

PLACER COUNTY
OFFICE OF EMERGENCY SERVICES

MEMORANDUM

To: Honorable Board of Supervisors

From: Thomas Miller, County Executive Officer
by: Richard Simmons, Emergency Services Program Manager

Date: February 14, 2012

Subject: Adopt a resolution approving the Alpine Springs County Water District Capital Facilities and Fire Mitigation Fee Expenditure Plan for FY 2011/2012 that contains a 2.8% increase based on Engineering News Record Construction Cost Index from October 2010 to November 2011.

ACTION REQUESTED

That your Board adopt a resolution approving the Alpine Springs County Water District Capital Facilities and Mitigation Fee Expenditure Plan for FY 2011/2012 that contains a 2.8% increase in fees.

BACKGROUND

Legal Authority

California Government Code 66000 et seq (CGC 66000) allows local agencies (e.g., fire protection districts, local governments) to collect fees from new development to offset the impacts of that development on local services. Imposition of fees is, however, the sole responsibility of local government. Therefore, in order to allow fire protection districts to collect these "mitigation" fees, the Placer County Board of Supervisors created a legal framework and codified it as Chapter 15.36.010 of Placer County Code.

However, per CGC 66000, prior to collecting any fees, a fire protection district must complete a *Capital Facilities Plan* (aka *Capital Improvement Plan*) with prescribed content and have it approved by the Board of Supervisors. These plans are updated and re-submitted to the Board annually.

Capital Facilities Plans

The law requires a Capital Facilities Plan address: anticipated development impacts, proposed usage of fees, establishment of a reasonable relationship between fees and type of development, accounting for funds separately, holding properly noticed public hearings, and conducting an annual program review and update. The Alpine Springs County Water District (District) plan addresses these legal requirements and incorporates them as a part of the required annual plan update.

Alpine Springs County Water District

The Alpine Springs County Water District (District) was established in 1963 to serve the Bear Creek Valley watershed and the greater Alpine Meadows Valley. Among other services, the District provides fire protection and fire prevention services through a contract with the North Tahoe Fire Protection District.

As with the entire north Lake Tahoe area, development is continuing, and faced with increases in both residential and work force populations, the District must, over time, accommodate the increased demand for services with improvements in facilities and the addition of fire engines and ancillary fire apparatus. Compounding the issue of adequate funding are the limited population base on the eastern slope and the high cost of facilities improvements/new construction in the Lake Tahoe area.

District Capital Facilities Plan 2011/2012

The District mitigation fee structure is based on the type of structure being built or added to and using a schedule organized in this manner helps to best meet future capital needs. Your Board approved the District's original plan in July 2007 in which the District indicated that it would adjust fees each year based on a standardized index which, in this case, is the Construction Cost Index (CCI) which, for the period October 2010 to November 2011 rose by 2.8%. The table below illustrates existing and proposed rates:

**Existing and Proposed Rates
(\$/Ft²)**

	Existing	Proposed
Residential	0.98	1.00
Nonresidential		
• Commercial	1.62	1.66
• Office	2.06	2.12
• Industrial	1.44	1.48

The District Board of Directors held a noticed public hearing on January 13, 2012 to review the plan and subsequently adopted it by District Resolution 1-2012.

FISCAL IMPACT

There is no impact to the General Fund as a result of this action.

Attachments

Resolution

Alpine Springs County Water District Board of Directors Resolution 1-2012

Alpine Springs County Water District Capital Facilities and Fire Mitigation Fee Expenditure Plan for FY 2011/2012 - **available for public review at the Office of the Clerk of the Board**

Before the Board of Supervisors County of Placer, State of California

In the matter of: **A RESOLUTION APPROVING
THE ALPINE SPRINGS COUNTY WATER
DISTRICT CAPITAL FACILITIES AND FIRE
MITIGATION FEE EXPENDITURE PLAN
FOR FISCAL YEAR 2011/2012.**

Resol. No: _____

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **FEBRUARY 14, 2012** by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board _____

WHEREAS, since California Government Code 66000 *et seq* allows local agencies to *collect* fees from new development to offset the impacts of that development on local services, in August, 1990 the Board of Supervisors created the legal authority for fire protection districts to collect fees to mitigate those impacts and codified it in Placer County Code Chapter 15.36.010; and

WHEREAS, the legal authority to *levy* fees rests with the Board of Supervisors stemming from the police power of the County and, as fire protection districts themselves do not have direct legal authority, each must prepare and submit a Capital Facilities Plan (aka Capital Improvement Plan) to the Board of Supervisors in a specified format that derives, supports and delineates a mitigation fee schedule; and

WHEREAS, after the Alpine Springs County Water District applied the 2.8% Construction Cost Index increase for the period October 2010–November 2011 to its fee schedule rates, the District Board of Directors held a public hearing on January 13, 2012, reviewed the 2011/2012 plan in its entirety and adopted it by passing Resolution 1-2012.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer that the Alpine Springs County Water District Capital Facilities and Fire Mitigation Fees Expenditure Plan for Fiscal Year 2011/2012 is hereby approved.

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RESOLUTION 1-2012
OF THE
ALPINE SPRINGS COUNTY WATER DISTRICT

A RESOLUTION ADOPTING THE CAPITAL FACILITIES
AND
FIRE MITIGATION FEE EXPENDITURE PLAN FOR THE PLAN YEAR
2011/2012

WHEREAS, at the Regular Meeting held at 8:30 a.m. on January 13, 2012, at 270 Alpine Meadows Road, Alpine Meadows, California, the Board of Directors of the Alpine Springs County Water District of Placer County reviewed the Capital Facilities and Fire Mitigation Fee Expenditure Plan for the Plan Year 2011/2012 regarding historical data about staffing and inventory to develop estimations of adequate staffing levels and capital inventory. This information has been used to develop a fair and equitable mitigation fund equation for utilization of these funds.

WHEREAS, the Board of Directors and staff carefully reviewed and approved the Capital Facilities and Fire Mitigation Fee Expenditure Plan for the Plan Year 2011/2012.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors requests that staff distribute the Capital Facilities and Fire Mitigation Fee Expenditure Plan for the Plan Year 2011/2012 to the Placer County Board of Supervisors for their review.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors of the Alpine Springs County Water District held on January 13, 2012 by the following Roll Call Vote:

AYES: Nungeter, Northrup, Grant, Quinan, Dancy

NOES: _____

ABSENT: _____

ABSTAIN: _____

Attest:

John M. Collins
John M. Collins
Clerk of the Board

Barbara Danz
Barbara Danz, President
Board of Directors

