

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:** May 13, 2008

**Subject:** Adopt a Resolution approving the 2008 Foresthill Fire Protection District Capital Improvement Plan which is based on a Fire Facilities Impact Fee Study resulting in a square footage charge of \$0.97 for Residential and \$0.67 - \$1.49 for Nonresidential.

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**ACTION REQUESTED**

Adopt a Resolution approving the 2008 Foresthill Fire Protection District Capital Improvement Plan which is based on a Fire Facilities Impact Fee Study resulting in a square footage charge of \$0.97 for residential construction and a range of \$0.67 to \$1.49 for nonresidential construction.

**BACKGROUND**

**Legal Authority**

Government Code 66000 *et seq* (CGC 66000) allows local agencies, including fire protection districts, to *collect* development fees from new development projects to offset the impact that the new project has on the local agency's existing provision of services. In order to allow fire protection districts in Placer County to collect development fees, a legal requirement for new development projects to pay the fees was established by your Board on August 28, 1990 and codified as Chapter 15.36.010 of County Code. The ability to *levy* fees is a legal authority that remains with the County's Board of Supervisors.

As a condition for *collecting* mitigation fees, CGC 66000 requires a fire protection district to prepare a Capital Improvement Plan that is subject to Board of Supervisors approval. Updates of the plan are required annually.

**Capital Improvement Plan (CIP)**

The CIP, a source of historical data and plans for accommodation of future development, by law must address the following six areas: anticipated impact of development on the provision of services, the specific proposed usage of fees, the reasonable relationship between fees and type of development, a separate accounting system for collected funds, properly noticed public hearings, and an annual plan review or update.

The Office of Emergency Services (OES) has reviewed and confirms that the 2008 Foresthill Fire Protection District CIP meets all requirements of CGC 66000.

**Foresthill Fire Protection District (District)**

Foresthill Fire Protection District is a rural fire district serving the greater Foresthill area including the communities of Sugar Pine and Todd Valley. Development is primarily rural-residential and in the coming years, the District assumes that the current 7,300 service population (residents and workers) will almost double to approximately 14,300 by the year 2030.

**District 2008 Capital Improvement Plan**

The District's current mitigation fee structure, unchanged since July, 1990, imposes the same square-footage based fee (\$0.48/ft<sup>2</sup>) on new development regardless of its use or how many individuals use it on a daily basis( its "service population"). However, inasmuch as using this structure does not adequately account for escalating costs of facilities, vehicles, and equipment, the District chose to hire *MuniFinancial, Inc.* a financial services consulting firm, to update its plan, develop and validate a new fee calculation methodology, and set a new baseline fee structure. The *MuniFinancial* "Fire Facilities Impact Fee Study" did just that concluding that the District should base its fees on use *and* service population, not relying solely on building square footage. This new methodology better considers that the risk of fire/other hazards increases with use of a facility by the public, employees or residents. The proposed fee structure for 2008 and beyond is more fully explained in the Fee Study itself, but in summary, it is essentially based a combination of factors, including the type facility and its projected service population.

Existing and proposed fee structures are as shown:

(\$/Ft<sup>2</sup>)

<b>Facility Use</b>	<b>Existing fee</b>	<b>Proposed Fee</b>
<b>Residential</b>	<b>\$0.48</b>	<b>\$0.97</b>
<b>Nonresidential</b>		
- <b>Commercial</b>	<b>\$0.48</b>	<b>\$1.49</b>
- <b>Office</b>	<b>\$0.48</b>	<b>\$1.13</b>
- <b>Industrial</b>	<b>\$0.48</b>	<b>\$0.67</b>

The District Board of Directors held a properly noticed public hearing on April 1, 2008 to review the Capital Improvement Plan and the Impact Fee Study, and then adopted them both by Resolution.

Discussions between OES and the District staff indicate that any fee increases from this point on will be adjusted annually using the same percentage increase as contained in a generally accepted cost of living allowance (COLA) to be determined at the first annual update.

The Facilities Impact Fee Study (page 8) refers to space in the new Fire Headquarters for the Placer County Sheriff's Office. However, there exists no formal agreement between the County and the District for either funding or joint occupation. Therefore, approval by your Board of this Capital Improvement Plan does not commit the County to future funding, an action that will have to be approved as a part of the County's normal capital improvement process.

The District expects a total outlay of \$2,166,600 during Fiscal Years (FY) 2008-2010 from all sources, including mitigation fees, for the construction of a new Fire Headquarters at Foresthill Road and Gold Street. The District's current mitigation fund balance is \$149,272 which will be reduced by approximately \$33,720 this FY due to payments for new fire headquarters design services and for the *MuniFinancial* contract.

**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**

Foresthill Fire Protection District 2008 Fire Facilities Impact Fee Study and Capital Improvement Plan

**Attachments**

Resolution

Foresthill Fire Protection District Board of Directors Resolution 2008-02

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

In the matter of:

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

## A RESOLUTION APPROVING THE 2008 FORESTHILL FIRE PROTECTION DISTRICT CAPITAL IMPROVEMENT PLAN

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **May 13, 2008** 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** by law legal authority to levy fees rests with the Board of Supervisors, in order to collect mitigation fees fire protection districts must first submit for that Board's approval a Capital Improvement Plan, or its annual update, which as a minimum anticipates the impact of development on services, proposed use of fees, illustrates the relationship between fees and development, has a separate accounting system and provides for noticed public meetings; and

**WHEREAS** the 2008 Foresthill Capital Improvement Plan meets all statutory requirements, and the increased mitigation fee schedule is now based on the type facility and occupancy rather than on square footage alone; and

**WHEREAS** since no formal agreement exists between the County and the District for joint occupation of its fire headquarters by the Sheriff's Office, approval of this Plan does not commit the County to future funding, an action that will have to be approved as a part of the County's normal capital improvement process; and

**WHEREAS** Foresthill Fire Protection District has a current mitigation fee fund balance of \$149,272 and projects expenditures this fiscal year of \$33,720 for *MuniFinancial* planning services and facility design expenses for the new fire headquarters/station; and

**WHEREAS** the Foresthill Fire Protection District Board of Directors held a properly noticed public hearing to review the 2008 Capital Improvement Plan on April 1, 2008 and approved the Plan by Board of Directors Resolution 2008-02.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the County of Placer that the 2008 Foresthill Fire Protection District Capital Improvement Plan is hereby approved.

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RESOLUTION NO. 2008-02

OF THE  
FORESTHILL FIRE PROTECTION DISTRICT

APPROVING UPDATE OF CAPITAL IMPROVEMENT PLAN,  
INCLUDING INCREASE OF MITIGATION  
AND DEVELOPMENT FEE SCHEDULE

WHEREAS, the Board of Directors of FORESTHILL FIRE PROTECTION DISTRICT Heretofore duly approved and authorized the employment of Muni Financial to prepare and submit to the District an updated Capital Improvement Plan, together with recommendations on increase in development and mitigation fees, including impact fees; and

WHEREAS, Muni Financial has now submitted to the District its updated Capital Improvement Plan with recommendations for increase in development, mitigation and impact fees; and

WHEREAS, THE Board of Directors now wish to submit the request to the County for adoption of its increase in as set forth in accordance with the report of Muni Financial, a copy of which is attached hereto and incorporated herein as Exhibit "A."

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF FORESTHILL FIRE PROTECTION DISTRICT AS FOLLOWS:**

1. That said Board of Directors does hereby approve the updated Capital Improvement Plan, including increase of mitigation, impact and development fees for the District, which plan is dated February 25, 2008, a copy thereof being attached hereto as Exhibit "A."
2. That a copy of this resolution, together with a copy of Exhibit "A" shall be submitted to the County of Placer for adoption, in accordance with procedures set forth in Government Code section 66000 and following.

The foregoing resolution was duly passed by the Board of Directors of the Foresthill Fire Protection District at a publicly noticed Board of Directors meeting, duly called and held at the District Administration Building 24320 Main St. Foresthill, CA on April 1, 2008 by the following vote

AYES: Directors Hall, Elliott,  
Eklund, Millsap.

NOES: Directors \_\_\_\_\_.

ABSENT: Directors \_\_\_\_\_.

FORESTHILL FIRE PROTECTION DISTRICT

By: *Sue A. Grant*  
Chairman of the Board of Directors

ATTEST:

*Luana R. Dowling*  
Secretary Thereof



**Foresthill Fire Protection District**

P.O. Box 1099 Foresthill, CA 95631  
Office: (530) 367-2465 Fax: (530) 367-3498

DISTRICT BOARD  
SUE GRANT  
CHAIRMAN  
GARY V. HALL  
VICE CHAIRMAN  
JOAN KELLIOTT  
DIRECTOR  
JERRY MILLSAPS  
DIRECTOR  
FORREST EKLUND  
DIRECTOR

LEGAL NOTICE

NOTICE OF PUBLIC MEETING

FORESTHILL FIRE PROTECTION DISTRICT

NOTICE IS HEREBY GIVEN of a Public Meeting to be called and held by the Board of Directors at the hour of 7 o'clock p.m. on Tuesday April 1, 2008 at the office of the District located at 24320 Main St. Foresthill, Placer County, California, to present and adopt the FIRE FACILITIES IMPACT FEE STUDY AND CAPITAL IMPROVEMENT PLAN.

At least 10 days before the date of the meeting scheduled as set forth above there will be available to the public at the office set forth above, copies of the FIRE FACILITIES IMPACT FEE STUDY AND CAPITAL IMPROVEMENT PLAN.

At the public meeting the Board of Directors of the District will hear and consider any objections or protests to the proposed FIRE FACILITIES IMPACT FEE STUDY AND CAPITAL IMPROVEMENT PLAN.

Dated: March 21, 2008

Foresthill Fire Protection District

By: Laura P. Dowling  
Its: Secretary

Pursuant to order of the Board of Directors

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