

CITY COUNCIL AGENDA ITEM NO. 1

Meeting Date: October 27, 2020

Subject/Title: A Resolution to approve a new capital improvement project consisting of Deer Ridge Frontage Landscaping Improvements; amending the FY 2020/21 - FY 2024/25 Capital Improvement Program (CIP); and amending the FY 2020/21 Operating Budget.

Prepared by: Joe Odrzywolski, Parks Planner
Aaron Wanden, Parks Maintenance Manager

Submitted by: Bruce Mulder, Director of Parks & Recreation

RECOMMENDATION

Adopt a Resolution to approve a new capital improvement project consisting of Deer Ridge Frontage Landscaping Improvements; amending the FY 2020/21 – FY 2024/25 Capital Improvement Program (CIP); and amending the FY 2020/21 Operating Budget.

CITY COUNCIL STRATEGIC INITIATIVE

Not applicable.

PREVIOUS ACTION

At the City Council meeting of February 25, 2020, Council Member Rarey requested a future agenda item to consider potential methods that would allow homeowners in the Deer Ridge development to annex into their current Landscape and Lighting Assessment District (LLAD) the landscaping entrance and park strips of the development so as to assume the maintenance costs of those areas, and to allow staff to work with the owner of the golf course to have those areas deeded to the City.

On March 10, 2020, an agenda item was presented and there was a consensus of the Council to have staff look into methods to allow homeowners in the Deer Ridge development to annex into their current LLAD certain landscaping features at the entrance of the development and park strips so as to assume the costs of the maintenance of those areas, and to allow staff to work with the owner of the golf course to have those areas deeded to the City.

On June 9, 2020, by Resolution 2020-73, City Council adopted the 2020/21 – 2024/25 Capital Improvement Program.

On June 9, 2020, by Resolution 2020-75, City Council approved the City of Brentwood's Consolidated Landscape & Lighting Assessment Districts, Landscape & Lighting Assessment District No. 19-3, and Citywide Park Maintenance District No. 98-1 Engineer's Reports for Fiscal Year 2020/21; ordering improvements; confirming the diagram and assessments; levying and collecting assessments; and finding that the above actions are exempt from the California Environmental Quality Act.

On July 14, 2020, an agenda item was presented by staff and Council provided staff with direction to return to Council with the following: Resolution(s) approving 1) a new capital improvement project, Deer Ridge Frontage Landscaping Improvements, in the amount of \$508,960, for the construction of landscaping improvements to Deer Ridge frontage areas to

conform to City landscape standards; 2) assumption of landscape maintenance responsibilities of fourteen (14) specific golf course frontage areas in the Deer Ridge Development currently the responsibility of SunCoast Properties, Inc., including the dedication of land at the Deer Ridge Entry, currently owned by SunCoast Properties, Inc.; 3) an outline of the process for inclusion of the landscape areas into a Landscape and Lighting Assessment District and obtaining formal property owner approval; 4) amending the 2020/21 - 2024/25 Capital Improvement Program (CIP) to include the new project; and 5) amending the FY 2020/21 Operating Budget for the associated project funding transfers.

BACKGROUND

Staff would like to start by clarifying for the record the ownership entity of the Deer Ridge Golf Course. It was brought to our attention in a letter dated August 17, 2020 from Roberto Brutocao of the Deer Ridge Golf Club, that Deer Ridge Golf Club, LP is the owner of record of the golf course and SunCoast Properties, Inc. is a consultant to the golf course owner.

At the July 14, 2020 City Council meeting, Council directed staff to move forward with the steps necessary to proceed with noticing and balloting the property owners of Deer Ridge to establish a new Landscape and Lighting Assessment District (LLAD) in accordance with Proposition 218 to provide capital and maintenance funding for this project. Staff from the Parks and Recreation Department, Public Works Department (Engineering Division), Finance Department and the City Attorney's office, as well as the City's Landscape and Lighting Assessment District consultant, Francisco & Associates, have identified the process necessary and this action by Council will initiate the first formal step of that process.

Typically, LLAD formations happen as a function of the land development process, sponsored by a developer, where the developer provides the funding for the land development team to design the project, produce construction plans, develop construction cost estimates AND construct the improvements. The developer also engages the City's LLAD consultant to prepare an Engineer's Report for the LLAD formation that determines the maximum assessment rate that may be levied on property associated with the development to provide funding for the annual maintenance of the public improvements.

The Deer Ridge Frontage Landscaping Improvements project is different in that there is no developer funding the design and construction plans, constructing the improvements, or providing the requisite LLAD fee for the City's consultant to do their work in preparing an Engineer's Report for the LLAD formation. Furthermore, because ALL costs associated with this project (design, construction, maintenance) will be borne by the property owners within the new LLAD, the Engineer's Report must disclose the costs that contribute to the basis of the maximum assessment rate that can be levied on the properties associated with the Deer Ridge development. Without construction plans and a construction cost estimate, the LLAD consultant cannot complete the preparation of the Engineer's Report that is required ahead of noticing and balloting the Deer Ridge property owners in accordance with Proposition 218. As such, staff is recommending that this project be approved by Council as a new Capital Improvement Program (CIP) project, essentially making the City the "sponsor" of this project, to provide funding from the General Fund for the initial design costs and to get the project started.

Under the provisions for On-Call Services approved by the City Council on May 28, 2019 by Resolution 2019-61, staff has engaged BKF Engineers to provide a proposal for professional services to conduct a Survey and Basis of Design, prepare Final Design/Construction documents including landscape plans, and prepare a construction cost estimate. The total cost for the work to be conducted by BKF Engineers is \$73,900. This work can begin immediately if

this CIP project is approved and will require no other actions by the Council.

Staff has also engaged the City's LLAD consultant, Francisco & Associates (FAI) to provide a proposal for the cost of this new LLAD formation. This work falls under the City's existing contract with FAI and can begin immediately upon approval of this CIP project. The cost of preparing the Engineer's Report for the new LLAD will be \$10,750 and the Proposition 218 proceedings is estimated to be \$7,950. Therefore, the total will be approximately \$18,700 for FAI's work. Staff also anticipates some legal review fees associated with the preparation of the Engineer's Report and Proposition 218 efforts; however, the total cost of legal review is hard to determine at this time. Staff has included an additional \$10,000 on the CIP sheet to cover potential costs for both the City's special counsel and FAI's counsel review.

Approval of this CIP project by the City Council provides funding from the General Fund to cover all initial project design costs and the Proposition 218 proceedings. If the new LLAD is approved by the Deer Ridge property owners, then this CIP project would be amended to add the cost of the construction phase of the project, reflect funding as being provided by the new LLAD, and the General Fund would subsequently be reimbursed for costs incurred by this initial design phase. However, if the new LLAD is not approved by the Deer Ridge property owners, then this CIP project would be considered complete and all initial design costs would be borne by the General Fund.

If the new LLAD is approved by the Deer Ridge property owners, subsequent steps of this project that will come before Council in the future are outlined below in chronological order.

- 1) Amend this CIP project, amend the FY 2020/21 – FY 2024/25 CIP and amend the FY 2020/21 Operating Budget to include the construction costs of this project and reflect funding from the new LLAD.
- 2) Accept the offer of dedication of real property from the Deer Ridge Golf Club for the entry area parcels.
- 3) Approve the construction contract.
- 4) Accept the improvements for maintenance by the City with a Notice of Completion.

FISCAL IMPACT

The estimated cost of implementing the design phase of the Deer Ridge Frontage Landscaping Improvements CIP and the Proposition 218 effort to form a new LLAD in the Deer Ridge neighborhood is approximately \$102,600. The General Fund is identified as providing the funding to cover the initial costs of this project and may be reimbursed if the formation of the new LLAD is successful following an affirmative approval by the property owners of the Deer Ridge neighborhood. Staff is recommending approval of this new CIP project, amending the FY 2020/21 – FY 2024/25 CIP to include this project, and amending the FY 2020/21 Operating Budget to provide the funding for the initial costs of this project.

Attachments:

2020-10-27_CC_Deer Ridge CIP_RESO
2020-10-27_CC_Deer Ridge 20-21 CIP Sheet
Deer Ridge Site Maps_reduced

RESOLUTION NO.

A RESOLUTION TO APPROVE A NEW CAPITAL IMPROVEMENT PROJECT CONSISTING OF DEER RIDGE FRONTAGE LANDSCAPING IMPROVEMENTS; AMENDING THE FY 2020/21 – FY 2024/25 CAPITAL IMPROVEMENT PROGRAM (CIP); AND AMENDING THE FY 2020/21 OPERATING BUDGET.

WHEREAS, at the City Council meeting of February 25, 2020, Council Member Rarey requested a future agenda item to consider potential methods that would allow homeowners in the Deer Ridge development to annex into their current Landscape and Lighting Assessment District (LLAD) the landscaping entrance and park strips of the development so as to assume the maintenance costs of those areas, and to allow staff to work with the owner of the golf course to have those areas deeded to the City; and

WHEREAS, on March 10, 2020, an agenda item was presented by Council Member Rarey and there was a consensus of the Council to have staff look into methods to allow homeowners in the Deer Ridge development to annex into their current LLAD certain landscaping features at the entrance of the development and park strips so as to assume the costs of the maintenance of those areas, and to allow staff to work with the owner of the golf course to have those areas deeded to the City; and

WHEREAS, on June 9, 2020, by Resolution 2020-73, City Council adopted the 2020/21 – 2024/25 Capital Improvement Program; and

WHEREAS, on June 9, 2020, by Resolution 2020-75, City Council approved the City of Brentwood’s Consolidated Landscape & Lighting Assessment Districts, Landscape & Lighting Assessment District No. 19-3, and Citywide Park Maintenance District No. 98-1 Engineer’s Reports for Fiscal Year 2020/21; ordering improvements; confirming the diagram and assessments; levying and collecting assessments; and finding that the above actions are exempt from the California Environmental Quality Act; and

WHEREAS, on July 14, 2020, an agenda item was presented by staff and Council provided staff with direction to return to Council with the following: Resolution(s) approving 1) a new capital improvement project, Deer Ridge Frontage Landscaping Improvements, in the amount of \$508,960, for the construction of landscaping improvements to Deer Ridge frontage areas to conform to City landscape standards; 2) assumption of landscape maintenance responsibilities of fourteen (14) specific golf course frontage areas in the Deer Ridge Development currently the responsibility of SunCoast Properties, Inc., including the dedication of land at the Deer Ridge Entry, currently owned by SunCoast Properties, Inc.; 3) an outline of the process for inclusion of the landscape areas into a Landscape and Lighting Assessment District and obtaining formal property owner approval; 4) amending the 2020/21 - 2024/25 Capital Improvement Program (CIP) to include the new project; and 5) amending the FY 2020/21 Operating Budget for the associated project funding transfers.

WHEREAS, staff has clarified that Deer Ridge Golf Club, LP is the owner of record of the golf course and SunCoast Properties, Inc. is a consultant to the golf course owner; and

WHEREAS, staff has engaged BKF Engineers to provide a proposal for professional services to conduct a Survey and Basis of Design, prepare Final Design/Construction documents including landscape plans, and prepare a construction cost estimate; and

Attachment: 2020-10-27_CC_Deer Ridge CIP_RESO (2212 : Deer Ridge Frontage Landscaping Improvements CIP)

WHEREAS, has engaged the City’s LLAD consultant, Francisco & Associates (FAI) to provide a proposal for the cost of this new LLAD formation; and

WHEREAS, staff anticipates some legal review fees associated with the preparation of the Engineer’s Report and Proposition 218 efforts; and

WHEREAS, approval of this CIP project by the City Council provides funding from the General Fund to cover all initial project design costs and the Proposition 218 proceedings; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brentwood, does hereby (1) approve a new capital improvement project consisting of Deer Ridge Frontage Landscaping Improvements, per the attached CIP sheet; (2) amend the FY 2020/21 – FY 2024/25 Capital Improvement Program (CIP) to add this new project; and (3) amend the FY 2020/21 Operating Budget to allow for funding transfers.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held the 27th day of October, 2020 by the following vote:

Project Title:

Project #:

Deer Ridge Frontage Landscaping Improvements



Project Category:	Parks and Trails Improvements
Location:	Deer Ridge Neighborhood – 14 sites
Project Manager:	J. Odrzywolski
Project Priority:	3A - Desired
Project Phase:	Design
Est. Completion Date:	2020/21
Future Annual O&M Impact:	\$19,000
Public Art Requirement:	None

Description/Justification:

This project will convert the landscaping of fourteen (14) sites throughout the Deer Ridge neighborhood, including the Deer Ridge entry area, from private maintenance responsibility to City of Brentwood maintenance responsibility. The project will require infrastructure and landscape improvements to be made to these areas to bring them into compliance with City of Brentwood standards. Thirteen (13) of these sites are currently within the public right-of-way along the golf course street frontages, and one (1) site, the Deer Ridge entry area at Foothill Drive is currently golf course property that will be deeded to the City of Brentwood by the golf course owner.

Supplemental Information:

At the conclusion of the design work and following the preparation of a construction cost estimate, the property owners of the Deer Ridge neighborhood will vote on the formation of a new Landscape and Lighting Assessment District (LLAD). This project currently does not include construction costs. In order for this project to move on to construction and completion, the LLAD must be established with an affirmative vote by the property owners. The project can then be amended to include construction costs and funding for the entire project can then be provided through assessments levied on the property owners within the new Landscape and Lighting Assessment District. In the event that the LLAD is not approved by the property owners, the City will cover the costs of project design and the LLAD formation efforts, and the project will not be constructed.

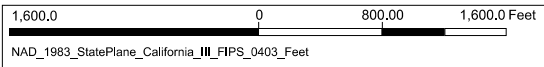
PROJECT FINANCING		CURRENT		PROPOSED			TOTAL	
PROJECT EXPENDITURES		Prior	2020/21	2021/22	2022/23	2023/24	2024/25	TOTAL
70239	Legal		28,700					\$ 28,700
90040	Planning and Design		73,900					\$ 73,900
TOTAL			\$ 102,600					\$ 102,600
PROJECT FUNDING		Prior	2020/21	2021/22	2022/23	2023/24	2024/25	TOTAL
47xxx	General Fund		102,600					\$ 102,600
TOTAL			\$ 102,600					\$ 102,600

Attachment: 2020-10-27_CC_Deer Ridge 20-21 CIP Sheet (2212 : Deer Ridge Frontage Landscaping Improvements CIP)

No action taken by Council on 10/27/20



Deer Ridge - Landscape Site Legend



1:9,600



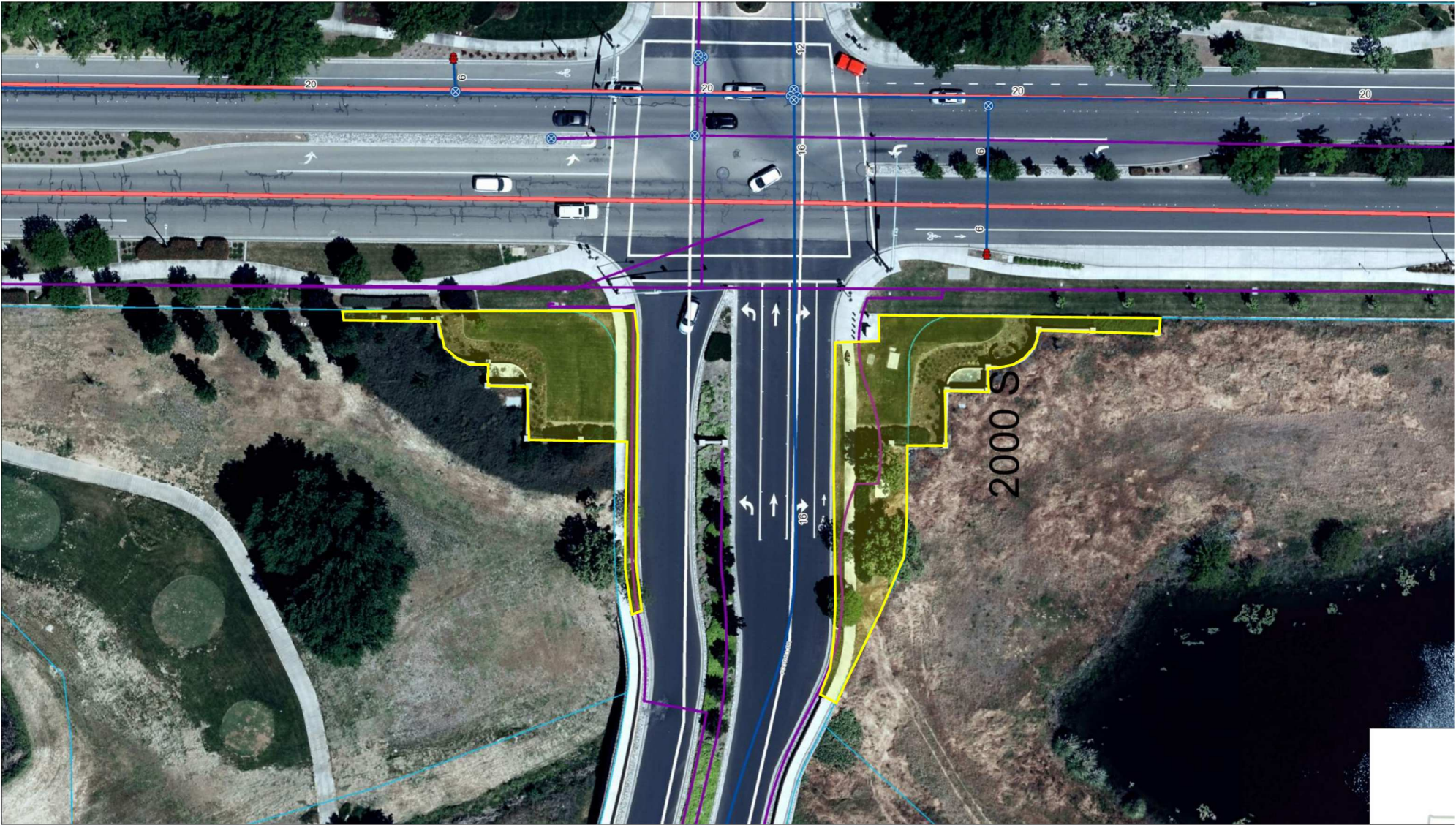
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Notes
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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #1 - Entry



80.0 0 40.00 80.0 Feet

NAD_1983_StatePlane_California_III_FIPS_0403_Feet

1: 480



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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)

No action taken by Council on 10/27/20



Deer Ridge Site #2 - Mountain View



400.0 0 200.00 400.0 Feet

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1: 2,400



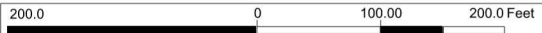
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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #3 - St. Andrews



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1: 1,200



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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #4 - Grey Hawk Court



80.0 0 40.00 80.0 Feet

NAD_1983_StatePlane_California_III_FIPS_0403_Feet

1:480



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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)

No action taken by Council on 10/27/20



Deer Ridge Site #5 - Foothill North



400.0 0 200.00 400.0 Feet

NAD_1983_StatePlane_California_III_FIPS_0403_Feet

1: 2,400



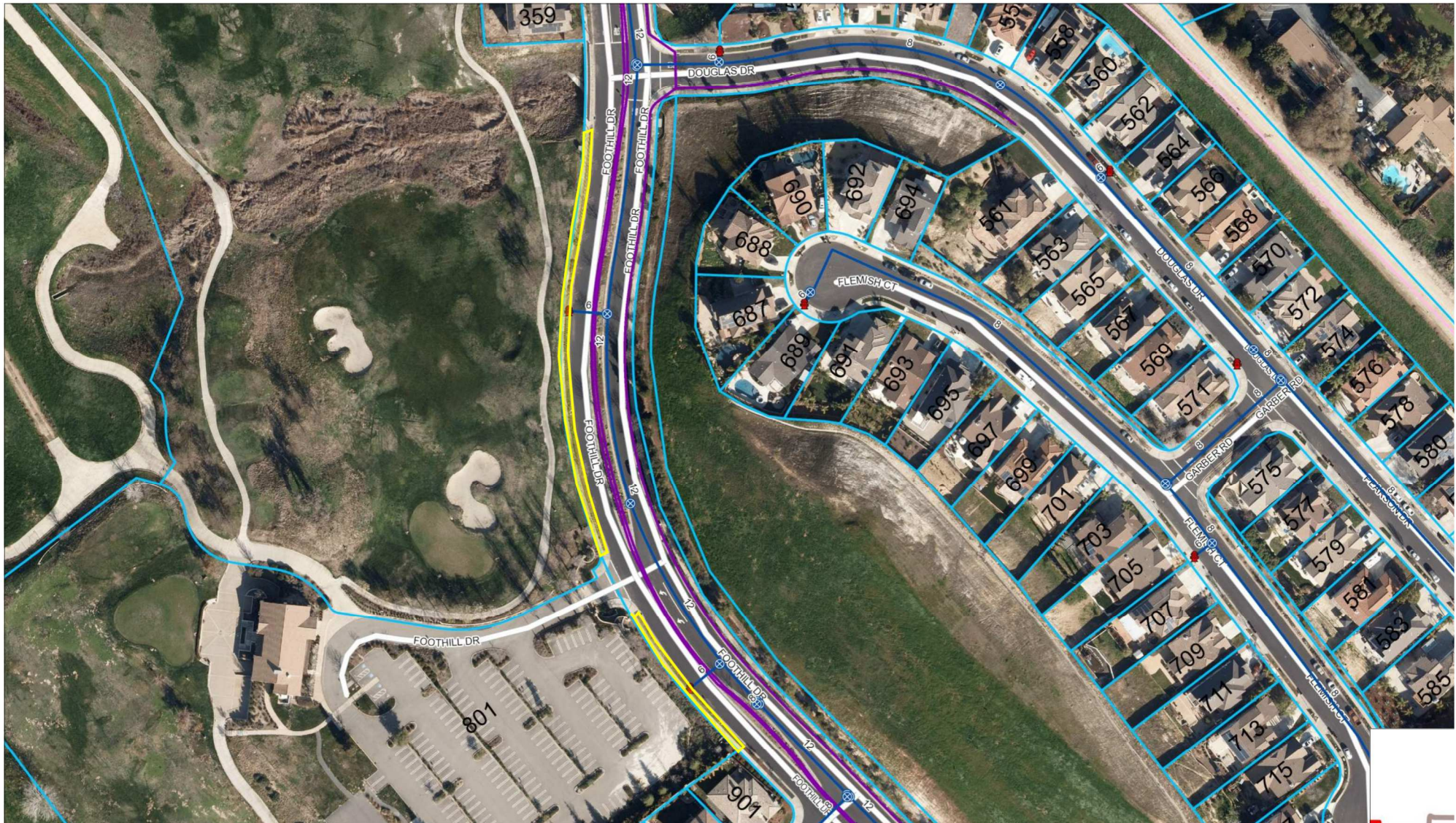
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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #6 - Foothill South



200.0 0 100.00 200.0 Feet

NAD_1983_StatePlane_California_III_FIPS_0403_Feet

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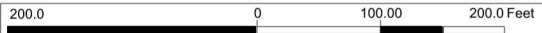
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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)

No action taken by Council on 10/27/20



Deer Ridge Site #7 - Pebble Beach



NAD_1983_StatePlane_California_III_FIPS_0403_Feet

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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #8 - Spanish Bay Court



80.0 0 40.00 80.0 Feet

NAD_1983_StatePlane_California_III_FIPS_0403_Feet

1:480



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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #9 - Spanish Bay Middle



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1:480



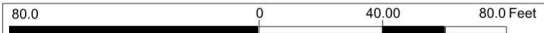
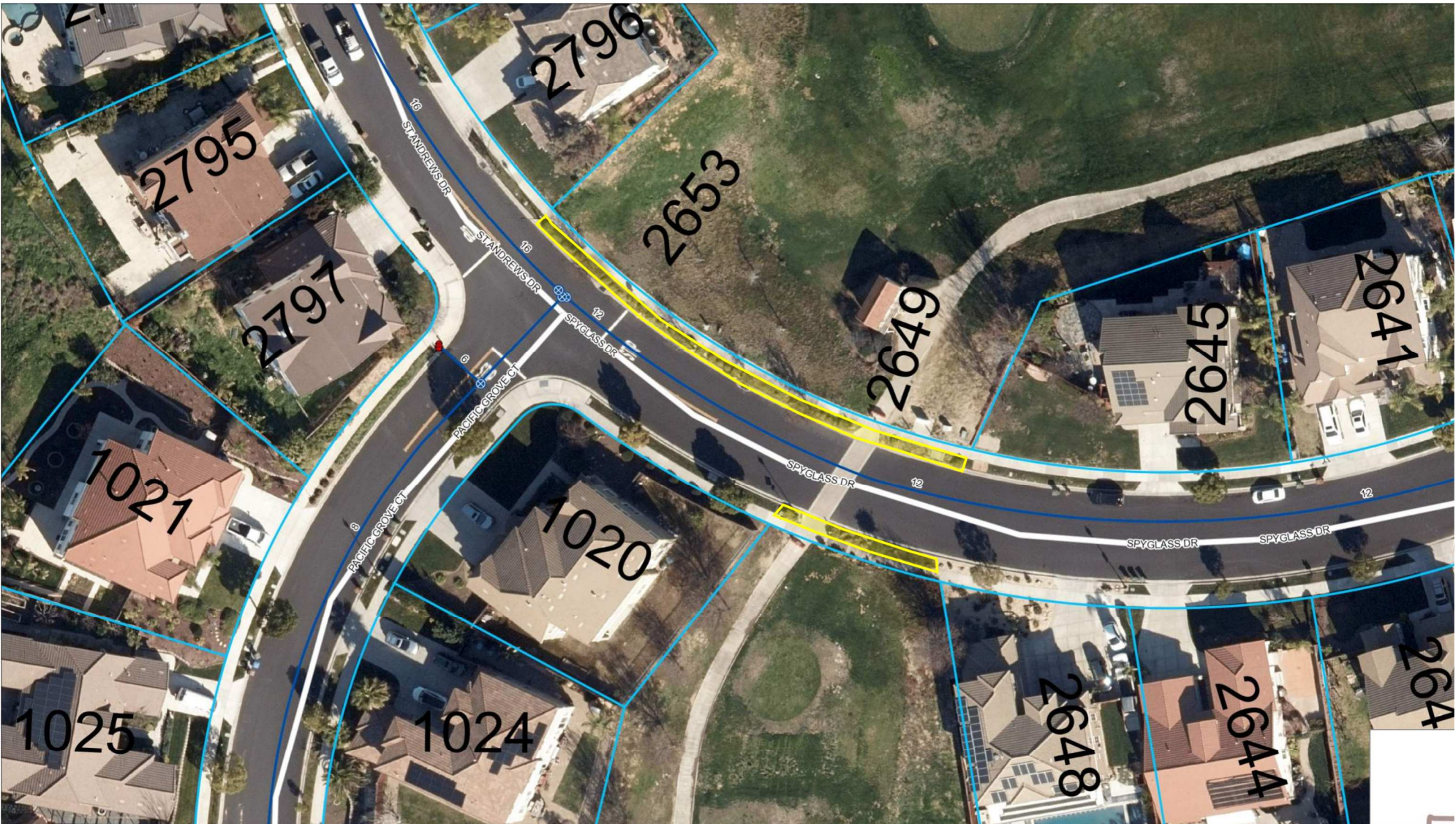
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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #10 - St. Andrews South



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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #11 - Spyglass West



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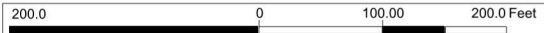
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Attachment: Deer Ridge Site Maps_reduced (2212) : Deer Ridge Frontage Landscaping Improvements CIP



Deer Ridge Site #12 - Spyglass East



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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)



Deer Ridge Site #13 - Pacific Grove Pump



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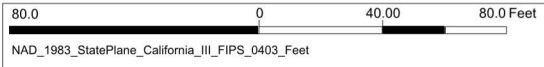
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Deer Ridge Site #14 - Pacific Grove Court



1: 480



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Attachment: Deer Ridge Site Maps_reduced (2212 : Deer Ridge Frontage Landscaping Improvements CIP)

CITY COUNCIL AGENDA ITEM NO. 2

Meeting Date: October 27, 2020

Subject/Title: An update from the Fire and Medical Services Ad-Hoc Committee and possible direction to staff regarding fire service funding.

Prepared by: Tim Ogden, City Manager
Kerry Breen, Director of Finance and Information Systems

Submitted by: Kerry Breen, Director of Finance and Information Systems

RECOMMENDATION

Receive an update from the Fire and Medical Services Ad-Hoc Committee and possible direction to staff regarding fire service funding.

CITY COUNCIL STRATEGIC INITIATIVE

Focus Area 2, Initiative 3b – Support sustainable funding strategies proposed by East Contra Costa Fire Protection District.

PREVIOUS ACTION

On February 11, 2020, the City Council approved the 2020 Committee Assignments, which included the appointment of Vice Mayor Bryant and Councilmember Rarey as Fire and Medical Services Ad-Hoc Committee members.

BACKGROUND

On June 10, 2020, the East Contra Costa Fire Protection District (ECCFPD or District) Board received the 9212 Report pertaining to a proposed ballot initiative. At that meeting, the ECCFPD Board authorized Board President Oftedal and Director Nash to form an Ad-Hoc Committee to work with the ECCFPD’s local, state and federal partners on options for funding the District. The ECCFPD Ad-Hoc reached out to the City of Brentwood, requesting meetings to discuss potential funding options.

Fire Ad-Hoc Meetings

The City of Brentwood’s Fire and Medical Services Ad-Hoc Committee, consisting of Vice Mayor Bryant and Councilmember Rarey, participated in several meetings with the ECCFPD Fire Ad Hoc between late June and mid-August. Also present at these meetings were Fire Chief Helmick, City Manager Ogden and City Finance Director Breen.

During these meetings, ECCFPD outlined various service improvements that could be implemented if additional funding were procured somehow. These options, along with annual operating costs as estimated by ECCFPD (in 2021/22 dollars) include:

- \$921,000 - Add 1 firefighter per shift at the Brentwood Fire Station
- \$2,085,000 – Establish a rescue squad (an additional \$750,000 in startup costs would be required)
- \$3,006,000 – Hire 9 firefighters to operate out of an existing operational station, creating a fourth crew on duty.
- \$4,090,000 – Hire 9 firefighters and open a new fire station

There are several factors which impact these costs, outcomes and potential City funding. Primary among them is ECCFPD’s stipulation that any funding needs to be reliable and