

Friday, October 29, 2021

**BOARD OF DIRECTORS  
AMADOR FIRE PROTECTION DISTRICT  
COUNTY ADMINISTRATION CENTER  
810 Court Street, Board of Supervisors Chambers  
Jackson, California 95642**

**\*SPECIAL\* AGENDA**

**-- 9:30 a.m.--**

**Please Note: All Board of Directors meetings are recorded.**

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the Clerk of the Board staff, at (209) 223-6391 or (209) 223-6646(fax). Requests must be made as early as possible and at least one-full business day before the start of the meeting. Assisted hearing devices are available in the Board Chambers for public use during all public meetings.

Pursuant to Government Code 54957.5, all materials relating to an agenda item for an open session of a regular meeting of the Board of Directors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at and after the time of such distribution, in the office of the Clerk of the Board of Directors, 810 Court Street, Jackson, California 95642, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or District staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials that are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.2.

**ANY INDIVIDUAL WHO WISH TO ATTEND THIS MEETING IN PERSON WILL BE  
REQUIRED TO WEAR A FACE SHIELD OR MASK TO ENTER THE BUILDING AND  
THROUGHOUT THE DURATION OF THEIR ATTENDANCE AT THE MEETING.**

Anyone who wishes to address the Board must speak from the podium and should print their name on the Board Meeting Speaker list, which is located on the podium. The Clerk will collect the list at the end of the meeting  
**\*\*PLEASE NOTE, DUE TO COVID-19 SIGNING IN AT THE PODIUM HAS BEEN DISCONTINUED AT THIS TIME. PLEASE STATE YOUR NAME CLEARLY FOR THE RECORD. \*\***

If you are participating via telephone or online and want to speak, you will need to "raise your hand" (hand emoji). Zoom how-to features, such as "unmute" or "raising your hand" can be found at the link below: [https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone#h\\_e027935e-f7cf-4183-9870-64f177689687](https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone#h_e027935e-f7cf-4183-9870-64f177689687)

**9:30 a.m. Special Meeting**

+1 669 900 6833 US

**Meeting ID or Access: 816 8300 8462#**

**Passcode: 833142**

You may also view and participate in the meeting using this link:

<https://us02web.zoom.us/j/81683008462?pwd=T3M4MVZpbHFHeVg0M0pWSEdRWjJldz09>

**SPECIAL MEETING AGENDA**

**DATE:** October 29, 2021  
**TIME:** 9:30 A.M.  
**LOCATION:** County Administration Center  
Board Chambers  
810 Court Street  
Jackson, CA 95642

**CLOSED SESSION** may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957), real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9).

- (1) CONFERENCE WITH LABOR NEGOTIATORS:** [Pursuant to Government Code 54957.6]: Agency Designated Representative: Walter White, Fire Chief  
Employee Organization: The Amador County Professional Firefighters Local 5181  
Agreement for Professional Services between the District and IEDA, a subsidiary of Industrial Employers and Distributors Association.
- (2) DISCIPLINE/DISMISSAL/RELEASE:** Discussion and possible action relative to subject matter (pursuant to Government Code §54957)
- (3) CLOSED SESSION MINUTES:** Review and approval of the closed minutes of the Board of Directors meeting of September 21, 2021 as presented or revised.

**SPECIAL SESSION** \*\*10:00 A.M. or soon after\*\*

### **PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA:** Approval of agenda for this date; any and all off-agenda items must be approved by the Board (pursuant to 54954.2 of the Government Code)

**PUBLIC MATTERS NOT ON THE AGENDA:** Discussion items only; no action will be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the AFPD Board of Directors; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Board meeting. **Please note - there is a five (5) minute limit per topic.**

### **ADMINISTRATIVE MATTERS**

- (4) NEXUS STUDY OF DEVELOPMENT IMPACT FEE REPORT:** Discussion and possible action relative to subject matter.
- (5) COVID-19 PREVENTION PROGRAM:** Discussion and possible action relative to subject matter.

**ADJOURNMENT** until Tuesday, November 16, 2021 at 10:30 A.M.



## AGENDA TRANSMITTAL FORM

To: Amador Fire Protection Board of Directors

Date: 10/29/2021

From: Walter White  
(Department Head - please type)

Phone Ext. x391

☐ Regular Agenda  
☐ Consent Agenda  
☐ Blue Slip  
☒ Closed Session  
Meeting Date Requested:

10/29/2021

Department Head Signature \_\_\_\_\_

Agenda Title:

CLOSED SESSION MINUTES

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Review and approval of the Board of Directors closed session minutes held on September 21, 2021 as presented or revised.

Recommendation/Requested Action:

Approve minutes as presented or revised

Fiscal Impacts (attach budget transfer form if appropriate)

n/a

Staffing Impacts  
n/a

Is a 4/5ths vote required?

Yes ☐

No ☒

Committee Review?

N/A ☒

Name \_\_\_\_\_

Committee Recommendation:

Contract Attached:

Yes ☐

No ☐

N/A ☒

Resolution Attached:

Yes ☐

No ☐

N/A ☒

Ordinance Attached

Yes ☐

No ☐

N/A ☒

Comments: \_\_\_\_\_

Request Reviewed by:

Chairman \_\_\_\_\_ Counsel \_\_\_\_\_

Auditor \_\_\_\_\_ GSA Director \_\_\_\_\_

CAO \_\_\_\_\_ Risk Management \_\_\_\_\_

Distribution Instructions:

n/a

### FOR CLERK USE ONLY

Meeting Date \_\_\_\_\_

Time \_\_\_\_\_

Item # \_\_\_\_\_

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_

Noes \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

Distributed on \_\_\_\_\_

A new ATF is required from \_\_\_\_\_

Department \_\_\_\_\_

Completed by \_\_\_\_\_

For meeting \_\_\_\_\_

of \_\_\_\_\_

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador Fire Protection District.

ATTEST: \_\_\_\_\_

AFPD Board Clerk

## AGENDA TRANSMITTAL FORM

To: Amador Fire Protection Board of Directors

Date: 10/29/2021

From: Walter White  
(Department Head - please type)

Phone Ext. x391

- ☐ Regular Agenda  
☐ Consent Agenda  
☐ Blue Slip  
☐ Closed Session

Meeting Date Requested:

10/29/21-Special Mtg.

Department Head Signature \_\_\_\_\_

Agenda Title: Acceptance of Nexus Study Findings Related to Development Impact Fees

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Discussion and possible action by seeking acceptance of the updated nexus report performed by Michael Baker International (MBI) and request that the Board of Supervisors set the matter for hearing as required under the Fee Mitigation Act regarding the possible adoption of the Nexus Study and the approval of the increase.

Recommendation/Requested Action:

Accept MBI Findings

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required?

Yes ☐

No ☒

Committee Review?

N/A ☒

Name \_\_\_\_\_

Committee Recommendation: \_\_\_\_\_

Contract Attached:

Yes ☐

No ☒

N/A ☒

Resolution Attached:

Yes ☐

No ☒

N/A ☒

Ordinance Attached

Yes ☐

No ☒

N/A ☒

Comments: \_\_\_\_\_

Request Reviewed by:

Chairman \_\_\_\_\_

Counsel \_\_\_\_\_

Auditor \_\_\_\_\_

GSA Director \_\_\_\_\_

CAO \_\_\_\_\_

Risk Management \_\_\_\_\_

Distribution Instructions:

### FOR CLERK USE ONLY

Meeting Date \_\_\_\_\_

Time \_\_\_\_\_

Item # \_\_\_\_\_

Board Action: Approved Yes\_\_\_\_ No\_\_\_\_

Unanimous Vote: Yes\_\_\_\_ No\_\_\_\_

Ayes: \_\_\_\_\_

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Other: \_\_\_\_\_

Noes \_\_\_\_\_

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_

Comments: \_\_\_\_\_

Distributed on \_\_\_\_\_

A new ATF is required from \_\_\_\_\_

Department \_\_\_\_\_

Completed by \_\_\_\_\_

For meeting \_\_\_\_\_

of \_\_\_\_\_

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador Fire Protection District.

ATTEST: \_\_\_\_\_

AFPD Board Clerk



# AMADOR FIRE PROTECTION DISTRICT

810 Court Street, Jackson California 95642-2132 (209) 223-6391



**TO:** Board of Directors

**FROM:** Patrick Chew, Deputy Fire Marshal

**DATE:** October 29, 2021

**SUBJECT:** Final Report – Development Impact Fees Study

In brief, at our March 2021 BOD's meeting, the board approved Michael Baker, International consulting services to conduct a nexus study on AFPD's development impact fees. Our fees have not been revised since this organization was formed in 1990.

The Nexus study is complete and all findings are included for your review. Dino Serafini, PE, Public Finance Analyst of Michael Baker, International will be available via teleconference if any should have questions or concerns regarding their findings.

Our recommendation is to seek the Board of Directors acceptance of the nexus study report and request that the Board of Supervisors set the matter for hearing as required under the Fee Mitigation Act regarding the possible adoption of the Nexus Study and the approval of the increase. This procedural requirement is what was recommended by Greg Gillott, County Council.

BEFORE THE BOARD OF DIRECTORS OF  
THE AMADOR FIRE PROTECTION DISTRICT  
COUNTY OF AMADOR, STATE OF CALIFORNIA

IN THE MATTER OF:

RESOLUTION ADOPTING  
COVID PREVENTION PROGRAM

RESOLUTION NO. AFPD 21-

**BE IT RESOLVED** by the Board of Directors of the Amador Fire Protection District, County of Amador, State of California, that said Board does hereby approve and adopt the Amador Fire Protection District COVID-19 Prevention Program effective October 28, 2021.

**BE IT FURTHER RESOLVED** that the President be and hereby is authorized to sign the resolution approving the COVID-19 Prevention Program.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Fire Protection District at a regular meeting thereof, held on the 28th day of October 2021, by the following vote:

AYES:

NOES:

ABSENT:

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President, Board of Directors

ATTEST:

NICOLE COOK, Clerk of the  
Amador Fire Protection District,  
Amador County, California

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August 24, 2021

**To: Patrick Chew**  
Fire Marshal  
Amador Fire Protection District

**Cc: Derek Wong**  
Michael Baker International

**From: Dino Serafini**  
Michael Baker International

**RE: FIRE PROTECTION IMPACT FEE STUDY FOR THE AMADOR FIRE PROTECTION DISTRICT**

The Fire Protection Impact Fee Study presents an analysis of the cost of providing facilities and equipment for fire protection in the Amador County Fire Protection District's (AFPD) service area over a study period of the next 15 years. The Study documents the justifiable impact fees that may be imposed on new development to recover the capital cost of fire protection in accordance with State law pursuant to California Government Code Section 66000. Impact fees may only cover the cost of capital improvements and equipment and may not be used for operations and maintenance.

The Amador County Board of Supervisors adopted the original fire protection impact fee program shortly after the District was formed in 1991, the fees have not been updated since then. A flat fee of \$250 is currently charged per residential dwelling unit of any type. Commercial development is currently charged a flat fee of \$650 per permit plus \$0.25 to \$0.60 per square foot of floor area, depending on the assigned risk category of the proposed use of the structure.

The fee calculations proposed by the consultant in the study are based on three factors: 1) the current value of AFPD's fire-fighting assets such as stations, vehicles and other equipment; 2) the cost of planned future investments in fire protection in the District including the Pine Grove and Martell area stations and the equipment for those facilities; and 3) the cost per capita (either residential occupants or employees of commercial development) to provide new development's fair-share of new facilities and the current value of existing facilities and equipment. The proposed fees are shown below. The non-residential fees, in addition to the basic permit fee based on average employee occupancy, include the updated risk category fees of \$0.41 to \$0.99 per square foot.

**SUMMARY OF PROPOSED AND CURRENT FEES**

| <b>Land Use<sup>1</sup></b>  | <b>Proposed Fees</b> | <b>Current Fees</b> |
|--|----------------------|---------------------|
| <i>Residential, per dwelling unit</i>  |                      |                     |
| Single-Family  | \$1,401.66           | \$250.00            |
| Multi-Family   | \$1,274.24           | \$250.00            |
| Mobile Home  | \$955.68             | \$250.00            |
| Accessory Dwelling Unit  | \$764.54             | N/A                 |
| Accessory Structure in residential zone with no occupancy                          | \$411.86             | N/A                 |
| <i>Non-residential, per 1,000 sq. ft of floor area (except as noted otherwise)</i> |                      |                     |
| Commercial (Risk Category #1)  | \$947.04             | \$900.00            |
| Office (Risk Category #2)  | \$1,105.86           | \$950.00            |
| Retail (Risk Category #3)  | \$1,079.47           | \$1,050.00          |
| Lodging per room (Risk Category #4)  | \$1,447.19           | \$1,250.00          |
| Industrial/Warehouse (Risk Category #4)  | \$1,256.05           | \$1,250.00          |
| Public/Institutional (Risk Category #4)  | \$1,370.73           | \$1,250.00          |

#### FIRE FACILITIES FOR NEW DEVELOPMENT AND USE OF FEE REVENUES

The consultant projects that, over the study period these fees will generate approximately \$1.5 million in revenue. The AFPD may use impact fee revenues for improvement projects that expand the District's ability to deliver fire services to new development. The AFPD may alter the scope of the planned facility improvement projects or substitute new projects and/or equipment as long as the improvements and acquisitions continue to represent an expansion of the District's fire protection capabilities.

#### **Fee Updates**

The impact fee study and the recommended fees assume a given level of development activity over the study period. The development that actually occurs may result in different impacts and fee revenues than those projected in the study. For that reason, regular updates are recommended to adjust the impact fee to match the needs created by the actual development. A maximum period of five-years between updates is recommended.

#### **Annual Fee Increase**

The costs in this report are shown in 2021 dollars based on the consultant's experience and actual construction and equipment costs where available. To ensure that the fee program stays current with the prevailing cost of construction and equipment, it is recommended that the AFPD adjust the adopted fees by a minimum of 2.5 percent automatically each year, or by a percentage increase indicated by a regional cost index factor. The automatic adjustment should be specified in the fee resolution.



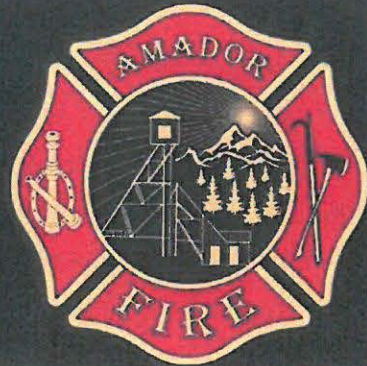
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# FIRE PROTECTION FEE UPDATE

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Prepared for the

**AMADOR FIRE**  
PROTECTION DISTRICT



Prepared by

**Michael Baker**

**INTERNATIONAL**

2729 Prospect Park Drive, Suite 220

Rancho Cordova, CA 95670

Phone: (916) 361-8384

**[www.mbakerial.com](http://www.mbakerial.com)**

**Draft Report: AUGUST 2021**

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## EXECUTIVE SUMMARY

This report presents an analysis of the cost of providing facilities and equipment for fire protection in the Amador County Fire Protection District's (AFPD) service area. This report documents the justifiable impact fees that could be imposed on new development to recover the capital cost of fire protection in accordance with state law pursuant to California Government Code Section 66000.

## BACKGROUND AND STUDY OBJECTIVES

This study documents the relationship between new development in the AFPD service area and the cost of fire protection facilities to serve growth through the year 2035. The study also provides estimates of the costs of facilities necessary for growth and calculates the updated facilities fees by land use type that would generate revenues equal to these costs. The cost estimates of the facilities required to serve growth assume that new development will provide facilities that, at a minimum, will ensure that the AFPD can maintain its current level of service standards.

For the past several decades, the passage of Proposition 13 and other state fiscal measures have reduced the revenue sources available to local agencies. These local revenue sources, such as property tax and sales tax, are currently used primarily for operations and maintenance and cannot be counted to fund public facilities and other capital improvements. Federal and state assistance has not replaced the decline in local revenue sources. These funding shortfalls have been a significant contributing factor in declining facility standards (i.e., the ratio of facility capacity to service population), which has accelerated the rate of physical deterioration, increased operating costs, and reduced the efficiency of existing facilities as well as threatened to reduce the level of service. Given these funding difficulties, and in the face of continued growth, most local agencies in California have adopted impact fee programs to provide the necessary funding for the capital facilities needed to serve growth.

The local agencies in California rely on their authority to levy impact fees under the police powers granted by the California Constitution pursuant to the procedures of the Mitigation Fee Act, contained in Government Code Section 66000 et seq. This report provides the necessary documentation for the adoption of updated fire protection impact fees by the AFPD Board of Directors and the Amador County Board of Supervisors.

## POPULATION PROJECTIONS

Population and population growth are key factors in determining the need for new or expanded facilities. The population and employment projections to the year 2035 used in this analysis are summarized in **Table 1.1**. The projections are based on the draft Municipal Service Review for the AFPD and estimates prepared by California Department of Finance.



**Table 1.1: Population and Housing Projections**

|                         | 2021   | 2035   | Net Growth |
|-------------------------|--------|--------|------------|
| Population <sup>1</sup> | 18,885 | 21,128 | 2,243      |
| Housing <sup>2</sup>    |        |        |            |
| Single-Family           | 7,634  | 8,510  | 876        |
| Multi-Family Units      | 220    | 293    | 73         |
| Mobile Homes            | 874    | 978    | 104        |
| Total Occupied Units    | 8,728  | 9,781  | 1,053      |
| Overall Occupancy       | 2.16   | 2.16   | 2.13       |

<sup>1</sup> Current population for AFPD is estimated from the draft Municipal Service Review and the California Department of Finance Estimate, Table E-5 as of 1/1/2021

<sup>2</sup> Source of current housing estimates is DOF Table E-5 1/1/2021, occupied units

#### FEE SCHEDULES AND REVENUES

The proposed fire protection facilities impact fees are calculated on the basis of cost per capita of facilities and the household occupancy and employment occupancy factors as shown in **Table 1.2**. The provision of fire protection and emergency services is impacted by the number of residents and employees of the businesses in the service area. Therefore, the occupancy factors are key in determining the relationship between the need for facilities and new development paying the impact fees. Each new home and business will increase the total service population approximately by the factors given in **Table 2.1**.

**Table 1.2: Household and Employment Occupancy Rates**

| Land Use                     | Current Occupancy Rate, estimated |                                 | Employees per 1,000 sq. ft. or per hotel room |
|------------------------------|-----------------------------------|---------------------------------|---|
| Residential                  |                                   |                                 |   |
| Single-Family                | 2.20                              | persons per dwelling unit       | ~   |
| Multi-Family                 | 2.20                              | persons per dwelling unit       | ~   |
| Mobile Home                  | 1.50                              | persons per dwelling unit       |   |
| Nonresidential <sup>1</sup>  |                                   |                                 |   |
| Office                       | 300                               | building square feet per worker | 3.33  |
| Retail/Commercial            | 450                               | building square feet per worker | 2.22  |
| Hotel Rooms                  | 0.33                              | rooms per worker                | 3.00  |
| Industrial                   | 1,000                             | building square feet per worker | 1.00  |
| Public/Gov't/Health Services | 500                               | building square feet per worker | 2.00  |

<sup>1</sup> Building area per worker factors are based on the Employment Density Study for Southern California Association of Governments, by the Natelson Company, 2001.

The proposed and current fees are shown in **Table 1.3**. The AFPD currently charges impact fees to new development for the purpose of funding the facilities necessary to serve new development within its service area. A residential impact fee of \$250 is charged per dwelling unit. Commercial development is charged \$650 per permit plus \$0.25 to \$0.60 per square foot of floor area, depending on the risk category. These fees have not been updated since they were established by Amador County Board of Supervisors by Resolution No. 91-401, on September 3, 1991 shortly after the district was formed.

**Table 1.3: Proposed and Current Fire Protection Fees**

| Land Use <sup>1</sup> | Costs per Capita | Occupancy Rate <sup>1</sup> | Occupancy Fee | Nonresidential Surcharge for Floor Area | Proposed Fee | Current Fees <sup>2</sup> |
|-----------------------|------------------|-----------------------------|---------------|---|--------------|---------------------------|
| <i>Residential</i>    |                  |                             |               |   |              |                           |
| Single-Family         | \$651.49         | 2.20                        | \$1,433.28    |   |              | \$250.00                  |
| Multi-Family          | \$651.49         | 2.00                        | \$1,302.98    |   |              | \$250.00                  |
| Mobile Home           | \$651.49         | 1.50                        | \$977.23      |   |              | \$250.00                  |
| Lodging               | \$156.36         | 3.00                        | \$469.07      |   |              | N/A                       |
| <i>Nonresidential</i> |                  |                             |               |   |              |                           |
| Office                | \$156.36         | 3.33                        | \$520.67      | \$250.00                                | \$770.67     | \$900.00                  |
| Commercial/Retail     | \$156.36         | 2.22                        | \$347.11      | \$250.00                                | \$597.11     | \$900.00                  |
| Industrial/Warehouse  | \$156.36         | 1.00                        | \$156.36      | \$250.00                                | \$406.36     | \$900.00                  |
| Public/Institutional  | \$156.36         | 2.00                        | \$312.72      | \$250.00                                | \$562.72     | \$900.00                  |

<sup>1</sup> Household occupancy: persons per dwelling unit.

Nonresidential occupancy: employees per 1,000 square feet of floor area.

<sup>2</sup> The current fee for nonresidential is \$650 per permit plus a charge per square foot depending on risk category:

- Category 1: \$0.25
- Category 2: \$0.30
- Category 3: \$0.40
- Category 4: \$0.60

**Table 1.3** assumes a 1,000 square foot building in risk category 1.

Note in Resolution 91-401: "Structures 5,000 sq. ft. and over in size and structures more than 3 stories in height create unusual fire risk. Structures meeting these criteria will be evaluated individually to determine the actual fee to be levied."

#### FUNDS NEEDED TO COMPLEMENT FEE PROGRAM

Government Code Section 66000 prohibits using impact fees to remedy an existing facility deficiency. Impact fees imposed on new development may pay for two forms of capital improvements:



(1) Additional facilities needed to accommodate growth and maintain the current standard of service; or,

(2) Facilities that provide an increase in the level of service or standard, if existing development also pays for its fair share of facilities needed to raise the standard.

The analysis indicates that existing users would benefit from planned capital improvements, such as two new stations, one in the Pine Grove area and another station/training center/emergency operations center in the Martell area. Construction of these new stations would increase the level of service to the entire AFD service population. Therefore, existing development is obligated to pay for its fair share of the improvements. The impact fees presented in this report for these facilities may be imposed on new development only if existing development provides the funding necessary to augment existing facilities from sources other than the fee revenues. These funds may come from grants, Measure M taxes, and assessments imposed on current residents. The level of funding required from existing development is listed under Fund Needed from Other Sources in **Table 1.4**. If the entire fee program as presented herein is adopted, the total amount the AFD and its current residents would need to contribute is approximately \$7.07 million from sources other than impact fee revenues in order to provide facilities to existing residents at the same level of service proposed for new development.

**Table 1.4: Project Impact Fee Revenues and Funds Needed from Other Sources**

| <b>Category</b>                       | <b>Projected<br/>Revenues from<br/>Proposed Impact<br/>Fees</b> | <b>Fund Needed<br/>from Other<br/>Sources</b> | <b>Program Total</b> |
|---------------------------------------|---|---|----------------------|
| Facilities, Stations & Administration | \$1,131,585   | \$7,068,407                                   | \$8,200,000          |
| Vehicles & Equipment                  | \$323,250   | N/A   | \$323,249            |
| Personal Protective Equipment         | \$69,000  | N/A   | \$69,000             |
| <b>Total</b>                          | <b>\$1,523,835</b>  | <b>\$7,068,407</b>                            | <b>\$8,592,249</b>   |

#### ADDITIONAL CONSIDERATIONS

The AFD at its sole discretion may reduce the recommended impact fees for one or more categories. However, the recommended fees are established based on the infrastructure required by new development. By reducing fees, it is inevitable that, over time, there will be a continued reduction in the levels of service provided by the public facilities funded by the impact fees unless other funds are used to replace these revenues. Alternatively, the AFD may consider the following ways to reduce the effect the fees may have on land development in the AFD, while leaving the fee rates and standards of service intact:

- Phase in the fee increases over two or more years to provide time for the real estate market to adjust. However, the net loss of revenue during the phase-in period may not be passed on to future development.

- Defer the impact fees to a later date. The AFPD may elect to grant a deferral of payment until units are sold or leased. According to Government Code Section 66007, for residential units, impact fees are not payable until the date of the final inspection or issuance of a certificate of occupancy, whichever comes first. Notwithstanding state law, it is not uncommon for cities to collect the fees at issuance of a building permit, which they may do if certain facility financing requirements are met. These requirements are explained in Chapter 4 under Compliance Requirements, "Collection of Fees." If the AFPD chooses to defer impact fees to a point in time after issuance of a building permit or certificate of occupancy, suitable security should be obtained to ensure future payment of the fee through a surety bond, letter of credit, provisions in the escrow agreements, or a lien hold as appropriate.

### **Fee Updates**

This impact fee study and the recommended fees assume a given level of development activity over the study period. The development that actually occurs may result in different impacts and fee revenues than those projected in this study. For that reason, regular updates are recommended to adjust the growth impact fee to match the needs created by the actual development.



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## 1. INTRODUCTION

This report presents an analysis of the need and related cost of public facilities to accommodate new development in the Amador Fire Protection District (AFPD). This chapter explains the study approach and summarizes results under the following sections:

- Public Facilities Financing in California
- Mitigation Fee Act and Required Findings
- Facility Standards, Level of Service, and Deficiencies

### PUBLIC FACILITIES FINANCING IN CALIFORNIA

The changing fiscal landscape in California over the past three decades has steadily undercut the financial capacity of local governments to fund infrastructure needed for growth. Three dominant trends stand out:

- The passage of a string of tax limitation measures, starting with Proposition 13 in 1978 and continuing through the passage of Proposition 218 in 1996.
- Declining popular support for bond measures to finance infrastructure for the next generation of residents and businesses.
- Steep reductions in federal and state assistance.

Faced with these trends, many cities and counties have had to shift the burden of funding infrastructure expansion from existing rate- and taxpayers to new development. This funding shift has been partly accomplished by the imposition of development impact fees, also known as public facility, capital facility, or mitigation fees. A key advantage of this approach in an era of voter approval requirements is that impact fees are not taxes and are thus exempt from the requirements of Proposition 218, needing only a majority vote of the legislative body for adoption.

In most local agencies that have implemented impact fee programs, new development pays close to the full cost required to maintain existing level of service standards as growth occurs. If local agencies do not collect the full amount, the effect is often a decline in facility standards, though some communities are able to increase other revenue sources to compensate. In another typical situation, a local agency may have a policy that a certain level of service should be maintained for a given service or facility; however, the current level of service for that facility is less than the stated policy. In that event the local agency will have, in effect, a deficiency which must be remedied in order to collect fees from new development commensurate with the policy standard. The deficiency must be remedied using funds other than impact fee revenues and new development cannot be required to pay for an increase in the level of service for the benefit of existing development unless existing development commits to paying its share of the cost.

### MITIGATION FEE ACT AND REQUIRED FINDINGS

Because of the growing use of impact fees after the passage of Proposition 13 and concern over inconsistencies in their application, the California state legislature passed the Mitigation Fee Act, starting with Assembly Bill 1600 in 1988. The act, contained in California Government Code Section 66000 et seq., establishes ground rules for the imposition and ongoing administration of impact fee programs. The act became law in April 1989 and requires local governments to document the following when adopting an impact fee:

- 1) Identify the purpose of the fee.
- 2) Identify the use of fee revenues.
- 3) Determine a reasonable relationship between the fee's use and the type of development paying the fee.
- 4) Determine a reasonable relationship between the need for the fee and the type of development paying the fee.
- 5) Determine a reasonable relationship between the amount of the fee and the cost of the facility attributable to development paying the fee.

This report complies with California Government Code Sections 66000 et seq. by providing the required documentation for the above findings and determinations that establish the basis for imposition of the recommended fees contained herein.

The fundamental premise of the Mitigation Fee Act is that the burden of the impact fees cannot total more than the actual cost of the public facilities and capital improvements needed to serve the development paying the fee. Also, fee revenues can only be used for their intended purposes. In addition, the act has specific accounting and reporting requirements, both annually and after every five-year period, for the use of fee revenues. These requirements are covered in more detail in Chapter 4 of this report.

In addition, the impact fee revenues may not be used for staffing, operations, and maintenance of either existing or new facilities.

### FACILITY STANDARDS, LEVEL OF SERVICE, AND DEFICIENCIES

Throughout this report, the words "standard" and "level of service" are used (at times interchangeably) to describe the levels of investment in capital facilities that are needed to serve the community. A standard is defined as the adopted policy or benchmark that the AFD plans to achieve for any particular facility. For example, the floor area of fire station space per firefighter would be a standard. On the other hand, level of service refers to the actual level of benefit that the current population experiences. Level of service may be different from the standard for a given facility. When the existing level of service is less than the standard—in other words, when the facility is over capacity relative to the stated or policy standard—a deficiency exists for that



facility. If the opposite is the case—if there is a surplus of capacity—the AFPD may recoup a portion of its investment in that facility that is available to serve new development. Frequently there is no stated policy standard for a given facility, in which case the existing level of service becomes the de facto “current standard” and the terms may be interchangeable.

New development alone cannot be asked to improve the level of service provided by those facilities that serve both new and existing development. Additionally, new development alone cannot correct an existing facility deficiency. Either way, facility standards cannot be increased compared to the existing level of service solely by imposing impact fees on new development.

By policy, the AFPD can adopt its own reasonable facility standards to reduce, maintain, or increase the existing facility standard. However, basing an impact fee on a standard that is higher than the existing level of service is fair to new development only if the AFPD were to use alternative funds to increase the capacity in facilities that benefit existing development. This extra funding is needed to correct the existing deficiency.

This study uses the existing level of service method to establish the standard based on the ratio of existing facilities to the current service population. Under this method, new development funds the expansion of facilities at the same level of service, or current standard, currently enjoyed by the service population (residents and workers) in existing development. If there was no increase in the standard, this method results in no facility deficiencies attributable to existing development.

However, the AFPD has indicated that additional facilities, including two fire stations and a training center, are planned that would enhance the overall level of service provided by the AFPD. Therefore, new development may be required to contribute to the funding of these new facilities in proportion to the benefit they receive from the new facilities that provide greater fire protection.

Existing development will also contribute its fair-share contribution for these facilities through existing funding mechanisms, such as Measure M, fire assessments on existing development, the AFPD general fund, and grant funding.

Use of these standards is not meant to label them as AFPD policy. Indeed, many jurisdictions consider their existing levels of service to be deficient compared to the policies stated in their general plans. The AFPD may, as a policy decision, raise any facility standard, and in doing so, possibly create a deficiency relative to the existing level of service.

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## 2. GROWTH PROJECTIONS

### INTRODUCTION

Estimates of existing development (number and type of housing and commercial floor area) and projections of growth are used to approximate the AFD service area population and the cost per capita of new fire protection facilities. The growth of the service population is the primary factor in determining future facility needs. Over 60 percent of AFD service calls are for emergency medical services, indicating that population is the major influence on service demand.<sup>1</sup> Current residential population estimates are based on the latest California Department of Finance county/city estimate dated January 2021. Current employment (jobs in the AFD as opposed to employed residents who live in the AFD but may work elsewhere) is derived from the California County-Level Economic Forecast 2017-2050 for Amador, published by the California Department of Transportation.

### OCCUPANCY RATES

The use of occupancy rates ensures a reasonable relationship between the increase in service population and the amount of the fee. To do this, the fee must vary by the estimated service population generated by a specific development project. Developers pay the fee based on the number of additional housing units or building square feet, so the fee analysis must convert service population estimates to these measures of project size to derive a fee per unit of development. This conversion is done with average occupancy factors by land use category, shown in **Table 2.1**.

**Table 2.1: Occupancy Assumptions**

| Land Use                                       | Occupancy Rate |                                 | Employees<br>per 1,000<br>Square Feet<br>or rooms |
|--|----------------|---------------------------------|---|
| Residential                                    |                |                                 |   |
| Single-Family                                  | 2.20           | persons per dwelling unit       | —   |
| Multi-Family                                   | 2.00           | persons per dwelling unit       | —   |
| Mobile Home                                    | 1.50           | persons per dwelling unit       | —   |
| Nonresidential <sup>1</sup>                    |                |                                 |   |
| Office   | 300            | building square feet per worker | 3.33  |
| Retail/Commercial                              | 450            | building square feet per worker | 2.22  |
| Hotel Rooms                                    | 0.33           | rooms per worker                | 3.00  |
| Industrial                                     | 1,000          | building square feet per worker | 1.00  |
| Public/Gov't/Institutional<br>/Health Services | 500            | building square feet per worker | 2.00  |

<sup>1</sup> Building area per worker factors are based on the Employment Density Summary Report (Natelson Company 2001).

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<sup>1</sup> Amador Fire Protection District, 2021, Draft Municipal Service Review, 2020 base year service profile



Employment occupancies—workers per nonresidential floor area—are based on values suggested in the Employment Density Summary Report by the Natelson Company (2001), a report that is used in impact fee studies throughout California.

#### POPULATION, HOUSING, AND EMPLOYMENT ESTIMATES

The 2035 projections for occupied housing, population, and employment are based on annual average growth rates for population and employment in AFD. The population, housing, and employment estimates are summarized in **Table 2.2**.

The table shows modest population and employment growth rates of 0.80 percent and 0.53 percent, respectively, which are reasonable and consistent with 2035 population projections for Amador County as a whole. Note that the net growth in housing units is also based on a constant percentage growth rate and not on total buildout of the AFD service area. The assumed 0.53 percent employment growth rate is also consistent with the 2035 projections for Amador County.<sup>2</sup> The lower rate of local job growth relative to overall population growth also accounts for the likelihood that a significant proportion of new residents will be commuting to jobs outside the County.

These population estimates are used as follows:

- Estimates of future growth provide a rough estimate of the total amount of public facilities required to accommodate growth over the planning horizon.
- Estimates of existing population and land development determine current facility standards; for example, square feet of public buildings per capita or average daily water use and wastewater generation.
- Future employment estimates establish the level of service and facilities that are applicable to future nonresidential development.

#### FIRE PROTECTION FACILITIES SERVICE POPULATION

Different types of development use public facilities at different rates in relation to each other, depending on the services provided. The service population is calculated by weighting one land use category against another based on each land use category's demand for services.

When residents and workers are part of the same service population, it is reasonable to assume that one resident will place a greater demand on public services and associated facilities than one worker. Therefore, workers are factored for purposes of determining their relative demand and the demand that nonresidential development has on fire protection facilities.

The AFD Fire Department provides fire protection services, emergency medical services, rescue services, fire prevention services, and public education services to residential and nonresidential populations within the AFD service area. The fire service population is calculated in **Table 2.3**, with the impact of the nonresidential population factored at 24 percent of the residential population.

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<sup>2</sup> California Department of Transportation, 2017, California County-Level Economic Forecast 2017-2050



**Table 2.2: Population, Employment, and Housing Projections**

|   | 2021         | 2035         | Net Growth   | Average Annual Rate |
|---|--------------|--------------|--------------|---------------------|
| Population  | 18,885       | 21,128       | 2,243        | 0.8%                |
| Employment  |              |              |              |                     |
| Office/Professional   | 186          | 200          | 14           | 0.52%               |
| Retail  | 537          | 578          | 41           | 0.53%               |
| Lodging & Hospitality   | 1,203        | 1,294        | 91           | 0.52%               |
| Government & Public Administration                                      | 1,854        | 1,995        | 141          | 0.52%               |
| Health and Social Services  | 205          | 221          | 16           | 0.54%               |
| Arts, Entertainment and Recreation                                      | 63           | 68           | 5            | 0.55%               |
| Private Education and Health Services                                   | 14           | 15           | 1            | 0.49%               |
| Utilities, Construction, Manufacturing, Wholesale Trade                 | 787          | 847          | 60           | 0.53%               |
| Transportation, Warehousing, Wholesale Trade                            | 101          | 109          | 8            | 0.55%               |
| Extractive Industries (agriculture, forestry, fishing, quarrying, etc.) | 133          | 143          | 10           | 0.52%               |
| Other   | 161          | 173          | 12           | 0.51%               |
| <b>Total Employment</b>   | <b>5,244</b> | <b>5,643</b> | <b>399</b>   | <b>0.53%</b>        |
| Housing   |              |              |              |                     |
| Single-Family   | 7,634        | 8,510        | 876          |                     |
| Multi-Family Units  | 220          | 293          | 73           |                     |
| Mobile Homes  | 874          | 978          | 104          |                     |
| <b>Total Occupied Units</b>   | <b>8,728</b> | <b>9,781</b> | <b>1,053</b> | <b>0.8%</b>         |
| Overall Occupancy   | 2.16         | 2.16         | 2.13         |                     |

**Table 2.3: Fire Protection Service Population**

|                               | <b>Residents</b> | <b>Workers</b> | <b>Factored Workers<sup>1</sup></b> | <b>Total Service Population</b> | <b>Relative Percentage</b> |
|-------------------------------|------------------|----------------|-------------------------------------|---------------------------------|----------------------------|
| Existing (2021)               | 18,885           | 5,244          | 1,259                               | 20,144                          | 90.00%                     |
| New Development (2021-2035)   | <u>2,243</u>     | <u>399</u>     | <u>96</u>                           | <u>2,339</u>                    | <u>10.00%</u>              |
| Total 2035                    | 21,128           | 5,643          | 1,355                               | 22,483                          | 100%                       |
| Weighting factor <sup>1</sup> | 1.00             | 0.24           |                                     |                                 |                            |

<sup>1</sup> The resident-to-worker weighting factor is calculated by dividing a 40-hour workweek into 168 total hours in a week.

#### LAND USE CATEGORIES

Measuring the impact of growth requires defining land use types to summarize different categories of new development. The land use types used in this analysis are defined below.

- **Single-Family:** Detached and attached (townhomes and condominiums) one-family dwelling units.
- **Multi-Family:** Dwelling units such as duplexes and condominiums (unless considered attached townhomes), apartments, and dormitories.
- **Mobile Homes:** Includes manufactured housing units located in mobile home parks.
- **Lodging:** All hotel and motel development.
- **Commercial/Retail:** All commercial development, restaurants, services and retail stores.
- **Office:** All professional office buildings, medical and dental, research and development centers, and business parks.
- **Industrial:** All manufacturing, fabrication, food processing, motor vehicle repair, warehousing, truck yards and warehousing terminals, and distribution centers. May also include business parks, research and development space, including "back office" uses, and ancillary employee-serving retail and services.
- **Public and Institutional:** All government, public education, hospitals, and residential care facilities.

#### Applying the Impact Fees to Development Projects Involving More Than One Land Use

Some development projects may include more than one land use category, such as a mixed-use development with both residential and commercial uses. In these cases, the impact fee would be calculated separately for each land use category contained within the project.

The amount of impact fees payable should be evaluated prior to the issuance of a building permit and be based on the information in the permit application, including number and type of units, intended occupancy, and floor area per occupancy. In a single-use structure, the total fee would be the sum of each of the products of the fee rate for each facility category multiplied by the number of units or the floor area (1,000-square-foot increments, prorated for the actual size) in the

### **3. FIRE FACILITIES**

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structure. For a mixed-use project, wherein more than one use will occupy a single permitted structure, an impact fee calculation would apply the appropriate fee rate to each portion of the structure containing that identified use. For a commercial-residential structure, the applicable residential fee rates would be applied to each residential unit (the unit may be defined as either a single-family or multi-family unit depending on the type of construction) and the applicable nonresidential rates will be applied to each unit of nonresidential floor area.



### 3. FIRE PROTECTION FACILITIES

This chapter summarizes the analysis of the need for fire facilities to accommodate new development. The chapter documents a reasonable relationship between new development and the potential justified impact fee for funding such facilities.

#### EXISTING FIRE PROTECTION ASSETS

The AFPD owns and/or operates the fire stations in **Table 3.1**, and the fire vehicles and equipment listed in **Tables 3.2** and **3.3**, respectively. Firefighting vehicles and equipment are included in the facility costs because they represent essential capital investment needed to provide fire protection services and have at least a five-year service life. The cost of personal protective equipment for additional firefighters is calculated in **Table 3.4**.

**Table 3.1: Fire Stations**

| Stations   | Floor Area<br>Sq. Ft. | Current<br>Estimated<br>Value | Cost per<br>Sq. Ft. |
|--|-----------------------|-------------------------------|---------------------|
| 111--26517 Meadow Drive, Pioneer                 | 2,000                 | \$115,350                     | \$57.68             |
| 112--23770 Van De Hei Ranch Road, Pioneer        | 2,000                 | \$34,957                      | \$17.48             |
| 114--19840 Highway 88, Pine Grove                | 2,000                 | \$286,607                     | \$143.30            |
| 116--Dalton Drive, Jackson Rancheria Reservation | 10,000                | \$1,000,000                   | \$100.00            |
| 121--16850 Demartini Road, Plymouth              | 2,000                 | \$167,000                     | \$83.50             |
| 122--18534 Sherwood Street, Plymouth             | 7,500                 | \$750,000                     | \$100.00            |
| 123--14410 Jiboom Street, Fiddletown             | 2,000                 | <u>\$323,214</u>              | \$161.61            |
| Total  | 27,500 sq. ft.        | \$2,677,128                   |                     |
| Current Service Population                       | 20,144                | 20,144                        |                     |
| Service Standard, Value per Capita               | 1.37 sq. ft.          | \$132.90                      |                     |

#### FIRE FACILITIES MASTER PLAN STANDARD AND PER CAPITA COSTS

To ensure equity between the service level of existing facilities and the facilities for which new development is responsible, a per capita "Master Plan" standard is calculated based on existing fire stations, firefighting equipment plus planned new firefighting equipment, and facilities. The AFPD has begun the design of the new station in the Pine Grove area near the intersection of Mt. Zion Road and SR 88. The AFPD owns the parcel on which it will be built. The construction date is dependent on identifying a source of funding for the project. The estimated construction cost is \$3-4 million. The AFPD is also interested in building a second new station, in the Martell area. The centrally located Martell station would also serve as a training center and emergency operations center. New apparatus and equipment for the new stations is estimated at \$1.2 million.

The Master Plan standard, including these planned capital improvements, is shown in **Table 3.5**. The Master Plan standard reflects the overall increase in level of service that will benefit both the existing and future service populations. These service populations will pay their fair share of the cost of new facilities as shown in **Table 3.5**, which also shows the total cost per capita of fire protection facilities required for new development to the year 2035.

### 3. FIRE FACILITIES

**Table 3.2: Fire Protection Vehicles**

| Description                                       | Year<br>Acquired | Initial<br>Cost | Service<br>Life            | Current<br>Value 2021 |
|---|------------------|-----------------|----------------------------|-----------------------|
| 02989 09FORD 250 PICK-UP                          | 2008             | \$27,734        | 15                         | \$9,240               |
| WATER TENDER 5126 20                              | 2006             | \$123,338       | 25                         | \$64,140              |
| WATER TENDER 5236                                 | 2006             | \$123,338       | 25                         | \$64,140              |
| 4X2 1250 GPM PUMPER                               | 1992             | \$139,370       | 25                         | \$6,970               |
| 92 FORD MINI PUMPER                               | 1993             | \$48,931        | 25                         | \$2,450               |
| 4X2 1250 GPM PUMPER                               | 1992             | \$139,370       | 25                         | \$6,970               |
| 4X4 1250 GPM PUMPER                               | 1992             | \$151,650       | 25                         | \$7,580               |
| INTNL WATER TENDER 1                              | 1997             | \$148,865       | 25                         | \$23,820              |
| 1998 INTL FIRE TRUCK                              | 1998             | \$151,640       | 25                         | \$30,330              |
| HME CHASSIS 5148                                  | 2003             | \$40,000        | 25                         | \$16,000              |
| HME 2003 FIRE TRUCK                               | 2003             | \$189,375       | 25                         | \$75,750              |
| 02096A BLD UP ENG #1                              | 2003             | \$37,789        | 25                         | \$15,120              |
| HME CHASSIS 5221                                  | 2003             | \$40,000        | 25                         | \$16,000              |
| 2003 HME FIRE TRUCK                               | 2003             | \$189,375       | 25                         | \$75,750              |
| 2003 FORD F350 4X4                                | 2003             | \$65,000        | 25                         | \$26,000              |
| 08 FORD F350 RESCUE                               | 2007             | \$68,318        | 25                         | \$38,260              |
| 08 FORD F550 MINI PU                              | 2007             | \$91,163        | 25                         | \$51,050              |
| 15 KENWORTH TANKER V                              | 2014             | \$191,376       | 25                         | \$160,760             |
| FORD POLICE UTILITY                               | 2014             | \$29,063        | 10                         | \$17,440              |
| 2016 FORD F250 5103                               | 2015             | \$48,136        | 25                         | \$42,360              |
| 2010 FORD EXPEDITION                              | 2016             | \$13,190        | 25                         | \$12,130              |
| 2015 ROSENBAUER E-51                              | 2016             | \$450,440       | 25                         | \$414,400             |
| 2008 F7 FORD E-5364                               | 2016             | \$50,000        | 25                         | \$46,000              |
| 2007 F7 E ONE E-5368                              | 2016             | \$100,000       | 25                         | \$92,000              |
| 2016 ROSENBAUER E-53                              | 2016             | \$445,551       | 25                         | \$409,910             |
| 2018 ROSENBAUER WARR                              | 2018             | \$548,949       | 25                         | \$548,950             |
| 2000 HME WESTSTATES                               | 2019             | \$40,000        | 25                         | \$41,600              |
| 15 KENWORTH TANKER VE                             | 2014             | \$191,376       | 25                         | \$160,760             |
| 12 FORD EXPEDITION A                              | 2012             | \$36,279        | 25                         | \$27,570              |
| 11 FORD 25  | 2010             | \$34,097        | 15                         | \$15,910              |
| 2001 International Type III Fire Engine<br>[5123] | 2021             | \$25,000        | 25                         | \$28,000              |
| 1989 Pierce Ariel Truck – Ladder                  | 2020             | \$45,000        | 25                         | \$48,600              |
| 2008 Ford Utility Truck [5310]                    | 2020             | \$35,000        | 15                         | <u>\$39,670</u>       |
|   |                  |                 | Total                      | \$2,635,630           |
|   |                  |                 | Current Service Population | 20,144                |
|   |                  |                 | <b>Value per Capita</b>    | <b>\$130.84</b>       |



**Table 3.3: Fire Protection Equipment**

| Description                                    | Year<br>Acquired | Initial<br>Cost | Service<br>Life            | Current<br>Value<br>2021 |
|--|------------------|-----------------|----------------------------|--------------------------|
| HOLMATRO POWER PLANT (2)                       | 2018             | \$16,920        | 10                         | \$16,920                 |
| HOLMATRO CUTTER (2)                            | 2018             | \$13,458        | 10                         | \$13,460                 |
| HOLMATRO SPREADER (2)                          | 2018             | \$15,156        | 10                         | \$15,160                 |
| BAUER AIR COMPRESSOR                           | 2015             | \$54,996        | 10                         | \$38,500                 |
| REPEATER LEAK SPRING                           | 2015             | \$13,074        | 10                         | \$9,150                  |
| Fit Tester - Porta Count                       | 2015             | \$17,998        | 10                         | \$12,600                 |
| Lifepak IS Monitor/Defibrillator (Stryker) (2) | 2015             | \$55,102        | 10                         | \$38,570                 |
| Fire Hose Tester                               | 2015             | \$2,586         | 10                         | \$1,810                  |
| Holmatro Extrication Equipment                 | 2015             | \$1,000         | 10                         | \$700                    |
| SPREADER 30CX & POWER                          | 2000             | \$27,741        | 10                         | <u>\$1,390</u>           |
|  |                  |                 | Total                      | \$148,260                |
|  |                  |                 | Current Service Population | 20,144                   |
|  |                  |                 | <b>Value per Capita</b>    | <b>\$7.36</b>            |

The total cost is based on the cost for each set of turnout gear and the projected additional firefighters based on the current staffing per 1,000 service population.

**Table 3.4: Personal Protection Equipment**

| Description   | No. of<br>Items | Cost per<br>Item                           | Total Cost<br>of<br>Equipment<br>for Growth |
|---|-----------------|--|---|
| Protective Clothing & Equipment including<br>Communications <sup>2</sup>  | 6               | \$6,000                                    | \$36,000                                    |
| Breathing Apparatus   | 6               | \$5,500                                    | <u>\$33,000</u>                             |
|   |                 | Total                                      | \$69,000                                    |
| Projected Growth in Service Population  |                 |  | 2,339                                       |
|   |                 | <b>Cost per Capita for New Development</b> | <b>\$29.50</b>                              |
| Current Firefighters (including full-time and active<br>volunteers, chief, battalion commanders, and engineers) | 48              |  |   |
| Current Service Population (Residents + Factored Workers)   | 20,144          |  |   |
| Firefighters per 1,000 service population   | 2.4             |  |   |
| Projected Growth in Service Population  | 2,339           |  |   |
| Additional positions for growth   | 6               |  |   |

Source: AFPD



### 3. FIRE FACILITIES

**Table 3.5: Fire Protection Cost per Capita**

| <b>Fire Protection Assets</b>  | <b>Costs and Costs per Capita</b> | <b>Projected Fee Revenue</b> |
|--|-----------------------------------|------------------------------|
| Current Value of Fire Station Facilities, Buildings, and Land                            | \$2,677,128                       |                              |
| Proposed New Pine Grove and Martell Fire Stations <sup>1</sup>                           | \$7,000,000                       |                              |
| New Equipment for Planned Stations   | <u>\$1,200,000</u>                |                              |
| Total Value of Master Plan (current plus planned facilities)                             | \$10,877,128                      |                              |
| 2035 Service Population  | <u>22,483</u>                     |                              |
| Planned Standard per Capita, Facilities  | \$483.79                          | \$1,131,585                  |
| Existing Fire & Emergency Vehicles Current Value per Capita                              | \$130.84                          | \$306,035                    |
| Equipment, Current Value per Capita  | \$7.36                            | \$17,215                     |
| Personal Protective Equipment (required for new firefighting personnel), Cost per Capita | \$29.50                           | \$69,000                     |
| <b>Cost per Capita for New Development</b>   | <b>\$651.49</b>                   |                              |
| Service Population Growth 2021-2035  | 2,339                             |                              |
| <b>Total Cost for Growth</b>   |                                   | <b>\$1,523,835</b>           |
| <b>Master Plan less existing</b>   | <b>\$8,200,000</b>                |                              |

<sup>1</sup> According to the 2021 draft *Municipal Service Review*, the estimated cost of Pine Grove Station to be constructed on district property is \$3.5 million. A similar cost is estimated for the Martell area station.

**Table 3.6: Proposed Fire Protection Impact Fee Schedule**

| <b>Land Use<sup>1</sup></b>                                | <b>Costs per Capita</b> | <b>Occupancy Rate<sup>3</sup></b> | <b>Occupancy Fee</b> | <b>Nonresidential Surcharge for Floor Area<sup>1</sup></b> | <b>Proposed Fee</b> | <b>Current Fees</b> |
|--|-------------------------|-----------------------------------|----------------------|--|---------------------|---------------------|
| <i>Residential, per dwelling unit</i>                      |                         |                                   |                      |  |                     |                     |
| Single-Family  | \$651.49                | 2.20                              | \$1,433.28           | N/A  |                     | \$250.00            |
| Multi-family   | \$651.49                | 2.00                              | \$1,302.98           | N/A  |                     | \$250.00            |
| Mobile Home  | \$651.49                | 1.50                              | \$977.23             | N/A  |                     | \$250.00            |
| Lodging  | \$156.36                | 3.00                              | \$469.07             | N/A  |                     |                     |
| <i>Nonresidential, per 1,000 square feet of floor area</i> |                         |                                   |                      |  |                     |                     |
| Office   | \$156.36                | 3.33                              | \$520.67             | \$250.00   | \$770.67            | \$900.00            |
| Commercial/Retail  | \$156.36                | 2.22                              | \$347.11             | \$250.00   | \$597.11            | \$900.00            |
| Industrial/Warehouse                                       | \$156.36                | 1.00                              | \$156.36             | \$250.00   | \$406.36            | \$900.00            |
| Public/Institutional                                       | \$156.36                | 2.00                              | \$312.72             | \$250.00   | \$562.72            | \$900.00            |

<sup>1</sup>The nonresidential surcharge for floor area assumes risk category 1: \$0.25 per square foot. A floor area surcharge for other risk categories may be applied to nonresidential projects in accordance with Amador County Board of Supervisors Resolution No. 91-401.

#### FIRE FACILITIES FOR NEW DEVELOPMENT AND USE OF FEE REVENUES

The AFPD may use fee revenues for projects that expand the district's ability to deliver fire services to accommodate new development. Use of the fee in this manner maintains a reasonable relationship between new development and the use of fee revenue. The AFPD may alter the scope of the planned facility improvement projects or substitute new projects and/or equipment

### **3. FIRE FACILITIES**

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as long as the improvements and acquisitions continue to represent an expansion of the district's capabilities. If the total cost of all planned projects varies from the total cost used as a basis for the fee, the AFPD should revise the fee accordingly. The fire protection impact fee revenues may be used to purchase land for future expansions and/or to construct new facilities, upgrade existing facilities, purchase vehicles and equipment with a minimum five-year life span, enhance the utility of existing systems, and/or perform refurbishment within the parameters allowed by Government Code Section 66000.



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#### **4. ADOPTION AND IMPLEMENTATION**

This chapter identifies tasks that the AFPD should complete when implementing the fee program. If the AFPD Board concurs with and chooses to increase the fee as provided for in this study, the following process should be followed for fee implementation.

##### **AMADOR FIRE PROTECTION DISTRICT BOARD APPROVAL**

The AFPD Board should adopt a resolution and make a recommendation to the Amador County Board of Supervisors to adopt this fee pursuant to the County's "police powers" under Article XI, Section 7 of the California Constitution.

##### **COUNTY BOARD OF SUPERVISORS APPROVAL**

The Amador County Board of Supervisors shall adopt the proposed fee schedule in compliance with California Government Code Sections 66016 through 66018. The County shall:

- Send a notice of a public hearing at least 14 days prior to the hearing to any party that has submitted a written request for such a notice. Have this report and all supporting documentation available for review by the public at least 10 days prior to the hearing.
- Publish notice of the public hearing in a newspaper of general circulation at least 10 days prior to the scheduled hearing, with a second notice published at least 5 days after the first hearing notice. The notice should include the time and place of the meeting as well as a general explanation of the matter to be considered.
- Hold the public hearing to consider adoption of the development impact fee.
- Adopt an implementing ordinance to establish the County's and AFPD's authority to impose the proposed fee and automatically adjust the fee annually for inflation and adopt a resolution or ordinance to set the fee.
- Begin collecting the fee no sooner than 60 days following adoption of the fee ordinance and resolution.

After adoption, there is a mandatory 60-day waiting period before the fees go into effect, unless an urgency ordinance, valid for 30 days, is adopted making certain findings regarding the urgency being claimed. The ordinance must be readopted at the end of the first period (and possibly at the end of the second period, depending on County Board of Supervisors meeting dates) to cover the next 30 days and therefore the entire 60-day waiting period. Fees adopted by urgency go into effect immediately. This procedure must also be followed for fee increases.

##### **PROGRAMMING REVENUES AND PROJECTS WITH THE CIP**

The AFPD should consider preparing a Capital Improvement Program (CIP) and regularly update the CIP to identify specific projects and program fee revenues going to those projects. Use of the CIP in this manner documents a reasonable relationship between new development and the use of fee revenues.

For the planning period of the CIP, the AFPD should allocate all existing fund balances and projected fee revenue to facilities projects. The AFPD should plan its CIP expenditures at least five years in advance and show where all collected development impact fee revenues will be spent. The AFPD can hold funds in a project account for longer than five years, if necessary, to collect sufficient funds to complete a given project. See Compliance Requirements below for the specific CIP update requirements stated in Government Code Section 66002.



### FUNDS NEEDED TO COMPLEMENT IMPACT FEE PROGRAM

In adopting the fees as presented in this report, additional funds will need to be identified to fund the share of costs not related to new development. **Table 1.4** identifies the funding projected by new development versus funding that needs to be provided by other sources for the improvements. The Other Sources column identifies the funding amount for each category that the AFPD needs to obtain to cover the existing population's share of improvements.

### INFLATION ADJUSTMENT

The costs in this report are shown in 2021 dollars based on the consultant's experience and actual construction costs where available. To ensure that the fee program stays current with the prevailing cost of construction, the AFPD should identify appropriate inflation indexes in the fee ordinance and include an automatic annual inflation adjustment in the fee ordinance for those facilities or systems that have not been completed. In addition, for those facilities for which the AFPD is recouping funds for having built-in excess capacity, no annual adjustment factor is recommended. For these projects, the annual adjustment factor is not necessary because the facilities have been constructed and the costs have been incorporated into the analysis.

A construction cost index can be based on the AFPD's recent capital project experience or taken from any reputable source, such as the *Engineering News-Record*.

### COMPLIANCE REQUIREMENTS

The California Mitigation Fee Act (Government Code Section 66000 et seq.) mandates procedures for administration of impact fee programs, including collection, accounting, refunds, updates, and reporting. The AFPD must comply with the annual and five-year reporting requirements. For facilities to be funded with a combination of impact fees and other revenues, the AFPD must identify the source and amount of the other revenues. The AFPD must also identify when the other revenues are anticipated to be available to fund the project. The AFPD's compliance obligations vis-à-vis the act include but are not limited to the following specific requirements:

**Collection of Fees.** Section 66007 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 comes first. In a residential development of more than one dwelling unit, the local agency may 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 when it is completed. The local agency may require the payment of those fees or at an earlier time if:

(A) 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

(B) the fees are to reimburse the local agency for expenditures previously made. "Appropriated," as used in this section, means authorization by the governing body of the local agency for which the fee is collected to make expenditures and incur obligations for specific purposes.

**Fee Exemptions, Reductions, and Waivers.** If a development project is found to have no impact on facilities for which fees are charged, such project must be exempted from the fees. If a project has characteristics that indicate its impacts on a public facility or infrastructure system will be significantly and permanently smaller than the average impact used to calculate impact fees in this study, the fees should be reduced accordingly.



In some cases, the AFPD may desire to voluntarily waive or reduce impact fees that would otherwise apply to a project to promote goals such as affordable housing or economic development. Such a waiver or reduction may not result in increased costs to other development projects and are allowable only if the AFPD offsets the lost revenue from other funding sources.

**Credit for Improvements by Developers.** If the AFPD requires a developer, as a condition of approval, to construct or otherwise provide facilities, improvements, or fire protection equipment for which impact fees have been or will be charged, the impact fee imposed on that development project for that type of facility must be adjusted to reflect a credit for the cost of facilities, improvements, or equipment constructed or otherwise provided by the developer. If the reimbursement would exceed the amount of the fee to be paid by the development for that type of facility, the AFPD may seek to negotiate a reimbursement agreement with the developer.

**Earmarking of Fee Revenues.** Section 66006 mandates that the AFPD "deposit ... 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 AFPD, except for temporary investments." Fees must be expended solely for the purpose for which they were collected. Interest earned on the fee revenues must also be placed in the capital account and used for the same purpose. The Mitigation Impact Fee Act is not clear as to whether depositing fees "for the improvements" refers to a specific capital improvement or a class of improvements (e.g., fire stations or equipment). Recommended practice is for the AFPD is to maintain separate funds or accounts for impact fee revenues but not necessarily for individual projects.

**Reporting.** Section 66006 requires that once each year, within 180 days of the close of the fiscal year, the AFPD must make available to the public the following information for each account established to receive impact fee revenues:

1. The amount of the fee.
2. The beginning and ending balance of the account or fund.
3. The amount of the fees collected, and interest earned.
4. Identification of each improvement on which fee revenues 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 fee revenues.
5. Identification of the approximate date by which the construction of a public improvement will commence, if the AFPD determines sufficient funds have been collected for financing of an incomplete public improvement.
6. A description of each interfund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvements on which the transfer or loan will be expended.
7. The amount of any refunds or allocations made pursuant to Section 66001, paragraphs (e) and (f).

The above information must be reviewed by the AFPD Board at its next regularly scheduled public meeting, but not less than 15 days after the statements are made public.

**Findings and Refunds.** Section 66001 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, and every five years thereafter, the AFPD must make all the following findings for any fee revenues that remain 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 the 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 of fund.

**Annual Update of Capital Improvement Plan.** Section 66002 provides that if the AFD adopts a CIP to identify the use of impact fees, that program must be adopted and updated annually by a resolution of the governing body at a noticed public hearing. The alternative is to identify improvements in other public documents, such as an Impact Fee Nexus Study itself.



## REFERENCES

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Amador County LAFCO. 2021. Draft Municipal Service Review for the Amador Fire Protection District.

California Department of Finance. 2021. Demographics Research Unit, January 1, 2021, DOF Table E-5.

California Department of Transportation. 2021. County-Level Economic Forecast 2017-2050.

Natelson Company. 2001. *Employment Density Study Summary Report*. Prepared for the Southern California Association of Governments.

## AGENDA TRANSMITTAL FORM

To: Amador Fire Protection Board of Directors

Date: 10/29/2021

From: Walter White  
(Department Head - please type)

Phone Ext. x391

- ☐ Regular Agenda  
☐ Consent Agenda  
☐ Blue Slip  
☐ Closed Session

Meeting Date Requested:

10/29/21 Special Mtg.

Department Head Signature \_\_\_\_\_

Agenda Title: Adoption of COVID-19 Prevention Program

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Discussion and possible action relative to adopting prevention program

Recommendation/Requested Action:

Approve resolution adopting COVID Prevention Program

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts n/a

Is a 4/5ths vote required?

Yes ☐

No ☒

Committee Review?

N/A ☒

Name \_\_\_\_\_

Committee Recommendation:

Contract Attached:

Yes ☐

No ☐

N/A ☒

Resolution Attached:

Yes ☒

No ☐

N/A ☐

Ordinance Attached

Yes ☐

No ☐

N/A ☒

Comments: \_\_\_\_\_

Request Reviewed by:

Chairman \_\_\_\_\_

Counsel \_\_\_\_\_

Auditor \_\_\_\_\_

GSA Director \_\_\_\_\_

CAO \_\_\_\_\_

Risk Management \_\_\_\_\_

Distribution Instructions:

n/a

### FOR CLERK USE ONLY

Meeting Date \_\_\_\_\_

Time \_\_\_\_\_

Item # \_\_\_\_\_

Board Action: Approved Yes \_\_\_ No \_\_\_

Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Other: \_\_\_\_\_

Noes: \_\_\_\_\_

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_

Comments: \_\_\_\_\_

Distributed on \_\_\_\_\_

A new ATF is required from \_\_\_\_\_

Department \_\_\_\_\_

Completed by \_\_\_\_\_

For meeting \_\_\_\_\_

of \_\_\_\_\_

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador Fire Protection District.

ATTEST: \_\_\_\_\_

AFPD Board Clerk



## **Amador Fire Protection District**



## **COVID-19 Prevention Program**

**October 2021**

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- B. COVID-19 Inspections
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- D. Investigating COVID-19 Cases
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- 1. Multiple COVID-19 Infections and COVID-19 Outbreaks
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- 3. COVID-19 Prevention in Employer-Provided Housing
- 4. COVID-19 Prevention in Employer-Provided Transportation to and from Work



This COVID-19 Prevention Program (CPP) is designed to control exposures to the SARS-CoV-2 virus that may occur in our workplace.

**Date:**

October 20, 2021

**Scope**

This policy applies to all employees with the following exceptions:

- a. Work locations with one employee who does not have contact with other persons
- b. Employees working from home
- c. Employees with occupational exposure as defined by Cal/OSHA Title 8 Section 5199, when covered by that section
- d. Employee's teleworking from a location of the employee's choice that is not under the control of Amador Fire Protection District.

Amador Fire Protection District will check for the most current information from the California Department of Public Health (CDPH) including guidance documents, Health Orders, and Executive Orders from the Governor's Office and county and local health departments and follow the most current information. Some provisions of Cal/OSHA's COVID-19 emergency regulation may be suspended, or more stringent requirements may need to be implemented based on updated guidance and orders from the CDPH and the Governor's Office through the issuance of updated or new Executive Orders and county or local health department regulations.

**Authority and Responsibility**

The Fire Chief has overall authority and responsibility for implementing the provisions of this CPP in our workplace. In addition, all department heads, managers, and supervisors are responsible for implementing and maintaining the CPP in their assigned work areas and for ensuring employees receive answers to questions about the program in a language they understand.

All employees are responsible for using safe work practices; following all directives, policies, and procedures; and assisting in maintaining a safe work environment.

**Identification and Evaluation of COVID-19 Hazards**

We will implement the following in our workplace:

- Conduct workplace-specific evaluations using the Appendix A: Identification of COVID-19 Hazards form
- Evaluate employees' potential workplace exposures to all persons at or who may enter our workplace

- Review applicable orders and general and industry-specific guidance from the State of California, Cal/OSHA, and the local health department related to COVID-19 hazards and prevention
- Evaluate existing COVID-19 prevention controls in our workplace and the need for different or additional controls
- Conduct periodic inspections using the Appendix B: COVID-19 Inspections form as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with our COVID-19 policies and procedures

### **Employee Participation**

Employees and their authorized employee representatives are encouraged to participate in the identification and evaluation of COVID-19 hazards by attending safety committee meetings and/or completing training material on Target Solutions, reporting hazards anonymously as outlined in the IIPP, assisting in hazard assessments and hazard identification.

### **Employee Screening**

Screening will be conducted indoors at the workplace; the assigned fire station by directly screening individually and/or their co-worker at the start of their shift or having them self-screen according to California Department of Public Health guidelines. Ensure face coverings are used during screening by both screeners and employees who are not fully vaccinated, and if temperatures are measured, non-contact thermometers are used. *(Appendix C: Self-Screening form. The form assumes the employee will self-screen without providing a printed copy of the form each day. If a printed copy is preferred, the form can be modified to include employee information.)*

### **Ventilation and Filtration Efficiency**

For indoor locations, we will evaluate how to maximize ventilation with outdoor air to the highest level of filtration efficiency compatible with the existing ventilation system and whether the use of portable or mounted high efficiency particulate air (HEPA) filtration units, or other air cleaning systems, would reduce the risk of COVID-19 transmission.

We will review applicable orders and guidance from the State of California and the local health department related to COVID-19 hazards and prevention. These orders and guidance are both information of general application, including Interim Guidance for Ventilation, Filtration, and Air Quality in Indoor Environments by the California Department of Public Health (CDPH) and information specific to our industry, location, and operations.

### **Correction of COVID-19 Hazards**

Unsafe or unhealthy work conditions, practices, or procedures will be documented on the Appendix B: COVID-19 Inspections form and corrected in a timely manner based on the severity of the hazards, as follows:

- The severity of the hazard will be assessed, and correction timeframes assigned



accordingly.

- Individuals are identified as being responsible for timely correction.
- Follow-up measures are taken to ensure timely correction.

## **Control of COVID-19 Hazards**

### **Face Coverings**

Amador County web link: <https://www.amadorgov.org/services/covid-19>

Face coverings or masks are required for all individuals in the following indoor settings, regardless of vaccination status:

- On public transit (examples: airplanes, ships, ferries, trains, subways, buses, taxis, and ride-shares) and in transportation hubs (examples: airport, marina, train station, seaport, or other port station, or any other area that provides transportation)
- Indoors in K-12 schools, childcare
- Emergency shelters and cooling centers

Face coverings or masks are required for all individuals in the following indoor settings, regardless of vaccination status (and surgical masks are recommended):

- Healthcare settings
- State and local correctional facilities and detention centers
- Homeless shelters
- Long-term care settings and adult and senior care facilities

Additionally, face coverings/masks are required for unvaccinated individuals in indoor public settings and businesses (examples: retail, restaurants, theater, family entertainment centers, state and local government offices serving the public).

For all employees who are not fully vaccinated, we will provide face coverings and ensure they are worn when indoors or in vehicles and where required by orders from the CDPH. As required by the CDPH Health Order of July 26, 2021, all facilities identified in the Health Order must strictly adhere to current CDPH masking guidance. To the extent they are already applicable, these facilities must also continue to adhere to Cal/OSHA's standards for aerosol transmissible diseases (ATD), which require respirator use in areas where suspected and confirmed COVID-19 cases may be present and the Emergency Temporary Standard (ETS) that requires all unvaccinated workers be provided a respirator upon request.

### **Acute Health Care and Long-Term Care Settings**

In addition to respirators required under Title 8 of the California Code of Regulations, facilities must provide respirators to all unvaccinated and incompletely vaccinated workers who work in indoor work settings where (1) care is provided to patients or residents, or (2) to which patients or residents have access for any purpose. Workers are strongly encouraged to wear respirators in all such settings. The facility must provide the respirators at no cost, and workers must be instructed on how to properly wear the respirator and how to perform a seal

check according to the manufacturer's instructions.

### **High-Risk Congregate Settings and Other Health Care Settings**

Where Title 8 does not require the use of respirators, facilities shall provide all unvaccinated or incompletely vaccinated workers with **FDA-cleared surgical masks**. Workers are required to wear FDA-cleared surgical masks in indoor settings anywhere they are working with another person.

We will ensure required face coverings are clean and undamaged, and they are worn over the nose and mouth. Face coverings are supplied and distributed by the District as needed. Again, they will be provided, replaced, and cleaned, as needed. Please report to your on-duty Battalion Chief and/or the District Office to reorder.

Masks are provided to all unvaccinated employees, and they may ask their department head or manager if additional masks are needed. All unvaccinated employees must wear a face covering when indoors or in vehicles. Supervisors will ensure unvaccinated employees wear face covering when conditions may require face coverings.

When employees are required to wear face coverings under section 3205 or sections 3205.1 through 3205.4, the following exceptions apply:

- a. When an employee is alone in a room or vehicle.
- b. While eating or drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent feasible.
- c. Employees wearing respirators required by the employer and used in compliance with CCR Title 8 section 5144.
- d. Employees who cannot wear face coverings due to a medical or mental health condition or disability or who are hearing-impaired or communicating with a hearing-impaired person. Alternatives will be considered on a case-by-case basis.
- e. Specific tasks that cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed.

Any employee not wearing a face covering, pursuant to the exceptions listed in items (d) and (e) above, and not wearing a non-restrictive alternative when allowed by Section 3205 (c)(6)(E) shall be at least six feet apart from all other persons unless the unmasked employee is either fully vaccinated or may be tested at least weekly for COVID-19 during employee paid time and at no cost to the employee.

When face coverings are not required by this section, section 3205, or sections 3205.1 through 3205.4, we will provide face coverings to employees upon request, regardless of vaccination status.



## **Vaccinations**

We will document vaccinations in the following manner:

- Employees will present proof of COVID vaccination to Human Resources, and Human Resources will maintain a record of the employees who presented proof but not the vaccine record itself.

Employees who choose not to reveal their vaccination status will be treated as if unvaccinated in accordance with Cal/OSHA requirements.

*Appendix H: COVID Vaccination Self- Attestation Statement \*not applicable*

## **Engineering Controls**

We maximize, to the extent feasible, the quantity of outside air for our buildings with mechanical or natural ventilation systems by:

We have evaluated whether it is possible to increase filtration efficiency to the highest level compatible with the worksites' and facilities' existing ventilation systems. We have taken into consideration circumstances where the amount of outside air needs to be minimized due to other hazards, such as heat or wildfire smoke. All systems will be properly maintained and adjusted as required by the manufacturer's instructions.

## **Cleaning and Disinfecting**

The following cleaning and disinfection measures for frequently touched surfaces have been implemented:

- Frequent cleaning of high touch surfaces, shared suppression equipment including apparatus', kitchens touch screens and counters, doorknobs, copy machines, station computer, telephone and/or iPad, etc.
- Cleaning and disinfecting of conference rooms, offices, restrooms, and other common areas before, after and often in between as needed.
- Conference and/or training rooms are also disinfected after each use by personnel.
- Each station and/or workspace is provided with EPA-approved disinfecting cleaning supplies and wipes designed for use against COVID-19. Supplies are readily available to all employees.
- Employees have been instructed to clean their workspace each day, especially high contact areas such as keyboards, mouse, phones, headsets, door handles, light switches, and desktops.
- Employees have been instructed to follow the manufacturer's instructions for all cleaning and disinfection products (e.g., safety requirements, personal protective equipment, concentration, contact time).
- Disposable gloves and other personal protective equipment are provided to employees who handle items touched by the public.
- Hand sanitizer stations are in place, and employees are encouraged to wash their hands frequently with soap and water for 20 seconds.

Should we have a COVID-19 case during the high-risk exposure period, and disinfection of the area, material, or equipment is indoors and will be used by another employee within 24 hours of the COVID-19 case, employees will not be allowed in the area where a COVID-19 confirmed or suspected employee/person worked until the area has been deep cleaned and disinfected.

Deep cleaning will consist of the following procedures:

- Waiting for 24 hours, if possible, before cleaning and sanitizing to minimize the potential for exposure to respiratory droplets.
- Opening outside doors and windows to increase air circulation in the area.
- Using a disinfectant that is approved for use against SARS-CoV-2, the coronavirus that causes COVID-19.
- Disinfecting all touch points, not just the frequently touched surfaces.
- Making sure the custodial staff are properly trained and wear appropriate personal protective equipment.
- Removing any visible soil with a detergent-based cleaner before applying a disinfectant and following instructions on the product label for effective disinfecting. Some disinfectants are also cleaners and, therefore, can be used for both steps.
- Ensuring surfaces remain visibly wet for the contact time specified on the product label.

To minimize cross contamination, additional considerations when disinfecting surfaces may include:

- Disinfecting surfaces from clean areas to dirty areas. For example, restrooms being one of the highly contaminated areas should be cleaned last.
- Disinfecting surfaces from high areas to low areas, so any dirt or dust that may contain germs dislodged from above are removed when you clean the lower surfaces.
- Disinfecting last after other activities (including emptying trash, removing visible soil, and vacuuming) are complete, so any potentially contaminated dirt or dust does not re-contaminate already disinfected surfaces.

### **Hand Sanitizing**

In order to implement effective hand sanitizing procedures, we:

- Encouraging and allowing time for employee handwashing
- Providing employees with an effective hand sanitizer and prohibiting hand sanitizers that contain methanol (i.e., methyl alcohol)
- Encouraging employees to wash their hands for at least 20 seconds each time

### **Personal Protective Equipment (PPE) Used to Control Employees' Exposure to COVID-19**

We evaluate the need for PPE (such as gloves, goggles, and face shields) as required by CCR Title 8, section 3380, and provide such PPE as needed.

Upon request, we will provide respirators for voluntary use, in compliance with subsection 5144 (c)(2) to all employees who are not fully vaccinated and who are working indoors or in vehicles with more than one person. We will encourage their use and ensure employees are provided with



a respirator of the correct size.

We provide and ensure use of eye protection and respiratory protection in accordance with section 5144 when employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

Additional measures will be utilized as required by state and local health departments.

We will make COVID-19 testing available, during employee paid time, at no cost to employees with COVID-19 symptoms who are not fully vaccinated.

### **Investigating and Responding to COVID-19 Cases**

This will be accomplished by using the Appendix D: Investigating COVID-19 Cases form.

Unvaccinated employees who had potential COVID-19 exposure\* in our workplace will be:

- Informed of their possible exposure to COVID-19 in the workplace while maintaining confidentiality
- Offered COVID-19 testing through their health provider or if not covered by insurance offered testing through another provider at no cost during their working hours
- Provided information on benefits as outlined in the Training and Instruction section
- General area where the infected employee(s) worked may not be habitable until cleaning is completed.
- Advised of the deep cleaning of the entire area where the infected employee(s) worked and may have been

\*COVID exposure definition (Appendix G): Employee who was within six feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period starting from two days before illness onset (or, for asymptomatic patients, two days prior to test specimen collection)

### **System for Communicating**

Our goal is to ensure we have effective two-way communication with our employees in a form they can readily understand, and it includes the following information:

- Requiring employees to report COVID-19 symptoms and possible hazards to the on-duty Battalion Chief, Fire Chief and or the District Office.
- Instructing employees not to report to work when sick.
- Informing employees, they can report symptoms and hazards without fear of reprisal.
- Providing reasonable accommodations for employees with medical or other conditions that put them at increased risk of severe COVID-19 illness when possible.
- Where testing is not required, advising employees to contact their personal physician, or the county health department for information on where they can access COVID-19 testing.

In the event the entity is required to provide testing because of a workplace exposure or outbreak, we will communicate the plan for providing testing and inform affected employees of the reason for the testing and the possible consequences of a positive test.

- COVID-19 testing is not required for the following employees:
  - a. Employees who are fully vaccinated before the close contact and do not have symptoms
  - b. COVID-19 cases who have returned to work pursuant to subsection 3205(c)(11)(A) or (B) and have remained free of COVID-19 symptoms for 90 days after the initial onset of COVID-19 symptoms, or for COVID-19 cases who never developed symptoms for 90 days after their first positive test.
- Providing information about COVID-19 hazards to employees (and other employers and individuals in contact with our workplace) who may be exposed on what is being done to control those hazards and our COVID-19 policies and procedures.
- In the event we are required to provide testing because of a workplace exposure or outbreak, we will communicate the plan for providing testing and inform affected employees of the reason for the testing and the possible consequences of a positive test.

## **Training and Instruction**

We will provide effective training and instruction that includes:

- Our COVID-19 policies and procedures to protect employees from COVID-19 hazards, and how to participate in the identification and evaluation of COVID-19 hazards.
- Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under legally mandated sick and vaccination leave, if applicable, workers' compensation law, local governmental requirements, our leave policies, and leave guaranteed by contract, and Section 3205.
- The fact that:
  - COVID-19 is an infectious disease that can be spread through the air.
  - COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth.
  - An infectious person may have no symptoms.
- Our policy for providing respirators, and the right of employees who are not fully vaccinated to request a respirator for voluntary use as stated in this program, without fear of retaliation and at no cost to employees. Whenever respirators are provided for voluntary use under this section or section 3205.1 through 3205.4, training will be provided on how to properly wear the respirator, and how to perform a seal check according to the manufacturer's instructions each time a respirator is worn, and the fact that facial hair interferes with the seal.
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19 but are most effective when used in combination.



- The importance of frequent handwashing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or handwashing facility and that hand sanitizer does not work if the hands are soiled.
- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment. COVID-19 is an airborne disease. N95s and more protective respirators protect the users from airborne disease while face coverings are intended to primarily protect people around the user.
- COVID-19 symptoms and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms.
- Information on our COVID-19 policy, how to access COVID-19 testing and vaccination; and the fact that vaccination is effective at preventing COVID-19, protecting against both transmission and serious illness or death.
- The conditions under which face coverings must be worn at the workplace and that face coverings are additionally recommended outdoors for people who are not fully vaccinated if six feet of distance cannot be maintained. Employees can request face coverings from the employer at no cost to the employee and can wear them at work, regardless of vaccination status, without fear of retaliation.

Appendix F: COVID-19 Training Roster will be used to document this training.

## **Exclusion of COVID-19 Cases**

Where we have a COVID-19 case in our workplace and employees who had a close contact, we will limit transmission by:

- Ensuring COVID-19 cases are excluded from the workplace until our return-to-work requirements are met, with the following exceptions:
  - Employees who were fully vaccinated before the close contact and who do not develop COVID-19 symptoms; and
  - COVID-19 cases who returned to work pursuant to the aforementioned requirements and have remained free of COVID-19 symptoms for 90 days after the initial onset of COVID-19 symptoms or for COVID-19 cases who never developed COVID-19 symptoms for 90 days after the first positive test.
- Continuing and maintaining an employee's earnings, seniority, and all other employee rights and benefits whenever we've demonstrated that the COVID-19 exposure is work related. This will be accomplished by:
  - Allowing them to work remotely when they can fulfill their duties from home
- Providing employees at the time of exclusion with information on available benefits.

## **Reporting, Record Keeping, and Access**

It is our policy to:

- Report information about COVID-19 cases at our workplace to the local health department and/or our Medical Director whenever required by law, and provide any related information requested by the local health department to the best of capability and knowledge.
- Maintain records of the steps taken to implement our written COVID-19 Prevention Program in accordance with CCR Title 8 section 3203(b).
- Make our written COVID-19 Prevention Program available at the workplace to employees, to authorized employee representatives, and to representatives of Cal/OSHA immediately upon request.
- Use the Appendix D: Investigating COVID-19 Cases form to keep a record of and track all COVID-19 cases. The information will be made available to employees, authorized employee representatives, or as otherwise required by law, with personal identifying information removed.

### **Return-to-Work Criteria**

- COVID-19 cases with COVID-19 symptoms will not return to work until all the following have occurred:
  - At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications.
  - COVID-19 symptoms have improved.
  - At least 10 days have passed since COVID-19 symptoms first appeared.
- COVID-19 cases who tested positive but never developed COVID-19 symptoms will not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

Once a COVID-19 case has met the return-to-work requirements outlined above as applicable, a negative COVID-19 test will not be required for an employee to return to work.

- Persons who have a close contact may return to work as follows:
  - Persons who had a close contact but never developed any COVID-19 symptoms may return to work when 10 days have passed since the last contact.
  - Persons who had a close contact and developed any COVID-19 symptom cannot return to work until the requirements listed above have been met, unless all of the following are true:
    - a. The person tested negative for COVID-19 using a polymerase chain reaction (PCR) COVID-19 test with specimen taken after the onset of symptoms; and
    - b. At least 10 days have passed since the last known close contact; and
    - c. The person has been symptom-free for at least 24 hours, without using fever-reducing medications.
- During critical staffing shortages when there are not enough staff to provide safe patient care, essential critical infrastructure workers in the following categories may return after Day 7 from the date of last exposure if they have received a negative PCR COVID-19 test result from a specimen collected after Day 5.
  - Health care workers who did not develop COVID-19 symptoms;
  - Emergency response workers who did not develop COVID-19 symptoms; and



If an order to isolate, quarantine, or exclude an employee is issued by a local or state health official, the employee will not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period shall be in accordance with the return to work period(s) listed in the return-to-work criteria in this program.

---

Print Name and Title of Position

---

Signature

---

Date

## **Appendices**



## Appendix A: Identification of COVID-19 Hazards

All persons regardless of symptoms or negative COVID-19 test results will be considered potentially infectious. Particular attention will be paid to areas where people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not. For example: meetings, entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

Evaluation of potential workplace exposure will be to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. We will consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.

**Person conducting the evaluation:** Enter Name(s)

**Date:** Enter Date

**Name(s) of employee and authorized employee representative that participated:** Enter Name(s)

| Interaction, area, activity, work task, process, equipment, and material that potentially exposes employees to COVID-19 hazards | Places and times | Potential for COVID-19 exposures and employees affected, including members of the public and employees of other employers | Existing and/or additional COVID-19 prevention controls, including barriers, partitions and ventilation |
|---|------------------|---|---|
|   |                  |   |   |
|   |                  |   |   |
|   |                  |   |   |
|   |                  |   |   |
|   |                  |   |   |

## Appendix B: COVID-19 Inspections

Review the information available at [www.dir.ca.gov/dosh/coronavirus/](http://www.dir.ca.gov/dosh/coronavirus/) for additional guidance on what to regularly inspect for, including issues that may be more pertinent to your particular type of workplace. You will need to modify this form accordingly.

**Date:** Enter date

**Name of person conducting the inspection:** Enter names

**Work location evaluated:** Enter information

| Exposure Controls  | Status | Person Assigned to Correct | Date Corrected |
|--|--------|----------------------------|----------------|
| <b>Engineering</b>   |        |                            |                |
| Barriers/partitions  |        |                            |                |
| Ventilation (amount of fresh air and filtration maximized)                                   |        |                            |                |
| Additional room air filtration   |        |                            |                |
| Add any additional controls your workplace is using  |        |                            |                |
| <b>Administrative</b>  |        |                            |                |
| Respiratory protection   |        |                            |                |
| Surface cleaning and disinfection (frequently enough and adequate supplies)                  |        |                            |                |
| Hand washing facilities (adequate numbers and supplies)                                      |        |                            |                |
| Disinfecting and hand sanitizing solutions being used according to manufacturer instructions |        |                            |                |
| Add any additional controls your workplace is using  |        |                            |                |
| <b>PPE</b> (not shared, available and being worn)  |        |                            |                |
| Face coverings (cleaned sufficiently often)  |        |                            |                |
| Gloves   |        |                            |                |
| Face shields/goggles   |        |                            |                |
|  |        |                            |                |
| Add any additional controls your workplace is using  |        |                            |                |



## Appendix C: Employee Self-Screening Checklist

Today's Date: \_\_\_\_\_

For your safety and the safety of our staff and the community, all employees are required to complete a COVID-19 self-screening just prior to the start of each workday.

Review the following symptoms and potential COVID-19 exposures:

| 1. Have you experienced any of the following symptoms in the past 48 hours? |     |                         |     |                     |     |
|---|-----|-------------------------|-----|---------------------|-----|
| Fever or chills   | Y N | Cough                   | Y N | Shortness of breath | Y N |
| Difficulty breathing  | Y N | Fatigue                 | Y N | Muscle or body ache | Y N |
| Headache  | Y N | New loss of taste/smell | Y N | Sore throat         | Y N |
| Congestion/runny nose   | Y N | Nausea or vomiting      | Y N | Diarrhea            | Y N |

|   |   |   |
|---|---|---|
| 2. Are you isolating or quarantining because you tested positive for COVID-19 or are worried you may be sick with COVID-19? | Y | N |
|---|---|---|

|   |   |   |                      |
|---|---|---|----------------------|
| 3. Are you fully vaccinated OR have you recovered from a documented COVID-19 infection in the last 3 months?  | Y | N | PREFER NOT TO ANSWER |
| To be considered fully vaccinated, you must be 2 or more weeks following receipt of the second dose in a 2-dose series or 2 or more weeks following receipt of one dose of a single-dose vaccine. |   |   |                      |
| <b>IMPORTANT: IF YOU ANSWERED "YES" TO QUESTION 3 AND "NO" TO QUESTIONS 1 AND 2, PLEASE SKIP TO THE CERTIFICATION STEP BELOW. <u>YOUR ACCESS TO THIS FACILITY IS APPROVED.</u></b>                |   |   |                      |

|   |   |   |
|---|---|---|
| 4. Have you been in close contact in the last 14 days with:<br>• Anyone who is known to have laboratory-confirmed COVID-19?<br>OR<br>• Anyone who has any symptoms consistent with COVID-19?  | Y | N |
| Close physical contact is defined as being within 6 feet of an infected/symptomatic person for a cumulative total of 15 minutes or more over a 24-hour period starting 48 hours before illness onset (or for asymptomatic individuals, 48 hours prior to test specimen collection). |   |   |

|   |   |   |
|---|---|---|
| 5. Are you currently waiting on the results of a COVID-19 test?<br><br><b>IMPORTANT: ANSWER "NO" IF YOU ARE WAITING ON THE RESULTS OF A PRE-TRAVEL OR POST-TRAVEL COVID-19 TEST</b> | Y | N |
|---|---|---|

Today's Date: \_\_\_\_\_

|   |  |  |
|---|--|--|
| I certify that my responses are true and correct.   | <input type="checkbox"/>   |  |
|   | Initial  |  |
| <b>If you ARE NOT fully vaccinated or prefer not to disclose your vaccination status, did you answer NO to ALL QUESTIONS?</b> | <b>Access to this facility is APPROVED.</b>  |  |
| <b>If you ARE NOT fully vaccinated or prefer not to disclose your vaccination status did you answer YES to ANY Question?</b>  | <b>Access to this facility is NOT APPROVED. Please contact the on duty Battalion Chief for further screening and assessment.</b> |  |

*Note: This form was developed based on the CDC screening checklist.*



## Appendix D: Investigating COVID-19 Cases

All personal identifying information of COVID-19 cases or symptoms will be kept confidential. All COVID-19 testing or related medical services provided by us will be provided in a manner that ensures the confidentiality of employees, with the exception of unredacted information on COVID-19 cases that will be provided immediately upon request to the local health department, CDPH, Cal/OSHA, the National Institute for Occupational Safety and Health (NIOSH), or as otherwise required by law.

All employees' medical records will also be kept confidential and not disclosed or reported without the employee's express written consent to any person within or outside the workplace, with the following exceptions: (1) Unredacted medical records provided to the local health department, CDPH, Cal/OSHA, NIOSH, or as otherwise required by law immediately upon request; and (2) Records that do not contain individually identifiable medical information or from which individually identifiable medical information has been removed.

**Date:** Enter date

**Name of person conducting the investigation:** Enter name(s)

| COVID-19 Case Investigation Information   |  |  |  |
|---|--|--|--|
| Employee (or non-employee*) name:   |  | Occupation (if non-employee, why they were in the workplace):                                      |  |
| Location where employee worked (or non-employee was present in the workplace):  |  | Date investigation was initiated:  |  |
| Was COVID-19 test offered?  |  | Name(s) of staff involved in the investigation:  |  |
| Date and time the COVID-19 case was last present in the workplace:  |  | Date of the positive or negative test and/or diagnosis:  |  |
| Date the case first had one or more COVID-19 symptoms:  |  | Information received regarding COVID-19 test results and onset of symptoms (attach documentation): |  |
| Results of the evaluation of the COVID-19 case and all locations at the workplace that may have been visited by the COVID-19 case during the high-risk exposure period and who may have been exposed (attach additional information): |  |  |  |

| Notice given (within one business day, in a way that does not reveal any personal identifying information of the COVID-19 case) of the potential COVID-19 exposure to: |  |  |  |
|--|--|--|--|
| All employees who may have had a close contact with a COVID-19 case and their authorized representatives.  | Date:                                    |  |  |
|  | Names of employees that were notified:   |  |  |
| Independent contractors and other employers present at the workplace during the high-risk exposure period.   | Date:                                    |  |  |
|  | Names of individuals that were notified: |  |  |
| What were the workplace conditions that could have contributed to the risk of COVID-19 exposure?   |  | What could be done to reduce exposure to COVID-19? |  |
| Was local health department notified?  |  | Date:  |  |

\*Should an employer be made aware of a non-employee infection source COVID-19 status.



## Appendix E: Potential COVID-19 Exposure Contact Tracing

Name/Title of Person Being Traced: \_\_\_\_\_

Date Form was Completed: \_\_\_\_\_

[illegible]

## Appendix F: COVID-19 Training Roster

Date: Enter date

**Person that conducted the training:** Enter name(s)

[illegible]



## Appendix G: Definitions

|                   |   |
|-------------------|---|
| Close Contact     | <p>Being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the “high-risk exposure period” defined by this section. This definition applies regardless of the use of face coverings.</p> <p>Exception: Employees have not had a close contact if they wore a respirator required by employer and used in compliance with section 5144, whenever they were within six feet of the COVID-19 case during the high-risk period.</p>       |
| COVID-19          | Coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)   |
| COVID-19 Case     | <p>A person who:</p> <ol style="list-style-type: none"> <li>(1) Has a positive “COVID-19 test” as defined in Section 3205</li> <li>(2) Has a positive COVID-19 diagnosis from a licensed health care provider; or</li> <li>(3) Is subject to COVID-19-related order to isolate issued by a local or state health official; or</li> <li>(4) Has died due to COVID-19, in determination of a local health department or per inclusion in the COVID-19 statistics of a county.</li> </ol>                                  |
| COVID-19 Hazard   | Exposure to potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing or sneezing, or from procedures performed on a person that may aerosolize saliva or respiratory tract fluids. This also includes objects or surfaces that may be contaminated with SARS-CoV-2. |
| COVID-19 Symptoms | Fever of 100.4 degrees Fahrenheit or higher, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea, unless a licensed health care professional determines the person’s symptoms were caused by a known condition other than COVID-19.   |
| COVID-19 Test     | <p>A viral test for SARS-CoV-2 that is:</p> <ol style="list-style-type: none"> <li>(1) Approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and</li> <li>(2) Administered in accordance with the FDA approval or FDA Emergency Use Authorization as applicable.</li> </ol>  |

|                           |  |
|---------------------------|--|
| Exposed Group             | <p>All employees at a work location, working area, or a common area at work, where an employee was present at any time during the high-risk exposure period. A common area at work includes bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The following exceptions apply;</p> <p>A) For the purposed of determining the exposed group, a place where persons momentarily pass through while everyone is wearing face coverings, without congregating, is not a work location, working area, or a common area at work.</p> <p>B) If the COVID-19 case was part of a distinct group of employees who are not present at the workplace at the same time as other employees, for instance a work crew or shift that does not overlap with another work crew or shift, only employees within that distinct group are part of the exposed group.</p> <p>C) If the COVID-19 case visited a work location, working area, or a common area at work for less than 15 minutes during the high-risk exposure period, and all persons were wearing face coverings at the time the COVID-19 case was present, other people at the work location, working area, or common area are not part of the exposed group.</p> <p>NOTE: An exposed group may include the employees of more than one employer. See Labor Code sections 6303 and 64304.1.</p> |
| Face Covering             | <p>A surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers. A face covering has no visible holes or openings and must cover the nose and mouth. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.</p>  |
| Fully Vaccinated          | <p>The employer has documented that the person received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series or a single dose COVID-19 vaccine. Vaccines must be FDA approved; or have an emergency use authorization from the FDA; or, for persons fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO).</p>   |
| High-Risk Exposure Period | <p>The following time period:</p> <ol style="list-style-type: none"> <li>(1) For COVID-19 cases who develop COVID-19 symptoms: from 2 days before they first develop symptoms until all of the following are true; it has been 10 days since symptoms first appeared, 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved</li> <li>(2) For COVID-19 cases who never develop COVID-19 symptoms: from 2 days before until 10 days after the specimen for their first positive test for COVID-19 was collected.</li> </ol>  |
| Respirator                | <p>A respiratory protection device approved by the National Institute for Occupational Safety and Health (NIOSH) to protect the wearer from particulate matters, such as an N95 filtering facepiece respirator.</p>  |



|          |   |
|----------|---|
| Worksite | For the limited purposes of COVID-19 prevention regulations only, it is a building, store, facility, agricultural field, or other location where a COVID-19 case was present during the high-risk exposure period. It does not apply to buildings, floors, or other locations of the employer that a COVID-19 case did not enter. |
|----------|---|

## **Additional Considerations**

### **Additional Consideration #1**

#### **Multiple COVID-19 Infections and COVID-19 Outbreaks**

*Reference section 3205.1 for details.*

This section of the CPP will stay in effect until there are no new COVID-19 cases detected in our workplace for a 14-day period.

#### **COVID-19 testing**

- We will make COVID-19 testing available at no cost to all employees within the exposed group except for employees who were not present during the period of an outbreak identified by a local health department or the relevant 14-day period, or employees who were fully vaccinated before section 3205.1 became applicable and who do not have COVID-19 symptoms; and for COVID-19 cases who did not develop symptoms after returning to work pursuant to subsections 3205(c)(11)(A) or (B), no testing is required for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, 90 days after the first positive test. COVID-19 testing will be provided at no cost to employees during employees' working hours.
- COVID-19 testing consists of the following:
  - Testing shall be made available to all employees in the exposed group and then again one week later. Negative COVID-19 test results of employees with COVID-19 exposure will not impact the duration of any quarantine period required by, or orders issued by, the local health department.
  - After the first two COVID-19 tests, we will continue to make COVID-19 testing available once a week at no cost to all employees in the exposed group who remain at the workplace at least once per week, or more frequently if recommended by the local health department, until this section no longer applies, pursuant to more protective stringent state or local health department mandates or guidance. Any employees in the exposed group who are not wearing respirators required by the this policy and used in compliance with section 5144 shall be separated from other persons by at least six feet, except where it can be demonstrated that six feet of separation is not feasible, and except for momentary exposure while persons are in movement. When it is not feasible to maintain a distance of at least six feet, individuals shall be as far apart as feasible.

All employees in the exposed group shall wear face coverings when indoors or when outdoors and less than six feet from another person, unless one of the exceptions in subsection 3205 (c)(6) (D) applies.

Notice shall be given to employees in the exposed group of their right to request a respirator for voluntary use under subsection 3205(c)(7)(D)2., if they are not fully vaccinated.

An evaluation of the worksite will be completed to determine whether to implement physical distancing of at least six feet between persons or, where six feet of physical distancing is



not feasible, the use of cleanable solid partitions of sufficient size to reduce COVID-19 transmission.

### **COVID-19 investigation, review and hazard correction**

In addition to our *CPP Identification and Evaluation of COVID-19 Hazards and Correction of COVID-19 Hazards*, we will immediately perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19.

The investigation and review will be documented and include:

- Investigation of new or unabated COVID-19 hazards including:
  - Our leave policies and practices and whether employees are discouraged from remaining home when sick.
  - Our COVID-19 testing policies.
  - Insufficient outdoor air.
  - Insufficient air filtration.
  - Lack of physical distancing.
- Updating the review:
  - Every thirty days that the outbreak continues.
  - In response to new information or to new or previously unrecognized COVID-19 hazards.
  - When otherwise necessary.
- Implementing changes to reduce the transmission of COVID-19 based on the investigation and review. We will consider:
  - Moving indoor tasks outdoors or having them performed remotely.
  - Increasing outdoor air supply when work is done indoors.
  - Improving air filtration.
  - Increasing physical distancing as much as possible.
  - Respiratory protection.

In buildings or structures with mechanical ventilation, we will filter recirculated air with minimum efficiency reporting value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, we will use filters with the highest compatible filtering efficiency. We will also evaluate whether portable mounted high efficiency particulate air (HEPA) filtration units or other air cleaning systems would reduce the risk of transmission and, if so, will implement their use to the degree feasible.

## **Additional Consideration #2 Major COVID-19 Outbreaks**

This section of the CPP will stay in effect until there are fewer than three COVID-19 cases detected in the exposed group for a 14-day period.

### **COVID-19 testing**

We will continue to comply with the best of our capability with Section 3205.1 and Additional Consideration #1, except that COVID-19 testing described in section 3205.1(b) shall be made available to all employees in the exposed group, regardless of vaccination status twice a week, or more frequently if recommended by the local health department. COVID-19 testing will be provided at no cost to employees during employees' working hours.

We will provide a respirator for voluntary use in compliance with subsection 5144 (c)(2) to employees in the exposed groups and will determine the need for a respiratory protection program or changes to an existing respiratory protection program under section 5144 to address COVID-19 hazards.

Any employees in the exposed group who are not wearing respirators required by this policy and used in compliance with section 5144 shall be separated from other persons by at least six feet, except where it can be demonstrated that six feet of separation is not feasible, and except momentary exposure while persons are in movement. Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees. When it is not feasible to maintain a distance of at least six feet, individuals shall be as far apart as feasible.



### **Additional Consideration #3**

#### **COVID-19 Prevention in Employer-Provided Housing**

Reference section 3205.3 for details. Employer-provided housing is any place or area of land, any portion of any housing accommodation, or property upon which a housing accommodation is located, consisting of: living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations. Employer-provided housing includes a "labor camp" as that term is used in Title 8 of the California Code of Regulations or other regulations or codes. The employer-provided housing may be maintained in one or more buildings or one or more sites, including hotels and motels, and the premises upon which they are situated, or the area set aside and provided for parking of mobile homes or camping. Employer-provided housing is housing that is arranged for or provided by an employer, other person, or entity to workers, and in some cases to workers and persons in their households, in connection with the worker's employment, whether or not rent or fees are paid or collected.

- This section does not apply to housing provided for the purpose of emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications, and medical operations, if:
  - The employer is a government entity; or
  - The housing is provided temporarily by a private employer and is necessary to conduct the emergency response operations.
- The requirements below for physical distancing and controls, face coverings, cleaning and disinfecting, screening, and isolation of COVID-19 cases and persons with COVID-19 exposure do not apply to occupants, such as family members, who maintained a household together prior to residing in employer-provided housing, but only when no other persons outside the household are present.
- This section does not apply to employees with occupational exposure as defined by section 5199, when covered by that section.
- This section does not apply to employer provided housing used exclusively to house COVID-19 cases or where a housing unit houses one employee.
- This section does not apply to housing in which all employees are fully vaccinated.

#### **Assignment of housing units**

We will ensure shared housing unit assignments are prioritized in the following order:

- Residents who usually maintain a household together outside of work, such as family members, will be housed in the same housing unit without other persons.
- Residents who work in the same crew or work together at the same worksite will be housed in the same housing unit without other persons.
- Employees who do not usually maintain a common household, work crew, or worksite will be housed in the same housing unit only when no other housing alternatives are possible.

**Ventilation**

In housing units, employers shall maximize the quantity and supply of outdoor air and increase filtration efficiency to the highest level compatible with the existing ventilation system. If there is not a Minimum Efficiency Reporting Value (MERV) 13 or higher filter in use, portable or mounted high efficiency particulate air (HEPA) filtration units shall be used, to the extent feasible, in all sleeping areas in which there are two or more residents who are not fully vaccinated.

**Face coverings**

We will provide face coverings to all residents and provide information to residents on when they should be used in accordance with state or local health officer orders or guidance.

**Cleaning and disinfection**

We will ensure:

- Housing units, kitchens, bathrooms, and common areas are effectively cleaned at least once a day to prevent the spread of COVID-19. Cleaning and disinfecting shall be done in a manner that protects the privacy of residents.
- Residents will be instructed not to share unwashed dishes, drinking glasses, cups, eating utensils, and similar items.
- Housing units, kitchens, bathrooms, and indoor common areas shall be cleaned and disinfected after a COVID-19 case was present during the high-risk exposure period, if another resident will be there within 24 hours of the COVID-19 case.

**Isolation of COVID-19 cases and close contacts**

We will:

- Effectively quarantine residents who have had a close contact from all other residents. Effective quarantine will include providing residents who had a close contact with a private bathroom and sleeping area.
- The following residents are exempt from this requirement:
  - Fully vaccinated residents who do not have COVID-19 symptoms; and
  - COVID-19 cases who have met the requirements of subsection 3205(c)(10)(A) or (B) and have remained free of COVID-19 symptoms for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed COVID-19 symptoms, for 90 days after the first positive test.
- Keep confidential any personal identifying information regarding COVID-19 cases and persons with COVID-19 symptoms, in accordance with our CPP *Investigating and Responding to COVID-19 Cases*.
- End isolation in accordance with our CPP *Exclusion of COVID-19 Cases and Return to Work Criteria*, and any applicable local or state health officer orders.



#### **Additional Consideration #4**

##### **COVID-19 Prevention in Employer-Provided Transportation**

This section will need to be added to your CPP if there is employer-provided motor vehicle transportation, which is any transportation of an employee, during the course and scope of employment, including transportation to and from different workplaces, jobsites, delivery sites, buildings, stores, facilities, and agricultural fields, provided, arranged for, or secured by an employer, regardless of the travel distance or duration involved. Reference section 3205.4 for details.

This section does not apply:

- If the driver and all passengers are from the same household outside of work, such as family members, or if the driver is alone in the vehicle.
- To employer-provided transportation when necessary for emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications and medical operations.
- This section does not apply to employees with occupational exposure as defined by section 5199, when covered by this section.
- This section does not apply to vehicles in which all employees are fully vaccinated.
- This section does not apply to public transportation.

##### **Assignment of transportation**

To the extent feasible, we will reduce exposure to COVID-19 hazards by assigning employees sharing vehicles to distinct groups and ensuring that each group remains separate from other such groups during transportation, during work activities, and in employer-provided housing. We will prioritize shared transportation assignments in the following order:

- Employees residing in the same housing unit will be transported in the same vehicle.
- Employees working in the same crew or workplace will be transported in the same vehicle.
- Employees who do not share the same household, work crew, or workplace will be transported in the same vehicle only when no other transportation alternatives are feasible.

##### **Face coverings and respirators**

We will ensure that the:

- Face covering requirements of subsection 3205 (c)(6) if applicable, are followed for employees waiting for transportation.
- All employees who are not fully vaccinated are provided with a face covering, which must be worn unless an exception under subsection 3205 (c)(6)(d) applies.
- Upon request, we shall provide respirators for voluntary use in compliance with subsection 5144 (c)(2) to all employees in the vehicle who are not fully vaccinated.

##### **Screening**

We will develop, implement, and maintain effective procedures for screening and excluding drivers and riders with COVID-19 symptoms prior to boarding shared transportation.

**Cleaning and disinfecting**

We will ensure that:

- All high-contact surfaces used by drivers, such as the steering wheel, armrests, seatbelt buckles, door handles, and shifter, shall be cleaned to prevent the spread of COVID-19 between different drivers and are disinfected after use by a COVID-19 case during a high-risk exposure period, if the surface will be used by another employee within 24 hours of the COVID-19 case. All high-contact surfaces used by drivers, such as the steering wheel, armrests, seatbelt buckles, door handles, and shifter, shall be disinfected to prevent the spread of COVID-19 between drivers and are disinfected after use by another COVID-19 case during the high-risk exposure period, if the surface will be used by another employee within 24 hours of the COVID-19 case.
- We provide sanitizing materials, training on how to use them properly, and ensure they are kept in adequate supply.

**Ventilation**

We will ensure that vehicle windows are kept open, and the ventilation system set to maximize outdoor air and not set to recirculate air. Windows do not have to be kept open if one or more of the following conditions exist:

- The vehicle has functioning air conditioning in use and excessive outdoor heat would create a hazard to employees.
- The vehicle has functioning heating in use and excessive outdoor cold would create a hazard to employees. Protection is needed from weather conditions, such as rain or snow.
- The vehicle has a cabin air filter in use and the U.S. EPA Air Quality Index for any pollutant is greater than 100.

**Hand hygiene**

We will provide hand sanitizer in each vehicle and ensure that all drivers and riders sanitize their hands before entering and exiting the vehicle. Hand sanitizers with methyl alcohol are prohibited.

This section shall take precedence when in conflict with 3205.



