds and expended in a timely manner on the facilities for which the fees were charged. Nothing in the U.S. Constitution or California law requires that facilities paid for with impact fee revenues be available exclusively to development projects paying the fees.

Procedures for earmarking and expenditure of fee revenues are mandated by the Mitigation Fee Act, as are procedures to ensure that the fees are either expended expeditiously or refunded. Those requirements are intended to ensure that developments benefit from the impact fees they are required to pay. Thus, over time, procedural issues as well as substantive issues can come into play with respect to the benefit element of the nexus.

Proportionality. Impact fees must be proportional to the impact created by a particular development project. Proportionality in impact fees depends on properly identifying development-related facility costs and calculating the fees in such a way that those costs are allocated in proportion to the facility needs created by different types and amounts of development. The section on impact fee methodology, below, describes methods used to allocate facility costs and calculate impact fees that meet the proportionality standard.

**California Constitution.** The California Constitution grants broad police power to local governments, including the authority to regulate land use and development. That police

power is the source of authority for local governments in California to impose impact fees on development. Some impact fees have been challenged on grounds that they are special taxes imposed without voter approval in violation of Article XIII A. However, that objection is valid only if the fees charged to a project exceed the cost of providing facilities needed to serve the project. In that case, the fees would also run afoul of the U. S. Constitution and the Mitigation Fee Act.

Articles XIII C and XIII D, added to the California Constitution by Proposition 218 in 1996, require voter approval for some “property-related fees,” but exempt “the imposition of fees or charges as a condition of property development.”

**The Mitigation Fee Act.** California’s impact fee statute originated in Assembly Bill 1600 during the 1987 session of the Legislature, and took effect in January, 1989. AB 1600 added several sections to the Government Code, beginning with Section 66000. Since that time, the impact fee statute has been amended from time to time, and in 1997 was officially titled the “Mitigation Fee Act.” Unless otherwise noted, code sections referenced in this report are from the Government Code.

The Mitigation Fee Act does not limit the types of capital improvements for which impact fees may be charged. It defines public facilities very broadly to include “public improvements, public services and community amenities.” Although the issue is not specifically addressed in the Mitigation Fee Act, it is clear both in case law and statute (see Government Code Section 65913.8) that impact fees may not be used to pay for maintenance or operating costs. Consequently, the fees calculated in this report are based on the cost of capital assets only.

The Mitigation Fee Act does not use the term “mitigation fee” except in its official title, nor does it use the more common term “impact fee.” The Act simply uses the word “fee,” which is defined as “a monetary exaction, other than a tax or special assessment...that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project ....”

To avoid confusion with other types of fees, this report uses the widely-accepted terms “impact fee” and “development impact fee” which both should be understood to mean “fee” as defined in the Mitigation Fee Act.

The Mitigation Fee Act contains requirements for establishing, increasing and imposing impact fees. They are summarized below. It also contains provisions governing the collection and expenditure of fees and requires annual reports and periodic re-evaluation of impact fee programs. Those administrative requirements are discussed in the implementation chapter of this report.

Required Findings. Section 66001 requires that an agency establishing, increasing or imposing impact fees, must make findings to:

1. Identify the purpose of the fee;

2. Identify the use of the fee; and,
3. Determine that there is a reasonable relationship between:
  - a. The use of the fee and the development type on which it is imposed;
  - b. The need for the facility and the type of development on which the fee is imposed; and
  - c. The amount of the fee and the facility cost attributable to the development project. (Applies when fees are imposed on a specific project.)

Each of those requirements is discussed in more detail below.

Identifying the Purpose of the Fees. The broad purpose of impact fees is to protect public health, safety and general welfare by providing for adequate public facilities. The specific purpose of the fees calculated in this study is to fund construction of certain capital improvements that will be needed to mitigate the impacts of planned new development on the District's facilities and to maintain an acceptable level of public services as additional development occurs in the District.

This report recommends that findings regarding the purpose of an impact fee should define the purpose broadly, as providing for the funding of adequate public facilities to serve additional development.

Identifying the Use of the Fees. According to Section 66001, if a fee is used to finance public facilities, those facilities must be identified. A capital improvement plan may be used for that purpose but is not mandatory if the facilities are identified in a General Plan, a Specific Plan, or in other public documents. In this case, we recommend that the District adopt this report as the public document that identifies the facilities to be funded by the fees.

Reasonable Relationship Requirement. As discussed above, Section 66001 requires that, for fees subject to its provisions, a "reasonable relationship" must be demonstrated between:

1. the use of the fee and the type of development on which it is imposed;
2. the need for a public facility and the type of development on which a fee is imposed; and,
3. the amount of the fee and the facility cost attributable to the development on which the fee is imposed.

These three reasonable relationship requirements, as defined in the statute, mirror the nexus and proportionality requirements often cited in court decisions as the standard for defensible impact fees. The term "dual rational nexus" is often used to characterize the standard used by courts in evaluating the legitimacy of impact fees. The "duality" of the nexus refers to (1) an impact or need created by a development project subject to impact fees, and (2) a benefit to the project from the expenditure of the fees.

Although proportionality is reasonably implied in the dual rational nexus formulation, it was explicitly addressed by the Supreme Court in the *Dolan* case, and we prefer to list it as the third element of a complete nexus.

Development Agreements and Reimbursement Agreements. The requirements of the Mitigation Fee Act do not apply to fees collected under development agreements (see Govt. Code Section 66000) or reimbursement agreements (see Govt. Code Section 66003). The same is true of fees in lieu of park land dedication imposed under the Quimby Act (see Govt. Code Section 66477).

Existing Deficiencies. In 2006, Section 66001(g) was added to the Mitigation Fee Act (by AB 2751) to clarify that impact fees “shall not include costs attributable to existing deficiencies in public facilities,…” The legislature’s intent in adopting this amendment, as stated in the bill, was to codify the holdings of *Bixel v. City of Los Angeles* (1989), *Rohn v. City of Visalia* (1989), and *Shapell Industries Inc. v. Governing Board* (1991).

That amendment does not appear to be a substantive change. It is widely understood that other provisions of law make it improper for impact fees to include costs for correcting existing deficiencies.

However, Section 66001(g) also states that impact fees “may include costs attributable to the increased demand for public facilities reasonably related to the development project in order to (1) *refurbish existing facilities to maintain the existing level of service* or (2) *achieve an adopted level of service that is consistent with the general plan.*” (Emphasis added.)

**Impact Fees for Existing Facilities.** Impact fees may be used to recover costs for existing facilities to the extent that those facilities are needed to serve additional development and have the capacity to do so. In other words, it must be possible to show that fees used to pay for existing facilities meet the need and benefit elements of the nexus.

## **Authority to Impose Impact Fees**

Impact fees are imposed as a condition of approval of a development project, so the authority to impose those fees rests with the body that controls land use permits and approvals. Special districts do not have that authority.

There is specific legislation prohibiting fire districts from charging such fees. California Health and Safety Code Section 13916, which is part of the Fire Protection District Law of 1987, states: “A (fire protection) district board shall not charge a fee on new construction or development for the construction of public improvements or facilities or the acquisition of equipment.” However, as a practical matter, whether or not GCSO is considered a fire district, it cannot impose impact fees on its own.

Although the District itself may not charge impact fees, it is quite common in California for cities and counties to impose impact fees for the benefit of special districts, including fire districts and park districts, that provide services within their jurisdiction. In this case,

GCSD will require the cooperation of Tuolumne County to establish and impose the impact fees calculated in this report.

## Recent Legislation

Several new laws enacted by the State of California to facilitate development of affordable housing will affect the implementation of in-lieu fees and impact fees calculated in this study. Below are brief overviews of some key bills passed in recent years.

**SB 330 – The Housing Crisis Act of 2019.** Amendments to existing law contained in SB 330 prohibit the imposition of new approval requirements on a housing development project once a preliminary application has been submitted. That provision applies to increases in impact fees and in-lieu fees, except when the resolution or ordinance establishing the fee authorizes automatic, inflationary adjustments to the fee or exaction.

**AB 1483 – Housing Data: Collection and Reporting.** AB 1483 requires that a city, county or special district must post on its website a current schedule of its fees and exactions, as well as associated nexus studies and annual reports. Updates must be posted within 30 days.

**SB 13 – Accessory Dwelling Units.** SB 13 prohibits the imposition of impact fees on accessory dwelling units (ADUs) smaller than 750 square feet and provides that impact fees for ADUs of 750 square feet or more must be proportional to the square footage of the primary dwelling unit. In our opinion, the proportionality requirement means that impact fees for ADUs of 750 square feet or more must be calculated on a case-by-case basis during the approval process because the sizes of the ADU and the primary unit will be different in each case. The calculation is quite simple, as shown in the following formula: **(ADU Square Feet / Primary Unit Square Feet) X Impact Fee for a Single-Family Residential Unit.** So, for example, if the ADU is 1,000 square feet and the primary unit is 2,000 square feet, the impact fee for the ADU would be 0.5 times the impact fee for a single-family residential unit.

Previously, the law required a water or sewer connection fee or capacity charge for an accessory dwelling unit requiring a new or separate utility connection to be based on either the accessory dwelling unit's size or the number of its plumbing fixtures. SB 13 revises the basis for calculating the connection fee or capacity charge to either the accessory dwelling unit's square feet or the number of its drainage fixture units.

## Impact Fee Calculation Methodology

Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics of, and planning requirements for, the facility type being addressed. Each method has advantages and disadvantages in a particular situation. To some extent they are interchangeable, because they all allocate facility costs in proportion to the needs created by development.

Allocating facility costs to various types and amounts of development is central to all methods of impact fee calculation. Costs are allocated by means of formulas that quantify the relationship between development and the need for facilities. In a cost allocation formula, the impact of development is measured by some attribute of development such as added population or added vehicle trips that represent the impacts created by different types and amounts of development.

**Plan-Based or Improvements-Driven Method.** Plan-based impact fee calculations are based on the relationship between a specified set of improvements and a specified increment of development. The improvements are typically identified in a facility plan, while the development is identified in a land use plan that forecasts potential development by type and quantity.

Using this method, facility costs are allocated to various categories of development in proportion to the service demand created by each type of development. To calculate plan-based impact fees, it is necessary to determine what facilities will be needed to serve a particular increment of new development.

With this method, the total cost of eligible facilities is divided by the total units of additional demand to calculate a cost per unit of demand (e.g. a cost per capita for parks). Then, the cost per unit of demand is multiplied by factors representing demand per unit of development (e.g. population per unit) to arrive at a cost per unit of development.

This method is somewhat inflexible in that it is based on the relationship between a specific facility plan and a specific land use plan. If either plan changes significantly the fees will have to be recalculated.

**Capacity-Based or Consumption-Driven Method.** This method calculates a cost per unit of capacity based on the relationship between total cost and total capacity of a system. It can be applied to any type of development, provided the capacity required to serve each increment of development can be estimated and the facility has adequate capacity available to serve the development. Since the cost per unit of demand does not depend on the particular type or quantity of development to be served, this method is flexible with respect to changing development plans.

In this method, the cost of unused capacity is not allocated to development. Capacity-based fees are most commonly used for water and wastewater systems, where the cost of a system component is divided by the capacity of that component to derive a unit cost. However, a similar analysis can be applied to other types of facilities. To produce a schedule of impact fees based on standardized units of development (e.g. dwelling units or square feet of non-residential building area), the cost per unit of capacity is multiplied by the amount of capacity required to serve a typical unit of development in each of several land use categories.

**Standard-Based or Incremental Expansion Method.** Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. The standard can be established as a matter

of policy or it can be based on the level of service being provided to existing development in the study area.

Using the standard-based method, costs are defined on a generic unit-cost basis and then applied to development according to a standard that sets the number of service units to be provided for each unit of development.

Park and impact fees are commonly calculated this way. The level of service standard for parks is typically stated in terms of acres of parks per thousand residents. A cost-per-acre for park land or park improvements can usually be estimated without knowing the exact size or location of a particular park. The ratio of park acreage to population and the cost per acre for parks is used to calculate a cost per capita. The cost per capita can then be converted into a cost per unit of development based on the average population per dwelling unit for various types of residential development.

**Buy-In or Recoupment Impact Fees.** Buy-in fees can be used to recover some portion of the cost of existing facilities, provided those facilities have capacity available to serve additional development. This is not a completely separate fee calculation method but can be used as a variation of one of the other methods described above. It is particularly applicable when there is outstanding debt related to an existing facility.

### **Facilities Addressed in this Study**

Impact/in-lieu fees for the following types of facilities are addressed in this report:

- Park Land Acquisition and Park Improvements (Chapter 3)
- Fire Department Facilities and Equipment (Chapter 4)



## Chapter 2. Development Data

This chapter presents data on existing and future development that will be used to calculate impact fees in subsequent chapters of this report.

The information in this chapter may be used to establish levels of service, analyze facility needs, and/or allocate the cost of capital assets between existing and future development and among various types of new development.

### Study Area

The study area for this impact fee study is the area within the boundaries of the Groveland Community Services District (GCSD or the District).

### Time Frame

No time frame is assumed for the buildout of future development projected in this study. The methods used to calculate impact fees in this study do not require assumptions regarding the rate or timing of development.

### Development Types

The development types for which impact fees are calculated in this report are listed below.

- Residential (All Types)
- Hotel/B&B/RV Park
- Commercial/Office/Services

Because of occupancy patterns characterizing residential development in the District, this study does not distinguish among single-family, multi-family and mobile home development. All types of residential units are treated as equivalent in terms of their impact on the facility types addressed in this report.

Similarly, various types of lodging accommodations are grouped into the Hotel/B&B/RV Park category, where “B&B” stands for bed and breakfast inn. The RV park category includes camping facilities. That category is intended to include all hotels, motels, bed and breakfast inns, hostels, RV parks and camping facilities but not dwelling units offered as temporary vacation rentals through Airbnb or similar services. Other types of non-residential development are included in the Commercial/Office/Services category.

Note: This study does not calculate impact fees for accessory dwelling units (ADUs). Recent legislation (SB 13) requires that impact fees for ADUs must be proportional to the relationship between the square footage of the ADU and the square footage of the primary unit. Consequently, the calculation of impact fees must be done on a case-by-case basis. No impact fee may be imposed on an ADU smaller than 750 square feet.

It should be noted that the proportionality requirement written into SB 13 tends to favor ADUs associated with larger primary units, because the larger the ADU, the smaller the ADU in proportion to the primary unit. One way of addressing that issue is to adopt a minimum size for primary units used to calculate the ADU impact fees.

## **Demand Variables**

To calculate impact fees, the relationship between facility needs and development must be quantified in cost allocation formulas. Certain measurable attributes of development (for example, added population) are used as “demand variables” in those formulas to represent the impact of different types of development on various types of capital assets.

Demand variables are selected either because they directly measure the service demand created by various types of development, or because they are reasonably correlated with that demand. The demand variables used to calculate impact fees in this report are discussed below.

**Park Service Population.** This study defines a park service population that is used to calculate park impact fees. That population has two components: residents of the District and overnight visitors staying in all types of lodging including hotels, motels, bed-and-breakfast inns, hostels, RV parks or camping facilities. Unless otherwise indicated, where the term “population” is used in this study, it means park service population. The population per unit factor for lodging facilities is based on the average daily population for all types of lodging.

The residential population component is defined as “full-occupancy” population, meaning the number of persons that would reside in the District if all residential units were occupied, with each unit housing the average population per unit shown in Table 2.1. Although many dwelling units in the District are occupied only seasonally, that could change, and the full-occupancy population reflects the fact that once a dwelling unit is constructed the District is responsible for providing services to the occupants of that unit. The use of full-occupancy population is conservative in the sense that it tends to reduce the amount of the impact fees calculated in this report.

**Fire Department Calls for Service per Year.** Demand for fire protection and other emergency response services provided by GCSO is impacted by both residential and non-residential development in the District. In this study, the number of calls for service per unit per year is used to represent the demand for those services by various types of development. The calls-for-service-per-year factors used in this study are based on analysis by NBS of a random sample of calls for service for the three-year period 2016 through 2018.

For that period, the GCSO Fire Department logged a total of 1,543 calls for service, of which 1,361 were from within the District boundaries. Another 182 calls were from locations outside the District boundaries. For this study, NBS analyzed a large random sample of 655 calls, or approximately half of the calls originating within the District, to determine the percentage of calls generated by different types of development.

Next, those percentages were applied to all calls within the District for the three-year period to determine the number of calls generated by each type of development. The resulting numbers were divided by three to get the number of calls for one year. Finally, the number of calls generated by each category of development was divided by the number of existing units in that category to arrive at a calls-per-unit-per-year factor. Those factors are shown in Table 2.1.

**Table 2.1: Demand Factors Used in This Study**

Development Type	Dev Units <sup>1</sup>	Population per Unit <sup>2</sup>	Fire Calls per Unit <sup>3</sup>
Residential (All Types)	DU	2.15	0.103
Hotel/B&B/RV Park	Room or Space	1.30	0.136
Commercial/Office/Services	KSF		0.205

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel or B&B guest room; Space = RV parking space; KSF = 1,000 gross square feet of building area

<sup>2</sup> Population per unit for residential development is a weighted average for all types of residential development based on U. S. Census Bureau American Community Survey (ACS) 2013 estimates (the most recent available data); population per unit for the Hotel/B&B/RV Park category is based on an estimated two people per room or space and a 65% occupancy rate.

<sup>3</sup> Estimated average fire calls for service per unit per year based on analysis by NBS of a random sample of calls for the three-year period from 2016-2018; see discussion in text

## Existing and Forecasted Development

Tables 2.2 through 2.4, below, show existing development and forecasted future and buildout development by development type for the District. Table 2.2 shows estimated existing development for GCSD as of January 1, 2021, in terms of units, park service population and fire calls for service per year.

**Table 2.2: Existing Development - January, 2021**

Development Types	Dev Units <sup>1</sup>	Existing Units <sup>2</sup>	Park Svc Pop <sup>3</sup>	Fire Calls per Year <sup>4</sup>
Residential (All Types)	DU	3,451	7,420	354
Hotel/B&B/RV Park	Room or Space	118	153	16
Commercial/Office/Services	KSF	175.3		36
<b>Total</b>			<b>7,573</b>	<b>406</b>

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel, motel or B&B guest room; Space = RV parking space or campsite; KSF = 1,000 gross square feet of building area

<sup>2</sup> Existing residential units based on data from Groveland CSD, the 2010 Census, 2013 American Community Survey and Tuolumne County Assessor data; where necessary, data have been updated to 2021

<sup>3</sup> Park service population = existing residential units X population per unit from Table 2.1 + existing Hotel/B&B/RV Park units X population per unit from Table 2.1

<sup>4</sup> Fire calls per year based on analysis by NBS of a random sample of GCSD Fire Department calls for the three year period 2016 through 2018

Table 2.3 shows forecasted future development in the District to buildout. The number of future units shown in Table 2.3 is based on information from the sources listed in footnote 2.

**Table 2.3: Forecasted Future Development from 2021 to General Plan Buildout**

Development Types	Dev Units <sup>1</sup>	Added Units <sup>2</sup>	Added Park Svc Pop <sup>3</sup>	Added Fire Calls <sup>4</sup>
Residential (All Types)	DU	585	1,258	60
Hotel/B&B/RV Park	Room or Space	288	374	39
Commercial/Office/Services	KSF	34.8		7
<b>Total</b>			<b>1,632</b>	<b>106</b>

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel, motel or B&B guest room; Space = RV parking space or campsite; KSF = 1,000 gross square feet of building area

<sup>2</sup> Forecasted future development units based on 531 available residential lots in the Pine Mountain Lake community plus an analysis of land designated for future development in the 2020 GCSD Water Master Plan Plan Technical Memorandum No. 1 by Wood Rogers and current development project applications submitted to Tuolumne County

<sup>3</sup> Added park service population = added residential units X population per unit from Table 2.1 + added Hotel/B&B/RV Park units X population per unit from Table 2.1

<sup>4</sup> Added fire calls = added units X fire calls per unit from Table 2.1

Table 2.4 shows total development in the District at buildout.

**Table 2.4: Forecasted Total Development at General Plan Buildout**

Development Types	Dev Units <sup>1</sup>	Buildout Units <sup>2</sup>	Buildout Park Svc Pop <sup>3</sup>	Buildout Fire Calls <sup>4</sup>
Residential (All Types)	DU	4,036	8,678	414
Hotel/B&B/RV Park	Room or Space	406	528	55
Commercial/Office/Services	KSF	210		43
<b>Total</b>			<b>9,206</b>	<b>512</b>

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel, motel or B&B guest room; Space = RV parking space or campsite; KSF = 1,000 gross square feet of building area

<sup>2</sup> Buildout units = existing units from Table 2.2 + forecasted future units from Table 2.3

<sup>3</sup> Buildout park service population = buildout residential units X population per unit from Table 2.1 + buildout Hotel/B&B/RV Park units X population per unit from Table 2.1

<sup>4</sup> Buildout fire calls = existing fire calls from Table 2.2 + future fire calls from Table 2.3

The numbers presented in Tables 2.2 through 2.4 indicate that the District is about 82% built out in terms of park service population. Existing Fire Department calls for service represent about 79% of the forecasted total calls at buildout.

## Chapter 3. Park Land and Park Improvements

This chapter calculates impact fees for park land acquisition and park improvements. At present, Groveland Community Services District (GCSD or the District) owns two community parks which are listed in Table 3.1 on the next page. The impact fees calculated in this chapter are based on the District's current level of service in terms of improved park acres per capita of park service population.

### Service Area

The park impact fees calculated in this chapter are intended to apply to all residential and lodging development within the District. Lodging includes hotels, motels, bed and breakfast inns, hostels and commercial recreational vehicle and camping facilities.

### Methodology

This chapter calculates impact fees using the standard-based method discussed in Chapter 1. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. The next two sections discuss the demand variable and level-of-service standard used to calculate the park impact fees.

### Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate park impact fees in this chapter is park service population. As discussed in Chapter 2, park service population consists of full-occupancy residential population plus the estimated average daily population of guests staying at hotels, motels, bed-and breakfast inns, hostels and RV/camping facilities in the District.

Because park service population, as defined above, is associated with residential and lodging development, the impact fees calculated in this chapter apply only to those types of development.

### Existing Level of Service

The level-of-service standard used to calculate impact fees in this chapter is the existing ratio of developed park acreage to park service population in the District. Park service population is defined in Chapter 2 and discussed above. Table 3.1 on the next page lists the District's existing parks and shows the total acres and improved acres of park land.

**Table 3.1: Existing GCSO Parks**

Park Name	Park Type	Total Acres	Improved Acres
Mary Laveroni Park	Community	23.00	11.00
Leon Rose Ballpark	Community	1.22	1.22
<b>Total</b>		<b>24.22</b>	<b>12.22</b>

Source: GCSO 2017 Parks Master Plan and communication with GCSO staff

Table 3.2 calculates the existing level of service for the District’s parks in terms of acres per capita and acres per 1,000 park service population. Only about half of Mary Laveroni Park is fully improved, and only improved park acreage is used to calculate the park impact fees.

**Table 3.2: GCSO Parks - Existing Level of Service**

Existing Acres <sup>1</sup>	Existing Park Service Pop <sup>2</sup>	Acres per Capita <sup>3</sup>	Acres per 1,000 <sup>4</sup>
12.22	7,573	0.00161	1.61

<sup>1</sup> See Table 3.1

<sup>2</sup> Existing park service population; see Table 2.2

<sup>3</sup> Acres per capita = existing improved park acres / existing park service population

<sup>4</sup> Acres per 1,000 population = acres per capita X 1,000

In the next section, the existing level of service is converted into a cost per capita for park land acquisition and for park improvements.

### Cost Per Capita

Table 3.3, below, shows the cost per capita for park land acquisition and park improvements based on the existing level of service from Table 3.2 and the estimated cost per acre for park land acquisition and park improvements.

**Table 3.3: Cost per Capita**

Fee Type	Cost per Acre <sup>1</sup>	Acres per Capita <sup>2</sup>	Cost per Capita <sup>3</sup>
Park Land Acquisition	\$ 130,000	0.00161	\$ 209.77
Park Improvements	\$ 500,000	0.00161	\$ 806.81

<sup>1</sup> Park land acquisition cost per acre and park improvement cost per acre estimated by GCSO

<sup>2</sup> See Table 3.2

<sup>3</sup> Cost per capita = cost per acre X acres per capita

In the next section, the per-capita costs from Table 3.3 are used to calculate impact fees per unit of development for park land acquisition and park improvements.

### Impact Fees per Unit

Table 3.4 shows the calculation of park land impact fees per unit of development. Those fees are calculated using the per-capita cost of park land from Table 3.3 and the population per unit from Table 2.1.

**Table 3.4: Park Land Impact Fees per Unit**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Population per Unit <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential (All Types)	DU	\$209.77	2.15	\$451.01
Hotel/B&B/RV Park	Room/Space	\$209.77	1.30	\$272.70

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel, motel or B&B guest room; Space = RV parking space or campsite

<sup>2</sup> See Table 3.3

<sup>3</sup> See Table 2.1

<sup>4</sup> Impact fee per unit = cost per capita X population per unit

Table 3.5 shows the calculation of park improvement impact fees per unit of development. Those fees are calculated using the per-capita cost of park improvements from Table 3.3 and the population per unit from Table 2.1.

**Table 3.5: Park Improvement Impact Fees per Unit**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Population per Unit <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential (All Types)	DU	\$806.81	2.15	\$1,734.65
Hotel/B&B/RV Park	Room/Space	\$806.81	1.30	\$1,048.86

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel, motel or B&B guest room; Space = RV parking space or campsite

<sup>2</sup> See Table 3.3

<sup>3</sup> See Table 2.1

<sup>4</sup> Impact fee per unit = cost per capita X population per unit

Table 3.6 shows the combined total impact fees for park land acquisition and park improvement, which is the sum of the impact fees from Tables 3.4 and 3.5.



**Table 3.6: Total Park Land and Improvement Impact Fees per Unit**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Population per Unit <sup>3</sup>	Total Impact Fees per Unit <sup>4</sup>
Residential (All Types)	DU	\$1,016.59	2.15	\$2,185.66
Hotel/B&B/RV Park	Room/Space	\$1,016.59	1.30	\$1,321.56

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel, motel or B&B guest room; Space = RV parking space or campsite

<sup>2</sup> Sum of costs per capita from Tables 3.4 and 3.5

<sup>3</sup> See Table 2.1

<sup>4</sup> Total impact fees per unit = sum of the impact fees per unit from Tables 3.4 and 3.5

## Projected Revenue

Table 3.7 on the next page shows projected revenue to buildout from the combined park land acquisition and park improvement impact fees. Based on the per-acre costs shown in Table 3.3, that revenue could be used to acquire and improve about 2.6 acres of additional parks in the District.

**Table 3.7: Projected Revenue from Park Impact Fees**

Development Type	Units <sup>1</sup>	Total Impact Fees per Unit <sup>2</sup>	Future Units <sup>3</sup>	Projected Revenue <sup>4</sup>
Residential (All Types)	DU	\$2,185.66	585	\$ 1,278,610
Hotel/B&B/RV Park	Room/Space	\$1,321.56	288	\$ 380,610
<b>Total</b>				<b>\$ 1,659,220</b>

## Updating the Fees

The impact fees calculated in this chapter are based the current estimated cost of park land and improvements. We recommend that the fees be reviewed annually and adjusted as needed using local cost data or an index such as the *Engineering News Record* Construction Cost Index (CCI). See the Implementation Chapter for more on indexing of fees.

## Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

- a. The use of the fee and the development type on which it is imposed;

- b. The need for the facility and the type of development on which the fee is imposed; and
- c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the “rational nexus” and “rough proportionality” standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see “Legal Framework for Impact Fees” in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

**Purpose of the Fee:** The purpose of the impact fees calculated in this chapter is to mitigate the impact of new development on the need for parks in the District.

**Use of the Fee.** Impact fees calculated in this chapter will be used to provide additional parks and park improvements to mitigate the impact of new development on the need for parks in the District.

**Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed.** The impact fees calculated in this chapter will be used to provide additional parks to serve the needs of added park service population associated with new residential and lodging development in the District.

**Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed.** New development increases the need for parks to maintain the existing level of service, as described earlier in this chapter. Without additional parks, the increase in park service population associated with new residential and lodging development would result in a reduction in the level of service provided to all residents of the District.

**Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project.** The amount of the park impact fees charged to a development project will depend on the increase in park service population associated with that project. The fees per unit of development calculated in this chapter are based on the estimated park service population per unit of for residential and lodging development in the District. Thus, the fee charged to a development project reflects the impact of that project on the need for parks in the District.

## Chapter 4. Fire Department Facilities/Equipment

This chapter calculates impact fees for fire protection and emergency response facilities, apparatus and equipment needed to serve future development in the Groveland Community Services District (GCSD or the District). Where the general term “facilities” is used in this chapter, it is intended to include all types of capital assets needed by the GCSD Fire Department to carry out its mission.

GCSD contracts with the California Department of Forestry and Fire Protection (CAL FIRE) to staff the GCSD fire station in Groveland.

### Service Area

The impact fees calculated in this chapter are intended to apply to all future development within the District.

### Demand Variable

A “demand variable” is a quantifiable attribute of development that is used in fee calculation formulas to represent the impact of development on a certain type of capital facilities. The demand variable used to calculate impact fees for GCSD facilities in this chapter is calls for service per year.

As explained in Chapter 2, NBS analyzed a large random sample of the calls for service received by the GCSD Fire Department from 2016 through 2018 to estimate the number of calls per unit per year generated by each type of development defined in this study. Table 2.1 shows the calls-per-unit-per-year factors derived from that analysis. Those factors are used to calculate impact fees per unit later in this chapter.

### Methodology

This chapter calculates impact fees using the plan-based method discussed in Chapter 1. Plan-based fees allocate costs for a specific set of facilities to a specific increment of development.

In this case, the costs for all existing and future GCSD fire protection and emergency response facilities, apparatus and equipment are allocated to all existing and future development, so that impact fees charged to future development will pay future development’s proportionate share of the overall cost of those assets.

### Facilities, Apparatus and Equipment

Table 4.1 on the next page shows the impact fee cost basis used in this study for the existing GCSD fire station and a planned expansion of that station. The value of the existing fire station is estimated using depreciated replacement cost plus the value of the land on which the station is sited. The cost of the planned fire station expansion is based

on the current estimated cost of that expansion. No additional land is required for the expansion.

**Table 4.1: Existing and Future Fire Stations**

Facility	Constr Date <sup>1</sup>	Site Acres	Land Value <sup>2</sup>	Bldg Sq Ft <sup>1</sup>	Building Repl Cost <sup>3</sup>	Useful Life <sup>4</sup>	Depreciated Bldg Cost <sup>4</sup>	Impact Fee Cost Basis <sup>5</sup>
GCSO Fire Station	1988	0.35	\$45,500	5,172	\$ 2,198,100	50	\$ 791,316	\$ 836,816
Fire Station Addition	Future			500	\$ 322,500		\$ 322,500	\$ 322,500
<b>Total</b>			<b>\$45,500</b>		<b>\$ 2,520,600</b>		<b>\$ 1,113,816</b>	<b>\$ 1,159,316</b>

<sup>1</sup> Construction date and building square feet from the GCSO property inventory

<sup>2</sup> Land value for existing fire station based on \$130,000 per acre

<sup>3</sup> Estimated replacement cost for the existing fire station based on \$425.00 per square foot; estimated cost for future fire station addition based on \$645.00 per square foot; estimated cost includes soft construction costs, utilities, site development and furniture, fixtures and equipment

<sup>4</sup> Estimated useful life of buildings in years

<sup>5</sup> Depreciated building replacement cost for existing fire station using straight-line depreciation over the useful life of the asset; no depreciation applies to future building costs

<sup>6</sup> Impact fee cost basis = depreciated building replacement cost + estimated land value

Table 4.2 on the next page lists GCSO 's existing firefighting apparatus and other vehicles. Costs for all vehicles and equipment shown in the far-right column of Table 4.2 are depreciated replacement costs based on the useful life shown in that table. Vehicles and equipment are assumed to have a residual value of at least 15% of replacement cost, regardless of age.

**Table 4.2: Existing Fire Apparatus and Vehicles**

Quantity	Model Year	Description	Useful Life (Yrs)	Unit Repl Cost <sup>1</sup>	Depreciated Repl Cost <sup>2</sup>	Impact Fee Cost Basis <sup>3</sup>
1	2009	Type I Engine (Pierce Contender)	10	\$ 750,000	\$ 112,500	\$ 112,500
1	2000	Type II Engine (Freightliner)	10	\$ 600,000	\$ 90,000	\$ 90,000
1	1984	Type II Engine (Grumman GMC)	10	\$ 450,000	\$ 67,500	\$ 67,500
1	2009	Silverado 2500 Utility Vehicle	10	\$ 50,000	\$ 7,500	\$ 7,500
1	2009	Silverado 2500 Utility Vehicle	10	\$ 50,000	\$ 7,500	\$ 7,500
<b>Total</b>				<b>\$1,900,000</b>	<b>\$ 285,000</b>	<b>\$ 285,000</b>

<sup>1</sup> Replacement cost provided by GCSO

<sup>2</sup> Depreciated replacement cost using straight-line depreciation over the useful life of the asset; minimum depreciated value = 15% of replacement cost

<sup>3</sup> Impact fee cost basis = depreciated replacement cost

Table 4.3 lists the future apparatus and equipment that will be needed to serve the District at buildout.

**Table 4.3: Future Fire Apparatus, Vehicles and Equipment**

Description	No. of Units <sup>1</sup>	Cost per Unit <sup>2</sup>	Impact Fee Cost Basis <sup>3</sup>
Future Type I Engine (incl Equip)	1	\$1,007,000	\$ 1,007,000

<sup>1</sup> Equipment needs provided by GCSD

<sup>2</sup> Cost per unit provided by GCSD

<sup>3</sup> Impact fee cost basis = number of units X cost per unit

Table 4.4 summarizes the costs from the preceding three tables.

**Table 4.4: Impact Fee Cost Basis - Existing and Future Assets**

Component	Impact Fee Cost Basis <sup>1</sup>
Existing and Future Fire Stations	\$ 1,159,316
Existing - Fire Apparatus and Equipment	\$ 285,000
Future - Fire Apparatus Equipment	\$ 1,007,000
<b>Total</b>	<b>\$ 2,451,316</b>

<sup>1</sup> See Tables 4.1, 4.2 and 4.3

### Cost per Call for Service

Table 4.5 calculates the cost per call for service for GCSD Fire Department facilities, apparatus and equipment using the total cost from Table 4.4 and the projected number of calls for service per year at buildout.

**Table 4.5: Cost per Call for Service**

Impact Fee Cost Basis <sup>1</sup>	Buildout Calls per Year <sup>2</sup>	Cost per Call per Year <sup>3</sup>
\$2,451,316	512	\$4,787.73

<sup>1</sup> See Table 4.4

<sup>2</sup> Projected buildout calls per year for GCSD; see Table 2.4

<sup>3</sup> Cost per call per year = impact fee cost basis / buildout calls per year

### Impact Fees per Unit

Table 4.6 shows the calculation of GCSD Fire Department impact fees per unit of development by development type. Those fees are calculated using the cost per call for service from Table 4.5 and the calls-per-unit-per-year factors from Table 2.1.

**Table 4.6 Impact Fee per Unit**

Development Type	Units <sup>1</sup>	Cost per Call per Year <sup>2</sup>	Calls per Unit per Year <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential (All Types)	DU	\$4,787.73	0.103	\$ 491.12
Hotel/B&B/RV Park	Room/Space	\$4,787.73	0.136	\$ 649.18
Commercial/Office/Services	KSF	\$4,787.73	0.205	\$ 983.22

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel or B&B guest room; Space = RV parking space; KSF = 1,000 gross square feet of building area

<sup>2</sup> Cost per call per year; see Table 4.5

<sup>3</sup> Calls per unit per year; see Table 2.1

<sup>4</sup> Impact fee per unit = cost per call per year X calls per unit per year

## Projected Revenue

Potential revenue from the impact fees calculated in this chapter can be estimated by applying the fees per unit from Table 4.6 to forecasted future units from Table 2.3. Table 4.7 on the next page shows the projected revenue to buildout from the impact fees shown in Table 4.6.

**Table 4.7 Projected Revenue**

Development Type	Units <sup>1</sup>	Future Units <sup>2</sup>	Impact Fee per Unit <sup>3</sup>	Projected Revenue <sup>4</sup>
Residential, Single-Family	DUs	585	\$ 491.12	\$ 287,305
Hotel/B&B/RV Park	Room/Space	288	\$ 649.18	\$ 186,965
Commercial/Office/Services	KSF	35	\$ 983.22	\$ 34,216
<b>Total</b>				<b>\$ 508,486</b>

<sup>1</sup> Units of development: DU = dwelling unit; Room = hotel or B&B guest room; Space = RV parking space; KSF = 1,000 gross square feet of building area

<sup>2</sup> Future units; see Table 2.3

<sup>3</sup> Impact fee per unit; see Table 4.6

<sup>4</sup> Projected revenue = future units X impact fee per unit

The total revenue projected in Table 4.7 is substantially less than the cost of the fire station addition shown in Table 4.1 plus the additional fire engine shown in Table 4.3, so additional funding will be required to cover the entire cost of acquiring those assets.

## Updating the Fees

The impact fees calculated in this chapter are based the current estimated costs. We recommend that the fees be reviewed and adjusted annually using local cost data or an index such as the *Engineering News Record* Building Cost Index. See the Implementation Chapter for more on indexing of fees.

## Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires an agency establishing, increasing or imposing impact fees to make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

- a. The use of the fee and the development type on which it is imposed;
- b. The need for the facility and the type of development on which the fee is imposed; and
- c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the “rational nexus” and “rough proportionality” standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see “Legal Framework for Impact Fees” in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

**Purpose of the Fee:** The purpose of the impact fees calculated in this chapter is to mitigate the impact of new development on the need for fire protection and emergency response facilities apparatus and equipment provided by the Groveland Community Services District (GCSD).

**Use of the Fee.** Impact fees calculated in this chapter will be used to provide additional capital assets to mitigate the impact of new development on the need for those facilities in the District. As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

**Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed.** The impact fees calculated in this chapter will be used to provide additional facilities and apparatus to serve the added demand for fire protection and other emergency services associated with new development in the District.

**Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed.** New development increases the demand for fire protection and other emergency services provided by GCSD. Without additional facilities, apparatus and equipment, the increase in demand associated with new development would negatively impact the ability of the District to provide services efficiently and effectively to all development in its service area.

**Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project.** The amount of the GCSD Fire Department impact fees charged to a development project will depend on the increase in calls for service associated with that project. The fees per unit of development calculated in this

chapter for each type of development are based on the estimated calls for service per unit per year for that type of development in in the GCSD service area. Thus, the fee charged to a development project reflects the impact of that project on the overall need for facilities, apparatus and equipment used by GCSD to provide fire protection and emergency response services to development in the District.



## Chapter 5. Implementation

This chapter of the report contains recommendations for adoption and administration of impact fees, and for the interpretation and application of the development impact fees calculated in this study. It was not prepared by an attorney and is not intended as legal advice.

Statutory requirements for the adoption and administration of fees imposed as a condition of development approval (impact fees) are found in the Mitigation Fee Act (Government Code Sections 66000 *et seq.*).

### Adoption

As discussed in Chapter 1, the District does not have the authority to adopt impact fees. GCSD must depend on Tuolumne County to establish and impose the impact fees calculated in this report.

The form in which development impact fees are enacted should be determined in consultation with the County Attorney. Procedures for adoption of fees subject to the Mitigation Fee Act, including notice and public hearing requirements, are specified in Government Code Sections 66016 and 66018. It should be noted that Section 66018 refers to Government Code Section 6062a, which requires that the public hearing notice be published at least twice during the required 10-day notice period. Government Code Section 66017 provides that fees subject to the Mitigation Fee Act do not become effective until 60 days after final action by the governing body.

Actions establishing or increasing fees subject to the Mitigation Act require certain findings, as set forth in Government Code Section 66001 and discussed below and in Chapter 1 of this report.

**Establishment of Fees.** Pursuant to the Mitigation Fee Act, Section 66001(a), when an agency establishes fees to be imposed as a condition of development approval, it must make findings to:

1. Identify the purpose of the fee;
2. Identify the use of the fee; and
3. Determine how there is a reasonable relationship between:
  - a. The use of the fee and the type of development project on which it is imposed; and,
  - b. The need for the facility and the type of development project on which the fee is imposed

Examples of findings that could be used for impact fees calculated in this study are shown below. The specific language of such findings should be reviewed and approved by the

attorney for the agency adopting the fees. A more complete discussion of the nexus for the proposed impact fees can be found in Chapters 3 and 4 of this report.

**Sample Finding: Purpose of the Fee.** The Board of Supervisors finds that the purpose of the impact fees hereby enacted is to protect the public health, safety and welfare by requiring new development to contribute to the cost of parks and fire protection and emergency response facilities needed to mitigate the impacts created by that development.

**Sample Finding: Use of the Fee.** The Board of Supervisors finds that revenue from the impact fees hereby enacted will be used to provide public facilities needed to mitigate the impacts of new development. Those facilities are identified in the 2021 Groveland Community Services District Impact Fee Study by NBS.<sup>1</sup>

**Sample Finding: Reasonable Relationship:** Based on analysis presented in the 2021 Groveland Community Services District Impact Fee Study by NBS, the Board of Supervisors finds that there is a reasonable relationship between:

- a. The use of the fees and the types of development projects on which they are imposed; and,
- b. The need for facilities and the types of development projects on which the fees are imposed.

## Administration

The California Mitigation Fee Act (Government Code Sections 66000 et seq.) mandates procedures for administration of impact fee programs, including collection and accounting, reporting, and refunds. References to code sections in the following paragraphs pertain to the California Government Code.

**Interagency Coordination.** It will be necessary for GCSD to reach an agreement with the County regarding the transmittal of impact fees to the District, as well as the responsibility for complying with the administrative procedures and reporting requirements established by the Mitigation Fee Act. The Executive Summary in this report discusses the option of adding an administrative charge to the fees to cover the cost of complying with those requirements.

**Imposition of Fees.** Pursuant to the Mitigation Fee Act, Section 66001(a), when an agency imposes an impact fee upon a specific development project, it must make essentially the same findings adopted upon establishment of the fees to:

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<sup>1</sup> According to Gov't Code Section 66001 (a) (2), the use of the fee may be specified in a capital improvement plan, the General Plan, or other public documents that identify the public facilities for which the fee is charged. The findings recommended here identify this impact fee study as the source of that information.

1. Identify the purpose of the fee;
2. Identify the use of the fee; and
3. Determine how there is a reasonable relationship between:
  - a. The use of the fee and the type of development project on which it is imposed;
  - b. The need for the facility and the type of development project on which the fee is imposed

Per Section 66001 (b), at the time when an impact fee is imposed on a specific development project, the agency is also required to make a finding to determine how there is a reasonable relationship between:

- c. The amount of the fee and the facility cost attributable to the development project on which it is imposed.

In addition, Section 66006 (f) provides that a local agency, at the time it imposes a fee for public improvements on a specific development project, "... shall identify the public improvement that the fee will be used to finance." The required notification could refer to the improvements identified in this study.

Section 66020 (d) (1) requires that the agency, at the time it imposes an impact fee, provide the applicant with a written statement of the amount of the fee and written notice of a 90-day period during which the imposition of the fee can be protested. Failure to protest imposition of the fee during that period may deprive the fee payer of the right to subsequent legal challenge.

Section 66022 (a) provides a separate procedure for challenging the establishment of an impact fee. Such challenges must be filed within 120 days of enactment.

**Collection of Fees.** Section 66007 (a) provides that a local agency shall not require payment of fees by developers of residential projects prior to the date of final inspection, or issuance of a certificate of occupancy, whichever occurs first.

However, "utility service fees" (not defined) may be collected upon application for utility service. In a residential development project of more than one dwelling unit, Section 66007 (a) allows the agency to choose to collect fees either for individual units or for phases upon final inspection, or for the entire project upon final inspection of the first dwelling unit completed.

Section 66007 (b) provides two exceptions when the local agency may require the payment of fees from developers of residential projects at an earlier time: (1) when the local agency determines that the fees "will be collected for public improvements or facilities for which an account has been established and funds appropriated and for which the local agency has adopted a proposed construction schedule or plan prior to final inspection or issuance of the certificate of occupancy" or (2) the fees are "to reimburse the local agency for expenditures previously made."

These statutory restrictions on the time at which fees may be collected do not apply to non-residential development.

In cases where the fees are not collected upon issuance of building permits, Subsections 66007 (c) (1) and (2) provide that the agency may require the property owner to execute a contract to pay the fee, and to record that contract as a lien against the property until the fees are paid.

**Earmarking and Expenditure of Fee Revenue.** Section 66006 (a) mandates that fees be deposited “with other fees for the improvement in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds of the local agency, except for temporary investments, and expend those fees solely for the purpose for which the fee was collected.” Section 66006 (a) also requires that interest earned on the fee revenues be placed in the capital account and used for the same purpose.

The language of the law is not clear as to whether depositing fees "with other fees for the improvement" refers to a specific capital improvement or a class of improvements (e.g., street improvements).

We are not aware of any agency that has interpreted that language to mean that funds must be segregated by individual projects. And, as a practical matter, that approach would be unworkable because it would mean that no pay-as-you-go project could be constructed until all benefiting development had paid the fees. Common practice is to maintain separate funds or accounts for impact fee revenues by facility category (e.g., fire protection or park improvements), but not for individual projects.

**Impact Fee Exemptions, Reductions, and Waivers.** In the event that a development project is found to have no impact on facilities for which impact fees are charged, such project must be exempted from the fees.

If a project has characteristics that will make its impacts on a particular public facility or infrastructure system significantly and permanently smaller than the average impact used to calculate impact fees in this study, the fees should be reduced accordingly. Per Section 66001 (b), there must be a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development on which the fee is imposed. The fee reduction is required if the fee is not proportional to the impact of the development on relevant public facilities.

In some cases, the agency may desire to voluntarily waive or reduce impact fees that would otherwise apply to a project as a way of promoting goals such as affordable housing or economic development. Such a waiver or reduction may not result in increased costs to other development projects, so the effect of such policies is that the lost revenue must be made up from other fund sources.

**Credit for Improvements Provided by Developers.** If an agency requires a developer, as a condition of project approval to dedicate land or construct facilities or improvements for which impact fees are charged, the agency should ensure that the impact fees are

adjusted so that the overall contribution by the developer does not exceed the impact created by the development.

In the event that a developer voluntarily offers to dedicate land, or construct facilities or improvements in lieu of paying impact fees, the agency may accept or reject such offers and may negotiate the terms under which such an offer would be accepted. Excess contributions by a developer may be offset by reimbursement agreements.

**Credit for Existing Development.** If a project involves replacement, redevelopment or intensification of previously existing development, impact fees should be applied only to the portion of the project that represents a net increase in demand for relevant facilities, applying the demand factors used in this study to calculate that particular impact fee.

**Annual Reports.** Section 66006 (b) (1) requires that once each year, within 180 days of the close of the fiscal year, the local agency must make available to the public the following information for each separate account established to receive impact fee revenues:

1. A brief description of the type of fee in the account or fund;
2. The amount of the fee;
3. The beginning and ending balance of the account or fund;
4. The amount of the fees collected and interest earned;
5. Identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the percentage of the cost of the public improvement that was funded with fees;
6. Identification of the approximate date by which the construction of a public improvement will commence, if the agency determines sufficient funds have been collected to complete financing of an incomplete public improvement;
7. A description of each inter-fund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvement on which the transfer or loan will be expended;
8. The amount of any refunds or allocations made pursuant to Section 66001, paragraphs (e) and (f).

The annual report must be reviewed by the governing body at its next regularly scheduled public meeting, but not less than 15 days after the statements are made public, per Section 66006 (b) (2).

**Fifth Year Reports on Unexpended Funds.** Prior to 1996, the Mitigation Fee Act required that a local agency collecting impact fees was required to expend or commit impact fee revenue within five years or make findings to justify a continued need for the money. Otherwise, those funds had to be refunded. SB 1693, adopted in 1996 as an amendment to the Mitigation Fee Act, changed that requirement in material ways.

Now, Section 66001 (d) requires that, for the fifth fiscal year following the first deposit of any impact fee revenue into an account or fund as required by Section 66006 (b), and every five years thereafter, the local agency shall make all of the following findings for any fee revenue that remains unexpended, whether committed or uncommitted:

1. Identify the purpose to which the fee will be put;
2. Demonstrate the reasonable relationship between the fee and the purpose for which it is charged;
3. Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements for which impact fees are to be used;
4. Designate the approximate dates on which the funding necessary to complete financing of those improvements will be deposited into the appropriate account or fund.

Those findings are to be made in conjunction with the annual reports discussed above. If such findings are not made as required by Section 66001, the local agency could be required to refund the moneys in the account or fund, per Section 66001 (d).

Once the agency determines that sufficient funds have been collected to complete financing on incomplete improvements for which impact fee revenue is to be used, it must, within 180 days of that determination, identify an approximate date by which construction of the public improvement will be commenced (Section 66001 (e)).

*Note: Because impact fees for the Groveland Community Services District must be adopted by other agencies as discussed above, the District and those agencies should agree on which agency will be responsible for annual reporting and the fifth year review required by the Mitigation Fee Act, and should develop procedures to ensure that the requirements of the Act are satisfied.*

**Annual Update of the Capital Improvement Plan.** Section 66002 (b) of the Mitigation Fee Act provides that if a local agency cites a capital improvement plan to identify the use of impact fees, that plan must be adopted and annually updated by a resolution of the governing body at a noticed public hearing. The alternative, per Section 66001 (a) (2) is to identify improvements by applicable general or specific plans or in other public documents.

In most cases, the CIP identifies projects for a limited number of years and may not include all improvements needed to serve future development covered by the impact fee study. We recommend that this impact fee study be cited as the public document identifying the use of the fees.

**Indexing of Impact Fees.** Where impact fees calculated in this report are based on current costs, those costs should, if possible, be adjusted periodically to account for changes in the cost of facilities or other capital assets that will be funded by the impact fees. That adjustment is intended to account for escalation in costs for land, construction, vehicles

and other relevant capital assets. For general construction, we recommend using the Engineering News Record Building Cost Index (20-Cities Average) which is published monthly in ENR. For land costs, local data, including appraisals is the best source. For other assets such as firefighting apparatus, recent bids can be used.

## Recent Legislation

As discussed in Chapter 1 (pages 1-5 and 1-6), recently passed legislation imposes additional requirements on agencies imposing impact fees on new development.

- SB 330 prohibits the imposition of new approval requirements on a housing development project once a preliminary application has been submitted.
- AB 1483 requires that a city, county or special district must post on its website a current schedule of its fees and exactions as well as associated nexus studies and annual reports. Updates must be posted within 30 days.
- SB 13 prohibits the imposition of impact fees on accessory dwelling units (ADUs) smaller than 750 square feet and provides that impact fees for ADUs of 750 square feet or more must be proportional to the square footage of the primary dwelling unit. The proportionality requirement means that impact fees for ADUs of 750 square feet or more must be calculated on a case-by-case basis during the approval process because the sizes of the ADU and the primary unit will be different in each case. The calculation is quite simple, as shown in the following formula: **(ADU Square Feet / Primary Unit Square Feet) X Impact Fee for a Single-Family Residential Unit**. So, for example, if the ADU is 1,000 square feet and the primary unit is 2,000 square feet, the impact fee for the ADU would be 0.5 times the impact fee for a single-family residential unit.

This area of state law is evolving rapidly and it is likely that future legislation will place additional requirements on the establishment and imposition of impact fees.

## Training and Public Information

Effective administration of an impact fee program requires considerable preparation and training. It is important that those responsible for collecting the fees, and for explaining them to the public, understand both the details of the fee program and its supporting rationale.

Before fees are imposed, a staff training workshop is highly desirable if more than a handful of employees will be involved in collecting or accounting for fees.

It is also useful to pay close attention to handouts that provide information to the public regarding impact fees. Impact fees should be clearly distinguished from other fees, such as user fees for application processing, and the purpose and use of impact fees should be made clear.

Finally, anyone responsible for accounting, capital budgeting, or project management for projects involving impact fees must be fully aware of the restrictions placed on the expenditure of impact fee revenues and should refer to this report for a list of the facilities and on which the impact fee calculations are based.



## RESOLUTION 21-2021

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT ACCEPTING THE FINAL REPORT- DEVELOPMENT IMPACT FEE STUDY AND ADOPTING THE PARK AND FIRE SERVICE IMPACT FEES

**WHEREAS**, the Groveland Community Services District (herein referred to as District) is a local government agency formed and operating in accordance with Section §61000 et seq. of the California Government Code; and

**WHEREAS**, the District provides fire protection, emergency medical and related services to persons and properties within its boundaries and under mutual aid response areas, and desires to enhance and expand its facilities and equipment to respond to an increasing emergency call volume; and

**WHEREAS**, the District provides park facilities and services for the benefit of community residents and visitors and desires to expand, reconfigure and improve its park facilities to provide functional, safe and engaging public parks as the population and park use increases with population growth; and

**WHEREAS**, The District desires to establish a Capital Fire and Park Facilities/Equipment Fee program to recover the capital costs to provide service to new development; and

**WHEREAS**, the Fee schedule is intended to be updated on an annual basis to account for inflationary costs and/or as updates are needed based upon updated services master plans and the current/actual costs of construction, expansion and equipping parks and fire stations; and

**WHEREAS**, a development impact fee study is required when the Fee Schedule is established and amended; and

**WHEREAS**, The District held a legally noticed public hearing on this date to receive public input and comment on the Development Impact Fee Study and Fee Schedule; and

**WHEREAS**, the District expects to enter into agreement in the future with the County of Tuolumne to administer the Capital Fire and Park Facilities Fee program on its behalf.

**THEREFORE, BE IT RESOLVED**, that the Groveland Community Services District, a public entity established under the laws of the State of California, does hereby:

1. Accept the Development Impact Fee Study dated June 18, 2021 and associated Fee Schedule as detailed in Table S-2 of said Report; and
2. Authorize the General Manager or designee to engage the County of Tuolumne to implement the Development Impact Fee Schedule.

**WHEREFORE**, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on July 13, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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Rachel Pearlman, Board Secretary

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Janice Kwiatkowski, President - Board of Directors

**CERTIFICATE OF SECRETARY**

I, Rachel Pearlman, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on July 13, 2021.

DATED: \_\_\_\_\_



## **BOARD MEETING AGENDA SUBMITTAL**

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**TO:** GCSO Board of Directors

**FROM:** Peter Kampa, General Manager

**DATE:** July 13, 2021

**SUBJECT:** **Agenda Item 6Ci: Adoption of a Resolution of Formation of the Groveland Community Services District Community Facilities District 2021-01 (Public Services)**

**Agenda Item 6Cii: Introduction and First Reading of Ordinance No. 2021-01 Authorizing the Levy of Special Taxes on Parcels That Will Annex to a Community Facilities District – Groveland Community Services District Community Facilities District No. 2021-01 (Public Services)**

**RECOMMENDED ACTION:**

Staff recommends the following action:

*I Move to approve Resolution 22-2021 for the formation of a Community Facilities District encompassing the District Boundaries for the purpose of levying special taxes on new land development projects to fund fire and park services.*

**BACKGROUND:**

The board of directors has directed staff to work with a professional municipal finance consulting firm, NBS, in the preparation of the fiscal impact analysis (FIA) which evaluates the financial burden that new land development projects place on the district fire and park services. The purpose of the FIA is to establish a dollar amount to be charged in a special tax which will be levied on the property of the new development. The county's approval of new land development projects may include annexation into the community facilities district (CFD) established by GCSO. The special tax amount identified in the FIA will then be levied on all properties that annex into the CFD. This funding is an annual tax to fund the additional operating cost of providing fire and park services to these new projects.

Land projects requiring discretionary approval by the County may annex into the CFD. Project examples include new land subdivisions, new commercial developments, properties receiving Conditional Use Permits for commercial development through the county and other similar entitlements. The District GM will work out the details of which types of county discretionary actions should annex into the CFD.

NBS prepared the draft FIA which was reviewed by a Board Ad-Hoc Committee and then the full Board at its special meeting on May 20th and June 8th, 2021. On June 8, 2021 the Board adopted a Resolution of Intention to create the Community Facilities District, and a letter detailing this was subsequently sent to the County Board of Supervisors. A Notice of Public Hearing was published in the Sonora Union Democrat for the public hearing to be held at today's meeting. The next step in the process of creation of a community facilities district following the public hearing is the adoption of a resolution of formation, attached to this agenda item. A second item for consideration at this meeting is the introduction of an Ordinance authorizing the levy of special taxes on parcels to annex to the CFD. NBS staff will be in attendance at the meeting virtually, to provide a brief presentation and answer questions.

**ATTACHMENTS:**

1. Notice of Public Hearing as published
2. NBS Presentation slides
3. Groveland Community Services District Community Facilities Report Prepared by NBS
4. Resolution 22-2021
5. Publication Summary of Ordinance authorizing the levy of special taxes on parcels to annex to the CFD
6. Draft Ordinance authorizing the levy of special taxes on parcels to annex to the CFD

# Community Facilities District Overview







*Nick Dayhoff*  
July 2021



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## Agenda

-  Legislative Context
-  Fiscal Impact Analysis
-  Community Facilities District
-  Questions

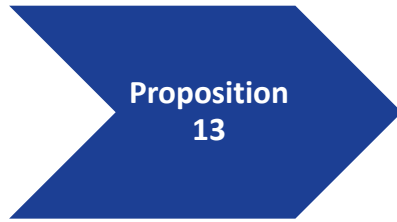


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## Legislative Context

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- A *Voter approved initiative 1978*
- Assessed Value*
- B *increase limited to 2% a year*
- C *1% rate cap on ad valorem property tax*
- D *CA Constitution Article XIII A*



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## Legislative Context

2



- A *Mello-Roos Community Facilities Act of 1982*
- Reasonable special tax methodology and apportionment*
- B *Additional Services if Landowner Election*
- C *Government Code Sec. 53311 and following*
- D



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## Additional Services

### For Landowner Vote

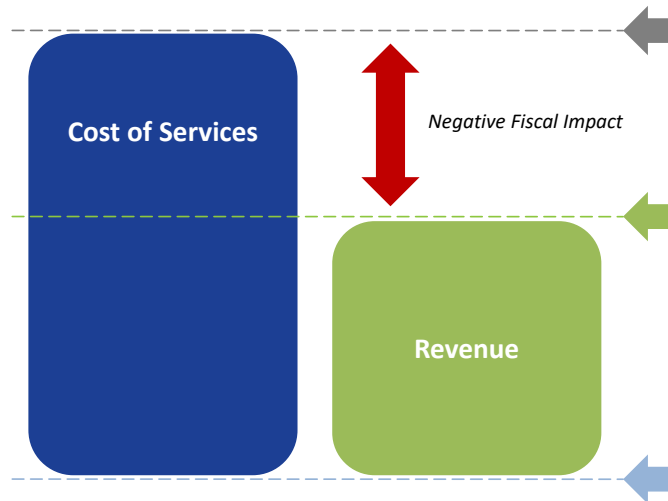
- Services are “in addition to those provided in the territory of the district before the district was created.”
- “...additional services shall not supplant services already available within that territory when the district was created.”
- Building Industry Association-Bay Area v. City of San Ramon case law



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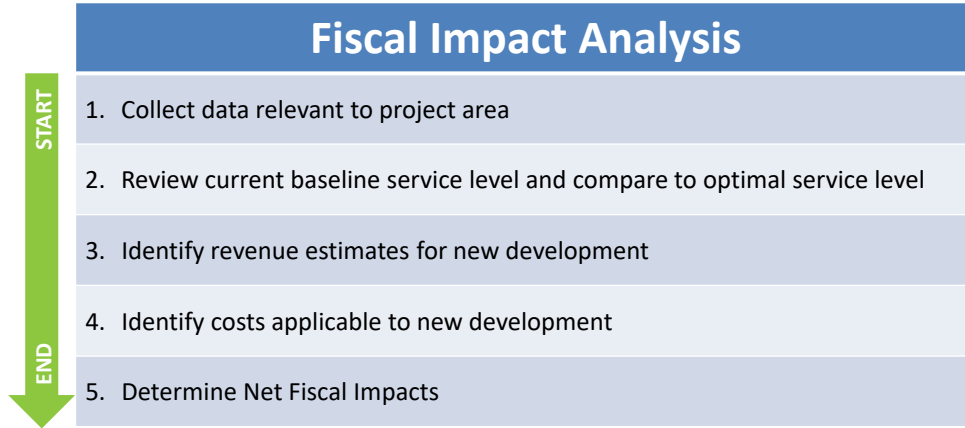
## Fiscal Impact Analysis



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## How is Fiscal Impact Calculated?



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## New Development Fiscal Impact per Unit

Land Use Category	Existing Fire Budget Fiscal Impact	Existing Parks Budget Fiscal Impact	Total Existing Budget Fiscal Impact	Enhanced Fire Services Fiscal Impact	Total CFD Special Tax Rate	Per
Residential	(\$270)	(25)	(\$295)	(\$1,313)	\$1,609	Dwelling Unit
Hotel	(463)	9	(455)	(1,065)	1,519	Room
RV Park	(561)	4	(557)	(1,113)	1,670	Space
Commercial	(889)	(19)	(908)	(2,553)	3,461	1,000 Building Square Feet

(1) Rates for services only; does not include potential CFD Administration or reserve/contingency costs.



8

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## Community Facilities Districts

Not Benefit Based	Approval Mechanism	Sample List of Services
<ul style="list-style-type: none"> <li>• Reasonable metrics</li> <li>• Achieves local goals and policies</li> </ul>	<ul style="list-style-type: none"> <li>• Registered voter election</li> <li>OR</li> <li>• Landowner voter election</li> <li>• 2/3 votes in favor</li> </ul>	<ul style="list-style-type: none"> <li>• Police and Fire</li> <li>• Park, road, open space maintenance</li> <li>• Flood/storm protection system maintenance</li> </ul>



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## CFD Formation Process

- 
Board Meeting – CFD Resolution of Intention
- 
Board Meeting – Public Hearing, Resolution of Formation, Introduce Ordinance Levying Special Taxes
- 
Board Meeting – Ordinance to Levy Special Taxes Adopted
- 
CFD Annexations



10

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## CFD Annexation Process

-  Board Meeting – CFD Annexation Resolution of Intention
-  Board Meeting – Public Hearing, CFD Annexation Election Via Unanimous Approval Form, Approval of RMA
-  Record – Notice of Special Tax Lien
-  CFD Special Tax Levy



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## Questions and Comments

Nick Dayhoff  
*Senior Consultant*



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12

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# GROVELAND COMMUNITY SERVICES DISTRICT

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*Report For:*

**Fiscal Impact Analysis for  
Future Development with Enhanced Services**

**June 2021**

Prepared by:



[nbsgov.com](http://nbsgov.com)

# TABLE OF CONTENTS

---

<b>Section 1   INTRODUCTION</b> .....	<b>1</b>
<b>Section 2   BACKGROUND</b> .....	<b>2</b>
Analysis Methodology.....	2
Current District Persons Served.....	2
District Fiscal Impact Factors.....	3
Calls for Fire Service Impact Factor.....	4
<b>Section 3   REVENUE ESTIMATE</b> .....	<b>5</b>
Property Tax Revenue.....	5
Other District Revenue.....	8
<b>Section 4   EXPENDITURES ESTIMATE</b> .....	<b>11</b>
District Expenditure per Person Served.....	12
District Expenditure per Unit.....	14
<b>Section 5   FISCAL IMPACT</b> .....	<b>15</b>
<b>Section 6   ENHANCED FIRE SERVICES COSTS</b> .....	<b>16</b>
<b>Section 7   FISCAL IMPACT FUNDING OPTIONS</b> .....	<b>18</b>
Community Facilities Districts.....	18
CFD Special Tax Recommendation.....	19

# LIST OF TABLES

---

Table 1.	Current Persons Served .....	3
Table 2.	Persons Per Land Use Category .....	3
Table 3.	Calls for Fire Service per Unit and Impact Factors.....	4
Table 4.	Residential Secured Property Tax Revenue.....	6
Table 5.	Hotel Secured Property Tax Revenue .....	6
Table 6.	RV Park Secured Property Tax Revenue .....	7
Table 7.	Commercial Secured Property Tax Revenue .....	7
Table 8.	Other District Revenue .....	8
Table 9.	Other District Revenue per Person Served.....	9
Table 10.	Other District Revenue .....	9
Table 11.	Total Annual Revenue.....	10
Table 12.	District Fire Expenditures Summary .....	11
Table 13.	District Park Expenditures Summary .....	12
Table 14.	District Fire Expenditures per Person Served .....	13
Table 15.	District Parks Expenditures per Person Served .....	13
Table 16.	District Expenditures per Unit .....	14
Table 17.	Annual Fiscal Impact.....	15
Table 18.	Call-Adjusted Additional Persons Served .....	16
Table 19.	Enhanced Fire Services Cost per Call-Adjusted Person Served .....	16
Table 20.	Enhanced Services Amount per Unit .....	17
Table 21.	Proposed CFD Special Tax Rates.....	19

## SECTION 1 | INTRODUCTION

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The Groveland Community Services District (the “District”) is undertaking a comprehensive review of the net fiscal impact to its Fire and Parks budgets in anticipation of additional development throughout the District, as well as options to recover the additional fire services costs relating to the supplementary CalFire staffing requirements resulting from such development. The District is concurrently conducting a development impact fee study, which, among other things, will present options to recover the capital costs associated with future development within the District. This review of the revenues generated from existing development, as compared with the costs the District incurs to provide fire/rescue and recreational services, reveals that development produces an overall negative fiscal impact for all land use types within the District. To off-set the negative fiscal impacts created by those land uses, the District should explore establishing a funding source to mitigate those negative fiscal impacts.

This fiscal impact report will provide background information, applicable financial information and analysis, and recommended actions for the District’s consideration. To accomplish this objective, the report includes the following information:

- **Background information.** The introductory portion of the report focuses on the District, as well as the public services and operations under review. Existing development information is also addressed in this section.
- **Revenues.** This section of the report identifies the various revenue sources and the potential recurring revenues, given certain reasonable assumptions.
- **Expenditures.** The expenditure section of the report identifies the estimated recurring cost burden placed upon the District operations.
- **Fiscal Impact.** Using existing development’s identified revenues and expenditures, this section of the report identifies the overall fiscal impact to the District operations. Fiscal impacts are addressed on a land use category basis and using either a per dwelling unit or per building square foot factor.
- **Recommendations.** Finally, the report concludes with a summary of fiscal analysis findings and recommendations for the District’s consideration.

## SECTION 2 | BACKGROUND

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Development can provide a significant benefit to a public agency. As part of the overall decision-making process to move forward with any proposed development, it is important to evaluate the contributions and demands that the future development will place upon a public agency's general operating fund. In this analysis, the District needs to determine the fiscal impact of future development throughout the District, and determine the overall fiscal impact placed upon the District's operational budget as a result. To determine the anticipated fiscal impacts placed upon the District, this fiscal impact analysis is designed to quantify the approximate cost of services provided by the District in order to fully serve the population.

### **Analysis Methodology**

The revenue portion of the fiscal impact analysis focuses on various taxes, fees, and other District revenues needed to fund ongoing operational costs and the expenditures portion of the fiscal impact analysis includes recurring District expenditures to provide ongoing services.

There are several industry-accepted methods for allocating a public agency's recurring revenues and expenditures to future development. This fiscal analysis largely focuses on two industry standard approaches: the case study approach and the multiplier approach. Both of the approaches are summarized below.

#### **CASE STUDY APPROACH**

When data used in a fiscal impact analysis is specific to the analysis itself and is not dependent upon industry accepted generalized multipliers such as the number of residents, employees, etc., the case study approach is utilized. The case study approach relies on development-specific data to estimate the fiscal impacts created from development of a project. Data used in the case study approach may include assessed valuations, property turnover rates, residential and employee populations, household incomes, estimated sales, and taxable expenditures, as applicable to the fiscal analysis.

#### **MULTIPLIER APPROACH**

The multiplier approach is used in a fiscal impact analysis when the relationship of the revenues or expenditures generated from the proposed development project are difficult to measure. This particular approach anticipates that certain revenues and expenditures are indicators of future anticipated revenues and expenditures, which can be quantified based upon changes in the number of persons served by the public agency. To apply the multiplier approach, the fiscal analysis determines an average revenue or expenditure amount based upon a per person served basis. Depending on the type of revenue or expenditure, the type of person served can include a resident, employee, or a combination of both.

### **Current District Persons Served**

In order to best apply the multiplier approach in the fiscal impact analysis, and to allocate applicable revenues and expenditures, District population information is utilized. For purposes of this fiscal analysis, District's population includes both residential and employee population estimates.

When determining the total number of persons served, the relationship between the residential population and employee population is evaluated to determine if there are varying levels of services provided to each demographic group. For example, services provided by a public agency may include activities that focus on the well-being of only the residential population. In those particular instances, future changes to the employee population has very limited, if any, additional fiscal impacts upon that particular service category. To recognize any reduced impacts by the employee population, as compared to the residential population, the employee population would receive a reduced weighting. However, there is a similar and relatively uniform manner that the District’s services are provided to both the residential and employee population, which results in a 1:1 relationship between the residential and employee population. Therefore, for purposes of this fiscal analysis, the number of current persons served within the District is the same as the current population estimates and is provided in the table below.

**TABLE 1. CURRENT PERSONS SERVED**

Current Residential Population <sup>1</sup>	Current Employee Population <sup>2</sup>	Current Persons Served
3,017	1,027	4,044

Based upon the District’s current residential population and employee population estimates, the total number of persons currently served within District is 4,044 persons.

### District Fiscal Impact Factors

This fiscal analysis will quantify the estimated fiscal impacts on a per person served basis. However, in order to determine the overall fiscal impacts that various residential and non-residential land use categories have upon the District’s operational budget, fiscal impact factors are assigned. This fiscal impact analysis will evaluate the following land use categories: residential, hotel, RV park, and commercial. The table below provides the number of persons per residential dwelling unit or number of employees per 1,000 gross square footage of building area were identified.

**TABLE 2. PERSONS PER LAND USE CATEGORY**

Description	Persons	Per
Residential	2.15 <sup>3</sup>	Dwelling Unit
Hotel	2.00 <sup>3</sup>	Room
RV Park	2.00 <sup>3</sup>	Space
Commercial	2.10 <sup>4</sup>	1,000 Square Feet

<sup>1</sup> Population Trends and Key Indicators for Groveland Community Services District for 2020, as provided by American Community Survey, ESRI, and Bureau of Labor Statistics

<sup>2</sup> Employment Overview for Groveland Community Services District for 2020, as provided by American Community Survey, ESRI, and Bureau of Labor Statistics

<sup>3</sup> Impact Fee Study, as provided by Colgan Consulting Corporation

<sup>4</sup> Estimated persons from comparable FIA report data



## Calls for Fire Service Impact Factor

The fiscal impact analysis explores the additional cost burden as it relates to the potential increases in calls for fire service that may result from a particular land use type within the District. The following table shows estimated calls for fire service impact factors:

**TABLE 3. CALLS FOR FIRE SERVICE PER UNIT AND IMPACT FACTORS**

Description	Fire Calls per Unit <sup>5</sup>	Impact Factor
Residential	0.103	1.00 <sup>6</sup>
Hotel	0.136	1.32 <sup>7</sup>
RV Park	0.136	1.32 <sup>8</sup>
Commercial	0.205	1.99 <sup>9</sup>

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<sup>5</sup> Estimated average calls for fire service per unit per year from analysis of a random sample of calls for the three-year period from 2016-2018, per Impact Fee Study, as provided by Colgan Consulting Corporation

<sup>6</sup> Per dwelling unit

<sup>7</sup> Per room

<sup>8</sup> Per space

<sup>9</sup> Per one-thousand square feet of building area

## SECTION 3 | REVENUE ESTIMATE

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The District relies on revenue received from several sources. The majority of the District’s operating revenue for its Fire and Parks budgets is primarily property tax revenue, with additional revenues from fees and other revenue. To determine the estimated property tax revenue generated from existing development, the case study approach is used in this fiscal analysis. The multiplier approach is then used to allocate certain types of other revenue that the District receives.

### Property Tax Revenue

Under California law, non-exempt property pays an *ad valorem* property tax equal to 1% of the assessed value of the property. Any additional voter-approved taxes or assessments will result in a total property tax rate burden that can exceed 1% of the property’s assessed value. The property tax revenue received from the 1% *ad valorem* property tax rate is then allocated to various overlapping public agencies based upon their authorized allocation for each Tax Rate Area (“TRA”). The boundary of the District includes 12 TRAs in the County, with the District receiving a varying percentage of the 1% *ad valorem* property tax revenue within each TRA. However, the weighted average of the AB-8 rates for these twelve TRAs was calculated to be approximately 16.59%, meaning the District receives approximately 16.59% of the 1% *ad valorem* property tax revenue on a District-wide basis.

### RESIDENTIAL DEVELOPMENT PROPERTY TAX

The District serves a diverse area that covers approximately 15 square miles and contains a variety of residential land uses. To estimate the property tax revenue received from residential property, values for the residential land use category need to be determined. Using average single-family, condo/townhome, and mobile home assessed value information for homes built between 2018 and 2020 obtained from recent Tuolumne County Secured Roll data for parcels within the County, the estimated assessed value for the residential category can be quantified. The data sources indicate that the approximate average value for residential property is \$296,500. Applying this approximate value to the residential category, the estimated secured property tax revenue from future residential development is quantified in the table below.

**TABLE 4. RESIDENTIAL SECURED PROPERTY TAX REVENUE**

Description	Residential Amount
Approximate Value per Residential Dwelling Unit	\$296,500
Less: Homeowner’s Exemption <sup>10</sup>	(7,000)
<b>Estimated Taxable Value per Residential Dwelling Unit</b>	<b>\$289,500</b>
1% <i>Ad Valorem</i> Property Tax	\$2,895
District Share of 1% <i>Ad Valorem</i> Property Tax <sup>11</sup>	16.59%
<b>Annual Residential Secured Property Tax Revenue</b>	<b>\$480</b>

Based on the approximate value for residential property, it is estimated that residential property will generate property tax revenue of approximately \$480 per residential dwelling unit for the District per year.

**HOTEL DEVELOPMENT PROPERTY TAX**

In order to best calculate the potential property tax revenue to be generated from hotel developments, the estimated hotel assessed value is considered. The average assessed value per room of hotel property sold between 2018 and 2020 was obtained from recent Tuolumne County Assessor’s data for parcels within the County. Applying this approximate value per room, the estimated secured property tax revenue from future hotel development is quantified in the table below.

**TABLE 5. HOTEL SECURED PROPERTY TAX REVENUE**

Description	Hotel Amount
<b>Estimated Value per Room</b>	<b>\$78,000</b>
1% <i>Ad Valorem</i> Property Tax	\$780
District Share of 1% <i>Ad Valorem</i> Property Tax <sup>11</sup>	16.59%
<b>Annual Hotel Secured Property Tax Revenue</b>	<b>\$129</b>

Based on the approximate value per room for hotels, it is estimated that hotels will generate property tax revenue of approximately \$129 per room for the District per year.

<sup>10</sup> Homeowner’s Exemption that is available to all owner-occupied residences within Tuolumne County reducing the assessed value of a residence by \$7,000

<sup>11</sup> Approximate, based upon the weighted average of the AB-8 rates for the twelve TRAs in the District

## RV PARK DEVELOPMENT PROPERTY TAX

In order to best calculate the potential property tax revenue to be generated from an RV park development, estimated construction cost is considered, which in turn will determine a project's assessed value. It is estimated that the cost to build an RV park is anywhere from \$15,000 to \$50,000 per space<sup>12</sup>. For purposes of this analysis, we will assume a mid-range construction cost per space of \$32,500. Applying this approximate value per space, the estimated secured property tax revenue from future RV park development is quantified in the table below.

**TABLE 6. RV PARK SECURED PROPERTY TAX REVENUE**

Description	RV Park Amount
<b>Estimated Value per Space<sup>12</sup></b>	<b>\$32,500</b>
1% <i>Ad Valorem</i> Property Tax	\$325
District Share of 1% <i>Ad Valorem</i> Property Tax <sup>11</sup>	16.59%
<b>Annual RV Park Secured Property Tax Revenue</b>	<b>\$54</b>

Based on the approximate value per space for RV parks, it is estimated that RV parks will generate property tax revenue from approximately \$54 per space for the District per year.

## COMMERCIAL DEVELOPMENT PROPERTY TAX

In order to best calculate the potential property tax revenue to be generated from commercial development, estimated commercial assessed value is considered. The average assessed value per building square foot of commercial property built between 2018 and 2020 was obtained from recent Tuolumne County Assessor's data for parcels within the County. Applying this approximate value per building square foot for commercial property, the estimated value and secured property tax revenue from future commercial development is quantified in the table below.

**TABLE 7. COMMERCIAL SECURED PROPERTY TAX REVENUE**

Description	Commercial Amount
Estimated Value per Building Square Foot	\$333
Non-Residential Gross Building Square Feet Factor <sup>13</sup>	1,000
<b>Total Non-Residential Estimated Taxable Value</b>	<b>\$333,000</b>
1% <i>Ad Valorem</i> Property Tax	\$3,330
District Share of 1% <i>Ad Valorem</i> Property Tax <sup>11</sup>	16.59%
<b>Annual Commercial Secured Property Tax Revenue</b>	<b>\$552</b>

<sup>12</sup> Stephen Melendez {2018}, 'How to Build RV Parks', *Houston Chronicle*, December 10

<sup>13</sup> Fiscal impacts for commercial property is based upon each 1,000 square feet of gross building area

Based on the approximate value per 1,000 square feet of gross building area for commercial property, it is estimated that commercial property will generate property tax revenue of approximately \$552 per 1,000 square feet of gross building area for the District per year.

### Other District Revenue

While property tax revenue represents the majority of the District’s annual operating revenue, the District also receives operating revenue from several other sources. Other District revenue sources include fees for use of the Strike Team’s equipment, grants, park use fees, dog park permit fees, cell tower leases, and interest. Using revenue budget information provided by the District, the table below presents the anticipated other revenues.

**TABLE 8. OTHER DISTRICT REVENUE**

Description	2020-2021 Fire Budget Amount <sup>14</sup>	2020-2021 Parks Budget Amount <sup>14</sup>	2020-2021 Total Amount
Strike Team-Equipment Use	\$20,500	n/a	\$20,500
Jones Hill Fire Break Grant	166,300	n/a	166,300
Use Fees	n/a	\$500	500
Dog Park Permit Fees	n/a	1,500	1,500
Cell Tower Leases	n/a	42,000	42,000
Interest	10,000	4,000	14,000
<b>Total Other District Revenue</b>	<b>\$196,800</b>	<b>\$48,000</b>	<b>\$244,800</b>

The overall impact that development will have on the District’s revenue sources is based upon the assumption that the current per capita revenue amounts will serve as the best indicator of future per capita revenue amounts. Therefore, to best allocate the other District revenues to future development, the multiplier approach is utilized. Table 1 previously identified that the total numbers of persons currently served within the District is 4,044. Using the number of persons served, the amount of other District revenue per person can be determined. The total other District revenue amounts, the total number of persons served, and the amount per person served are presented in the table below.

<sup>14</sup> Budget amounts as detailed in the District’s Fiscal Year 2020/21 Adopted Final Budget

**TABLE 9. OTHER DISTRICT REVENUE PER PERSON SERVED**

Description	2020-2021 Fire Budget Amount	2020-2021 Parks Budget Amount	Persons Served	Annual Fire Amount per Person Served	Annual Parks Amount per Person Served
Strike Team-Equipment Use <sup>15</sup>	\$20,500	n/a	n/a	\$0.00	\$0.00
Jones Hill Fire Break Grant <sup>15</sup>	166,300	n/a	n/a	0.00	0.00
Use Fees	n/a	\$500	4,044	0.00	0.12
Dog Park Permit Fees	n/a	1,500	4,044	0.00	0.37
Cell Tower Leases <sup>15</sup>	n/a	42,000	n/a	0.00	0.00
Interest	10,000	4,000	4,044	2.47	0.99
<b>Totals</b>	<b>\$196,800</b>	<b>\$48,000</b>		<b>\$2.47</b>	<b>\$1.48</b>

With the above annual fire amount per person served of \$2.47 and the annual parks amount per person served of \$1.48, the total amount of other District Fire and Parks revenue allocated to each person served is \$3.95. It should be noted that the amount of other District revenue per person excludes revenues that are not impacted by changes in the District population. Those excluded revenues include amounts received from use of equipment, grants, and leases. The other District revenue amount per person is multiplied by the number of persons served per residential dwelling unit, hotel room, RV park space, or the number of persons served per 1,000 square feet of gross commercial building area, as shown in the table below.

**TABLE 10. OTHER DISTRICT REVENUE**

Description	Other District Revenue per Person Served	Persons Served	Occupancy Factor <sup>16</sup>	Total Other District Revenue
Residential Amount	\$3.95	2.15	<b>1.00</b>	<b>\$8</b>
Hotel Amount	3.95	2.00	<b>0.66</b>	<b>5</b>
RV Park Amount	3.95	2.00	<b>0.69</b>	<b>5</b>
Commercial Amount	3.95	2.10	<b>1.00</b>	<b>8</b>

<sup>15</sup> Fixed and not tied to population

<sup>16</sup> The occupancy factor is the share of available rooms/spaces that are occupied or being rented during a given time. Information for Hotel occupancy rates is the average for calendar years 2018 and 2019, obtained from [statista.com](https://www.statista.com); information for RV Parks is the average occupancy rate for parks/campgrounds with full hook ups, obtained from the National Association of RV Parks and Campgrounds' 2019 Industry Trends and Insights Report.

The total estimated property tax revenue (Tables 4 through 7) and other district revenue (Table 10) are shown in the table below.

**TABLE 11. TOTAL ANNUAL REVENUE**

Description	Property Tax Revenue	Other District Revenue	Total Annual District Revenue
Residential Amount	\$480	\$8	<b>\$489</b>
Hotel Amount	129	5	<b>135</b>
RV Park Amount	54	5	<b>59</b>
Commercial Amount	552	8	<b>561</b>

## SECTION 4 | EXPENDITURES ESTIMATE

The revenue previously identified in Section 3 of this fiscal analysis is intended to pay for the recurring expenditures related to the District’s ongoing operations. Using the District’s projected operating expenditures, the tables below presents the anticipated operational costs.

**TABLE 12. DISTRICT FIRE EXPENDITURES SUMMARY**

Description	2020-2021 Fire Budget Amount <sup>14</sup>
Cal Fire Contract	\$1,056,071
Salaries and Benefits	64,834
Retiree Medical	14,350
Unfunded Pension Liability	62,730
Radio Communications	5,000
Fuel	14,820
Protective Clothing/Wildland	7,000
Medical Supplies/EMS Equip.	1,500
Small Tools & Safety Equipment	4,500
Repair & Maint.-Station General	7,000
Repair & Maint.-Apparatus	16,500
Repair & Maint.- Equipment	2,000
SCBA Equipment	7,500
Utilities	18,628
Office & Cleaning Supplies	4,900
Training	2,000
Fire Prevention Supplies/Events	500
Jones Hill Fire Break (Grant)	166,300
Admin Allocation Transfer Out	77,456
<b>Totals</b>	<b>\$1,533,589</b>



**TABLE 13. DISTRICT PARK EXPENDITURES SUMMARY**

Description	2020-2021 Park Budget Amount <sup>14</sup>
Salaries and Benefits	\$25,223
Dog Park	500
Repair & Maintenance	7,300
Utilities	35,000
Janitorial Services	12,500
Safety Equipment	1,000
Park Master Plan	10,611
Admin Allocation Transfer Out	15,491
<b>Totals</b>	<b>\$107,625</b>

The overall fiscal impact that development will have on the District’s expenditures is based upon the assumption that the current per capita expenditures will serve as the best indicator of future per capita expenditures. Therefore, to best allocate the District expenditures to future development, the multiplier approach is utilized.

### **District Expenditure per Person Served**

As previously noted in Table 1, the total number of persons served in the District is 4,044. Utilizing the multiplier approach, the number of persons served is applied to the expenditure line item to determine the allocable expenditure per person. The tables below provides the expenditure per person for each of the expenditure categories.

**TABLE 14. DISTRICT FIRE EXPENDITURES PER PERSON SERVED**

Description	2020-2021 Budget Amount <sup>14</sup>	Persons Served	Annual Amount per Person Served
Cal Fire Contract	\$1,056,071	4,044	\$261.15
Salaries and Benefits	64,834	4,044	16.03
Retiree Medical	14,350	4,044	3.55
Unfunded Pension Liability	62,730	4,044	15.51
Radio Communications	5,000	4,044	1.24
Fuel	14,820	4,044	3.66
Protective Clothing/Wildland	7,000	4,044	1.73
Medical Supplies/EMS Equip.	1,500	4,044	0.37
Small Tools & Safety Equipment	4,500	4,044	1.11
Repair & Maint.-Station General	7,000	4,044	1.73
Repair & Maint.-Apparatus	16,500	4,044	4.08
Repair & Maint.- Equipment	2,000	4,044	0.49
SCBA Equipment	7,500	4,044	1.85
Utilities	18,628	4,044	4.61
Office & Cleaning Supplies	4,900	4,044	1.21
Training	2,000	4,044	0.49
Fire Prevention Supplies/Events	500	4,044	0.12
Jones Hill Fire Break (Grant) <sup>15</sup>	166,300	n/a	0.00
Admin Allocation Transfer Out	77,456	4,044	19.15
<b>Total Fire Expenditures per Person Served</b>	<b>\$1,533,589</b>		<b>\$338.10</b>

**TABLE 15. DISTRICT PARKS EXPENDITURES PER PERSON SERVED**

Description	2020-2021 Budget Amount <sup>14</sup>	Persons Served	Annual Amount per Person Served
Salaries and Benefits	\$25,223	4,044	\$6.24
Dog Park	500	4,044	0.12
Repair & Maintenance	7,300	4,044	1.81
Utilities	35,000	4,044	8.65
Janitorial Services	12,500	4,044	3.09
Safety Equipment	1,000	4,044	0.25
Park Master Plan	10,611	4,044	2.62
Admin Allocation Transfer Out	15,491	4,044	3.83
<b>Total Parks Expenditures per Person Served</b>	<b>\$107,625</b>		<b>\$26.61</b>

Based upon the anticipated budget amount and the number of persons served, the District services result in Fire and Parks expenditures of \$364.72 per person served.

### District Expenditure per Unit

Based upon the expenditures per person served calculated in Tables 14 and 15, the rate per person served is calculated by the number of persons served per property land use type to determine the total expenditures per property land use unit. The table below provides the expenditure per unit, by property land use type.

**TABLE 16. DISTRICT EXPENDITURES PER UNIT**

Description	Fire Costs per Person Served	Calls for Fire Service Impact Factor Served	Adjusted Fire Costs per Person Served	Parks Cost per Person Served <sup>17</sup>	Total Costs per Person Served	Persons Served	Occupancy Factor	Total Expenditures per Unit
Residential Amount	\$338.10	1.00	\$338.10	\$26.61	\$364.72	2.15	1.00	<b>\$784</b>
Hotel Amount	338.10	1.32	446.43	0.00	446.43	2.00	0.66	<b>589</b>
RV Park Amount	338.10	1.32	446.43	0.00	446.43	2.00	0.69	<b>616</b>
Commercial Amount	338.10	1.99	672.92	26.61	699.54	2.10	1.00	<b>1,469</b>

<sup>17</sup> Parks Costs per Person Served not applied to Hotels or RV Parks, as these are typically only overnight visitors

## SECTION 5 | FISCAL IMPACT

Based on the estimated total revenue determined in Section 3 and the total allocated expenditures presented in Section 4, there is a negative fiscal impact for property land use types. The table below sets forth the total anticipated fiscal impact for the various residential and non-residential land uses.

**TABLE 17. ANNUAL FISCAL IMPACT**

Description	District Revenue	District Expenditures	Annual Fiscal Impact	Per
Residential Amount	\$489	\$784	(\$295)	Dwelling Unit
Hotel Amount	135	589	(455)	Room
RV Park Amount	59	616	(557)	Space
Commercial Amount	561	1,469	(908)	1,000 Building Square Feet

Based on revenue and expenditure estimates, all land use types create a varying negative fiscal impact for the District’s Fire and Parks operating funds.

To mitigate any negative fiscal impacts from future development, the District should consider the establishment of a Special Financing District. Alternatives for the District’s consideration are presented in Section 6 of this fiscal impact analysis.

## SECTION 6 | ENHANCED FIRE SERVICES COSTS

Future development needs to provide funding for enhanced levels of fire service within the District. The District has determined that future development within the District will require six additional full time CalFire employees. The total increase to the CalFire budget is anticipated to be \$1,167,864, including additional District administrative costs. Currently, the District does not have a long-term funding source to pay for the enhanced level of services needed as a result of future development. To provide a long-term funding solution, the enhanced fire services costs should be included in the CFD and recovered from future development. The call-adjusted additional persons served within the District is shown in the table below.

**TABLE 18. CALL-ADJUSTED ADDITIONAL PERSONS SERVED**

Description	Forecasted Additional Units <sup>18</sup>	Persons Served per Unit	Occupancy Factor	Calls for Fire Service Impact Factor	Forecasted Call-Adjusted Additional Persons Served
Residential Amount	585	2.15	1.00	1.00	1,258
Hotel Amount	200	2.00	0.66	1.32	349
RV Park Amount	88	2.00	0.69	1.32	160
Commercial Amount	34.8	2.10	1.00	1.99	145
<b>Total</b>					<b>1,912</b>

The following table shows the enhanced services cost per call-adjusted additional person served.

**TABLE 19. ENHANCED FIRE SERVICES COST PER CALL-ADJUSTED PERSON SERVED**

Description	Amount
Enhanced Fire Services Costs	\$1,167,864
Call-Adjusted Additional Persons Served	1,912
<b>Enhanced Fire Services Cost per Call-Adjusted Additional Person Served</b>	<b>\$611</b>

<sup>18</sup> Impact Fee Study, as provided by Colgan Consulting Corporation. Dwelling Units for Residential; Rooms for Hotel; Spaces for RV Park; 1,000 square feet of building area for Commercial

The following table shows the enhanced services costs for the various residential and non-residential land uses.

**TABLE 20. ENHANCED SERVICES AMOUNT PER UNIT**

Description	Enhanced Fire Services Cost per Call Adjusted Additional Persons Served	Call-Adjusted Additional Persons Served	Total Enhanced Fire Services Amount	Enhanced Fire Services Amount per Unit	Per
Residential Amount	\$611	1,258	\$768,191	\$1,313	Dwelling Unit
Hotel Amount	611	349	212,902	1,065	Room
RV Park Amount	611	160	97,935	1,113	Space
Commercial Amount	611	145	88,836	2,553	1,000 Building Square Feet

## SECTION 7 | FISCAL IMPACT FUNDING OPTIONS

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To mitigate the negative fiscal impacts identified in Section 5 of this report, the District should consider the establishment of a special financing district (“SFD”), which could include a special tax or a special assessment. Since the District’s negative fiscal impacts are attributable to the provision of general services, a special assessment may not be the most appropriate funding option for the District to mitigate those impacts. Special assessments require the identification and separation of general and special benefits. Special benefits can be assessed to property, but all general benefits must be funded by sources other than the special assessments. Therefore, a special assessment would not entirely alleviate the negative fiscal impact. Alternatively, the District could implement a special tax.

### Community Facilities Districts

A Community Facilities District, or CFD and also referred to as a Mello-Roos District, is a type of SFD that is established via the Mello-Roos Community Facilities District Act of 1982 (“1982 Act”). Through the levy and collection of a special tax, CFDs provide funding for authorized public improvements and/or public services. The CFD’s Rate and Method of Apportionment includes procedures for identifying and classifying property within the CFD, establishing the initial maximum special tax rates, and the formula for calculating the annual special tax and assigning the special tax to taxable property within the CFD. Since CFDs authorize the levy and collection of a special tax, as opposed to a special assessment, there is no requirement to make a finding of special benefit for the property subject to the special tax. However, the special tax should be based on a benefit received by property, the cost of providing the facilities or services, or some other reasonable basis for assigning the special tax, as determined by the legislative body.

In order to establish a CFD, the 1982 Act requires a two-thirds approval of the registered voters, residing within the proposed CFD boundary, voting in the special tax election. If there are less than 12 registered voters within the proposed CFD boundaries, then a landowner special tax election can take place. In the case of a landowner special tax election, a two-thirds approval is still required and each landowner receives one vote per acre or portion of an acre of land owned. It should be noted that if a CFD is approved via a landowner special tax election, the CFD is only authorized to fund additional services. In *Building Industry Association of the Bay Area v. City of San Ramon*, the California Appellate Court held that a landowner-approved CFD can only fund the increase in demand for pre-existing services, so long as the special tax revenue is not available for general government purposes. The additional services funded by the CFD shall not replace services already available and provided within the boundaries of the CFD. Further, special tax revenue generated from the CFD can only be used to fund the authorized public services set forth in the 1982 Act. CFD authorized public services include fire protection services and maintenance and lighting of parks. It should be noted that any CFD formed by the District, as well as any potential annexations to that CFD, would be approved by a landowner special tax election, as new development projects would be required to participate in the CFD as a condition of approval.

### FUTURE DEVELOPMENT SPECIFIC COSTS

In addition to using a CFD to mitigate future residential development’s negative fiscal impacts, the CFD can also fund authorized CFD services that are intended to provide an enhanced level of service or services that are unique to future development. These services would be in addition to any previously identified

negative fiscal impacts placed upon the District in providing fire protection services. Funding for any enhanced and/or additional recurring public service costs, including repairs and replacements, reserves and administration can be accomplished through a CFD.

### BENEFITS TO THE DISTRICT

Through the formation of a CFD, the District can establish an ongoing funding source that mitigates the negative fiscal impacts created by future residential and non-residential development, as well as provide funding for new or enhanced services within the District. The CFD’s maximum special tax rate can include an annual escalation factor, to keep pace with changing costs, that is based upon an annual fixed amount or an escalation factor that is tied to a specific inflation index. Further, the CFD special tax can be established without a sunset date so that the CFD special tax can be levied in perpetuity or until the voters choose to end it.

### CFD Special Tax Recommendation

In order for the District to continue to provide necessary services to their population base, the District needs to ensure that developing property pays their fair share of any additional fiscal burdens placed upon the District’s operational budget, including additional services required as a result of such development. To mitigate the negative fiscal impacts, the District should consider establishing a CFD. The levy and collection of the special tax could generate sufficient revenue to offset the negative fiscal impacts to the District. Further, the CFD provides the flexibility to generate additional revenue to fund any enhanced or new project specific costs desired by future development. The CFD’s Rate and Method of Apportionment establishes the special tax formula and sets the initial maximum special tax rates. A benefit of the CFD is that it allows for a great deal of flexibility in structuring the special tax formula so that the formula and maximum special tax rates best fit and accomplish specific needs. In this particular case, the CFD special tax rates could be sized to recover the annual negative fiscal impact on development, recover ongoing administrative costs related to the CFD, and be structured to create both a residential special tax rate and non-residential special tax rate.

### CFD SPECIAL TAX RATES

Based on the overall fiscal impacts created by future development, the proposed annual base CFD special tax rates for consideration are provided in the table below.

**TABLE 21. PROPOSED CFD SPECIAL TAX RATES**

Land Use Category	Existing Fire Budget Fiscal Impact	Existing Parks Budget Fiscal Impact	Total Existing Budget Fiscal Impact	Enhanced Fire Services Fiscal Impact	Total CFD Special Tax Rate <sup>19</sup>	Per
Residential	(\$270)	(25)	<b>(\$295)</b>	<b>(\$1,313)</b>	\$1,609	Dwelling Unit
Hotel	(463)	9	<b>(455)</b>	<b>(1,065)</b>	1,519	Room
RV Park	(561)	4	<b>(557)</b>	<b>(1,113)</b>	1,670	Space
Commercial	(889)	(19)	<b>(908)</b>	<b>(2,553)</b>	3,461	1,000 Building Square Feet

<sup>19</sup> Rates for services portion; does not include potential CFD administration or reserve/contingency costs



The CFD special tax rates presented in Table 21 would represent the initial CFD maximum special tax rates to fund the identified negative fiscal impacts. The District could also increase the initial CFD maximum special tax rates to cover the added costs for administering the CFD, as well as establish any reserves or contingency funds. Further, the CFD would be structured to include a special tax escalation factor, which would allow for an annual increase to the initial CFD maximum special tax rates. While the CFD maximum special tax rates would increase on an annual basis, the District is not required to levy the special tax at the CFD maximum special tax rates each year. In order to meet the CFD annual special tax requirement, authorized services and administrative costs, the District has the flexibility to levy a CFD special tax amount that is less than or equal to the CFD maximum special tax.

EXHIBIT C

GROVELAND COMMUNITY SERVICES DISTRICT  
COMMUNITY FACILITIES DISTRICT NO. 2021-1  
(PUBLIC SERVICES)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Directors of Groveland Community Services District will conduct a public hearing on Tuesday, July 13, 2021, at 10:00 a.m. or as soon thereafter as the matter may be heard, at the Board Chambers, 18966 Ferretti Road, Groveland, California, to consider the following:

GROVELAND COMMUNITY SERVICES DISTRICT  
COMMUNITY FACILITIES DISTRICT NO. 2021-1  
(PUBLIC SERVICES)

On June 8, 2021, the Board of Directors (the "Board") of Groveland Community Services District (the "District") adopted a Resolution entitled "A Resolution of the Board of Directors of Groveland Community Services District, Declaring Its Intention to Establish a Community Facilities District Initially Consisting Solely of Territory Proposed for Annexation to the Community Facilities District in the Future and to Authorize the Levy of Special Taxes Therein" (the "Resolution of Intention"). Reference is hereby made to the Resolution of Intention on file in the office of the Board Secretary for further particulars.

In the Resolution of Intention, the Board declared its intention to form the Groveland Community Services District Community Facilities District No. 2021-1 (Public Services) (the "CFD") to finance the costs of fire protection and suppression services, ambulance and paramedic services, and park maintenance and landscaping services, as further identified in an exhibit to the Resolution of Intention. The proposed boundaries of the Future Annexation Area of the CFD were identified in another exhibit to the Resolution of Intention.

In the Resolution of Intention, the Board provided that the levy of the special tax will be subject to the unanimous approval of an owner or owners of a parcel or parcels at the time that such parcel or parcels are annexed to the CFD, and the Board called for a public hearing on the CFD.

At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the CFD, the extent of the CFD or the furnishing of specified types of services will be heard. Any person interested may file a protest in writing with the Board Secretary. If 50 percent or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be annexed to the CFD in the future, or if the owners of one-half or more of the area of land proposed to be annexed in the future and not exempt from the special tax, file written protests against establishment of the CFD, and protests are not withdrawn so as to reduce the protests to less than a majority, no further proceedings to form the CFD shall be undertaken for a period of one year from the date of decision of the Board on the issues discussed at the hearing. If the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of services within the CFD, or against levying a specified special tax, those types of services or the specified

special tax shall be eliminated from the resolution of formation.

Any person interested in these matters is invited to attend and present testimony either for or against the above item. If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Board during or prior to the public hearing.

  
Rachel Pearlman, Board Secretary  
Groveland Community Services District

## **RESOLUTION 22-2021**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF GROVELAND COMMUNITY SERVICES DISTRICT, ESTABLISHING THE FORMATION OF A COMMUNITY FACILITIES DISTRICT**

#### **GROVELAND COMMUNITY SERVICES DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-1 (PUBLIC SERVICES)**

**WHEREAS**, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”), the Board of Directors (the “Board”) of the Groveland Community Services District (the “District”) may commence proceedings for the establishment of a community facilities district, and

**WHEREAS**, Section 53328.1 of the Act provides for an alternate and independent procedure for forming a community facilities district, in which the Board may form a community facilities district that initially consists solely of territory proposed for annexation to the community facilities district in the future, with the condition that a parcel or parcels within that territory may be annexed to the community facilities district and subjected to the special tax only with the unanimous approval of the owner or owners of the parcel or parcels at the time that the parcel or parcels are annexed, and

**WHEREAS**, on June 8, 2021, the Board adopted Resolution No. 18-2021 entitled “A Resolution of the Board of Directors of the Groveland Community Services District Declaring its Intention to Establish a Community Facilities District Initially Consisting Solely Territory Proposed for Annexation to the Community Facilities District in the Future and to Authorize the Levy of Special Taxes” (the “Resolution of Intention”), stating its intention to form the Groveland Community Services District Community Facilities District No. 2021-1 (Public Services) (the “CFD”), pursuant to the Act; and

**WHEREAS**, the Resolution of Intention, incorporating a map of the proposed boundaries of the future annexation area of the CFD and stating the services to be provided, is on file with the Board Secretary and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

**WHEREAS**, the Resolution of Intention called for a public hearing pertaining to the formation of the CFD and the levy of said special tax to be held on Tuesday, July 13, 2021, at 10:00 a.m. or as soon thereafter as the matter may be heard, at the meeting place of the Board; and

**WHEREAS**, under the Resolution of Intention, the Board Secretary was directed to cause notice of said public hearing to be given by publication one time in a newspaper published in the area of the CFD, and the Board Secretary caused the publication of such notice at least seven (7) days before the date set for said public hearing; and

**WHEREAS**, on this date, this Board held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of the CFD; and

**WHEREAS**, at the public hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the services to be provided therein and the levy of such special tax were heard and a full and fair public hearing was held; and

**WHEREAS**, written protests with respect to the formation of the CFD and the furnishing of specified types of services have not been filed with the Board Secretary by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the proposed special tax; and

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The establishment of the CFD has not been precluded by majority protest pursuant to Section 53328.1 (a)(4) of the Act.
3. All prior proceedings taken by the Board in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the requirements of the Act. The Board has heretofore adopted Local Goals and Policies for Community Facilities Districts, and the Board hereby finds and determines that the CFD is in conformity with said goals and policies.
4. The community facilities district designated as the “Groveland Community Services District, Community Facilities District No. 2021-1 (Public Services)” is hereby established pursuant to the Act.
5. The boundaries of the future annexation area of the CFD, as set forth in the map entitled "Proposed Boundaries of Future Annexation Area of Community Facilities District No. 2021-1 (Public Services), Groveland Community Services District, County of Tuolumne, State of California" heretofore recorded in the Tuolumne County Recorder's Office on June 10, 2021, in Book 3 at Page 16 of Maps of Assessment and Community Facilities Districts, as Document # 2021009112, are hereby approved, are incorporated herein by reference and shall be the boundaries of the future annexation area of the CFD.
6. The type of public services proposed to be financed by the CFD and pursuant to the Act shall consist of those items shown in Exhibit A hereto and by this reference incorporated herein (the “Services”). It is hereby found and determined that the Services are necessary to meet the increased demands as the result of development occurring in the CFD.
7. The appropriations limit for the CFD and the applicable rate of the special tax and the method of apportionment and manner of collection of that tax shall be specified and be approved by the unanimous approval of the owner or owners of each parcel or parcels at the time that the parcel or parcels are annexed to the CFD. The maximum rate of special tax applicable to a parcel or parcels shall be specified in the unanimous approval relating to the parcel or parcels. Except to the extent that funds are

otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property annexing to the CFD in the future, will be levied annually within the CFD pursuant to the rate and method of apportionment, and collected in the same manner as ordinary ad valorem property taxes or in such other manner as the Board or its designee shall determine, including direct billing of the affected landowners.

8. The General Manager of Groveland Community Services District, 18966 Ferretti Road, Groveland, California 95321, telephone number (209) 962-7161, is the officer of the CFD who will be responsible for preparing annually a current roll of the levy of the special tax obligations by assessor's parcel number and who will be responsible for estimating future levies of the Special Tax.

9. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property annexing into the CFD in the future and this lien shall continue in force and effect until the collection of the special tax by the CFD ceases.

10. This Resolution shall take effect upon its adoption.

**WHEREFORE**, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on July 13, 2021, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

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Rachel Pearlman, Board Secretary

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Janice Kwiatkowski, President - Board of Directors

**CERTIFICATE OF SECRETARY**

I, Rachel Pearlman, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and

held on July 13, 2021.

DATED: \_\_\_\_\_

## EXHIBIT A

### GROVELAND COMMUNITY SERVICES DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-1 (PUBLIC SERVICES)

#### DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

##### Services:

The services to be funded, in whole or in part, by the community facilities district (the "CFD") consist of all services authorized under Section 53313 of the Government Code, including, but not be limited to, fire protection and suppression services, ambulance and paramedic services, and park maintenance and landscaping services (the "Services"). The Services include all direct and incidental costs related to providing for the maintenance of public infrastructure within the area of the CFD and areas adjacent to or in the vicinity of such areas. The CFD may fund any of the following related to the Services: furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/ or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the Services, payment of insurance costs and other related expenses and the provision of reserves for repairs and replacements and for the future provision of Services. It is expected that the Services will be provided by the Groveland Community Services District (the "District"), either with its own employees or by contract with third parties, or any combination thereof.

The Services to be financed by the CFD are in addition to those provided in the territory of the CFD before the date of creation of the CFD and will not supplant services already available within that territory when the CFD is created.

##### Administrative Expenses:

The administrative expenses to be funded by the CFD include the direct and indirect expenses incurred by the District in carrying out its duties with respect to the CFD (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of the County of Tuolumne related to the CFD or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto and a proportionate amount of the District's general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to the CFD or the services authorized to be financed by the CFD, and expenses incurred by the District in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the District in any way related to the CFD.

##### Other:

The incidental expenses that may be funded by the CFD include, in addition to the administrative expenses identified above, the payment or reimbursement to the District of all costs associated with the establishment and administration of the CFD.



**PUBLIC NOTICE OF INTRODUCTION OF ORDINANCE**

GROVELAND COMMUNITY SERVICES DISTRICT

ORDINANCE NO. \_\_\_\_\_

NOTICE IS HEREBY GIVEN that on July 13, 2021, the Board of Directors of the Groveland Community Services District introduced Ordinance No. \_\_\_\_\_, entitled:

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF GROVELAND COMMUNITY SERVICES DISTRICT AUTHORIZING THE LEVY OF SPECIAL TAXES ON PARCELS THAT WILL ANNEX TO A COMMUNITY FACILITIES DISTRICT**

If adopted, this ordinance will authorize the levy of a special tax on parcels that will annex to Community Facilities District No. 2021-1 (Public Services) (the "CFD"), at the rate or rates to be approved unanimously by the owner or owners of each parcel or parcels to be annexed to the CFD and for apportionment and collection of the Special Tax in the manner specified in the Resolution of Formation approved by the Board of Directors on July 13, 2021, by Resolution No. \_\_\_\_\_. The special tax levy would commence in fiscal year 2022/23 and each fiscal year thereafter to pay for the costs of services and administering the CFD. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes. This ordinance will be considered for adoption at the Regular Meeting of the Board of Directors on Tuesday, August 10, 2021, at 10:00 a.m.

A certified copy of the full text of Ordinance No. \_\_\_\_\_ is available for review in the Office of the Secretary of the Board, 18966 Ferretti Road, Groveland, California 95321.

\_\_\_\_\_  
Secretary of the Board  
Groveland Community Services District

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE BOARD OF DIRECTORS OF GROVELAND  
COMMUNITY SERVICES DISTRICT AUTHORIZING THE LEVY OF SPECIAL  
TAXES ON PARCELS THAT WILL ANNEX TO A COMMUNITY FACILITIES  
DISTRICT

GROVELAND COMMUNITY SERVICES DISTRICT  
COMMUNITY FACILITIES DISTRICT NO. 2021-1  
(PUBLIC SERVICES)

**WHEREAS**, this Board of the Groveland Community Services District (the “Board”) on June 8, 2021, adopted Resolution No. 18-2021 entitled “A Resolution of the Board of Directors of the Groveland Community Services District Declaring its Intention to Establish a Community Facilities District Initially Consisting Solely Territory Proposed for Annexation to the Community Facilities District in the Future and to Authorize the Levy of Special Taxes” (the “Resolution of Intention”) and has conducted proceedings (the “Proceedings”) to establish the Groveland Community Services District Community Facilities District No. 2021-1 (Public Services) (the “CFD”) pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”) to provide for the costs of fire protection and suppression services, ambulance and paramedic services, and park maintenance services (the “Services) as provided in the Act; and

**WHEREAS**, the Resolution of Intention called for a public hearing to be held on July 13, 2021, and as part of the Proceedings, the Board held a public hearing under the Act relative to the determination to proceed with the formation of the CFD and the special tax (the “Special Tax”) to be levied within the CFD to finance the Services and at such hearing all persons desiring to be heard on all matters pertaining to the formation of the CFD and the levy of the Special Tax were heard, substantial evidence was presented and considered by this Board and a full and fair hearing was held; and

**WHEREAS**, upon the conclusion of the hearing, this Board adopted a resolution entitled “A Resolution of the Board of Directors of Groveland Community Services District, Establishing the Formation of a Community Facilities District” (the “Resolution of Formation”), whereby the Board (i) established the CFD and (ii) authorized the levy of the Special Tax on parcels that will annex to the CFD, pursuant to the Act; and

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. By the passage of this Ordinance, the Board hereby authorizes the levy of the Special Tax on parcels that will annex to the CFD at the rate or rates to be approved unanimously by the owner or owners of each parcel or parcels to be annexed to the CFD and for apportionment and collection of the Special Tax in the manner specified in the Resolution of Formation.
3. The General Manager of the Groveland Community Services District or designee or employee or consultant of the Groveland Community Services District is hereby authorized and directed each fiscal year to determine the specific Special Tax to be levied for the next ensuing fiscal year for each parcel of real property within the CFD, in the manner and as provided in the Resolution of Formation.

4. Exemptions from the levy of the Special Tax shall be as provided in the Resolution of Formation and the applicable provisions of the Act. In no event shall the Special Tax be levied on any parcel within the CFD in excess of the maximum Special Tax approved unanimously by the owner or owners of each parcel or parcels to be annexed to the CFD.

5. All of the collections of the Special Tax shall be used as provided in the Act and in the Resolution of Formation, including, but not limited to, the payment of the costs of the Services, the payment of the costs of the Groveland Community Services District in administering the CFD, and the costs of collecting and administering the Special Tax.

6. The Special Tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes; provided, however, that the Board may provide for other appropriate methods of collection by resolution(s) of the Board of Directors. The General Manager of the Groveland Community Services District is hereby authorized and directed to provide all necessary information to the auditor/tax collector of the County of Tuolumne in order to effect proper billing and collection of the Special Tax, so that the Special Tax shall be included on the secured property tax roll of the County of Tuolumne for fiscal year 2022/23 and for each fiscal year thereafter until no longer required to pay for the Services or until otherwise terminated by the Groveland Community Services District.

7. Under Section 50075.1 of the Government Code, the following accountability provisions shall apply to the special taxes: (a) the provision and/or acquisition of the Services and the incidental costs thereof, all as defined in the Resolution of Formation, shall constitute the specific single purpose of the special tax; (b) the proceeds shall be applied only to the specific purposes identified in (a) above; (c) there shall be created special account(s) or funds(s) into which the proceeds shall be deposited; (d) there shall be caused to be prepared an annual report of the CFD containing the information set forth in Section 50075.3 of the Government Code.

8. If for any reason any portion of this ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel within the CFD, by a court of competent jurisdiction, the balance of this ordinance and the application of the Special Tax to the remaining parcels within the CFD shall not be affected.

9. The President of the Board shall sign this Ordinance and the Secretary of the Board shall cause the same to be published immediately after its passage at least once in a newspaper of general circulation.

10. This Ordinance shall take effect upon its adoption.

INTRODUCED and first read on the 13<sup>th</sup> day of July, 2021; and PASSED AND ADOPTED this 10<sup>th</sup> day of August, 2021.

**DATED:**

**ROLL CALL:**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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PRESIDENT OF THE BOARD

**ATTEST:**

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Secretary of the Board