



## AMERICAN CANYON FIRE PROTECTION DISTRICT BOARD MEETING

### AGENDA

City Hall - Council Chambers  
4381 Broadway, Ste. 201, American Canyon

**August 27, 2024**

**6:30 PM**

**Chair:** Leon Garcia  
**Vice Chair:** David Oro  
**Board Members:** Mariam Aboudamous, Mark Joseph, Pierre Washington

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### Amended Agenda

The agenda has been amended to include an additional item under Closed Session related to Potential Litigation.

**American Canyon promotes respectful and responsible behavior among meeting participants, whether they are present in person or remotely. Using offensive language or remarks that promote, foster, or perpetuate discrimination based on race, creed, color, age, religion, gender, marital status, status regarding public assistance, national origin, physical or mental disability or sexual orientation/gender identification, as well as any other category protected by federal, state or local laws will not be tolerated. In the case of an occurrence, the speaker will be immediately disconnected from the microphone.**

*American Canyon Fire District Board meetings will be conducted at City Hall, 4381 Broadway, Suite 201. This meeting is also available via Zoom Teleconferencing as a convenience for public participation. Should technical issues with Zoom occur, please select another viewing option, such as a live broadcast to residents on Napa Valley TV [here](#) and on YouTube [here](#).*

### PUBLIC PARTICIPATION

**You may submit public comments for any Agenda Item, Non-Agenda Item or make general public comments by one of the following methods:**

**Written comments, Via eComments:** Please submit written comments through the eComments link located on the Meetings & Agendas page of our website [here](#). Comments received before the 3:00 p.m. day-of-meeting cutoff time will be routed to all Board Members at that time. eComments will remain open throughout the meeting, and all comments received will be posted online and become part of the meeting record.

**Oral comments, during the meeting:** A Zoom Meeting has been established for public participation during the meeting related to a specific agenda item, or matters not on the agenda. To give your

public comment via Zoom, connect via the Zoom link below and use the "raise your hand" tool or call into the zoom meeting at 1-669-900-6833. To avoid confusion, all hands raised outside of Public comment periods will be lowered.

**Zoom Meeting Link:** [Click here](#)

**Meeting ID:** 864 1431 7949 **Passcode:** 069125

The above-identified measures exceed all legal requirements for participation in public comment, including those imposed by the Ralph M. Brown Act. For more information, please call the Office of the Fire Executive Assistant at (707) 551-0653 or email [here](#).

**AGENDA MATERIALS:** Board agenda materials are published 72 hours prior to the meeting and are available to the public via the City’s website at [www.cityofamericancanyon.org](http://www.cityofamericancanyon.org).

**AMERICANS WITH DISABILITIES ACT:** The Board of Directors will provide materials in appropriate alternative formats to comply with the Americans with Disabilities Act. Please send a written request to Fire Executive Assistant at 911 Donaldson Way E., American Canyon, CA 94503 or by email [here](#). Include your name, address, phone number and brief description of the requested materials, as well as your preferred alternative format or auxiliary aid, at least three calendar days before the meeting.

## **5:30 P.M. CLOSED SESSION**

- 1. Conference with Legal Counsel - Anticipated Litigation.  
Pursuant to Government Code Section 54956.9 (d)(2).  
Three Matters.**

## **PUBLIC ADDRESS-CLOSED SESSION ITEMS**

*The Chairman will call the meeting to order and conduct role call. The Board of Directors will immediately convene into Closed Session after hearing any public comment on items agendized for Closed Session consideration. At 6:30 p.m. the Board of Directors will reconvene into Open Session and then resume Closed Session at the end of the meeting to address outstanding items, if necessary.*

## **6:30 P.M. OPEN SESSION - REGULAR MEETING**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

## **PROCLAMATIONS AND PRESENTATIONS**

None.

## PUBLIC COMMENT

*This time is reserved for members of the public to address the American Canyon Fire Protection District Board on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the American Canyon Fire Protection District Board. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the American Canyon Fire Protection District Board on items on the Agenda should comment via email prior to the start of the meeting. The American Canyon Fire Protection District Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the American Canyon Fire Protection Board does not respond to public comment at this time. Speakers are asked to please speak clearly, and provide their name. Any handouts for distribution to the American Canyon Fire Protection District Board must be emailed by 3:00 p.m. on meeting day.*

## AGENDA CHANGES

*The Chair/Board of Directors may change the order of the Agenda or request discussion of a Consent Item. A member of Public may request discussions of a Consent Item by completing a Speaker's Card and presenting it to the Fire Executive Assistant prior to Public Comment.*

## CONSENT CALENDAR

2. **Report Upon Return from Closed Session of July 23, 2024.**
3. **Minutes of Fire District Meeting of July 23, 2024.**  
**Recommendation:** Approve the Minutes of the Fire District Board Meeting of July 23, 2024.
4. **Adopt Local Goals and Policies for Mello Roos Community Facilities Act of 1982.**  
**Recommendation:** Adopt the Local Goals and Policies concerning the Use of the Mello-Roos Community Facilities Act of 1982.
5. **Policies and Procedures.**  
**Recommendation:** Approve the proposed Policies and Procedures for the American Canyon Fire Protection: Disposition of Valuables, Photography and Electronic Imaging, Drug and Alcohol-Free Workplace, and Nepotism and Conflicting Relationships.

## PUBLIC HEARINGS

None.

## BUSINESS

6. **Modifications to Two Type I Fire Engines, Change Order #1.**  
**Recommendation:** Approve a Resolution for Change Order #1: Authorizing \$10,454.59 in Modifications to Two Type I Fire Engines
7. **Intention To Form Giovannoni Logistics Center.**  
**Recommendation:** Adopt a Resolution of Intention to form American Canyon Fire Protection District Community Facilities District No. 1 (Giovannoni Logistics Park), Napa County, California.

## **FIRE CHIEF ORAL REPORT**

## **CHAIR/BOARD COMMENTS, COMMITTEE REPORTS, AND FUTURE AGENDA ITEMS**

*The Chair and Board of Directors may comment on matters of public concern and announce matters of public interest; no collective Board action will be taken.*

## **ADJOURNMENT**

## **CERTIFICATION**

I, Geoff Belyea, District Fire Chief, do hereby declare that the foregoing Agenda of the American Canyon Fire District Board was posted in compliance with the Brown Act prior to the meeting date.

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Geoff Belyea, Fire District Chief

William D. Ross  
David P. Schwarz  
Kypros G. Hostetter  
Christina M. Belardo

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File No: 199/3

August 19, 2024

**VIA E-MAIL**

The Honorable Leon Garcia, Chair  
and Members of the Board of Directors  
American Canyon Fire Protection District  
911 Donaldson Way E.  
American Canyon, CA 94503

Re: Report Upon Return from Closed Session; Regular Meeting of the American Canyon Fire Protection District Board of Directors; July 23, 2024

Dear Chair Garcia and Members of the Board of Directors:

This communication sets forth reportable action, if any, of the Board of Directors (“Board”) of the American Canyon Fire Protection District (“District”), consistent with provisions of the Ralph M. Brown Opening Meeting Act (Government Code Section 54950, *et seq.*) resulting from the Closed Session of the July 23, 2024 Regular Meeting, consistent with Government Code Section 54957.1.

Chair Garcia and Members of the District Board convened in Opens Session at 5:31 p.m. and determined that there were no public comments on the sole matter agendized for Closed Session and then adjourned to Closed Session at 5:31 p.m. to address the matter agendized for Closed Session consideration.

There was one matter agendized for District Closed Session consideration.

1. Conference with Legal Counsel – Anticipated Litigation  
Pursuant to Government Code Section 54956.9(d)(2)  
One Matter

With respect to the District Closed Session Agenda Item No. 1., although direction was given to District Counsel and Chief Belyea concerning the matter, there was no reportable action under the common law attorney-client privileged and that provided by Government Code Section 54956.9(d)(2).

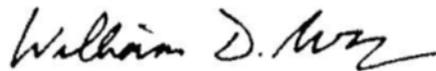
The Closed Session concluded at 6:03 p.m., where it was indicated that a written report upon return consistent with Government Code Section 54957.1, would be prepared.

The Honorable Leon Garcia, Chair  
and Members of the Board of Directors  
American Canyon Fire Protection District  
August 19, 2024  
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This communication should be reviewed under the Consent portion of the Agenda of your next Regular or Special District Board Meeting.

Should you have questions concerning this Report, it may be taken off the Consent calendar when agendaized in the future, or our office may be contacted in the interim.

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross". The signature is fluid and cursive, with a long horizontal stroke at the end.

William D. Ross  
District Counsel

WDR:jf

cc: Geoff Belyea, District Chief  
Martha Banuelos, Fire Executive Assistant/Office Administrator

**American Canyon Fire Protection District**  
**Board Meeting**  
**ACTION MINUTES**  
*July 23, 2024*

**6:30 P.M. OPEN SESSION**

**CALL TO ORDER**

Chair Garcia called the Meeting to Order at 6:34 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Garcia led the Pledge of Allegiance

**ROLL CALL**

**Present:** Board Members Mark Joseph, Pierre Washington, Vice-Chair David Oro, and Chair Leon Garcia

**Excused Absence:** Board Member Mariam Aboudamous

**REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION**

District Counsel, William D. Ross, provided an oral report on Closed Session. The Board convened in Open Session at 5:31 p.m. After ascertaining that there were no public comments on the matters agendized for Closed Session, the Board adjourned to Closed Session at 5:31 p.m. to address matters agendized for Closed Session. A written report will be provided under Government Code Section 54957.1(b). Closed Session concluded at 6:01 p.m.

**PROCLAMATIONS AND PRESENTATIONS**

1. **Honoring Captain Jose Martin on his retirement from the District and 20 years of dedicated service.**

Chair Garcia announced the proclamation. It was received by Captain Jose Martin.

2. **Captain Max Etchieson 15 years of dedicated service.**

Chair Garcia announced the proclamation. It was received by Captain Max Etchieson.

**PUBLIC COMMENT**

Chair Garcia called for public comments. Written comments: none. Oral Comments: Beth Marcus and Justine Hole. The public comment period was closed.

**AGENDA CHANGES**

None

**CONSENT CALENDAR**

**Action:** Motion to approve CONSENT CALENDAR made by Vice-Chair Oro, seconded by Board Member Washington, and CARRIED by roll call vote.

**Ayes:** Board Members Mark Joseph, Pierre Washington, Vice-Chair David Oro, and Chair Leon Garcia

**Nays:** None

**Abstain:** None

**Excused:** Board Member Mariam Aboudamous

4. **Report Upon Return from Closed Session of June 25, 2024.**

**Action:** Approved the Report Upon Return from Closed Session for June 25, 2024.

5. **Minutes of Fire District Board Meeting of June 25, 2024.**

**Action:** Approved the Minutes of the Fire District Board Meeting of June 25, 2024.

6. **Firefighter/Paramedic Trainee Position Revised Job Description.**

**Action:** Adopted Resolution No. 2024-21 approving the revised Job Description Policy Number 200.09 for the Firefighter/Paramedic Trainee position.

7. **Memorandum of Agreement.**

**Action:** Adopted Resolution No. 2024-22 Approving the Successor Memorandum of Agreement Between the American Canyon Fire Protection District and American Canyon Firefighters IAFF Local 1186, Including Changes to Wages and Benefits.

**PUBLIC HEARINGS**

None

**BUSINESS**

None

**FIRE CHIEF ORAL REPORT**

Chief Belyea provided the following report:

- **County Board of Supervisors Meeting:** In the morning, Chief Belyea attended the County Board of Supervisors Meeting. The Board unanimously approved the Annual CPI adjustment for the Capital Facilities Fees, adopting the fees on behalf of the Fire District for the unincorporated areas under its protection.
- **Regional Grant Awarded:** Yesterday, the District received news that a regional grant had been approved. The City of Napa served as the host agency, but all Napa County Fire Chiefs collaborated on the grant submission to FEMA through the Assistance to Firefighters Program. The grant, totaling \$130,000, will be used to standardize structure firefighting training across all agencies, streamlining and enhancing fire ground operating procedures throughout the County.
- **New Fire Engines:** Approximately two years ago, the Board approved the purchase of two new fire engines. We have now been notified that the pre-construction date is scheduled for next month, marking the final step before the engines enter production. We remain within the 28-month delivery window.
- **4th of July Update:** Chief Belyea reported that the 4th of July celebrations went smoothly, with no fires occurring within the District this year.

- **Fire Season:** This year's fire season has been more active than the last two years, with several large fires burning across the state, particularly in Northern California. So far, the District has sent one of our engines as part of a strike team to assist with the Arrow Fire in Calaveras County. During the week of the 4th of July, another of our engines was deployed on a task force pre-positioned by the Governor's Office of Emergency Services due to elevated fire concerns. The task force was utilized to assist CalFire with the Toll Fire, located just outside the City of Calistoga.
- **New Comfort Program:** Chief Belyea introduced a new program featuring a smaller version of Marshal, a comfort dog that will be on the engines and Battalion Chief vehicles. The dog is intended to provide comfort to young children who may experience high stress and trauma during emergencies. Sometimes, offering something as simple as a small stuffed dog can make a significant difference in helping children cope during difficult situations

#### **CHAIR/BOARD COMMENTS, COMMITTEE REPORTS, AND FUTURE AGENDA ITEMS**

None

#### **ADJOURNMENT**

Meeting was adjourned at 6:52 p.m.

#### **CERTIFICATION**

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Geoff Belyea,  
District Fire Chief/District Clerk



## **TITLE**

Adopt Local Goals and Policies for Mello Roos Community Facilities Act of 1982.

## **RECOMMENDATION**

Adopt the Local Goals and Policies concerning the Use of the Mello-Roos Community Facilities Act of 1982.

## **CONTACT**

Geoff Belyea, Fire Chief

## **BACKGROUND & ANALYSIS**

California Government Code Section 53312.7 mandates that a local agency may initiate proceedings to establish a Community Facilities District (CFD) under the Mello-Roos Community Facilities Act only if it has first considered and adopted local goals and policies concerning the use of the Act. This ensures that the formation of CFDs is conducted transparently, equitably, and in a manner that protects the public interest.

The purpose of the Statement of Goals and Policies is to provide clear guidelines for the establishment of CFDs within the District. These policies are designed to protect the public interest, ensure fairness in the application of special taxes, ensure full disclosure of special tax liens, maintain the creditworthiness of any CFD special tax bonds, protect the District's credit rating, and ensure that applicants for CFD formation cover all associated costs.

The scope of these policies is limited to the formation of CFDs for financing or assisting in the financing of public infrastructure and/or the provision of authorized public services.

## **GOALS AND POLICIES**

### **General Policy**

The District will consider applications for the establishment of CFDs initiated by property owners, developers of vacant property proposed to be developed for the establishment of the CFD to finance public improvements or provide authorized services that benefit existing or new development.

Each application for the establishment of a CFD must comply with the goals and policies unless an exception or waiver is granted by the Board of Directors.

The Board of Directors will authorize the initiation of CFD proceedings if the proposed public improvements or services provide a public benefit to the community at large, as well as the properties within the CFD.

Facilities eligible to be financed by a Community Facilities District must, upon the completion of the construction or acquisition thereof financed through such a Community Facilities District, be owned by the District, another public agency or a public utility and must have a useful life of five (5) years or more.

The District will establish all terms for special tax bonds, ensuring protection for bond owners and maintaining market access. Bonds will have a Reserve Fund equal to 10% of proceeds, and interest may be capitalized for up to 18 months based on various project factors.

For multiple bond series, the District decides the improvements financed by each series. Payments will solely come from special taxes, capitalized interest, and Reserve Fund money, not the District's general funds.

Developers must disclose special tax liens to buyers and cover all formation costs through deposits. Unused funds are refundable, and reimbursement to developers is possible from bond proceeds after successful bond issuance.

## **FISCAL IMPACT**

Adopting these policies will not have a direct fiscal impact. However, ensuring compliance with these policies will protect the District's financial position and credit rating.

## **BOARD PRIORITY PROGRAMS AND PROJECTS**

Public Safety: "Ensure American Canyon remains a safe community"

## **ENVIRONMENTAL REVIEW**

None.

## **ATTACHMENTS:**

[1. Resolution Adopting Local Goals And Policies For CFDs](#)

**RESOLUTION 2024-23**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AMERICAN CANYON FIRE PROTECTION DISTRICT ADOPTING THE LOCAL GOALS AND POLICIES CONCERNING THE USE OF THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982**

**WHEREAS**, the Mello-Roos Community Facilities Act of 1982 (California Government Code Section 53311, *et seq.* (the "Act")) establishes mechanisms to finance authorized public facilities and/or public services that benefit or serve existing, new, or planned development for the American Canyon Fire Protection District (the "District"); and

**WHEREAS**, California Government Code Section 53312.7 provides that a local agency may initiate proceedings to establish a district pursuant to the Act only if it has first considered and adopted local goals and policies concerning the use of the Act; and

**WHEREAS**, District staff has caused to be prepared and presented to the Board of Directors a statement of local goals and policies relating to the formation and implementation of community facilities districts within the District as required by the Act, attached hereto as **Attachment 1**;

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF AMERICAN CANYON FIRE PROTECTION DISTRICT AS FOLLOWS:**

**Section 1. Finding 1.** All of the preceding recitals are true and correct.

**Section 2. Adoption of Local Goals and Policies.** Pursuant to the provisions of California Government Code Section 53312.7, the District hereby adopts those local goals and policies set forth in **Attachment 1**, by this reference included as though fully set forth herein. The local goals and policies adopted hereby supersede any prior local goals and policies of the District which have previously been adopted.

**Section 3. Effective Date.** This Resolution shall be effective immediately. The District Clerk shall certify to the adoption to this Resolution.

**APPROVED, SIGNED AND ADOPTED** at a Regular Meeting of the Board of Directors of the American Canyon Fire Protection District held on this 27th day of August, 2024, by the following vote:

**AYES:**

**NOES:**

**EXCUSED ABSENCE:**

**ABSTAIN:**

\_\_\_\_\_  
**Leon Garcia**  
**Chairman, Board of Directors**

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
**Geoff Belyea**  
**District Chief/District Clerk**

\_\_\_\_\_  
**William D. Ross**  
**District Counsel**  
**American Canyon Fire Protection**  
**District**

**ATTACHMENT 1**  
**LOCAL GOALS AND POLICIES [SEE**  
**ATTACHED]**

1.0. **PURPOSE AND SCOPE:**

- 1.1. The Board of Directors of American Canyon Fire Protection District (the "Board of Directors") hereby establishes and states its goals and policies concerning the use of the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 of Part I of Division 2 of Title 5 of the Government Code of the State of California) (the "Act"), as amended, in providing adequate public infrastructure improvements and public services for American Canyon Fire Protection District (the "District"). The following goals and policies shall apply to all Community Facilities Districts hereafter formed or proposed to be formed by the District. Any policy or goal stated herein may be supplemented, amended or waived by resolution or motion adopted by the Board of Directors.
- 1.2. The purpose of this Statement of Goals and Policies is to provide the District Staff, the residents of the District and the owners and developers of property located within the District with guidance in the application for and consideration of the establishment of Community Facilities Districts within the District for the purpose of financing or assisting in financing the acquisition or construction of public infrastructure or the provision of authorized public services to benefit and serve either existing or new development or a combination thereof. The underlying principles behind this Policy are the protection of the public interest, assuring fairness in the application of special taxes to current and future property owners, assuring full disclosure of the existence of any special tax liens, insuring the creditworthiness of any Community Facilities District special tax bonds, protecting the District's credit rating and financial position and assuring that applicants for all Community Facilities District proceedings, other than District-initiated proceedings, pay all costs associated with the formation of any Community Facilities District.
- 1.3. The scope of this Policy is limited to the proposed formation of Community Facilities Districts for the limited purpose of financing or assisting in financing the acquisition or construction of public infrastructure and/or the provision of authorized public services.

2.0. **INTRODUCTORY STATEMENT:**

- 2.1. The District will consider applications initiated by owners or developers of vacant property proposed to be developed, owners of property within existing developed areas or registered voters residing in existing developed areas or the District itself, for the establishment of Community Facilities Districts to finance authorized public improvements or to provide authorized public services, which benefit or serve existing or new development or a combination thereof. A Community Facilities District proposed to be established to finance public improvements or authorized services to serve new development may be referred to as a "Development-Related CFD."
- 2.2. Each application for the establishment of a Community Facilities District must comply with the applicable goals and policies contained herein unless the Board of Directors expressly grants an exception to or waiver of such policy or policies as they apply to a specific application.

3.0. **FINDING OF PUBLIC INTEREST OR BENEFIT:**

3.1. The Board of Directors may authorize the initiation of proceedings to form a Community Facilities District to finance authorized public improvements or to provide authorized public services if the Board of Directors determines that the public improvements to be financed or public services to be provided or, in the case of a Development-Related CFD, the attributes of the new development will provide, in the opinion of the Board of Directors, a public benefit to the community- at-large, as well as the benefit to be derived by the properties within the Community Facilities District.

3.1.1. Examples of public benefit to the community-at-large may include, but are not limited to, the following:

3.1.1.1. Construction of a major public facility which meets a community need including, finance the purchase, construction, expansion, improvement or rehabilitation of any real or other tangible property with an estimated useful life of five years or longer or finance planning and design work that is directly related to the purchase, construction, expansion or rehabilitation of any real or tangible property.

3.1.1.2. Provision of District infrastructure sooner than would otherwise be required for a particular development project.

3.1.1.3. Construction of District infrastructure to serve commercial or industrial projects, where the District's facilities are necessary to meet increased demands placed upon the District in the area currently served by District.

3.1.1.4. Provision of new development that meets specific land use goals and objectives of the District.

3.1.1.5. Provision of maintenance or other authorized public services.

3.1.1.6. Financing the costs of improving, replacing, constructing, and/or acquiring facilities as a priority necessary to promote or maintain quality of life and public safety within existing or developing areas of the District.

3.1.1.7. Provision of new fire, rescue, and/or Emergency Medical Services, to include personnel costs, as well as new apparatus and equipment associated with provision of said new services.

4.0. **AUTHORIZED PUBLIC FACILITIES:**

4.1. Facilities eligible to be financed by a Community Facilities District must, upon the completion of the construction or acquisition thereof financed through such a Community Facilities District, be owned by the District, another public agency or a public utility and must have a useful life of five (5) years or more. The list of eligible facilities includes, but is not limited to, the types of facilities specified in Government Code Section 53313, as it currently exists, or may hereafter be amended.

4.2. The funding of facilities to be owned, operated or maintained by public agencies other than the District shall be considered on a case-by-case basis. If such facilities are consistent with the approved land use plans for the proposed Community Facilities District, the District may consider entering into a Joint Community Facilities Agreement in order to permit the financing of such facilities through such Community Facilities District. The

Board of Directors shall have the final determination as to the eligibility of any facility for financing.

5.0. **PRIORITIZATION OF FACILITIES:**

5.1. It is the Policy of the District to give first priority to the provision of public facilities benefiting the District in any Community Facilities District established by the District.

5.2. It is secondarily the Policy of the District, in any Community Facilities District established by the District, to assist in the financing of other public facilities to be owned, operated or maintained by other public agencies or public utilities.

5.3. The Board of Directors shall have the final determination as to the prioritization of financing of any facilities.

6.0. **AUTHORIZED PUBLIC SERVICES:**

6.1. Except as provided in the following paragraph, public services proposed to be financed through a Community Facilities District may include such services as may be authorized by the Act. The Board of Directors shall have the final determination as to the prioritization of financing of such services.

6.2. A Community Facilities District formed by the District may not finance public services provided by any other public agency.

7.0. **SPECIAL TAX REQUIREMENTS:**

7.1. **REASONABLE BASIS OF APPORTIONMENT:**

7.1.1. Special taxes must be allocated and apportioned on a reasonable basis to all categories and classes of property (other than exempt property) within the Community Facilities District. Exemptions from the special tax may be given to parcels which are publicly owned, are held by property owners' associations, are used for a public purpose such as permanent open space or wetlands or are affected by public utility easements that make it impractical their utilization for other than the purposes set forth in the easement.

7.2. **MAXIMUM SPECIAL TAXES AND AGGREGATE TAX AND ASSESSMENT BURDEN:**

7.2.1. It is the Policy of the District that the Maximum Annual Special Tax applicable to any parcel used for residential purposes within a Community Facilities District formed by the District shall not exceed one percent (1%) of the Base Sale Price, i.e., excluding upgrades and lot premiums, of residential properties to be subject to the levy of the special tax (the "Developed Residential Properties"), determined as of the date of formation of the Community Facilities District. In the case of a Development-Related CFD, the Base Sales Price of such Residential Properties shall be based upon a price

point analysis undertaken by a market absorption consultant retained by the applicant for a proposed Community Facilities District and which conclusions have been verified by a market absorption consultant retained by the District. As a distinct and separate requirement, the total of the following property taxes, assessments and special taxes described below, shall not exceed two (2%) of such Base Sales Price of Developed-Residential Properties:

- 7.2.1.1. Ad valorem property taxes.
- 7.2.1.2. Voter-approved ad valorem property taxes in excess of one percent (1%) of the assessed value of the subject properties.
- 7.2.1.3. The maximum annual special taxes levied by the Community Facilities District under consideration and any other Community Facilities District or other public agency.
- 7.2.1.4. The annual assessment installments, including any administrative surcharge, for any existing assessment district where such assessment installments are utilized to pay debt service on bonds issued for such assessment district.
- 7.2.1.5. Annual assessments levied within an assessment district to pay for maintenance or services.

7.2.2. The foregoing requirement shall apply not only to property taxes, assessments and special taxes which are being levied at the time of formation of the Community Facilities District, but such additional property taxes, assessments and special taxes, which have been authorized but not yet levied, as estimated by the District.

7.3. RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES:

7.3.1. The rate and method of apportionment of the special tax for any Community Facilities District shall adhere to the following requirements:

7.3.1.1. The rate and method of apportionment for special taxes for a Community Facilities District must be structured so as to produce special tax revenues sufficient to:

7.3.1.1.1. Pay scheduled debt service on all bonds issued for the Community Facilities District (the "Bonds"); pay annual services or maintenance expense if applicable; pay amounts equal to existing or projected delinquencies in special tax payments; fund any amounts required to establish or replenish any reserve fund established for such Bonds; and pay reasonable and necessary annual administrative expenses of the Community Facilities District.

7.3.1.1.2. Additionally, the rate and method of apportionment may be structured so as to produce amounts sufficient to fund (a) amounts to pay directly the costs of public facilities authorized to be financed by the Community Facilities District, (b) the accumulation of funds reasonably required for future debt service on Bonds, (c) remarketing, credit enhancement or liquidity fees, and (d) any other costs or payments permitted by law. The special tax revenues necessary to fund all required expenses or deposits

for a Community Facilities District may be referred to as the "Special Tax Requirement."

- 7.3.1.2. In any case, the rate and method of apportionment must be structured such that the projected maximum special tax that could be levied in any fiscal year would produce special tax revenues at least equal to (a) 110% of projected annual debt service on all Bonds for the calendar year commencing in such fiscal year, plus (b) projected administrative expenses of the Community Facilities District for the calendar year commencing in such fiscal year.
- 7.3.1.3. A backup special tax shall be required for any Development-Related CFD to protect against changes in density resulting in the generation of insufficient special tax revenues to pay annual debt service and administrative expenses. The Board of Directors may additionally or alternatively require that as a condition of approval of the downsizing of the development in a Development-Related CFD at the request of the applicant or the applicant's successor-in-interest, as applicable, must prepay such portion of the special tax obligation as may be necessary in the determination of the District to ensure that adequate debt service coverage exists with respect to any outstanding bonds or otherwise provides security in a form and amount deemed necessary by the Board of Directors to provide for the payment of debt service on the bonds.
- 7.3.1.4. An option to permit the prepayment, in whole or in part, of the special tax obligation for an individual parcel shall be included in any rate and method of apportionment of special taxes to pay for public facilities. Such prepayment shall be permitted only if (a) the payment of all special taxes for such a parcel is current and (b) following such prepayment, the projected maximum special taxes that could be levied in any fiscal year on all remaining taxable property within the Community Facilities District will produce the special tax revenues required in paragraph B above. No prepayment shall be permitted of a special tax levied to finance authorized services or maintenance.
- 7.3.1.5. The maximum special tax to pay for public facilities shall be levied against any parcel used for private residential purposes in the first fiscal year following the fiscal year in which the building permit for the construction of a residential dwelling unit on such parcel is issued and such maximum special tax may not escalate.
- 7.3.1.6. The rate and method of apportionment of a special tax to pay for public facilities shall specify a fiscal year beyond which the special tax may not be levied on any parcel used for private residential purposes. In most cases, that final date will be ten (10) years after the stated maturity of any bond issues. Such a special tax will cease to be levied when all bonds and the District's administrative costs have been paid. A special tax to pay for public services or maintenance shall have no termination date unless established by the Board of Directors.

8.0. **CREDIT QUALITY REQUIREMENTS FOR SPECIAL TAX BONDS:**

8.1. **TERMS AND CONDITIONS OF SPECIAL TAX BONDS:**

8.1.1. All terms and conditions of any special tax bonds issued by the District for any Community Facilities District, including, without limitation, the sizing, timing, term, interest rates, discount, redemption features, flow of funds, investment provisions and foreclosure covenants, shall be established by the District. Each special tax bond issue shall be structured to adequately protect bond owners and to avoid negatively impacting the District's access to the municipal bond market. Unless otherwise approved by the Board of Directors, the following shall serve as minimum bond requirements:

8.1.1.1. A Reserve Fund shall be established for each bond issue to be funded out of the bond proceeds in an amount equal to 10% of the original proceeds of the bonds or such lesser amount as may be required by federal tax law.

8.1.1.2. Interest shall be capitalized for a bond issue only so long as necessary to place the special tax installments on the assessment roll; provided, however, interest may be capitalized for a term to be established in the sole discretion of the Board of Directors on a case-by-case basis, not to exceed an aggregate of eighteen (18) months, taking into consideration the value-to-debt ratio, the expected timing of initial occupancies, expected absorption and buildout of the project, the expected construction and completion schedule for the public improvements to be funded from the proceeds of the bond issue in question, the size of the bond issue, the development pro forma and the equity position of the applicant and such other factors as the Board of Directors may deem relevant. Irrespective of the term or amount of capitalized interest included in any bonds issued for a Community Facilities District, the maximum special tax shall be levied against any parcel used for private residential purposes in the first fiscal year following the fiscal year in which the building permit for the construction of such residential dwelling unit is issued.

8.1.1.3. In instances where multiple series of bonds are to be issued, the District shall determine what improvements shall be financed from the proceeds of each series of bonds.

8.1.1.4. The District shall not be required or expected to make any payment of the bonds out of its general funds or other available funds. The sole source of revenue for the payment of the bonds shall be the special taxes, capitalized interest, if any, and moneys on deposit in the Reserve Fund established for such bonds.

8.2. **CREDIT ENHANCEMENT:**

8.2.1. Where a substantial amount of a property within a Community Facilities District is undeveloped at the time of issuance of Bonds for such Community Facilities District, the District may, in its discretion, require credit enhancement to increase the security of the Bonds, particularly where the value-to-debt ratio of a significant portion of the property in such Community Facilities District is less than 4:1, or in such

other situations where the District determines such an increase in credit quality to be necessary, appropriate or prudent.

- 8.2.2. Such credit enhancement will usually be in the form of an irrevocable standby letter of credit, will be required to be in an amount not less than 200% of the share of debt service allocable to the applicable developer owned parcels for which such credit enhancement is required and will be required to remain in effect until the share of debt service allocable to such developer owned parcels is less than 20% of the annual debt service on all outstanding bonds issued for such Community Facilities District.
- 8.2.3. The credit enhancement will generally be required to be issued or guaranteed by an entity, the long-term unsecured obligations of which are rated at least "A" by Moody's Investor Services or Standard & Poor's Ratings Services.

9.0. **REQUIRED VALUE-TO-DEBT RATIO:**

- 9.1. It is the Policy of the District that the value-to-debt ratio, i.e., the full market value of the properties subject to the levy of special taxes, including the value of the improvements to be financed from the proceeds of the issue or series of special tax bonds for which the value-to-debt ratio is being computed, compared to the aggregate amount of the special tax lien proposed to be created plus any prior fixed assessment liens and/or special tax liens, for a Community Facilities District must be at least 4:1. A Community Facilities District with a Value-To-Debt Ratio of less than 4:1 but equal to or greater than 3:1 may be approved, in the sole discretion of the Board of Directors, upon a determination by the District Fire Chief, after consultation with, the bond counsel, the underwriter and the financial advisor, that a Value-To-Debt Ratio of less than 4:1 is financially prudent under the circumstances of the particular Community Facilities District. In addition, the Board of Directors may, in its sole discretion, accept a form or forms of credit enhancement such as a letter of credit, bond insurance or the escrow of bond proceeds to offset a deficiency in the required Value-To-Debt Ratio as it applies to the taxable property within the Community Facilities District in the aggregate or with respect to any development area.
- 9.2. The Value-To-Debt Ratio shall be determined based upon the full market value of the properties subject to the levy of the special tax as shown on the ad valorem assessment roll or upon an appraisal of the properties proposed to be assessed. The District Fire Chief may require that the Value-To-Debt Ratio be determined by an appraisal if, in his judgment, the assessed values of the properties proposed to be assessed do not reflect the current full cash value of such properties. The appraisal shall be coordinated by, done under the direction of, and addressed to the District. The appraisal shall be undertaken by a state certified real estate appraiser, as defined in Business and Professions Code Section 11340. The appraiser shall be selected and retained by the District. The costs associated with the preparation of the appraisal report shall be paid by the applicant for the Community Facilities District but shall be subject to possible reimbursement as provided for herein. The appraisal shall be conducted in accordance with assumptions and criteria established by the District, based upon the definitions, standards and assumptions contained in the following section.

9.3. APPRAISALS:

- 9.3.1. The definitions, standards and assumptions to be used in appraisals required in connection with the District's use of the Act for Community Facilities Districts are as set forth in the Appraisal Standards for Land Secured Financings published by the California Debt Advisory Commission and originally dated May 1994 and modified July 2004 (the "CDIAC Guidelines").
- 9.3.2. Notwithstanding the foregoing, if there is a conflict between the definitions, standards or assumptions in the CDIAC Guidelines and the corresponding definitions, standards or assumptions in the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation ("USPAP"), USPAP shall govern.

9.4. ABSORPTION STUDY:

- 9.4.1. An independent absorption study of any proposed residential development project within a proposed Development-Related CFD, and in such other cases as may be appropriate, shall be required for the formation of such Community Facilities District. The independent absorption study shall be used:
  - 9.4.1.1. As a basis to verify proposed base pricing of the finished products (lots or completed buildings or dwelling units) subject to the levy of the special tax;
  - 9.4.1.2. To determine the projected market absorption of such finished products; and
  - 9.4.1.3. As a basis for verification that sufficient special tax revenues can be generated to fund the Special Tax Requirement for the Community Facilities District.
- 9.4.2. The District may require an independent Absorption Study of any proposed industrial or commercial development within a proposed Community Facilities District. Additionally, the projected absorption rates will be provided to the appraiser for use in the appraisal.

9.5. DISCLOSURE TO PROPERTY PURCHASERS IN DEVELOPMENT-RELATED CFD'S:

- 9.5.1. The developer of property within a Development-Related CFD who is selling lots, parcels or developed properties therein, shall provide disclosure notice to prospective purchasers that comply with all of the requirements of the Act, including but not limited to Government Code Section 53341.5.
- 9.5.2. The applicant must keep an executed copy of each disclosure document and agree to provide a copy of all applicable executed disclosure documents to the District upon request.

9.6. PREFORMATION COST DEPOSITS AND REIMBURSEMENTS:

- 9.6.1. Except for those applications for Community Facilities Districts where the District is the applicant, all District and consultant costs incurred in the proceedings to form a Community Facilities District and issue special tax bonds therefor will be paid by the applicant by advance deposit with the District of moneys sufficient to pay all such costs. Each application for the formation of a Community Facilities District shall be accompanied by an initial deposit in an amount to be determined by the District Fire

Chief to be adequate to fund the evaluation of the application and undertake the proceedings to form the Community Facilities District and issue the special tax bonds therefor. The Fire Chief, in his or her sole discretion, permit an applicant to make periodic deposits to cover such expenses rather than a single lump sum deposit; provided, however, no preformation costs shall be incurred by the District in excess of the amount then on deposit for such purposes. If additional funds are required to pay required preformation costs, the Fire Chief may make written demand upon the applicant for such additional funds and the applicant shall deposit such additional funds with the District within seven (7) working days of the date of receipt of such demand. Upon the depletion of the funds deposited by applicant for preformation costs, all proceedings shall be suspended until receipt by the District of such additional funds as the Fire Chief may demand.

- 9.6.2. The deposits shall be used by the District to pay for costs and expenses incurred by the District incident to the evaluation of the application and the proceedings for the formation of the Community Facilities District and the issuance of the special tax bonds therefor, including, but not limited to, legal, special tax consultant, engineering, appraisal, market absorption, financial advisor, District administrative and staff costs and expenses, required notifications, printing and publication costs.
- 9.6.3. The District shall refund any unexpended and unencumbered portion of the deposits upon the occurrence of one of the following events:
  - 9.6.3.1. The formation of the Community Facilities District and the issuance of the special tax bonds for such Community Facilities District;
  - 9.6.3.2. The formation of the Community Facilities District or the issuance of the special tax bonds is disapproved by the Board of Directors;
  - 9.6.3.3. The proceedings for the formation of the Community Facilities District and the issuance of the special tax bonds are abandoned at the written request of the applicant; or
  - 9.6.3.4. It is determined for some other reason that the special tax bonds may not be issued and sold.
- 9.6.4. Except as otherwise provided herein, the applicant shall be entitled to reimbursement of all amounts deposited with the District to pay for costs incident to the proceedings for the formation of the Community Facilities District and the issuance of the special tax bonds therefor upon the formation of the Community Facilities District and the successful issuance and sale of the special tax bonds for the Community Facilities District. Any such reimbursement shall be payable solely from the proceeds of the special tax bonds.
- 9.6.5. The District shall not accrue or pay interest on any moneys deposited with the District.

10.0. **SELECTION OF CONSULTANTS:**

10.1. The District shall select and retain all consultants necessary for the evaluation of any application and the proceedings for the formation of a Community Facilities District and the issuance of the special tax bonds therefor, including, but not limited to, special tax consultant, bond counsel, disclosure counsel, financial advisor, underwriter, appraiser and market absorption analyst after consultation with the applicant.

11.0. **LAND USE APPROVALS:**

11.1. Properties proposed to be included in a Development-Related CFD must have received such discretionary land use approvals as may, in the determination of the District, be necessary to enable the District to adequately evaluate the Community Facilities District including the properties to be included and the improvements proposed to be financed. The District will issue bonds secured by the levy of special taxes within a Development-Related CFD only when (i) the properties included within such Community Facilities District have received those applicable discretionary land use approvals which would permit the development of such properties consistent with the assumptions utilized in the development of the rate and method of apportionment of the special taxes for such Community Facilities District and (ii) applicable environmental review has been completed.

11.2. The final rate and method of apportionment of the special taxes approved at the time of the adoption of the resolution of formation of a Community Facilities District will be based upon the final map of the property within the Community Facilities District.

11.3. Bond proceeds will only be released to the extent that such bonds are secured by the levy of special taxes on properties that require no further discretionary land use approvals or regulatory permits the denial of which could prohibit or delay the development of such property, including but not limited to, rough or finish grading, construction of both in tract and offsite public improvements, construction of all private improvements and/or the issuance of building permits for such property.

11.4. It is the Policy of the Board of Directors in granting approval for development such as zoning, specific plan or subdivision approval to grant such approval as a part of the District's ongoing planning and land use approval process. In granting such approval, the District reserves such rights as may be permitted by law to modify such approvals in the future as the Board of Directors determines the public health, safety, welfare and interest may require. Such approval when granted is subject to a condition that the construction of any part of the development does not, standing alone, grant any rights to complete the development of the remainder of such development.

- 11.5. Construction of public improvements to serve undeveloped land financed through a Community Facilities District shall not vest any rights to the then existing land use approvals for the property assessed for such improvements or to any particular level, type or intensity of development or use. Applicants for a Development- Related CFD must include an express acknowledgment of this Policy and shall expressly waive on their behalf and on behalf of their successors and assigns any cause of action at law or in equity including, but not limited to, taking or damaging of property, for reassessment of property or denial of any right protected by USC Section 1983 which might be applicable to the properties to be assessed.



## **TITLE**

Policies and Procedures.

## **RECOMMENDATION**

Approve the proposed Policies and Procedures for the American Canyon Fire Protection: Disposition of Valuables, Photography and Electronic Imaging, Drug and Alcohol-Free Workplace, and Nepotism and Conflicting Relationships.

## **CONTACT**

Geoff Belyea, Fire Chief

## **BACKGROUND & ANALYSIS**

The American Canyon Fire Protection District (District) is committed to the continual improvement of having updated policies and procedures in place to ensure the safety and efficiency of our operations. Recognizing the prolonged period since the last update to our existing policies and procedures, the District has undertaken a strategic partnership with Lexipol, a renowned public safety solutions company specializing in policy management for agencies like ours.

The proposed policies have undergone thorough examination by our labor and legal teams, encompassing a diverse range of policies, including: Disposition of Valuables, Photography and Electronic Imaging, Drug and Alcohol-Free Workplace, and Nepotism and Conflicting Relationships.

Upon the approval from the Board of Directors, they will be integrated into the Lexipol database, providing a standardized framework for our operations.

The joint efforts between our workforce and the District emphasize our commitment to maintaining the highest standards. This proactive approach not only guarantees compliance of state and federal laws and legal decisions but also significantly mitigates the risk of legal entanglements.

## **FISCAL IMPACT**

There is no fiscal impact.

## **BOARD PRIORITY PROGRAMS AND PROJECTS**

### **ENVIRONMENTAL REVIEW**

No environmental review is required, as the proposed action is not a “project” pursuant to the California Environmental Quality Act and has no potential for causing an impact on the environment.

### **ATTACHMENTS:**

1. [Resolution 2024-24 Policies and Procedures](#)
2. [324 Disposition of Valuables](#)
3. [709 3. Photography And Electronic Imaging](#)
4. [1029 Drug and Alcohol Free Workplace](#)
5. [1046 Nepotism and Conflicting Relationships](#)

**RESOLUTION 2024-25**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AMERICAN CANYON FIRE PROTECTION DISTRICT APPROVING THE PROPOSED POLICIES AND PROCEDURES: DISPOSITION OF VALUABLES, PHOTOGRAPHY AND ELECTRONIC IMAGING, DRUG AND ALCOHOL-FREE WORKPLACE, AND NEPOTISM.**

**WHEREAS**, the American Canyon Fire Protection District (District) is dedicated to the continual enhancement of operational safety and efficiency through the implementation of updated policies and procedures; and

**WHEREAS**, the proposed policies, including Disposition of Valuables, Photography and Electronic Imaging, Drug and Alcohol-Free Workplace, and Nepotism and Conflicting Relationships have undergone comprehensive examination by the labor and legal teams; and

**WHEREAS**, the integration of these policies into the Lexipol database is contingent upon the approval of the Board of Directors, establishing a standardized framework for the District's operations; and

**WHEREAS**, the collaborative efforts between the workforce and the District underscore the commitment to maintaining the highest standards, ensuring compliance with state and federal laws and legal decisions, while significantly mitigating the risk of legal entanglements.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the American Canyon Protection District, approves the proposed Policies and Procedures for the American Canyon Fire Protection District.

**PASSED, APPROVED AND ADOPTED** this 27<sup>th</sup> day of August, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

EXCUSED ABSENCE:

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**Leon Garcia**  
**Chairman, Board of Directors**

ATTEST:

APPROVED AS TO FORM:

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**Geoff Belyea**  
**Fire Chief/District Clerk**

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**William D. Ross**  
**District Counsel**  
**American Canyon Fire Protection District**

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## Disposition of Valuables

### 324.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which all valuables found at emergency incidents are inventoried and held securely by the District until the items can be returned to the owner or otherwise legally released for disposition.

### 324.2 POLICY

The American Canyon Fire Protection District will take reasonable measures to safeguard valuables found at incident scenes. The District does not have appropriate facilities for storing valuables for safekeeping. Therefore, alternatives to removing valuables from the scene of emergencies will be taken whenever practicable.

### 324.3 PROCEDURE

Any member encountering unsecured valuables, such as cash or jewelry, should immediately report it to the incident commander, or the member's commanding officer.

If the valuables cannot be secured and they belong to a medical patient who is transported to a hospital, the member may deliver the valuables to the hospital, obtain a receipt from the receiving nurse (if possible) and retain a copy of the receipt with the official report of the incident. In the event the member is unable to obtain a receipt from the receiving nurse, the member shall document the name and rank of the person the valuables were delivered to.

If the property or valuables cannot be secured at the location or with a responsible person at the scene, the member should request any on-site law enforcement officer to take the valuables for safekeeping. The member should document the disposition of such valuables, including the identity of any receiving individual, and obtain a receipt from the officer and include it in the report of the call.

A member should take valuables into custody only in unusual cases and with the approval of a supervisor. The valuables should be inventoried and the inventory should list any obvious damage. A supervisor should witness the inventory. If possible the member should photograph the valuables and include the photographs in the report of the call.

Members should document in the incident report, the disposition of any reasonably identifiable valuables.

## Photography And Electronic Imaging

### 709.1 PURPOSE AND SCOPE

The purpose of this policy is to authorize district members to utilize photography and electronic imaging to document incidents while also protecting the privacy of citizens and ensuring district compliance with the mandates of the Health Insurance Portability and Accountability Act (HIPAA).

This policy establishes legal ownership of all photographs and electronic images collected by district members, establishes the parameters for the types of incidents, subjects and activities that may be photographed or electronically imaged, and establishes restrictions on the use of such photographs and electronic images.

### 709.2 POLICY

It is the policy of the American Canyon Fire Protection District to authorize members to utilize photography and electronic imaging to document incidents and district activities that are subject to compliance with specific regulations, conditions, restrictions and guidelines.

The use of photography or electronic imaging of medical patients, injured victims or other people who are medically evaluated or treated by district members must also comply with the requirements of HIPAA.

The American Canyon Fire Protection District shall respect the privacy rights established in the state and federal constitutions.

### 709.3 OWNERSHIP AND COMMERCIAL USE OF PHOTOGRAPHS AND ELECTRONIC IMAGES

All photographs and electronic images taken by district members while on-duty or acting in an official capacity are the sole property of the District and may not be sold, transferred for commercial use, bartered or otherwise distributed for profit by any member of the District without the express prior approval of the Fire Chief (17 USC § 201).

### 709.4 DISTRICT PROVISIONS

The American Canyon Fire Protection District will provide the following provisions

- (a) District provided devices such as cameras, video recorders, helmet cameras, audio recorders, cell phones or any device with audio and video recorder applications are only to be used for District business and captured images, files, videos or recordings are only to be used for District business. Personal use of said devices is not allowed without permission of the fire chief or designee
- (b) The District provides one helmet mounted digital video camera per staffed engine company which will be assigned at the discretion of the captain(s). The purpose of a helmet camera is to record significant emergency incidents (fires, significant vehicle accidents, rescues, etc.) from the perspective of a firefighter.

# American Canyon Fire Protection District

## Policy Manual

### *Photography And Electronic Imaging*

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- (c) Additionally the District provides a dash mounted digital video camera which will be assigned at the discretion of the captain(s) for recording footage (same as above) from the perspective of a responding fire apparatus windshield.
- (d) Any on-scene images and or any other images taken by a member of the District in the course or scope of their employment are the sole property of the District and under the control of the fire chief and/or his/her designees. This includes any images taken with a members personally owned camera, cell phone camera, or any other digital imaging device.
- (e) All photo/video footage captured shall be removed from the camera and downloaded as soon as possible onto a USB storage device. The USB storage device shall then be secured until turned in to the Operations/Training Chief. After downloading, the department computer used for downloading and the digital camera/card memory shall both be erased.
- (f) The helmet camera and dash mounted camera will be accounted for and documented in Vector Check It by the apparatus operator at the beginning of each shift. The Captain will assign the helmet camera to appropriate personnel and will record the assignment in Vector Check IT.

## **709.5 AUTHORIZED USE OF PHOTOGRAPHY AND ELECTRONIC IMAGING**

### 709.5.1 NON-INCIDENT EVENTS

Photography and electronic imaging may be utilized by district members for non-incident events, including:

- (a) Documentation of district training events, exercises, lectures, classes or activities, and all fire academy-related activities.
- (b) Documentation of internal district events and activities, such as promotional ceremonies, member recognition or award presentations, meetings, seminars, workshops and other activities involving district members.
- (c) Documentation of public events, such as safety seminars, fire station open house events, Fire Prevention education events and activities, school safety presentations and club or service organization events.
- (d) Documentation of all district vehicles, apparatus, tools and equipment, facilities and other district-owned property.
- (e) Creating and maintaining a photo/image bank depicting all district members.
- (f) Documentation of all buildings, structures, facilities, infrastructure components, landmarks and recreational areas within the district's jurisdiction for later use in disaster mitigation, recovery and cost-recovery efforts.
- (g) To document any condition, activity or event related to the district's code enforcement responsibilities.

## *Photography And Electronic Imaging*

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- (h) To document inspections, code compliance activities or any other activity of Fire Prevention.
- (i) Unless prohibited elsewhere in this policy, to document any district activity for future use in training.
- (j) For any other purpose authorized by the Fire Chief, Battalion Chief or any Assistant Chief.

### **709.5.2 INCIDENT-RELATED EVENTS**

Photography and electronic imaging may be utilized by district members at incident scenes, including:

- (a) Documentation of the conditions on arrival and during suppression activities at any fire incident.
- (b) Documentation of fire, smoke, water, structural collapse or any other damage or conditions resulting from any fire or fire-related event.
- (c) Documentation of people at the scene of a fire or a fire-related incident for the purpose of future investigation.
- (d) Documentation of anything of evidentiary value found at a fire or incident scene where any type of investigation may be initiated.
- (e) Documentation of the location, position, trauma, injuries or any other factor of investigative interest related to deceased victims at a fire or fire-related incident or other incidents.
- (f) Documentation of the condition of vehicles, apparatus, bicycles or other items involved in collisions, accidents, entrapments or other rescue or medical events.
- (g) Documentation of the extrication of trapped individuals in any rescue situation.
- (h) Documentation of the cause, location, extent, severity and nature of traumatic injuries of patients at the scene. These images may be transferred to the receiving physician, nurse or other authorized representative who assumes medical care for the patient.
- (i) Documentation of all aspects of any incident involving hazardous materials.
- (j) Documentation of severe weather events, including any damage, injuries or fatalities caused by such events.
- (k) Documentation of any other event, situation or activity as deemed appropriate and necessary by the Incident Commander of any event.

### **709.6 PROHIBITED USE OF PHOTOGRAPHY OR ELECTRONIC IMAGING**

District members are prohibited from using photography or electronic imaging except as permitted in this policy.

Prohibited use of photography or electronic imaging shall include, but is not limited to:

# American Canyon Fire Protection District

## Policy Manual

### *Photography And Electronic Imaging*

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- (a) Photographs and/or electronic images may not be taken, transmitted or used in violation of any HIPAA regulation.
- (b) Any photos/video/recordings taken on an emergency scene by on duty personnel should NOT be taken at the expense of emergency operations.
- (c) Photographs and/or electronic images may not be taken, transmitted or used for personal purposes.
- (d) Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photographs or electronic images should be taken inside a private residence during a non-traumatic medical aid incident.
- (e) Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photographs or electronic images should be taken of a minor (under 18 years of age) patient resulting from a medical aid response.
- (f) Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photographs or electronic images depicting patient genitalia or the exposed breasts of female patients should be taken by district members.
- (g) Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photograph or electronic image should be taken of a patient being treated by district members if the person expresses or indicates that he/she does not wish to be photographed. In the event that the need arises to take a photograph or electronic image of a medical patient against the patient's wishes, the medical need for taking the image will be explained to the patient with a witness present. Details regarding the need for the photograph or electronic image, the explanation provided to the patient and the identity of the witness present shall be included in a patient care report and/or incident report for the response.

## Drug and Alcohol Free Workplace

### 1029.1 PURPOSE AND SCOPE

The American Canyon Fire Protection District prohibits the use of drugs and alcohol in the workplace in order to provide a safer work environment for members and to protect the public's safety and welfare. This policy applies to all members when they are on District property or when performing District-related business elsewhere (41 USC § 8103).

### 1029.2 POLICY

It is the policy of the American Canyon Fire Protection District to provide a drug free workplace for all members.

### 1029.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on district time can endanger the health and safety of district members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or a combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Fire Chief or the appropriate supervisor as soon as they are aware that they will not be able to report to work. If a member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

#### 1029.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Members who are medically required or need to take any such medication shall report that need to their immediate supervisor prior to commencing any on-duty status.

#### 1029.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on-duty is prohibited and may lead to disciplinary action.

### 1029.4 EMPLOYEE ASSISTANCE PROGRAM

A voluntary employee assistance program may be available to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Fire Chief, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

## *Drug and Alcohol Free Workplace*

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### **1029.5 WORK RESTRICTIONS**

If a member informs a supervisor that the member has consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from a physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and request that a Battalion Chief respond to the location of the impaired member. In the absence of the Battalion Chief, the on duty Captain will notify the Duty Chief. The Battalion Chief shall insure the member is transported to a safe location and that the continuity of district operations is maintained.

### **1029.6 REQUESTING SCREENING TESTS**

A supervisor or Battalion Chief may request that an employee submit to a screening test under any of the following circumstances:

- (a) The supervisor or Battalion Chief reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform duties safely and efficiently.
- (b) During the performance of duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to the employee or another person or substantial damage to property.

#### **1029.6.1 BATTALION CHIEF RESPONSIBILITY**

The Battalion Chief shall ensure written records are prepared documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) A representative will remain with the employee at all times until testing is completed.
- (c) The result of the test is not admissible in any criminal proceeding against the employee.
- (d) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

#### **1029.6.2 SCREENING TEST DISPOSITION**

Employees may be subject to disciplinary action if they:

- (a) Fail or refuse to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fail to provide proof, within 72 hours after being requested, that they took the controlled substance as directed, pursuant to a current and lawful prescription issued in their name.
- (c) Violate any provisions of this policy.

## *Drug and Alcohol Free Workplace*

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### **1029.7 MEMBER RESPONSIBILITIES**

Members shall come to work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing, or using controlled substances or alcohol on district premises or on district time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members shall notify a supervisor immediately if they observe behavior or other evidence they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

### **1029.8 CONFIDENTIALITY**

The District recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

### **1029.9 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT**

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the District will take appropriate disciplinary action, up to and including dismissal and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

## Nepotism and Conflicting Relationships

### 1046.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this district (Government Code § 12940). These employment practices include: recruiting, testing, hiring, compensation, assignment, promotion, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

#### 1046.1.1 DEFINITIONS

Definitions related to this policy include:

**Business relationship** - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction, where the employee's annual interest, compensation, investment or obligation is greater than \$250.

**Conflict of interest** - Any actual, perceived or potential conflict of interest in which it reasonably appears that an employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

**Nepotism** - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

**Personal relationship** - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

**Public official** - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

**Relative** - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

**Subordinate** - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

**Supervisor** - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

### 1046.2 POLICY

The American Canyon Fire Protection District is committed to fair and equitable treatment of all members and to creating a work atmosphere that is free of both actual and apparent conflicts of interest that could compromise this principle.

## *Nepotism and Conflicting Relationships*

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### **1046.3 RESTRICTED DUTIES AND ASSIGNMENTS**

The District will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply:

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
  - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
  - 2. When personnel and circumstances permit, the District will attempt to make every reasonable effort to avoid placing such employees in supervisor/subordinate situations. The District, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, trainers should not be assigned to train relatives. Trainers are prohibited from entering into or maintaining personal or business relationships with any member they are assigned to train until such time as the training has been successfully completed and, if an employee, off probation.
- (d) To avoid actual or perceived conflicts of interest, members of this district should refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.
- (e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex or arson offender or who engages in serious violations of state or federal laws.

#### **1046.3.1 EMPLOYEE RESPONSIBILITY**

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with

## *Nepotism and Conflicting Relationships*

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whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

### 1046.3.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible.

Supervisors shall also promptly notify the Fire Chief of such actual or potential violations through the chain of command.



## **TITLE**

Modifications to Two Type I Fire Engines, Change Order #1.

## **RECOMMENDATION**

Approve a Resolution for Change Order #1: Authorizing \$10,454.59 in Modifications to Two Type I Fire Engines

## **CONTACT**

Geoff Belyea, Fire Chief

## **BACKGROUND & ANALYSIS**

On August 23, 2022, the American Canyon Fire Protection District Board of Directors approved Resolution 2022-20, authorizing the Lease/Purchase Agreement to acquire two Type I fire engines, with a total cost not to exceed \$1,842,000. This significant investment was made to ensure that the District is equipped with state-of-the-art apparatus to serve the community effectively.

The apparatus committee has conducted a comprehensive review of the fire engine's specifications prior to the pre-construction phase. During this review, it was determined that several changes were necessary to ensure the apparatus meets the operational needs of the District and adheres to updated industry standards.

The proposed modifications have resulted in an increase in the overall cost of the fire engines by \$10,454.59. These changes are detailed in Attachment 2, Change Order #1, which provides a breakdown of the additional costs and the specific alterations being made.

The District chose an alternative financing strategy by establishing an escrow account for the purchase of the two fire engines, rather than setting up a contingency fund. This escrow account is accruing interest, which is intended to cover any additional costs or modifications, such as those outlined in Change Order #1.

## **FISCAL IMPACT**

The original approved budget for the two fire engines was \$1,842,000. The additional \$10,454.59

required for the change order will bring the total project cost to \$1,852,454.59. This modest increase remains within the District's financial capabilities and will not necessitate additional funding or financing adjustments. The District has sufficient funds in the escrow account to fully cover Change Order #1. The payment will be from the Fleet, Facilities Fund with no anticipated impact on the General Operations Fund.

## **BOARD PRIORITY PROGRAMS AND PROJECTS**

Public Safety: "Ensure American Canyon remains a safe community"

## **ENVIRONMENTAL REVIEW**

None.

## **ATTACHMENTS:**

- [1. Resolution 2024-25 Apparatus Change Order](#)
- [2. American Canyon FPD \\_ Change Order 1](#)

**RESOLUTION 2024-25**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AMERICAN CANYON FIRE PROTECTION DISTRICT APPROVING CHANGE ORDER #1: AUTHORIZING \$10,454.59 FOR THE MODIFICATIONS TO TWO TYPE I FIRE ENGINES**

**WHEREAS**, on August 23, 2022, the Board of Directors of the American Canyon Fire Protection District approved Resolution 2022-20, authorizing a Lease/Purchase Agreement to acquire two Type I fire engines, not to exceed a total cost of \$1,842,000; and

**WHEREAS**, the apparatus committee conducted a thorough review of the fire engines' specifications during the pre-construction phase and determined that modifications were necessary to meet the operational requirements of the District and to align with updated industry standards; and

**WHEREAS**, the required modifications to the specifications have resulted in an additional cost of \$10,454.59, as detailed in Change Order #1, bringing the total cost of the fire engines to \$1,852,454.59; and

**WHEREAS**, the Board of Directors recognizes the importance of these modifications to ensure that the fire engines are fully equipped and capable of meeting the emergency response needs of the community;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the American Canyon Fire Protection District as follows:

1. Approval of Change Order #1: The Board of Directors hereby approves Change Order #1, as attached hereto as Exhibit A, authorizing the additional expenditure of \$10,454.59 for the modifications to the two Type I fire engines.
2. Authorization: The Fire Chief, or designee, is hereby authorized to execute any necessary documents and take any actions required to implement this Change Order.

**PASSED, APPROVED AND ADOPTED** this 27<sup>th</sup> day of August, 2024, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
EXCUSED ABSENCE:

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**Leon Garcia**  
**Chairman, Board of Directors**

ATTEST:

APPROVED AS TO FORM:

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**Geoff Belyea**  
**Fire Chief/District Clerk**

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**William D. Ross**  
**District Counsel**  
**American Canyon Fire Protection District**

**AMERICAN CANYON FIRE PROTECTION DISTRICT**

**(Pierce Job #39370)**

**CHANGE ORDER #1 (August 21, 2024)**

<b>QTY</b>	<b>OPTION</b>	<b>DESCRIPTION</b>	<b>01-UNIT</b>	<b>02-UNIT</b>
1	805041	Delete as ordered right side body module	(\$10,462.44)	(\$10,462.44)
1	827372	Add right side body module w the following: RS1 – full depth / RS2 – full depth / RS3 – full depth	\$14,858.09	\$14,858.09
2	834488/ 693727	Delete one adjustable hosebed divider and one horizontal hinged shelf	(\$1,343.15)	(\$1,343.15)
3	664634/ 611843	Add two permanent horizontal shelves (one between the left hosebed side sheet to the hosebed divider and one below it to separate the two bundles, each to be constructed of hosebed grating) and one vertical divider to separate the bundles from the 5” hose storage	\$1,778.16	\$1,778.16
1	92844	Delete deadlay hose bundle storage in the crosslay area	(\$1,169.64)	(\$1,169.64)
1	4990	Delete 2.5” outlet at the front of hosebed #1	(\$1,753.56)	(\$1,753.56)
1	90442	Add 2.5” crosslay hosebed, double stack, 200’ x 2.5” hose	\$4,158.95	\$4,158.95
2	737013	Delete as ordered, non-SCBA Valor crew cab seats w arm rests	(\$2,156.84)	(\$2,156.84)
2	607011	Add SCBA Valor crew cab seats w no arm rests	\$2,240.29	\$2,240.29
4	805073/ 646221/ 726457/ 799398	Delete as ordered, fixed partition, vertical slide out tool board, floor mounted slide out tray and adjustable slide out tray	(\$2,984.11)	(\$2,984.11)
2	622249/ 647091	Add two, floor mounted (equal width) slide out trays. Each tray to have an adjustable (side to side), vertical pegboard/toolboard	\$4,057.31	\$4,057.31
1	695399/ 608626/ 590934	Add driver side, floating running board hose tray w tapered corners, front and rear. Tray to be sized for 25’ x 5.00” hose. Floating tray requires the running board side to side width to be changed from standard 12.75” to 14.75”. Tray to have two nylon restraint straps	\$1,353.71	\$1,353.71
1	736800	Delete Pierce provided, Gamber Johnson Mongoose computer mount	(\$947.61)	(\$947.61)
3	559503	Delete customer to furnish portable radio chargers (one remaining in the order)	(\$327.06)	(\$327.06)
1	631626	Delete vertically hinged door at the rear of the hatch compartment	(\$303.36)	(\$303.36)
1	890086/ 682503	Delete as order, aluminum diamond plate light shield on the left side pump panel (right side, below master gauges) and replace with an 8” light/step shield	(\$31.58)	(\$31.58)

**AMERICAN CANYON FIRE PROTECTION DISTRICT**

**(Pierce Job #39370)**

**CHANGE ORDER #1 (August 21, 2024)**

1	781579	Delete as ordered, in cab, 120v duplex receptacle	(\$286.71)	(\$286.71)
2	779722	Delete as ordered, in body, 120v duplex receptacles	(\$598.13)	(\$598.13)
1	9227/ 8940	Delete as ordered 6" master gauges and replace with 4.5" master gauges (panel size won't allow for 6" gauges)	(\$268.27)	(\$268.27)
2	622237/ 35326	Delete hose reel accessories (there isn't a hose reel in the order), one hose reel roller assembly and one hose reel switch	(\$454.46)	(\$454.46)
3	683998	Delete "E11", 16" vinyl graphics from cab roof	(\$239.32)	(\$239.32)
1	638569	Delete fixed shelf in RS1 compartment	(\$268.95)	(\$268.95)
<b>TOTAL CHARGE CHANGE ORDER 1</b>			<b>\$28,446.51</b>	<b>\$28,446.51</b>
<b>TOTAL CREDIT CHANGE ORDER 1</b>			<b>(\$23,595.19)</b>	<b>(\$23,595.19)</b>
<b>SUB-TOTAL</b>				<b>\$9,702.64</b>
<b>SALES TAX (7.75%)</b>				<b>\$751.95</b>
<b>TOTAL CHARGE DUE</b>				<b>\$10,454.59</b>

The undersigned agrees to the above changes and any additional charges or credits associated with the noted changes. If a charge is due, an invoice will be issued at the time of completion of the apparatus. Payment (either charge or credit) will be made prior to final vehicle delivery to customer location. Any changes to the jurisdiction sales tax rate will be reflected on the final invoice. Above changes to the order will become an attachment to the as purchased apparatus specifications.

\_\_\_\_\_  
Authorized Fire Department Representative    Date

\_\_\_\_\_  
Golden State Representative    Date

**FIRE APPARATUS**



## **TITLE**

Intention To Form Giovannoni Logistics Center.

## **RECOMMENDATION**

Adopt a Resolution of Intention to form American Canyon Fire Protection District Community Facilities District No. 1 (Giovannoni Logistics Park), Napa County, California.

## **CONTACT**

Geoff Belyea, Fire Chief

## **BACKGROUND & ANALYSIS**

On October 25, 2022, the Board of Directors adopted Resolution 2022-29, approving a Memorandum of Understanding between the American Canyon Fire Protection District ("District") and Buzz Oates, the developer of the Giovannoni Logistics Park. It was agreed that annual payments could be generated if a Mello-Roos Community Facilities District or similar public financing mechanism was formed. The property owners proposed establishing a Community Facilities District (CFD) within the American Canyon Fire Protection District to finance the necessary public services to support development demands. The authorized services to be funded by American Canyon Fire Protection District CFD No. 1 (Giovannoni Logistics Park) include:

1. Fire Protection and Suppression services as outlined in Health and Safety Code Section 13862, part of the Bergeson Fire Protection District Law of 1987 (Health and Safety Code section 13800 et seq.).
2. Miscellaneous costs related to the above services, including but not limited to planning, engineering, legal, and District and County administration costs.

An annual special tax ("Special Tax") will be levied within the CFD to cover the costs of services. This tax will be secured by a continuing lien against all non-exempt real property in the CFD and collected in the same manner as ordinary ad valorem property taxes or through other methods determined by the Board or its designee, including direct billing of affected property owners.

## **FISCAL IMPACT**

The fiscal impact of establishing the "American Canyon Fire Protection District Community Facilities District No. 1 (Giovannoni Logistics Park)" under the Mello-Roos Community Facilities Act includes the annual levy of a special tax on all non-exempt real property within the District. This tax, secured by a continuing lien, will cover the costs of the necessary public services resulting from development within the CFD. The special tax will be collected in the same manner as ordinary ad valorem property taxes or through other methods determined by the Board or its designee, such as direct billing.

## **BOARD PRIORITY PROGRAMS AND PROJECTS**

Public Safety: "Ensure American Canyon remains a safe community"

## **ENVIRONMENTAL REVIEW**

The action before the Board is exempt from review under the California Environmental Quality Act ("CEQA"), consistent with CEQA Guidelines Section 15320, which exempts special district annexations where changes in organization of local law governmental agencies do not change the geographic area in which the previously existing powers were exercised.

## **ATTACHMENTS:**

1. [Resolution 2024-26 Giovannoni Logistics](#)
2. [Exhibit A\\_Rate Method of Apportionment and Manner of Collection of Special Tax](#)
3. [Exhibit B\\_List of Services](#)
4. [EXHIBIT C.\\_Public Hearing Notice](#)

**RESOLUTION NO. 2024-26**

**A RESOLUTION OF INTENTION TO FORM  
AMERICAN CANYON FIRE PROTECTION DISTRICT COMMUNITY FACILITIES  
DISTRICT No. 1  
(GIOVANNONI LOGISTICS PARK)  
NAPA COUNTY, CALIFORNIA**

**WHEREAS**, under the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the “Act”), the Board of Directors (the “Board”) of the American Canyon Fire Protection District (the “District”) is authorized to establish a community facilities district and to act as its legislative body; and

**WHEREAS**, this Board, having received interest from owners of land proposed to be included in the proposed community facilities district, now desires to proceed with the establishment of such community facilities district to finance costs of public services required to meet the demands of development of lands in the District.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE AMERICAN CANYON FIRE PROTECTION DISTRICT AS FOLLOWS:**

1. The Board proposes to conduct proceedings to establish a community facilities district pursuant to the Act.

2. The name proposed for the community facilities district is “American Canyon Fire Protection District Community Facilities District No. 1 (Giovannoni Logistics Park)” (the “CFD”).

3. The proposed boundaries of the CFD are as shown on the map of them on file with the District Clerk, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The District Clerk is hereby directed to record, or cause to be recorded, the map of the boundaries of the CFD in the office of the County Recorder within 15 days of the date of adoption of this Resolution.

4. The type of services proposed to be financed by the CFD pursuant to the Act shall consist of those listed in Exhibit B hereto and hereby incorporated herein (the “Services”). The Board hereby determines that the Services are necessary to meet increased demands for such services placed upon local agencies as the result of development occurring within the area of the CFD. The Services are in addition to those provided in the territory of the CFD as of the date hereof and will not supplant services already available within the territory of the CFD as of the date hereof.

5. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the “Special Tax”) sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary ad valorem property taxes, or in such other manner as this Board or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner

within the proposed CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit A attached hereto and hereby incorporated herein (the "Rate and Method"). As contemplated by the rate and method of apportionment of the Special Tax included as Exhibit A, parcels may annex into the CFD in the future within a different tax zone(s) and may have different maximum annual special tax rate(s). This Board hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to ad valorem property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD.

**6.** Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD, all lands owned by any public entity, including the United States, the State of California, the County and/or the District, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this Board will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.

**7.** The levy of the Special Tax in the CFD shall be subject to the approval of the qualified electors of the CFD at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the proposed CFD, with each owner having one vote for each acre or portion of an acre such owner owns in the CFD.

**8.** The Fire Chief (or designee thereof) is hereby directed to study the proposed Services and to make, or cause to be made, and file with the District Clerk a report in writing (the "CFD Report"), which shall be a part of the record of the public hearing hereinafter specified and which report shall present the following:

(a) A description of the Services that will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Services and incidental expenses in connection therewith, and all other related costs.

The CFD Report shall be made a part of the record of the public hearing specified below.

**9.** The Board hereby sets Tuesday, September 24<sup>th</sup>, 2024 in the Council Chamber located at 4381 Broadway, American Canyon, California 94503, as the time and place when and where this Board, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD and the levy of the Special Tax. At the hearing, testimony concerning the CFD, the extent of the CFD or the furnishing of the particular types of Services will be heard and protests will be considered from registered voters residing within the CFD and persons owning real property within the CFD. Written protests by the owners of a majority of the land which would be subject to special taxation within the proposed CFD will require the suspension of proceedings for at least one year. Written protests must be filed with the District Clerk at or before the time fixed for the hearing. If such protests are directed only against certain elements of the proposed

services or proposed special tax, and if such protests constitute a majority protest, only those elements shall be deleted from the proceedings.

10. The District Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD, in the form of Exhibit C. The publication shall be completed at least 7 days before the date of the public hearing specified above. The District Clerk may also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner’s address as it appears on the most recent tax records of the County or as otherwise known to the District Clerk to be correct. Such mailing shall be completed not less than 15 days before the date of the public hearing. The notice of the public hearing shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

11. This resolution shall take effect upon its adoption.

\* \* \* \* \*

**APPROVED, SIGNED AND ADOPTED** at a Regular Meeting of the Board of Directors of the American Canyon Fire Protection District held on this 27 day of August, 2024, by the following vote:

**AYES:  
NOES:  
EXCUSED ABSENCE:  
ABSTAIN**

\_\_\_\_\_  
**Leon Garcia  
Chairman, Board of Directors**

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
**Geoff Belyea  
District Chief/District Clerk**

\_\_\_\_\_  
**William D. Ross  
District Counsel  
American Canyon Fire Protection District**

# EXHIBIT A

American Canyon Fire Protection District  
Community Facilities District No. 1  
(Giovannoni Logistics Park)  
Napa County, California

## RATE, METHOD OF APPORTIONMENT, AND MANNER OF COLLECTION OF SPECIAL TAX

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### 1. Basis of Special Tax Levy

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (Act) applicable to the land in Community Facilities District No. 1 (Giovannoni Logistics Park) (CFD) of the American Canyon Fire Protection District (District) shall be levied and collected according to the tax liability determined by the District through the application of the appropriate amount or rate, as described below.

### 2. Definitions

**“Acre”** or **“Acreage”** means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map or, if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable final map.

**“Act”** means the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code.

**“Administrative Expenses”** mean the actual or estimated costs incurred by the District to form the CFD and to determine, levy, and collect the Special Taxes, including compensation of District employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of the Special Taxes on the general tax rolls, preparation of required reports, and any other costs required to administer the CFD as determined by the District.

**“Administrator”** means the Fire Chief or their designee responsible for determining the levy and collection of the Special Taxes.

**“Annexation Parcels”** mean a Parcel or Parcels annexed into the CFD after formation. The Maximum Annual Special Tax will be assigned to such Parcels using the provisions of **Section 4.c** of this Rate, Method of Apportionment, and Manner of Collection of Special Tax (RMA). Annexation Parcels may be assigned a different Maximum Annual Special Tax Rate or Maximum Annual Special Tax per Parcel using a methodology different from other Parcels in the CFD and may be placed in an area designated as a separate zone of the CFD, all of which shall be set forth in revised attachments hereto as needed, without further CFD proceedings.

**“Annual Costs”** mean, for any Fiscal Year, the total of the following items: (1) The cost of providing Authorized Services, (2) Administrative Expenses, and (3) any amounts needed to cure actual or estimated delinquencies in Special Taxes for the current or previous Fiscal Year.

**“Assessor’s Parcel”** means a lot or Parcel with an assigned Assessor’s Parcel Number in the maps used by the County Assessor in preparing the tax roll.

**“Assessor’s Parcel Map”** means an official map of the County Assessor designating Parcels by Assessor’s Parcel Number.

**“Assessor’s Parcel Number”** means the Parcel and Parcel Number as assigned by the County Assessor on the equalized tax roll.

**“Assigned Maximum Annual Special Tax”** means the Maximum Annual Special Tax assigned to each Original Parcel at CFD formation, as shown in **Attachment 1**.

**“Authorized Services”** means those services listed in the resolution forming the CFD.

**“Base Year”** means the Fiscal Year beginning July 1, 2024, and ending June 30, 2025.

**“Board”** means the Board of Directors of the District acting for the CFD under the Act.

**“Building Permit”** means a permit issued by the City for construction of a Nonresidential Use or Other Use structure.

**“CFD”** means the Community Facilities District No. 1 (Napa Logistics Park) of the American Canyon Fire Protection District, Napa County, California.

**“City”** means the City of American Canyon in Napa County.

**“County”** means the County of Napa, California.

**“Developed Parcel”** means, in any Fiscal Year, any Taxable Parcel with a structure for which a Building Permit was issued before June 1 of the preceding Fiscal Year for Nonresidential Uses on Nonresidential Use Parcels, or Other Uses on Other Use Parcels.

**“District”** means the American Canyon Fire Protection District in Napa County, California.

**“Fiscal Year”** means the period starting July 1 and ending the following June 30.

**“Large Lot Parcel”** means a Parcel created by a Large Lot Subdivision Map.

**“Large Lot Subdivision Map”** means a recorded subdivision map creating Parcels by land use.

**“Maximum Annual Special Tax”** means the greatest amount of Special Tax that can be levied against a Parcel in a given Fiscal Year, as shown in **Attachments 1 and 2**.

**“Maximum Annual Special Tax Rate”** means the rate of Maximum Annual Special Tax charged per Acre, as shown in **Attachments 1 and 2**.

**“Maximum Annual Special Tax Revenue”** means the greatest amount of revenue that can be collected in total from a group of Parcels (such as Developed Parcels) by levying the Maximum Annual Special Tax.

**"Maximum Annual CFD Special Tax Revenue"** means the sum of the Maximum Annual Special Tax levied on all Taxable Parcels in the CFD in a Fiscal Year.

**"Nonresidential Use"** means a Taxable Parcel with land uses that may include industrial and light industrial.

**"Original Parcel"** means a Taxable Parcel identified in **Attachment 1** (and shown in **Map 1**) at formation of the CFD. **Attachment 1** and **Map 1** shall be updated, or additional maps may be added with each new annexation into the CFD.

**"Other Uses"** means a Nonresidential Use other than industrial or light industrial uses.

**"Other Use Parcel"** means a Nonresidential Parcel that is developed as other than an industrial or light industrial use.

**"Parcel"** means any Assessor's Parcel in the CFD based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Proportionately"** means that the ratio of the actual Special Tax levy to the Maximum Annual Special Tax is equal for all Developed Parcels.

**"Public Parcel"** means any Parcel that is or is intended to be publicly owned, as designated in any final map that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets; schools; parks; and public drainageways, landscaping, wetlands, greenbelts, and open space.

**"RMA"** means this Rate, Method of Apportionment, and Manner of Collection of Special Tax.

**"Special Tax(es)"** mean(s) any tax levy under the Act in the CFD.

**"Subdivision"** or **"Subdivided"** means division of a Parcel into two or more Parcels through Parcel reconfiguration, lot-line adjustments, or the Subdivision Map Act process. A Subdivision also may include the merging of two or more Parcels to create new Parcels.

**"Successor Parcel"** means a Parcel created by the Subdivision of an Original Parcel or a Successor Parcel.

**"Tax Category"** means the categories of taxable land uses shown in **Attachments 1** and **2**.

**"Tax Collection Schedule"** means the document prepared by the Administrator for the County Auditor-Controller to use in levying and collecting the Special Taxes each Fiscal Year.

**"Tax Escalation Factor"** means an annual escalation factor equal to, but not to exceed 3 percent, in the Consumer Price Index for all urban consumers (CPI-U) for San Francisco-Oakland-Hayward, as of April of each year, determined by the Administrator in any Fiscal Year following the Base Year by which the Maximum Annual Special Tax for the previous Fiscal Year will be increased to provide sufficient services for the current Fiscal Year.

**"Taxable Acreage"** means that area of a Parcel determined by the Administrator to become a Taxable Parcel or Parcels upon further Subdivision. An example might be that a Large Lot Parcel Map creates a Remainder Parcel that, according to **Attachment 1**, contains both taxable and tax-exempt uses, such as a park site.

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels include (a) Public Parcels, (b) Large Lot Parcels, (c) Undeveloped Parcels, and (d) Parcels owned by the District, City, school districts, special districts, or the state or federal government.

Certain privately owned Parcels also may be exempt from the levy of Annual Special Taxes, including common areas owned property owner associations, wetlands, detention basins, water quality ponds, and open space, as determined by the Administrator.

**"Undeveloped Parcel"** means a Taxable Parcel that is not a Developed Parcel or a Large Lot Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the Special Tax in perpetuity.

If the Special Tax ceases to be levied, the District will direct the County Recorder to record a Notice of Cessation of Special Tax. Such notice will state that the obligation to pay the Special Tax has ceased and the lien imposed by the Notice of Special Tax Lien is extinguished. The Notice of Cessation of Special Tax, in addition, will identify the book and page of the Book of Maps of Assessment and Community Facilities Districts where the map of the boundaries of the CFD is recorded.

### **4. Administrative Tasks**

Tasks required of the Administrator are discussed below:

- a. Annual Special Tax Escalation. The Administrator shall increase the Maximum Annual Special Tax by the Tax Escalation Factor in each Fiscal Year following the Base Year.
- b. Assignment of the Maximum Annual Special Tax to Original Parcels. **Attachment 1** identifies the Assigned Maximum Annual Special Tax for each Original Parcel at CFD formation. If, before further Subdivision, the Administrator determines there are multiple Assessor's Parcels in a Large Lot Parcel, the Administrator shall assign the Maximum Annual Special Tax to each Assessor's Parcel on a pro rata basis to all Assessor's Parcels in that Large Lot Parcel based on the percentage share of Taxable Acreage identified for each Assessor's Parcel.
- c. Assignment of the Maximum Annual Special Tax to Annexation Parcels. If Parcels are annexed into the CFD after formation, the Maximum Annual Special Tax shall be assigned to these Annexation Parcels using the definitions in **Section 2** and the Maximum Annual Special Tax per Acre shown in **Attachment 2**, as adjusted by the Tax Escalation Factor applied by the Administrator, unless the Annexation Parcels are annexed with a new set of Maximum Annual Special Taxes. **Attachment 1** shall be amended, or a new attachment created, to include the Annexation Parcels and, if necessary, the applicable Special Taxes. If new Maximum Annual Special Taxes are created, **Attachments 1** and **2** should be amended to reflect the Maximum Annual Special Taxes for the Annexation Parcels. Once annexed, these annexed Parcels shall be considered Original and Successor Parcels and will be subject to the same procedures for assigning the Maximum Annual Special Tax to Successor Parcels described in **Section 4.d**. The owner of the Annexation Parcels shall be responsible for

paying all costs associated with annexing the Annexation Parcels to the CFD, but otherwise shall not be required to pay any other charge or fee in connection with or as a condition of such annexation unless otherwise agreed to by the owner of the Annexation Parcel in connection with the annexation.

d. Assignment of the Maximum Annual Special Tax to Successor Parcels. As Original Parcels and Successor Parcels are created through recordation of Large Lot Subdivision Maps, lot line adjustments or other Parcel amendments through the Subdivision Map Act process, the Administrator shall use the following steps to assign the Maximum Annual Special Tax to new Successor Parcels. As a result of each assignment of the Maximum Annual Special Tax upon Subdivision of an Original Parcel or Successor Parcel, the sum of the Maximum Annual Special Taxes assigned to the newly created Taxable Parcels shall never be less, but may be greater, than the Assigned Maximum Annual Special Tax for that Original Parcel or Successor Parcel.

1. If an Original or Successor Parcel designated as Nonresidential Parcel is Subdivided creating multiple Nonresidential Parcels:

- A. Identify the Assigned Maximum Annual Special Tax for the Original Parcel or Successor Parcel that is being Subdivided.
- B. Determine the Taxable Acreage for all new Successor Parcels being created by the Subdivision.
- C. Sum the Taxable Acreage for all new Successor Parcels from Step 4.d.1.B.
- D. Divide the Taxable Acreage for each Successor Parcel by the results from Step 4.b.1.C to determine the percentage allocation of the Assigned Maximum Annual Special Tax from Step 4.b.1.A.
- E. Multiply the percentage derived in Step 4.b.1.D times the Assigned Maximum Annual Special Tax from Step 4.b.1.A to determine the Assigned Maximum Annual Special Tax for each Successor Parcel created by the Subdivision.

2. If an Original or Successor Parcel designated as an Other Use Parcel is Subdivided creating multiple Other Use Parcels:

- A. Identify the Assigned Maximum Annual Special Tax for the Original Parcel or Successor Parcel that is being Subdivided or rezoned.
- B. For each Taxable Parcel subject to rezone or created by Subdivision multiply the Maximum Annual Special Tax per Acre by the number of Acres.
- C. Sum the Maximum Annual Special Tax for each Taxable Parcel and compare it to the Assigned Maximum Annual Special Tax of the Original or Successor Parcel that is subject to rezone or is being Subdivided. If the sum of Maximum Annual Special Tax for each Taxable Parcel is greater than the Assigned Maximum Annual Special Tax for the Original Parcel, the Administrator shall apply the Maximum Annual Special Tax calculated above for each Taxable Parcel.

- D. If the Assigned Maximum Annual Special Tax for the Original Parcel or Successor Parcel subject to rezone or that is being Subdivided is greater than the sum of Maximum Annual Special Tax for each Taxable Parcel being created, increase Proportionately the Maximum Annual Special Tax per Acre on each Taxable Parcel such that the sum of Maximum Annual Special Tax for all Taxable Parcels equals the Maximum Annual Special Tax for the Original Parcel.
- e. Transfer of the Assigned Maximum Annual Special Tax from One Large Lot Parcel to Another. The Maximum Annual Special Taxes shown in **Attachment 1** were determined based on the Expected Land Uses for each Large Lot Parcel shown in **Attachment 1**. If the Nonresidential Acreage is transferred from one Large Lot Parcel to another before recording of a Large Lot Subdivision Map in any portion of the Large Lot Parcel, the District may, in its sole discretion, allow for a transfer of the Maximum Annual Special Tax from one Large Lot Parcel to another. Such a transfer shall be allowed only if (1) all adjustments are agreed to in writing by the affected property owners and the Administrator, and (2) there is no reduction in the Maximum Annual CFD Special Tax Revenues because of the transfer. Should a transfer result in an amendment to **Attachment 1** of the Notice of Special Tax Lien, the requesting property owner shall bear the costs to affect the transfer in the CFD records and prepare the required amendments to the Notice of Special Tax Lien and **Attachment 1**. Before the transfer, the District may require a deposit from the requesting property owner for such costs.
- f. Conversion of a Tax-Exempt Parcel to a Taxable Parcel. If a Tax-Exempt Parcel is not needed for public use and is transferred to a private owner, it shall become subject to the Special Tax. The Maximum Annual Special Tax for the newly assigned Tax Category for such a Parcel is determined using the provisions of **Sections 4** and **5**.
- g. Taxable Parcels Acquired by a Public Agency. A Taxable Parcel acquired by a public agency shall be reclassified as a Tax-Exempt Parcels and is no longer subject to the Special Tax levy.

## 5. Assignment of the Maximum Annual Special Tax

- a. Classification of Parcels. For purposes of the next Fiscal Year tax levy, by June 30 of each Fiscal Year, using the Definitions in **Section 2**, the Parcel records of the Assessor's secured tax roll as of January 1, and other City development approval records, the Administrator shall cause:
1. Each Parcel to be classified as a Taxable Parcel or Tax-Exempt Parcel.
  2. Each Parcel to be classified as a Developed Parcel, a Large Lot Parcel (including Remainder Parcels), or an Undeveloped Parcel.
- b. Assignment of the Maximum Annual Special Tax to Taxable Parcels. The Maximum Annual Special Tax will be assigned to each Taxable Parcel each Fiscal Year using the procedures (not all steps may be applicable for each such Parcel) in **Section 4**.

## 6. Calculating Annual Special Taxes

The Administrator will compute the Annual Costs and determine the annual Special Tax levy for each Taxable Parcel based on the assignment of the Special Tax in **Sections 4** and **5**. All

calculations and steps described in this section shall be done for all areas within the CFD. The Administrator then will determine the tax levy for each Taxable Parcel using the following process:

- a. Compute the Annual Costs using the definition of Annual Costs in **Section 2**.
- b. For all Taxable Parcels, calculate the Special Tax levy for each using the following steps:
  - Step 1: Compute 100 percent of the Maximum Annual Special Tax Revenue for all Developed Parcels.
  - Step 2: Compare the Annual Costs with the amount calculated in the previous step.
  - Step 3: If the Annual Costs are lower than the amount calculated in Step 1, decrease Proportionately the Maximum Annual Special Tax levy for each Developed Parcel until the revenue from the Special Tax levy equals the Annual Costs.
- c. Levy on each Taxable Parcel the amount calculated above.
- d. Prepare the Tax Collection Schedule and, unless an alternative method of collection has been selected pursuant to **Section 8**, send it to the County Auditor requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule will not be sent later than the date required by the County Auditor for such inclusion.

The Administrator will make every effort to calculate the Special Tax correctly for each Parcel. It will be the burden of the taxpayer to correct any errors in determining which Parcels are subject to the tax and their Special Tax assignments.

## **7. Interpretation, Application, and Appeal of Special Tax Formula and Procedures**

Any taxpayer who feels the amount of the Special Tax assigned to a Parcel is in error may file a notice with the Administrator appealing the levy of the Special Tax. The Administrator will then promptly review the appeal and, if necessary, will meet with the applicant. If the Administrator verifies that the tax should be modified or changed, the Special Tax levy will be corrected and, if applicable in any case, a credit or refund will be granted.

Interpretations may be made by the District, without Resolution or Ordinance of the Board, for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties, or any definition applicable to the CFD.

Without Board approval, the Administrator may make minor, non-substantive administrative and technical changes to the provisions of this RMA that do not materially affect the rate, method of apportionment, or manner of collection of the Special Tax for purposes of administrative efficiency or convenience or to comply with new applicable federal, state, or local law.

The District, upon request of an owner of land in the CFD that is not a Developed Parcel, also may amend this RMA in any manner acceptable to the District, without Resolution or Ordinance of the Board, upon the affirmative vote of such owner and without the vote of owners of any other land in the CFD, provided such amendment only affects such owner's land and does not reduce the total Maximum Annual Special Tax Revenue for the CFD.

## **8. Manner of Collection**

The Special Tax will be collected in the same manner and at the same time as ad valorem property taxes, provided, however, the Administrator or its designee may directly bill the Special Tax and may collect the Special Tax at a different time, such as on a monthly or other periodic basis, or in a different manner, if necessary, to meet the District's financial obligations.

**Attachment 1**  
**American Canyon FPD CFD No. \_\_ (Public Services)**  
**Maximum Annual Special Tax per Acre - FY 2024-25**

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<b>Tax Category</b>	<b>Maximum Annual Special Tax per Acre [1]</b>
Developed Parcels	\$1,065.14
Large Lot Parcels	\$0.00
Undeveloped Parcels	\$0.00

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"Att1"

[1] The Maximum Annual Special Tax per Acre will increase by the Tax Escalation Factor in each Fiscal Year following the Base Year 2024-25.

**Attachment 2**  
**American Canyon FPD CFD No. \_\_ (Public Services)**  
**Maximum Annual Special Tax per Original Parcel**  
**Base Year 2024-25**

Original Parcel	Assessor's Parcel Number	Gross Acres	Taxable Acres	Maximum Annual Special Tax per Acre [1]	Maximum Annual Special Tax per Parcel [1]
Parcel A	057-090-008 (por)	87.17	87.17	\$1,065.14	\$92,848.57
Parcel B	057-130-034 (por) & -036 (por)	69.78	69.78	\$1,065.14	\$74,325.72
Parcel C	057-130-034 (por) & -036 (por)	45.98	0.00	\$1,065.14	\$0.00
<b>Totals</b>		<b>202.93</b>	<b>156.95</b>		<b>\$167,174.29</b>

"Att2"

[1] The Maximum Annual Special Tax per Acre will increase by the Tax Escalation Factor in each Fiscal Year following the Base Year 2024-25.

[2] A portion of this Original Parcel will remain out of the CFD, once parcel maps are recorded.



LEGEND

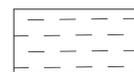
AREA SUMMARY	
DESCRIPTION	AREA (AC)
PARCEL A	87.17
PARCEL B	69.78
PERMANENT CONSERVATION DEDICATION	45.98
GREEN ISLAND ROAD DEDICATION	0.12
	0.41
DEVLIN ROAD DEDICATION	4.33
TOTAL AREA	207.8



ROAD DEDICATION



PERMANENT CONSERVATION DEDICATION

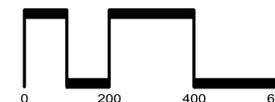


PARCEL AREA

PARCELS & DEDICATIONS  
GIOVANNONI LOGISTICS CENTER

CITY OF AMERICAN CANYON NAPA COUNTY CALIFORNIA

SCALE: 1"=200' DATE: JANUARY 2024



CIVIL ENGINEERS • SURVEYORS • PLANNERS

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## **EXHIBIT B**

### **Community Facilities District No. 1 (Giovannoni Logistics Park) American Canyon Fire Protection District Napa County, California**

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The authorized services to be funded from the levy and collection of annual special taxes shall consist of those items set forth below, in addition to the costs associated with collecting and administering the special taxes and annual administering the CFD. The authorized services to be funded for the Community Facilities District (CFD) No. 1 (Giovannoni Logistics Park) include these:

1. Fire Protection and Suppression services as set forth in Health and Safety Code Section 13862, a portion of the Bergeson Fire Protection District Law of 1987 (Health and Safety Code section 13800 et seq.).
2. Miscellaneous costs related to any of the items described above, including but not limited to planning, engineering, legal, and District and County administration costs.

## EXHIBIT C

### American Canyon Fire Protection District Community Facilities District No. 1 (Giovannoni Logistics Park)

#### FORM OF NOTICE OF PUBLIC HEARING

#### **RE: Establishment of Community Facilities District**

Notice is hereby given that the Board of Directors (the "Board") of the American Canyon Fire Protection District (the "District") adopted "A Resolution of Intention to Form American Canyon Fire Protection District Community Facilities District No. 1 (Giovannoni Logistics Park)" (the "Resolution of Intention") to establish "American Canyon Fire Protection District Community Facilities District No. 1 (Giovannoni Logistics Park)" (the "CFD") under the Mello-Roos Community Facilities Act of 1982, constituting Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"). Under the Act and the Resolution of Intention, the Board gives notice as follows:

1. The text of the Resolution of Intention, including the exhibits thereto, as adopted by the Board, is on file with District Clerk and reference is made thereto for the particular provisions thereof. The text of the Resolution of Intention is summarized as follows:

a. Under the Act, this Board is undertaking proceedings for the establishment of the CFD, the boundaries of which are shown on a map on file with the District Clerk.

b. The purpose of the CFD is to provide for the financing of certain public services (the "Services") as more fully described in the Resolution of Intention and Exhibit B thereto.

c. The method of financing the Services is through the imposition and levy of a special tax (the "Special Tax") to be apportioned on the properties in the CFD under the rate and method of apportionment described in the Resolution of Intention and Exhibit A thereto. The Special Tax requires the approval of two-thirds of landowner votes voted at a special election called for that purpose by the Board, with each landowner having one vote for each acre or portion of acre such owner owns in the CFD.

d. The Resolution of Intention directed the preparation of a CFD Report that shows the Services by type that are required to adequately meet the needs of the CFD and the estimated costs of the Services. The CFD Report will be made a permanent part of the record of the public hearing specified below. Reference is made to the CFD Report as filed with the Clerk.

e. As set forth below, the Board will hold a public hearing on the establishment of the CFD, the provision of the Services and the levy of the Special Tax.

2. The time and place established under the Resolution of Intention for the public hearing required under the Act are Tuesday, September 24, 2024 at 6:30 p.m. or as soon as possible thereafter, at the Council Chambers located at 4381 Broadway, American Canyon, CA 94503.

3. At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the CFD, the extent of the CFD or the furnishing of the specified Services will be heard. Any person interested may file a protest in writing as provided in Section 53323 of the Act. If 50% or more of the registered voters, or six registered voters, whichever is more, residing in the territory proposed to be included in the CFD, or the owners of one-half or more of the area of land in the territory proposed to be included in the CFD and not exempt from the special tax, file written protests against the establishment of the CFD and the protests are not withdrawn to reduce the value of the protests to less than a majority, the Board shall take no further action to create the CFD or levy the special taxes for a period of one year from the date of decision of the Board, and if the majority protests of the registered voters or landowners are only against the furnishing of a type or types of Services within the CFD, or against levying a specified special tax, those types of Services or the specified special tax will be eliminated from the proceedings to form the CFD.

4. The proposed voting procedure shall be by special mail or hand-delivered ballot to the property owners within the territory proposed to be included in the CFD.

All interested persons are invited to attend the meeting and be heard on this matter. Copies of all documents that relate to the above-described project may be examined at the American Canyon Fire Protection District office prior to the hearing. Written comments may be submitted to, Martha Banuelos, Fire Executive Assistant, at 911 Donaldson Way East, American Canyon, California 94503, prior to the public hearing.

If you challenge the particular proceedings in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the District prior to the public hearing.

Public meetings/events sponsored or conducted by the American Canyon Fire Protection District are held in accessible sites. Requests for accommodations may be made by calling (707) 551-0653 (voice) or 711 for the California Relay Service or e-mailing Martha Banuelos at mbanuelos@amcanfire.com. Agendas distributed at the meeting are available in alternative formats upon request.

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Geoff Belyea, District Clerk

**Publication Date: September 17, 2024**