

**PLACER COUNTY  
OFFICE OF EMERGENCY SERVICES**

**MEMORANDUM**

**To:** Honorable Board of Supervisors

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

**Date:** July 24, 2007

**Subject:** **Adopt a Resolution Approving the FY 2007-2008 Northstar Fire Department Capital Facilities Plan Update which contains a 2.9% Mitigation Fee Increase**

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**ACTION REQUESTED**

That your Board adopts a resolution approving the FY 2007-2008 Northstar Fire Department Capital Facilities Plan Update which contains a 2.9% mitigation fee increase.

**BACKGROUND**

**Legal Authority**

Government Code 66000 *et seq.* (GC 66000) allows local agencies to collect, but not to levy fees to offset the impact of new development on local services. In fact, legal authority to levy fees rests with the Board of Supervisors. The Board did enable fire protection districts to collect development fees by creating a legal framework for collections County Code (Chapter 15.36.010). However, per GC 66000, in order for a fire district to collect fees it must prepare an annual Capital Facilities (or Capital Improvements) Plan, which is subject to approval by the Board of Supervisors.

**Capital Facilities Plans**

The law requires a Capital Facilities Plan to 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.

**Northstar Community Service District Plan:** The plan, with identical residential and commercial fees, increases them by 2.9% (from \$0.748/ft<sup>2</sup> to \$0.77/ft<sup>2</sup>) based on the increase in the Consumer Price Index for all Urban Consumers (CPI-U) for the 12-month period ending in December 2006. As required by CGC 66000, the Board of Directors of the Northstar Community Services District held a properly noticed public hearing on June 20, 2007 to review the update, and subsequently adopted it by Resolution 07-09 (attached). As in the past, in the absence of a local newspaper a memo announcing the meeting was posted throughout the Northstar community at local offices and businesses.

For FY 2007-2008, the District has a beginning mitigation fund balance of \$918,538, and estimates mitigation fee revenues of \$40,000. However, planned expenditures are

\$904,987 for station expansion construction and \$20,000 for a loan payment leaves a projected year-end fund balance of \$33,551.

*NOTE: For reference and comparative purposes and should your Board approve the other fire district fee schedules as presented by the districts today, attached to this memo is a chart illustrating all Eastern Slope fire agency mitigation fee schedules.*

### **FISCAL IMPACT**

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

### **Available for Public Review at the Office of the Clerk of the Board**

- Northstar Fire Department Capital Facilities Plan Update

### **Attachments:**

Resolution  
Northstar Community Services District Resolution No. 07-09  
Proposed Fire Mitigation Fee Schedules Comparative Chart

**Proposed Fire Mitigation Fee Schedules  
Eastern Slope Fire Departments and Protection  
Districts**

**Residential Fees:**

<b>Department /District</b>	<b>/Ft<sup>2</sup></b>
Alpine Springs County Water District	\$0.88
Northstar Fire Department	\$0.77
North Tahoe Fire Protection District	\$0.77
Squaw Valley Fire Department	\$500/bedroom
Truckee Fire Protection District	\$0.89 for single family \$1.18 for multi-family

**Nonresidential Fees:**

<b>Department /District</b>	<b>Comm Space /Ft<sup>2</sup></b>	<b>Office Space /Ft<sup>2</sup></b>	<b>Industrial Space /Ft<sup>2</sup></b>
Alpine Springs County Water District	\$1.44	\$1.84	\$1.28
Northstar Fire Department	\$0.77	\$0.77	\$0.77
North Tahoe Fire Protection District	\$0.57	\$0.73	\$0.51
Squaw Valley Fire Department	\$1.05	\$1.05	\$1.05
Truckee Fire Protection District	\$0.80	\$1.14	\$0.57

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

In the matter of:

Resol. No: \_\_\_\_\_

**A RESOLUTION APPROVING THE 2007-2008  
NORTHSTAR FIRE DEPARTMENT CAPITAL  
FACILITIES PLAN UPDATE WHICH HAS A  
2.9% INCREASE IN MITIGATION FEES**

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **July 24, 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* (GC 66000) allows local agencies to collect fees on new development to offset resultant impacts on services, but fire districts in and of themselves do not have direct legal authority to levy fees. That authority, in fact, rests with the Board of Supervisors, which codified the requisite legal framework, specifically for fire districts, in County Code Chapter 15.36.010; and

**WHEREAS**, GC 66000 requires that in order to collect mitigation fees on new development, the fire district must annually prepare and submit to the Board of Supervisors, a Capital Facilities (or Capital Improvements) Plan that delineates and supports a proposed fee schedule; and

**WHEREAS**, the Northstar Community Services District Board of Directors held a public hearing to review its plan on June 20, 2007, the Board adopted it by passing Resolution Number 07-09. The plan incorporates a 2.9% rate increase based on the Consumer Price Index resulting in an upward adjustment of residential and commercial mitigation fees to \$0.77/ft<sup>2</sup>, and

**WHEREAS**, Northstar Fire Department has a beginning mitigation fund balance for FY 2007-2008 of \$918,538 and projects \$40,000 in mitigation fees, planned capital expenditures of \$904,987 to complete station expansion and a \$20,000 loan payment will result in a projected end of year fund balance of \$33,551.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the County of Placer that the fiscal year 2007-08 Capital Facilities Plan Update for the Northstar Fire Department is hereby approved.

**BOARD OF DIRECTORS**

**NORTHSTAR COMMUNITY SERVICES DISTRICT**

**RESOLUTION NO. 07-09**

**RESOLUTION UPDATING THE DISTRICT'S CAPITAL IMPROVEMENT  
PLAN, AND REQUESTING THE PLACER COUNTY BOARD OF  
SUPERVISORS TO ADOPT AND PROVIDE FOR COLLECTION OF  
THE ASSOCIATED INCREASED MITIGATION FEE**

AS A BASIS AND PREMISE for this Resolution, the Board of Directors ("Board") of Northstar Community Services District (the "District") finds as follows:

1. Pursuant to Government Code sections 66000 *et seq.*, local agencies have the authority to impose mitigation fees, as well as the authority to adopt capital improvement plans to identify the use to which the agency will put such mitigation fees;

2. Pursuant to Section 15.36.010 of the Placer County ("County") Code, where a local fire protection agency in the unincorporated area of County has adopted a capital improvement plan and identified a mitigation fee to satisfy the plan in compliance with sections 66000 *et seq.*, then with approval of the County Board of Supervisors, the County will implement the mitigation fee and provide for payment to the fire protection agency for the benefit of the owners or residents of the development.

3. On July 1, 2003, the Board established the District's *Fire Capital Facilities Mitigation Analysis and Capital Facilities Plan*, pursuant to sections 66000 *et seq.* (hereinafter, "Capital Improvement Plan"), setting out a capital improvement program for new fire services equipment and facilities;

4. The Capital Improvement Plan recommended the imposition of a mitigation fee pursuant to Government Code section 66001 as a necessary charge on new development in order to pay for its fair share of such capital facilities ("Mitigation Fee");

5. Pursuant to Government Code section 66002(b), the Board has annually updated the Capital Improvement Plan, including from time to time making recommendations for increases in the Mitigation Fee, which the County has also adopted and collected;

6. Each year the County Board of Supervisors has adopted and provided for or authorized collection of the Mitigation Fee associated with the Capital Improvement Plan;

7. The District has developed an updated Capital Improvement Plan for this year (hereinafter "Capital Improvement Plan Update", attached hereto as **Exhibit A**), which includes a recommendation for an additional increase in the Mitigation Fee commensurate with an increase in the Consumer Price Index ("CPI");

8. The Capital Improvement Plan Update and its associated increased Mitigation Fee complies with the provisions of Government Code section 66001; and,

9. Pursuant to Government Code section 66002(b), appropriate notice has been given and a public hearing has been conducted regarding the Capital Improvement Plan Update.

NOW, THEREFORE, be it RESOLVED, ADJUDGED and ORDAINED as follows:

1. The District hereby adopts the Capital Improvement Plan Update.
2. The Board formally requests that the County adopt and establish the updated Mitigation Fee associated with this Capital Improvement Plan Update pursuant to Government Code section 66001 and County Code section 15.36.010, and provide for or authorize collection of the fee, in the same manner as in prior years.

3. The District will account for all fees paid to or collected by it in accordance with the law.

PASSED AND ADOPTED by the Board of Directors on June 20, 2007 by the following vote:

AYES: Evans, Green, Ives, Moll, Seelig

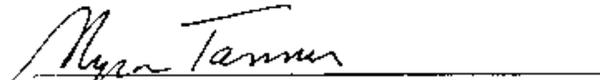
NOES: None

ABSENT: None



Duane E. Evans  
President of the Board

ATTEST:

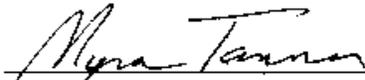
  
Myra Tanner  
Secretary of the Board

**CERTIFICATION**

The undersigned, Secretary of the Board of Directors of the Northstar Community Services District, hereby certifies that attached hereto is a true, complete and correct copy of Resolution No. 07-09, duly approved and adopted by the Board of Directors of the Northstar Community Services District on June 20, 2007. Said Resolution is in full force and effect and has not been amended, rescinded, superseded or modified since its date of adoption.

Dated: June 20, 2007

NORTHSTAR COMMUNITY SERVICES  
DISTRICT

By:   
Its: Myra Tanner  
Secretary of the Board of Directors