

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: November 25, 2008

Subject: Adopt a Resolution approving the 2008 update of the Truckee Fire Protection District Capital Facilities Plan which contains an 8.9% increase in fees.

ACTION REQUESTED

Adopt a resolution approving the 2008 update of the Truckee Fire Protection District Capital Facilities Plan which contains an 8.9% increase in mitigation fees based on the change in value of the *Construction Cost Index (CCI)*.

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. The ability to *levy* fees, however, is an authority that remains, by law, with a County's Board of Supervisors. Therefore, 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.

As a condition for *collecting* mitigation fees, CGC 66000 requires a fire protection district to prepare a Capital Facilities Plan with an annual update that is subject to Board of Supervisors approval.

Capital Facilities Plans

A Capital Facilities Plan, while a source of historical data and plans for future accommodation of development, by law must address the following: 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, conduct of properly noticed public hearings, and conduct of an annual plan review/update. The annual update (for 2008) of the Truckee Fire Protection District Capital Facilities Plan has been reviewed by the Office of Emergency Services confirming that it meets all requirements of CGC 66000.

Truckee Fire Protection District Capital Facilities Plan Update for 2008

The Board of the Truckee Fire District held a noticed public hearing to review the plan on October 21, 2008. At that meeting the district performed an annual review of its plan resulting in its adoption by passage of the District's Board Resolution Number 34-2008.

The plan increases all fees by 8.9 % based on the change in CCI for the period March 2007 - September 2008 which is in keeping with the dates used in preparation of the District's most recent plan approved by your Board in July, 2007. The District collected \$91,509 in mitigation fees, and had capital outlays \$33,156 in 2007 leaving a mitigation fund year end balance of \$274,382. The District projects total 2008 expenses of \$8,100 for completion of preliminary planning for Station 95.

New fee schedule with 8.9% increase included: (\$Fee / ft²)

Facility Occupancy	Current Rate	Proposed Rate
<i>Residential</i>		
- Single Family	\$0.89	\$0.97
- Multifamily	\$1.18	\$1.29
<i>Nonresidential</i>		
- Industrial	\$0.57	\$0.62
- Commercial	\$0.80	\$0.87
- Office	\$1.14	\$1.24

FISCAL IMPACT

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

Attachments

Resolution
Truckee Fire Protection District Board of Directors Resolution 34-2008
Truckee Fire Protection District Capital Facilities Plan for the Year 2008 –
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 TRUCKEE FIRE
PROTECTION DISTRICT 2008 CAPITAL FACILITIES
AND MITIGATION FEE EXPENDITURE PLAN.**

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **November 25, 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 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 Board of Directors of the District held a public hearing to review its plan update on October 21, 2008 and adopted it by passing Resolution 34-2008; and

WHEREAS as part of its annual review, Truckee Fire Protection District showed a 2008 beginning mitigation fee balance of \$274,382 that includes \$91,509 in 2007 revenues, and the District forecasts \$230,000 in mitigation revenues and Capital Facilities expenditures in 2008 of only \$8,100 leaving a projected year-end balance of \$496,282.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County of Placer that the Capital Facilities Plan update for 2008 for the Truckee Fire Protection District is hereby approved.

**BEFORE THE BOARD OF DIRECTORS
OF THE
TRUCKEE FIRE PROTECTION DISTRICT
RESOLUTION 34-2008**

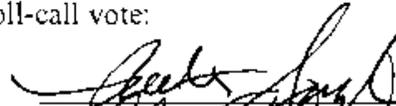
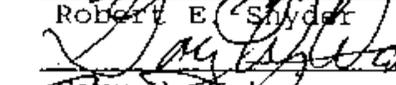
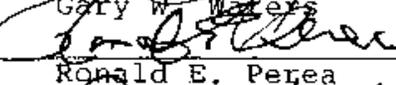
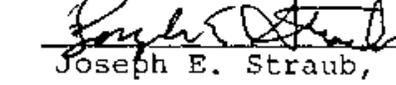
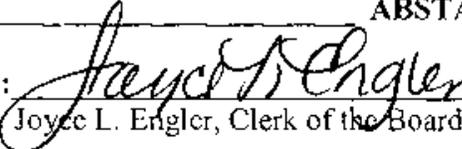
**A RESOLUTION ADOPTING THE CAPITAL FACILITIES
AND
MITIGATION FEE EXPENDITURE PLAN
FOR THE YEAR 2008**

WHEREAS, at the Regular Meeting held at 5:30 p.m. on October 21, 2008, in the Board Room of the Truckee Sanitary District located at 12304 Joerger Dr., Truckee, CA, the Board of Directors of the Truckee Fire Protection District of Nevada County reviewed the Capital Facilities and Mitigation Expenditure Plans for the Year 2008; Nevada County, Placer County, and the Town of Truckee, regarding historical and projected data about staffing, facilities, and capital 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 Mitigation Fee Expenditure Plan for the Year 2008.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors requests that staff distribute the Capital Facilities and Mitigation Fee Expenditure Plan for the Year 2008 to the Nevada County Board of Supervisors, the Placer County Board of Supervisors, and to the Town Council of the Town of Truckee for their review.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors of the Truckee Fire Protection District of Nevada County held on October 21, 2008 by the following roll-call vote:

AYES:		NOES:	_____
	Robert E. Snyder		_____
			_____
	Gary W. Waters		_____
		ABSENT:	Ben M. Malone
	Ronald E. Perea		_____
			_____
	Joseph E. Straub, Jr.		_____
	_____	ABSTAIN:	_____
ATTESTED BY:			
	Joyce L. Engler, Clerk of the Board		

DATED: October 21, 2008

SIERRA SUN

Serving the Truckee Community since 1862

Proof and Statement of Publication

12315 Deerfield Drive,
Truckee, CA 96161
Phone (775) 881-1201
Fax (775) 887-2408

Account Number: #1066719

Legal Account

Truckee Fire Protection District
P.O. Box 2768
Truckee, CA 96160

Virginia Marsh says:

That (s)he is a legal clerk of the **SIERRA SUN**, a bi-weekly newspaper published at Truckee, in the State of California.

Notice of Public Hearing

October 21, 2008 @ 5:30 p.m.
Ad #2347473

of which a copy is hereto attached, was published in said newspaper for the full required period of **2 times** commencing on **October 7, 2008**, and ending **October 14, 2008**, all days inclusive.

Signed: _____

Virginia Marsh

STATEMENT:

\$5.00 Affidavit on Proof of Publication

DATE	AMOUNT	CREDIT	BALANCE
10/14/08	\$ 75.70	\$ 0.00	\$ 75.70

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on October 21, 2008, the Board of Directors of the Truckee Fire Protection District will review the Capital Facilities and Mitigation Fee Expenditure Plan for the year 2008 for both Nevada County and Placer County and the Town of Truckee. Historical data about staffing and inventory has been gathered to develop estimations of adequate staffing levels and capital inventory. This information has been used to develop estimations of adequate staffing levels and capital inventory. This information has been used to develop a fair and equitable mitigation fund equation. This meeting is an outline for discussion about the utilization of these funds.

NOTICE IS FURTHER GIVEN that a PUBLIC HEARING on the plan will be held on October 21, 2008 at 5:30 p.m. in the Truckee Sanitary District Boardroom located at 12304 Joerger Drive, Truckee, CA 96161 at which time and place any and all interested parties may appear and be heard thereon.

Joyce Engler
Administrative Officer
Truckee Fire Protection District

Pub: October 7 and 14,
2008 Ad#2347473

