



SPECIAL MEETING
Stanislaus County
Public Facilities Fees Committee
Agenda

Thursday, June 8, 2023
1:00 – 2:00 p.m.

Tenth Street Place
1010 10th Street, Modesto
Grayson Conference Room 3001 (3rd floor)

AGENDAS: Committee Agendas are posted in the posting board on the Tenth Street Plaza 72 hours prior to the meeting.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Committee Secretary at 209-652-1514. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting.

NOTICE REGARDING NON-ENGLISH SPEAKERS: Public Facilities Fees Committee meetings are conducted in English. Language assistance requests should be made by noon the day before the meeting by contacting the Committee Secretary at 209-652-1514.

PUBLIC COMMENT PERIOD: Matters under the jurisdiction of the Committee, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matter before the Committee for consideration. However, California law prohibits the Committee from taking action on any matter, which is not on the posted agenda unless it is determined to be an emergency by the Committee. Any member of the public wishing to address the Committee during the Public Comment period will be limited to a maximum of five minutes.

Materials related to an item on this agenda submitted to the Committee after distribution of the agenda packet are available for public inspection in the Stanislaus County Counsel's Office during normal business hours.

If you have questions regarding this meeting, please call Lori Sicard of the Stanislaus County Counsel Office at 222-7158.

The Stanislaus County Public Facilities Fees (PFF) Committee will hold a special meeting in Room 3001 (third floor conference room) to discuss the following:

Call to Order

Public Comment Period

A. Discussion Item(s):

1. Approval of Minutes from the PFF Committee Meeting on **May 18, 2023**
2. Review and Discuss the Application for Reduction of Public Facilities Fees under the Large Industrial Investment Incentive Program Submitted by S2A Modular

B. Next Regular Meeting:

- Thursday, June 15, 2023, 2-3:30 p.m., Tenth Street Place, Room 2005

**Stanislaus County
Public Facilities Fees Committee
Meeting Minutes**

May 18, 2023

2:00 p.m.

1010 10th Street, Room 2005 (2nd floor conference room)

Voting Members Present:

Patrick Cavanah – Chair (CEO); David Leamon (Public Works); Chris Barnes (Auditor/Controller); Lori Sicard (County Counsel); Kristin Doud (**Planning**/Building); Andy Johnson (GSA-Capital Facilities – Alternate); Angelina Southern (Auditor/Controller – Alternate)

Absent:

Dan Wirtz (GSA-Capital Facilities); Denny Ferreira (Planning/**Building**)

Also Present:

Jim Kruse (Stanislaus Regional Housing Authority)
Tony Douds (Hughson Fire Protection District)
William Shirley (Recorder)

Remote Attendance:

Randall Kelly (Hughson Fire Protection District)
Nicole Kissam (NBS)
Joe Colgan (Colgan Consulting)

Meeting called to order at 2:01 p.m. by Chair, Patrick Cavanah.

Public Comment – No public comments.

Roll call: A quorum of membership was established.

A. Action Items:

1. Approval of Minutes from the PFF Committee Meeting on **April 20, 2023**

*Minutes may be voted on by those Members in attendance at the date of the Meeting. Voting Members Present: Patrick Cavanah (CEO); David Leamon (Public Works); Chris Barnes (Auditor/Controller); Lori Sicard (County Counsel); Kristin Doud (Building/**Planning**); Andy Johnson (GSA – Capital Facilities)*

A Motion was made to approve the PFF Committee Meeting Minutes of **April 20, 2023**.

Motion: Leamon | Second: Barnes | Unanimous (6 | 0) | Abstain: None

2. Presentation, discussion, and action regarding the Hughson Fire Protection District Development Impact Fee Study – Final Report

Tony Douds, Hughson Fire Protection District, presented the Final Report of the Hughson Fire Protection District Development Impact Fee Study to the PFF Committee. Impact fees are based on the Existing Level of Service, and new residential impact fees are proportional to the square footage of a unit, rather than unit type.

The level of service defined in terms of non-agricultural calls in 2022 is 935 calls. The cost per call of service is equal to the replacement cost of existing facilities, apparatus and vehicles, divided by the 2022 calls of service, which equals \$8,037.40. The impact of new development is measured by the number of calls per unit per year generated by each development type.

A Senior/Assisted Living development type was added to this fee study, due to almost 25% of all Hughson Fire Protection District calls for service originating from the one Senior/Assisted Living facility in Hughson.

Member Leamon moved to accept the Development Impact Fee Study as presented.

Motion to Accept: Leamon | Second: Doud | Unanimous (6 | 0) | Abstain: None

3. Presentation, discussion, and action regarding a PFF fee exemption request from the Stanislaus Regional Housing Authority

Jim Kruse presented a request for Public Facilities Fees exemption from the Stanislaus Regional Housing Authority, for the project located at 1612 Sisk Road (The 1612), formerly the site of the Clarion Hotel.

Mr. Kruse shared updated plans for the development of Phase II, which will include 144 affordable rental units, all of which will accommodate residents with incomes lower than 80% of the Area Median Income (AMI). The owner of the property will receive a 15-year tax credit, and if at that time, they should pursue a sale of the property, Stanislaus Regional Housing Authority would have first right of refusal to purchase.

Member Leamon moved to approve the exemption request, based on Section D7 of the PFF Administrative Guidelines. The Committee approved the exemption request based on Section D7 of the PFF Administrative Guidelines, on the basis that Stanislaus Regional Housing Authority is a public housing agency, exempting them from Public Facilities Fees for this project.

Motion to Approve: Leamon | Second: Johnson | Unanimous (6 | 0) | Abstain: None

B. Discussion Items

Auditor's Report

Unobligated Cash Balance - \$21,600,565.09

Alternate Member Souther noted receipts of \$6.4M for the fiscal year, and distributions of \$2.4M.

C. Next Regular Meeting:

- Thursday, June 15, 2023 @ 2-3:30 p.m. Meetings will be held in-person at Tenth Street Place, Room 2005 (2nd floor) or TBD.

Meeting adjourned at 2:53 p.m.

Submitted by: William Shirley, Confidential Assistant IV

STANISLAUS COUNTY PUBLIC FACILITIES FEES



LARGE INDUSTRIAL INCENTIVE PROGRAM



PROGRAM GUIDELINES

LARGE INDUSTRIAL INVESTMENT INCENTIVE PROGRAM STANISLAUS COUNTY

One of the priorities of the Stanislaus County Board of Supervisors is the development of "A strong local economy". Goal 1 of this priority is to facilitate job creation through: facilitating business park development, increasing workforce preparation skills and managing incentives and fee programs. The Extra-ordinary Investment Incentive Program (the "Program") has been developed to assist the facilitation of job creation in Stanislaus County in the Industrial sector.

The Program applicant may receive a discount in the amount of Public Facilities Fees (PFF) paid based on a sliding scale, with the maximum discount reaching 50% in the Manufacturing sector and up to 60% in Warehouse and Distribution sectors. The amount of the discount is determined by a point system based on the project's anticipated positive impacts to the County. With every 5 points the applicant gains a 1% discount in the PFF.

The minimum project size for participation in the Program is 150,000 sq. ft. for warehouse projects and 100,000 sq. ft. for manufacturing and distribution projects. Office space is not included in the square footage calculation. Cannabis industry projects are not eligible for this incentive.

Points are determined based on the following criteria:

1. **Total Capital Investment** – 3 points are awarded for every \$1 million of project capital investment to include land acquisition and development, building design and construction, tenant improvements, fixtures, construction management and non-County PFF government charges and fees – City fees can be included in this category.
2. **New Jobs Created** – 1 point is awarded for every new full time job created within the first 12 months of project completion. "New" is defined as a newly created position in Stanislaus County working a minimum 35 hours per week. There is no minimum new job requirement to be considered for participation in the program.
3. **Average Hourly Wage** - 1 point is awarded for every 1% of average hourly wage above the minimum wage calculated based upon on-site employees. Salaries of management and corporate officers are not included in the calculation of the average hourly wage.

4. **Bonus Points** (50 point maximum)

Additional Revenue	Points can be achieved in the Additional Revenue category for those projects that will contribute significant sales tax, mil tax or some other revenue source that goes directly to the County (excludes property tax which has been previously accounted for in the Capital Investment category).
Community Need	Points can be achieved in the Community Need category for those projects that are in a sector that has been previously identified as a "Community Need" such as bio-medical support, agricultural export, high-tech, etc...
"Attraction" Factor	Points can be achieved in the "Attraction Factor" category for those manufacturing uses that by their very nature will likely attract other sizeable suppliers and support businesses.
"Green" Factor	Points can be achieved in the "Green Factor" category for those projects that can demonstrate they are making significant additional efforts to reduce greenhouse gases consistent with the goals of SB375/AB32.
Location	Points can be achieved in the Location category for those projects that are sited in locations that meet strategic objectives of the County (transit oriented development, diverted trips through use of rail, infill, anchor to new business park, etc...)

5. Given the impact the PFF has on very large industrial facilities, industrial facilities greater than 300,000 square feet can qualify for an additional 5% discount above any discount determined based on the criteria listed above.

To participate in the program, applicants must submit the attached application at the time of initial project consultation with County Development Staff and enter into an agreement with the County that will provide for verification by the County of the applicant's capital investment, job creation and average hourly wages, and ensure sustainability of the jobs for a minimum 2 year period. An audit will be conducted at the end of the first and potentially second years of the program to verify that the original assumptions provided by the applicant did in fact materialize as stated in the application, and if not equivalent to or better than those projections, the discounted amount will be recalculated and the applicant will be required to pay the discrepancy amount.

LARGE INDUSTRIAL INCENTIVE PROGRAM

STEP 1:

- Contact Chief Executive Office, Public Facilities Fee (PFF) Coordinator either by phone or email; 209-525-6333, cavanahp@stancounty.com;
- Set up consultation meeting to provide project information such as, size of structure, valuation of project and number of anticipated employees; completed application packet; provide a detailed company background, history, solvency, etc.

STEP 2:

- Project Developer then must complete and submit the application to the Public Facilities Fee (PFF) Coordinator with all supporting documentation.
- PFF Coordinator will accept the application and determine if the applicant qualifies for the discount.
- If the applicant qualifies the PFF Coordinator will take completed packet to the next PFF Committee meeting for committee review/action.

STEP 3:

- If approved, the calculated discounted Public Facilities Fee (PFF) estimate will be based on information provided.
- Project Developer agrees to move forward based upon estimate given.
- The PFF Coordinator will contact/meet with the Project Developer (owner) and review the Agreement and move to sign and notarize the Agreement along with payment of the discounted fee amount.
- Once the Agreement is notarized and adjusted fees paid, it will then be forwarded to the Auditor's Office.

STEP 4:

- Stanislaus County will be provided with a time line of 2 dates in which they will receive the Payroll records for the 1st year of business following occupancy, for review of staff pay amount and the amount of staff during the year;
- At month 13 an audit will take place and based on findings, the applicant may or may not have the amount of their discount adjusted. The decision will be based off a significant increase or decrease of development baselines provided and obligated to in initial application.

LARGE INDUSTRIAL INVESTMENT INCENTIVE PROGRAM APPLICATION

Applicant: S2A Modular 2, LLC

Project Address: 287 Baldwin Road

City: Patterson Zip Code: 95363

A.P.N.(s): 021-095-010-000

Building Permit No: 20200413 Jurisdiction: City of Patterson

Type of Project (distribution, manufacturing): Factory for Modular Housing Manufacturing

Project Size: Phase 1- 100,050 SQ FT; 250,000 SQ FT

Business History/Background/Solvency:

S2A Modular was founded in June of 2018 by John Rowland "President" and Brian Kuzdas "CEO". The company came to be after John Rowland engineered and built the 2nd ever off-grid Tesla powered home in North America and he realized the need for affordable and luxury sustainable housing was immeasurable. Brian was also on a quest to build 500 homes in the California housing market. The two were introduced to one another by the President of US Modular Abe Ferriera who now represents S2A Modular in Southern California. S2A Modular builds some of the lowest voltage, lowest amperage homes in the world and utilizes the latest technologies to do so. S2A Modular is building factories all over the country and Internationally. The next two locations to go online after Patterson are Waco, Texas and Macclenny, Florida. The S2A Mega Factory in Patterson is the first and only Net Zero factory of any type in the entire United States. The S2A Modular factory in Patterson has the capabilities to build everything from homeless shelters, traditional single-family and multifamily homes, tiny homes, ADU, large estate style homes as well as apartments and hotels. This diversity allows S2A Modular to contribute to many types of housing and lodging needs. S2A Modular has zero debt and owns all of its factories and land free and clear of debt. The S2A Modular Patterson facility is running on a 1.4 Mega Watt Tesla MegaPack and nearly 700 Graphene solar panels and is producing more power than we can use.

Incentive Criteria:

Total Capital Investment for the project: Phase 1: \$30 Million; \$50 Million Total

New Jobs Created (within first 12 months of operation): 25

Average Hourly Wage (excluding management and corporate officers): \$30.98

Bonus Points:

Bonus points can be awarded at the discretion of the County based upon a project's ability to contribute significant additional discretionary revenue to the County of Stanislaus General Fund, address a identified community need, attract other supplier and support businesses, demonstrate significant efforts to reduce greenhouse gases or be sited in a location that meets strategic objectives of the County. If you believe this project meets one or more of these objectives, please explain below (attach additional documents as necessary):

Additional Revenue:

We will defer to the economic impact study produced by the team at Operation Stanislaus. I do believe however even without any points in this category we have enough to meet the 50% Max discount offered.

Community Need:

The entire nation, the State of California and in particular Northern California have a huge housing need. The facility in Patterson can produce over 1000 homes per year and help reduce the housing needs in California. We also offer several products for affordable housing and homeless housing solutions at very affordable prices.

Attraction Factor:

If we refer to the Economic Impact Study mentioned above, that we impact the area in job creation far beyond on actual facility which will employed up to 250 full time employees with pay averaging 50% over minimum wage for entry level employees.

Green factor:

S2A Modular is a technology company specializing in Green building which is evident in our Net Zero solar and battery powered Mega Factory to our off grid and Net positive homes we build within the factory. S2A's mission is to build sustainable housing and help relieve the grid system in California and elsewhere.

Location factor:

OTHER MATTERS:

At the end of the first and second years following issuance of any development permits, the County will conduct an audit of the Applicant's project to verify that the original assumptions provided herein by the Applicant did in fact materialize as stated in this Application, and if the results of the County's audit show the estimates are not equivalent to or better than those projections, the Public Facilities Fees discount amount will be recalculated and the applicant required to pay within 90 days any additional amount due as the result of a recalculation.

Applicant acknowledges it is the sole responsibility of the applicant to ensure that this Application is complete and is properly submitted to the County. Applicant hereby certifies that it has reviewed the requirements for participation in the Project and that it is eligible to participate in the Program and that to the best of its knowledge the information contained in this application is accurate and complete.

Applicant acknowledges that any information submitted to the County by the applicant in response to or in connection with the Application is subject to public disclosure requirements as set forth in the California "Public Records Act", California Government Code §§ 6250 - 6276.48.

Applicant acknowledges that the Large Industrial Incentive program is not a guaranteed incentive. Each applicant request will be reviewed by the County's Public Facilities Fees Committee for relevance, impact on program stability, and may be denied based upon those factors.

IN WITNESS WHEREOF, the applicant has read and agrees to the conditions set forth and has caused this Agreement to be executed by and through the applicant's authorized officers:

APPLICANT

John Rowland	President	5/17/2023
By _____	Title	Date

To be completed by County Staff

Incentive Program Points Awarded:

Capital Investment Points: _____	
New Jobs Points: _____	Public Facilities Fees: \$ _____
Hourly Wage Points: _____	
Project Size Points: _____	Public Facilities Fees
Bonus Points: _____	Discount: \$ _____
Total Points: _____	
Total Discount % _____	Total Public Facilities
	Fees Owed: \$ _____

Approved by _____	Date
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October 17, 2017