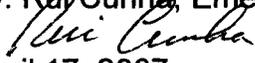


PLACER COUNTY
OFFICE OF EMERGENCY SERVICES

MEMORANDUM

To: Honorable Board of Supervisors

From: Thomas Miller, County Executive Officer
by: Rui Cunha, Emergency Services Program Manager


Date: April 17, 2007

Subject: Adopt a Resolution approving the 2006-2007 update of the South Placer Fire Protection District Capital Facilities Plan

ACTION REQUESTED

Adopt a resolution approving the 2006-2007 update of the South Placer Fire Protection District Capital Facilities Plan which contains a *Consumer Price Index for All Urban Consumers* (CPI-U)-based 2.1% increase in Mitigation Fees.

BACKGROUND

Legal Authority

Government Code 66000 et seq (CGC 66000) allows local agencies to collect fees from new development to offset the impacts of that development on local services. On August 28, 1990, the Placer County Board of Supervisors created the legal framework for fire districts to collect, but not to levy, development fees and codified it in the Placer County Code Chapter 15.36.010.

As noted above, fire districts do not have the legal authority to *levy* fees, which is a legal authority retained by the County ultimately resting with the Board of Supervisors. Therefore, in order to *collect* mitigation fees and as a requirement of CGC 66000, a fire protection district must complete a Capital Facilities Plan (or Capital Improvement Plan) which is subject to Board of Supervisors approval.

Capital Facilities Improvement Plans

In completing the required annual update to a Capital Facilities Plan, the law requires a number of actions by the fire protection district that includes: anticipating development impacts, determining the use of fees, establishing a reasonable relationship between fees and type of development, accounting separately for funds, holding properly noticed public hearings, and conducting an annual program review and update. The reviews generally occur with the beginning of the annual budget process.

South Placer Fire Protection District Capital Facilities Plan 2006-2007

The Board of the South Placer Fire District held a noticed public hearing to review the plan on February 21, 2007. At that meeting the district performed an annual review, and adopted the plan by passing Resolution Number 3 2006/2007.

The plan increases all fees by 2.1% based on the CPI-U for the period September 2005 - September 2006. South Placer Fire Protection District collected \$264,604 in mitigation fees during FY 2005-2006, and had a \$77,147 capital expenditure relating to the move of Station 16 to Olive Ranch Road leaving a mitigation fund balance of \$909,656 on June 30, 2006. The District projects additional expenses of \$514,000 in 2006-2007 on the move of Station 16.

New fee schedule with a 2.1% increase:

- Areas served by fire hydrants:

Construction Type	With Sprinklers	Without Sprinklers
Residential, Single & Multi-Family– Light Load	\$0.252/ft ²	\$0.516/ft ²
Commercial and Industrial - Moderate Load	\$0.516/ft ²	\$1.031/ft ²
Commercial and Industrial - Heavy Load	\$0.767/ft ²	NA-Code requires Sprinklers

- Rural areas not served by fire hydrants:

Construction Type	With Sprinklers	Without Sprinklers
Residential, Single & Multi-Family– Light Load	\$0.265/ft ²	\$0.526/ft ²
Commercial and Industrial - Moderate Load	\$0.526/ft ²	\$1.056/ft ²
Commercial and Industrial - Heavy Load	NA-Code requires hydrants	NA-Code requires hydrants

FISCAL IMPACT

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

Attachments

Resolution
 South Placer Fire Protection District Board of Directors Resolution 3 2006/2007
 South Placer Fire Protection District Capital Facilities Plan 2006-2007 – on file
 for public review with Clerk of the Board

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

In the matter of:

Resol. No: _____

**A RESOLUTION APPROVING THE 2006-2007 UPDATE
OF THE SOUTH PLACER FIRE PROTECTION DISTRICT
CAPITAL FACILITIES PLAN.**

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **APRIL 17, 2007** by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS Government Code 66000 *et seq* allows local agencies to collect fees from new development to offset the impacts of that development on local services, the Placer County Board of Supervisors, on August 28, 1990, created the legal framework for fire protection districts to collect fees to mitigate development impacts on services. That legal framework is codified in the Placer County Code Chapter 15.36.010, and

WHEREAS the legal authority to levy fees stems from the police power of the County and rests with the Board of Supervisors, the fire protection districts in and of themselves do not have direct legal authority to levy fees. Therefore, in order to collect mitigation fees on new construction, a district must prepare and submit to the Board of Supervisors a Capital Facilities (or Capital Improvement) Plan that delineates a proposed fee schedule, and

WHEREAS the South Placer Fire Protection District Board of Directors held a public hearing to review its plan on February 21, 2007 and adopted the plan by passing Resolution Number 3 2006/2007. The plan increases its residential and commercial mitigation fees by 2.1% based on an increase in the Consumer Price Index for All Urban Consumers, and

WHEREAS as part of its annual review, South Placer Fire Protection District showed a FY 2006-2007 beginning mitigation fee balance of \$909,656 that included \$264,604 in 2005-2006 revenues, and

WHEREAS the District plans Capital Facilities expenditures in FY 2006/2007 of \$514,000 on the relocation of Station 16 to Olive Ranch Road,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County of Placer that the 2006-2007 Capital Facilities Plan update for the South Placer Fire Protection District is hereby approved.

