

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS
STATE OF CALIFORNIA**

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RESOLUTION NO. 2019-

**APPROVING A MEMORANDUM OF UNDERSTANDING WITH GBN PARTNERS LLC
REGARDING THE VINEYARDS AT DEER CREEK DEVELOPMENT**

WHEREAS, the East Contra Costa Fire Protection (District) is a fire protection district organized under the Fire Protection District Law of 1987 (Health & Safety Code §§ 13800 *et seq.*); and

WHEREAS, the District is responsible for providing fire protection, rescue and emergency services to the Cities of Brentwood and Oakley and portions of unincorporated Contra Costa County, including over 249 square miles of land and serving about 115,000 residents; and

WHEREAS, since 1978, eastern Contra Costa County – the District's service area – has exploded in new construction and population growth, yet the costs associated with District services have not been matched by an increase in stable funding to adequately respond to the community's emergency medical and fire protection needs, resulting in the District being inadequately funded to serve the existing population in its service area; and

WHEREAS, in December 2018, the District's Board of Directors adopted a strategic plan that includes a statement of mission, values and goals to govern the operation of the District through the year 2023 (Strategic Plan); and

WHEREAS, the Strategic Plan acknowledges a present need to reduce response times for emergency services throughout the District, and sets forth a series of strategies to ensure the financial stability and sustainability of the District; and

WHEREAS, the District expects growth to continue, increasing the District's population to 139,097 by the year 2040 and generating even more need, demands and pressure on the already severely under-funded and ill-equipped system; and

WHEREAS, reflecting the anticipated impacts of future growth, the Strategic Plan calls for new development to cover the costs resulting from new growth through mechanisms such as development impact fees and parcel taxes enacted through community facilities districts; and

WHEREAS, growth can be a part of the solution to the District's financial challenges, but only if and when managed effectively and mitigated sufficiently; and

WHEREAS, GBN Partners LLC (GBN) holds an option to acquire approximately 815 acres located within the District, north of Balfour Road and adjacent to the municipal boundaries of the City of Brentwood (City), but outside of the City's urban limit line (Property); and

WHEREAS, GBN desires to develop the Property with a residential community to be known as "The Vineyards at Deer Creek," which is anticipated to include up to 2,400 residential units at buildout (Project); and

WHEREAS, GBN has qualified City of Brentwood Measure L (Measure L) for the November 2019 ballot, the passage of which would institute a number of actions to facilitate the development of the Project, including an adjustment of the City's urban limit line to include the Project; amendments to the City of Brentwood General Plan and Municipal Code; and adoption of a Vineyards at Deer Creek Specific Plan Zone; and

WHEREAS, the District's current resources are insufficient to provide adequate fire protection and emergency response services to the Project; and

WHEREAS, the Project would generate new sources of revenue including an anticipated \$2 - 2.5 million in property tax revenue for the District annually, as well as one-time revenue from impact fees to support capital costs, which would offset some of the costs of providing fire and emergency services to the Project; and

WHEREAS, staff, the Strategic Ad Hoc Committee, and GBN have developed a Memorandum of Understanding Regarding the Vineyards at Deer Creek Project (MOU), attached hereto as Attachment A, that provides benefits for fire protection and emergency response services including (a) one-time payments for funding for acquisition of equipment, training and other costs associated with the initial deployment of a new fire station; (b) construction of a new fire station; and (c) formation of a community facilities district or other mechanism to provide ongoing funding for the operation of a new fire station; and

WHEREAS, GBN and the District intend to further define these commitments in later agreements and other documents in the annexation, entitlement and development process required for construction of the Project; and

WHEREAS, approval of this MOU represents a significant and meaningful step forward, towards addressing challenges associated with the District's existing and anticipated future service needs, and towards securing a better fire protection and emergency response future for the residents of the entire District.

NOW, THEREFORE, BE IT RESOLVED that the East Contra Costa Fire Protection District Board of Directors authorizes the Fire Chief to execute the Memorandum of Understanding Regarding the Vineyards at Deer Creek Project in a form substantively consistent with Attachment A to this resolution; and

BE IT FURTHER RESOLVED, that the Board finds that approval of the MOU is not a project under the California Environmental Quality Act because it is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. (14 Cal. Code Regs § 15378(b)(4).)

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 11th of September, 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Brian J. Oftedal

President, Board of Directors

ATTEST:

Brian Helmick
Clerk of the Board