

EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Brian Helmick
Fire Chief



SERVING THE COMMUNITIES OF:

*Bethel Island
Brentwood
Byron*

*Discovery Bay
Knightsen
Morgan Territory
Oakley*

December 9, 2019

The Honorable Timothy Grayson
California State Assembly
State Capitol, Room 4164
Sacramento, CA 95814

**Re: AB 1484/Terner Report Roundtable Discussion Sessions
Comments from the East Contra Costa Fire Protection District**

Dear Assembly Member Grayson:

On behalf of the East Contra Costa Fire Protection District (ECCFPD), I would like to thank you for allowing us to participate in the three roundtable discussions regarding AB 1484 and the Terner Report, thus far. As you know, the ECCFPD is heavily reliant on funding from impact fees, in order to properly serve and protect our growing constituency which includes nearly 120,000 people and is expected to grow by approximately 70,000 over the next few decades. As such, we have taken great care in reading through the Terner Report and have drafted comments to various components of the text, which we have highlighted below.

- Page 33 of the report addresses timing restrictions of fee payment, stating that “The Mitigation Fee Act (MFA) restricts when localities may require developers to pay impact fees.” As a fire district which is heavily reliant on consistent and timely funding from these fees, this provision of the MFA poses a massive threat to the availability of resources necessary for the ECCFPD and others, to fight fires and ultimately, save lives.
- Page 47 of the report underscores the policy of “considering different approaches to reduce fees on ADUs to encourage their development.” Although we understand the need for increased housing throughout the state, the construction of ADUs with minimal fee collection is problematic from a fire suppression standpoint.
- Page 52 of the report examines the role of Capitol Improvement Plans (CIPs) in nexus studies, and states, “Nexus studies do not always include an analysis of capital improvement plans as a basis for project impacts.” If the inclusion of an analysis of CIPs

becomes a provision in the bill, then we ask that we are given reasonable time to implement.

- On page 55, the study addresses feasibility concerns, stating that “Cities and counties rely on a variety of methods when setting fee amounts, but these do not always include a rigorous review of feasibility concerns.” This essentially suggests that policy could be implemented which creates a feasibility standard for determining fee amounts, which the ECCFPD opposes, as we have strong objective studies regarding need, and cannot afford feasibility concerns.
- On page 57 of the report, we fear that the idea of the “The State could cap impact fees based on a set formula,” is an extremely blunt solution that would be extremely detrimental to us and various other districts and municipalities across the state, as well as risking many unanticipated consequences.
- Lastly, page 74 of the report suggests that the State could “Require cities and counties to justify why an impact fee is the most appropriate mechanism to fund proposed infrastructure” (and services). We want to make all aware that Fire Districts have a very limited choice of financing alternatives, and without fees, there could be detrimental consequences to the availability and high levels of services that our men and women provide.

Again, we thank you for your committed work on this important policy issue, and sincerely hope that numerous Special Districts, especially Fire Districts, will be included as Jurisdictions with particularly unique and vital needs, for the purpose of implementing the study.

Sincerely,



Brian Oftedal
President
East Contra Costa Fire Protection District

CC: Senator Steve Glazer
Assemblymember Jim Frazier
Senate Governance and Finance Committee