

**COUNTY OF MENDOCINO
FUNDING ALLOCATION AGREEMENT**

This Agreement, dated as of August 29, 2022, is by and between the COUNTY OF MENDOCINO, hereinafter referred to as the "COUNTY", and WESTPORT VOLUNTEER FIRE DEPARTMENT, INC. hereinafter referred to as "FIRE AGENCY". The term of this agreement shall commence on the date this agreement is executed by the County and shall continue until June 30, 2023.

WHEREAS, the Fire Agency, has been identified to provide the inhabitants, within Agency Boundaries, with protection against fire; and

WHEREAS, in 1992 the State of California implemented the Education Revenue Augmentation Fund (ERAF) "shift", which reduced city, county, and some special districts' revenue to provide funding for schools, causing an annual revenue loss to cities and some special districts and over \$14.35 million loss to Mendocino County;

WHEREAS, in an effort to reduce the impact of the ERAF shift the voters of California passed Proposition 172 in 1993, which provides public safety funding to cities and counties that provide police protection, prosecution, corrections, probation, fire protection, and/or coastal life guard services;

WHEREAS, the Mendocino County Board of Supervisors allocated the Proposition 172 revenue to the eligible functions that are provided directly by the County, which are the Sheriff, Jail, District Attorney, and Probation;

WHEREAS, Fire Agency is authorized by law to provide fire protection;

WHEREAS, California Government Code section 26227 provides that the Board of Supervisors of any county may appropriate and expend money from the county's general fund to finance programs deemed to be necessary to meet the social needs of the population of the county, including, but not limited to, the areas of health, law enforcement and public safety;

WHEREAS, Fire Agency has requested funding from the County, through the Mendocino County Association of Fire Districts, for support of fire protection;

WHEREAS, the Mendocino County Board of Supervisors has agreed to appropriate a portion of the total County Proposition 172 public safety sales tax revenue to certain local fire agencies for support of fire protection services in Fiscal Year 2022-23. Local fire agencies are defined as local Government entities or tax exempt 501(c)(3) organizations authorized by California Statutes to provide first response fire, rescue, and EMS public safety services to the general public. Additionally, these agencies must (1) participate in the Mutual Aid Coordinating System (MACS) and have an assigned MACS ID Agency Designator, and (2) be regularly dispatched by the Emergency 911 dispatch center; and

WHEREAS, the Mendocino County Association of Fire Districts has submitted a distribution formula, to which the Board of Supervisors has agreed and approved, for the appropriation based on a minimum distribution for each Fire Agency plus a variable distribution based on estimated population in the area serviced by the agency.

NOW, THEREFORE, the parties agree as follows:

1. The County agrees to appropriate a portion of the County's Proposition 172 revenue and other funding, in Fiscal Year 2022-23, to local fire protection agencies as defined above;
2. The County accepts the Mendocino County Association of Fire Districts' distribution formula;
3. The County agrees to make a lump-sum, one-time payment to Fire Agency for an amount not to exceed Ten Thousand Seven Hundred Forty Dollars and Fifty-Two Cents (\$10,740.52);
4. The Fire Agency agrees to utilize the funds only for the purpose of local fire protection services;
5. The Fire Agency agrees to provide the County with a copy of its budget and revenue and expenditure detail, which includes a clear accounting of where the funding is appropriated in the Fire Agency budget and its intended use. Accounting records of Fire Agency shall be kept in a manner approved by the County Auditor-Controller and shall be open to inspection by the County Auditor-Controller at any time during business hours for the purpose of determining whether the funds were utilized only for the purpose of fire protection services as required;
6. The term of this agreement shall commence on the date executed by the County, but only for the purposes of providing funding support for fire protection services by the Fire Agency in the current fiscal year;
7. The Fire Agency is a separate legal entity from the County with respect to all matters set forth in this agreement. This agreement is not intended, and shall not be construed to create the relationship of agent, servant, employee, joint venture, joint powers, or association between Fire Agency and County;
8. The Fire Agency agrees to cooperate and supply any documentation reasonably necessary for the convenience and information of the County;
9. The Fire Agency shall indemnify, defend, and hold harmless the COUNTY, its officers, agents, and employees, from and against any and all claims, liabilities, and losses whatsoever including damages to property and injuries to, or death of persons, reasonable attorney's fees, expert fees and court costs occurring or

resulting, or alleged to be occurring or resulting, to any and all persons, firms or corporations furnishing or supplying work, services, materials, or supplies in connections with the Fire Agency's performance or its obligations as a provider of fire protection services, and from any and all claims, liabilities, and losses occurring or resulting, or alleged to be occurring or resulting, to any person, firm, or corporation for damage, injury, or death arising out of or connected with the Fire Agency's performance of its obligations as a provider of fire protection services.

10. The Fire Agency shall comply with any and all applicable federal, state and local laws affecting the services covered by this agreement;
11. This agreement may only be modified by written agreement of the parties;
12. This agreement contains all the terms and conditions agreed upon by the parties for this fiscal year;
13. NOTICES: All notices, requests, demands, or other communications under this Agreement shall be in writing as follows:

To COUNTY: COUNTY OF MENDOCINO
Executive Office
501 Low Gap Road, Room 1010
Ukiah, CA 95482

To FIRE AGENCY: Westport Volunteer Fire Department
PO Box 67
Westport, CA 95488
Attn: Daniel Maxey

IN WITNESS WHEREOF

DEPARTMENT FISCAL REVIEW:

By: [Signature]
DEPARTMENT HEAD

Date: 08/29/2022

Budgeted: Yes No

Budget Unit: 1940

Line Item: 86-3113

Grant: Yes No

Grant No.:

DARCIE ANTLE, Chief Executive Officer

By: [Signature]
PURCHASING AGENT

Date: 08/29/2022

INSURANCE REVIEW:

By: [Signature]
Risk Management

Date: 08/29/2022

EXECUTIVE OFFICE/FISCAL REVIEW:

By: [Signature]
Deputy CEO or Designee

Date: 08/29/2022

FIRE AGENCY

By: [Signature]
Daniel Maxey, Fire Chief

Date: 8.31.2022

NAME AND ADDRESS OF FIRE AGENCY:

Westport Volunteer Fire Department
PO Box 67
Westport, CA 95488

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement

COUNTY COUNSEL REVIEW:

APPROVED AS TO FORM:

CHRISTIAN M. CURTIS,
County Counsel

By: [Signature]
Deputy

Date: 08/29/2022

Signatory Authority: \$0-25,000 Department; \$25,001- 50,000 Purchasing Agent; \$50,001+ Board of Supervisors
Exception to Bid Process Required/Completed
Mendocino County Business License: Valid
Exempt Pursuant to MCC Section: _____

Prop 172 Fire Funding Allocations⁽¹⁾

2022/23

7/18/22

Approved funding - **\$ 444,000** (enter number to auto calculate) **91,601** 2020 Census Population⁽²⁾
 Funding Approved for prior year - 444,000 (enter last year amount)
 Dollar change from prior year⁽⁴⁾ - 0 (calculated amount)
 Percent change from prior year - 0.0% (calculated amount)

--- CALCULATIONS ---

\$ 200,000 = Total Basic \$ \$ 244,000 = Total Population \$

(calculated amount) → **10,000** = Basic amount **2.66** = per capita amount

District/Agency Name	JPA	Basic	JPA's	Population ⁽²⁾	Population Distrib	JPA's	Totals	JPA's	2022/23 \$
1 Albion-Little River FPD		10,000		1,447	3,854		13,854		13,854.43
2 Anderson Valley CSD		10,000		3,189	8,495		18,495		18,494.67
3 Brooktrails CSD		10,000		3,483	9,278		19,278		19,277.81
4 Comptche CSD		10,000		521	1,388		11,388		11,387.81
5 Covelo FPD		10,000		2,750	7,325		17,325		17,325.29
6 Elk CSD		10,000		390	1,039		11,039		11,038.59
7 Fort Bragg City FD	Fort Bragg	0		7,537	20,075		20,075		
8 Fort Bragg Rural FPD	Fire Authority ⁽³⁾	10,000	10,000	7,770	20,697	40,773	30,697	50,773	50,772.55
9 Hopland/Sanel Valley FPD		10,000		1,965	5,234		15,234		15,234.25
10 Leggett Valley FPD		10,000		461	1,228		11,228		11,227.98
11 Little Lake FPD (Willits)		10,000		9,156	24,388		34,388		34,387.88
12 Long Valley FPD (Laytonville)		10,000		2,574	6,856		16,856		16,856.47
13 Mendocino FPD		10,000		2,848	7,586		17,586		17,586.33
14 Piercy FPD		10,000		131	349		10,349		10,348.95
15 Potter Valley CSD		10,000		1,981	5,277		15,277		15,276.87
16 Redwood Coast FPD		10,000		1,788	4,763		14,763		14,762.77
17 Redwood V-Calpella FD		10,000		7,106	18,929		28,929		28,928.54
18 South Coast FPD		10,000		1,777	4,733		14,733		14,733.47
19 Ukiah City FD	Ukiah Valley	0		16,499	43,948		43,948		
20 Ukiah Valley FPD	Fire Authority ⁽³⁾	10,000	10,000	17,743	47,263	91,210	57,263	101,211	101,210.76
21 Westport VFC		10,000		278	741		10,741		10,740.52
22 Whale Gulch VFC		10,000		208	554		10,554		10,554.06

Totals: **200,000** **91,601** **244,000** **444,000** **444,000.00**
 Percent of total approved funding: 45% 55%

NOTES:

- Prop 172 allocations above are based on a MCAFD funding formula approved and utilized since fire agency funding began 2016-17. (Funding source is a "public safety" sales tax collected outside city boundaries.)
- Population adjusted to 2020 census numbers, each agency increased by same 3.96% over previous population numbers (88,113 to 91,601)
- Jointly run departments (JPA's) in Fort Bragg and Ukiah receive only a single Prop 172 basic allotment because of funding source. (Based on Supv McCowen 2017 proposed compromise, MCAFD agreed to include city populations in calculations provided BOS increased total funding so other agencies would not have funding reduced in the allocation process ... ap
- BOS approved Prop 172 funding history to fire agencies:

2022-23	444,000	(same appropriation as prior year)
2021-22	444,000	(increase of 11.5% after re-engaging with BOS)
2020-21	398,252	(reduction of 3.3% essentially erasing all funding increases, no consu
2019-20	412,000	(reduction of 16% no consultation)
2018-19	488,000	(increase of 0.5% no consultation)
2017-18	485,522	(increased of 22% to include cities in population allotments without reducing funding to other agencies, negotiated)
2016-17	398,000	(initial amount achieved in MCAFD negotiations with BOS)
1994-2015	0	(excluded from 172 "Public Safety" tax revenue allocations)
Total:	\$ 3,069,774	



Inv# 2022/23 FIRE FUNDING \$10740.52
 WESTPORT VOLUNTEER FIRE DISTRICT
 09/19/2022 # Pages 1 FP1 DOC80S12580

ACCOUNTS PAYABLE

VENDOR No. 25362
 BATCH No. 9669
 CNTRL No. 54534
 ACCT STR MS. 863113
MS. P23.011

PAID
PAID
 SEP 22 2022
 BY: _____