



Council Agenda Report

To: Mayor Pierson and the Honorable Members of the City Council

Prepared by: Yolanda Bundy, Environmental Sustainability Director

Approved by: Reva Feldman, City Manager

Date prepared: March 3, 2021 Meeting date: March 22, 2021

Subject: Updated Developer Fee Program for the Benefit of the Consolidated Fire Protection District of Los Angeles County

RECOMMENDED ACTION: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 21-11 adopting the updated developer fee and fire station plan for the benefit of the Consolidated Fire Protection District of Los Angeles County (District) and rescinding Resolution No. 20-11.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action. The City delegates the authority of administering and collecting the Developer Fee to the District.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal year 2020-2021. This is part of normal staff operations.

DISCUSSION: On February 12, 1991, during incorporation, the City of Malibu entered into an agreement with the Los Angeles County Board of Supervisors (Board) establishing the Consolidated Fire Protection District (District). On July 12, 1990, prior to City incorporation, the Board adopted a resolution establishing the County of Los Angeles Developer Fee Program for the benefit of the District. The Developer Fee Program (Program) was implemented August 1, 1990.

The Program goal is generating funds for capital projects necessary to maintain fire protection services within the existing service areas of the District. This Program funds the acquisition, construction, improvement, and equipping of fire station facilities in the high-growth, urban-expansion areas of the District.

The District conducts annual evaluations of the Program and makes appropriate recommendations through the Detailed Fire Station Plan. The Fire Station Plan reflects fire station requirements based upon the most current growth projections in the following

three designated developer fee areas of benefit: 1) Malibu / Santa Monica Mountains, 2) Santa Clarita Valley, and 3) Antelope Valley.

On January 26, 2021, the Board conducted a public hearing to update the Developer Fee Program, including the updated Fire Station Plan and Developer Fee Summary. The current rate in the Malibu / Santa Monica Mountains developer fee area of benefit is \$.9705 per square foot of new development. This rate reflects current costs associated with land acquisition, fire station construction, purchase of apparatus and equipment, and administration. No adjustments to the fee amounts are recommended this year.

Under the agreement between the City and the District, the City must adopt, by resolution, the updated Developer Fee and Fire Station Plan within 60 days of the Board adoption. Most recently, the Council adopted Resolution No. 20-11, which will be rescinded by the adoption of Resolution No. 21-11.

ATTACHMENTS:

1. Resolution No. 21-11
2. Board of Supervisors Adoption Letter dated February 10, 2021
3. Notice of Public Hearing

RESOLUTION NO. 21-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU ADOPTING THE UPDATED DEVELOPER FEE AND FIRE STATION PROGRAM FOR THE BENEFIT OF THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY AND RESCINDING RESOLUTION NO. 20-11

The City Council of The City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

- A. On January 26, 2021, the Los Angeles County Board of Supervisors adopted by resolution the updated Developer Fee Program in the Areas of Benefit for the benefit of the Consolidated Fire Protection District of Los Angeles County, hereinafter referred to as “Developer Fee Program,” to fund fire stations and apparatus necessary to deliver service to the City of Malibu, hereinafter referred to as “City.”
- B. The City has received fire protection and emergency medical services from the Consolidated Fire Protection District of Los Angeles County, hereinafter referred to as “District.”
- C. The revenue available to the District is insufficient to acquire, construct, and operate fire stations to address fire protection and emergency medical services needs resulting from new development within the City.
- D. The City’s fire protection requirements have been addressed by the County’s updated Capital Improvement Plan.
- E. New development in the City will create substantial requirements on the District for expanded fire protection and emergency medical services.
- F. The City desires to continue to receive an appropriate level of fire protection and emergency medical services to be provided by the District.
- G. The City subscribes and endorses the regional concept of fire protection, which involves the District prioritizing the scheduling and placement of fire stations for the best interest of the City and the Malibu/Santa Monica Mountains Developer Fee Area of Benefit 1, hereinafter referred to as “Area of Benefit 1.”
- H. The City desires to assist and support the District in financing fire stations to address fire protection and emergency medical service requirements within the City that result from urban expansion and new development.

- I. The continuation by the City of the Developer Fee Program would provide for the necessary new fire stations and apparatus required to deliver expanded fire protection and emergency services by new development within the City.
- J. Residents of the City will benefit from the additional fire protection services provided by newly built fire stations funded by the Developer Fee Program within the Area of Benefit 1.
- K. Government Code 66000, et seq., and Chapter 22.68 of the Los Angeles County Code regarding Developer Fee Program requirements have been met by the County.

SECTION 2. Adoption of Updated Developer Fee.

- A. The updated Developer Fee Program in the Areas of Benefit for the benefit of the Consolidated Fire Protection District of Los Angeles County was adopted January 26, 2021, by the County of Los Angeles for the benefit of the Consolidated Fire Protection District of Los Angeles County and is approved and adopted by the City of Malibu.
- B. The City of Malibu hereby delegates the authority of administering and collecting the Developer Fee within the territorial limits of the City of Malibu to the Consolidated Fire Protection District of Los Angeles County.
- C. The updated Developer Fee Program will provide developer fee revenues from the Area of Benefit 1 to fund the acquisition, construction, improvement and equipping of facilities necessary for the District to deliver fire protection services in the area.
- D. Fire station and equipment costs to be funded by the updated Developer Fee Program will be based on a determination by the County of the required services provision. The Developer Fee Program amount will be modified annually by the County to reflect the actual costs for fire station development. The Developer Fee Program amount will not be adjusted this year and will remain at \$0.9705. per square foot of new floor area of buildings. Terms and conditions for in-kind consideration will be addressed on an individual basis by the District.
- E. The City will require that building permit issuances be withheld until proof that the Developer Fee Program obligation has been met by the applicant.

- F. In the event the City annexes additional territory, the newly annexed territory shall be bound by the provisions as set forth in this resolution.
- G. The City shall forward a copy of this adopted resolution to the Chief of the Planning Division for the County of Los Angeles Fire Department.

SECTION 3. Resolution No. 20-11 is hereby rescinded.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 22nd day of March 2021.

MIKKE PIERSON, Mayor

ATTEST:

HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

JOHN COTTI, Interim City Attorney



COUNTY OF LOS ANGELES FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401
www.fire.lacounty.gov

"Proud Protectors of Life, Property, and the Environment"

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

BOARD OF SUPERVISORS

HILDA L. SOLIS
FIRST DISTRICT

HOLLY J. MITCHELL
SECOND DISTRICT

SHEILA KUEHL
THIRD DISTRICT

JANICE HAHN
FOURTH DISTRICT

KATHRYN BARGER
FIFTH DISTRICT

February 10, 2021

Reva Feldman, City Manager
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

Dear Ms. Feldman:

On January 26, 2021, the Board of Supervisors of the County of Los Angeles (Board) adopted a resolution to update the County of Los Angeles developer fee program for the benefit of the Consolidated Fire Protection District (Fire District). This resolution adopted the updated Developer Fee Detailed Fire Station Plan and the Developer Fee Funds 2019-20 Fiscal Year-End Report. There is no change in the developer fee rate in the Malibu/Santa Monica Mountains Developer Fee Area of Benefit.

Pursuant to the Developer Fee Agreement between the Fire District and the City of Malibu (City), the City will need to adopt the updated Fire Station Plan within 60 days of Board adoption. Please have a copy of your City-approved resolution sent to my office for our records.

Thank you for your City's continued participation in this vital program that provides essential funding for fire protection facilities and equipment for your community. If you have any questions, you may contact me at (323) 881-2404, or at Marcia.Velasquez@fire.lacounty.gov.

Very truly yours,

MARCIA VELASQUEZ, ACTING SUPERVISING PLANNING ANALYST
PLANNING DIVISION

MV:gc

Enclosures

c: Acting Assistant Fire Chief Drew Smith

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY
CALABASAS

CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY
DIAMOND BAR
DUARTE

EL MONTE
GARDENA
GLEN DORA
HAWAIIAN GARDENS
HAWTHORNE
HERMOSA BEACH
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY

INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE
LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER

LAWNDALE
LOMITA
LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
VERNON
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

ATTACHMENT 2

**NOTICE OF PUBLIC HEARING
CITY OF MALIBU
CITY COUNCIL**

The Malibu City Council will hold a public hearing on **MONDAY, March 22, 2021, at 6:30 p.m. on the item identified below via teleconference only in order to reduce the risk of spreading COVID-19, pursuant to the Governor's Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer's order.**

Public comment can be submitted ahead of the public hearing to citycouncil@malibucity.org for inclusion in the public record. To participate during the public hearing, please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

Updated Developer Fee Program for the Benefit of the Consolidated Fire
Protection District of Los Angeles County

Under the Developer Fee Agreement between the Consolidated Fire Protection District and the City, the City must adopt an updated Developer Fee Program and Fire Station Plan. If adopted, the Resolution would keep the current developer fee amount of \$.9705 per square foot to reflect current costs associated with land acquisition, fire station construction, purchase of apparatus and equipment, and administration.

IF YOU CHALLENGE THE CITY COUNCIL'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR OTHERWISE HELD BY THE CITY, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, EITHER AT OR PRIOR TO THE PUBLIC HEARING.

If there are any questions regarding this notice, please contact Environmental Sustainability Director Bundy at (310) 456-2489, ext. 229. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours. Oral and written comments may be presented to the City Council on, or before, the date of the meeting.



Yolanda Bundy, Environmental Sustainability Director

Publish Date: March 11, 2021