

**PLACER COUNTY  
OFFICE OF EMERGENCY SERVICES**

**M E M O R A N D U M**

**To:** Honorable Board of Supervisors

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

**Date:** December 14, 2010

**Subject:** Adopt a resolution approving the Alpine Springs County Water District Capital Facilities and Fire Mitigation Fee Expenditure Plan for FY 2010/2011 that contains a 4.2% increase in fees.

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**ACTION REQUESTED**

That your Board adopt a resolution approving the Alpine Springs County Water District Capital Facilities and Mitigation Fee Expenditure Plan for FY 2010/2011 that contains a 4.2% increase in 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 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 and 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 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. 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 occurring and promises to continue into the foreseeable future. The District, faced with

increases in both residential and work force populations, must accommodate the increased demand for services with improvements in both facilities and the addition of fire engines and ancillary fire and emergency medical apparatus. Compounding the problem of funding for these needed resources is the limited population base on the eastern side of Placer County, and the high cost of facilities improvements or new construction in the Lake Tahoe area.

District Capital Facilities Plan 2010/2011

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 existing price/cost index which, in this case, is the Construction Cost Index (CCI) which, for the period August 2009 to October 2010, rose by 4.2%. The table below illustrates existing and proposed rates:

**Existing and Proposed Rates  
(\$/Ft<sup>2</sup>)**

	<b>Existing</b>	<b>Proposed</b>
<b>Residential</b>	<b>0.94</b>	<b>0.98</b>
<b>Nonresidential</b>		
• <i>Commercial</i>	<b>1.55</b>	<b>1.62</b>
• <i>Office</i>	<b>1.98</b>	<b>2.06</b>
• <i>Industrial</i>	<b>1.38</b>	<b>1.44</b>

The District Board of Directors held a noticed public hearing on November 12, 2010, to review the plan and subsequently adopted it by District Resolution 14-2010.

Alpine Springs County Water District expects to collect \$8,000 in mitigation fees for Fiscal Year 2010-2011. Expenditures for 2010/2011 comprise \$10,700.

**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 14-2010

Alpine Springs County Water District Capital Facilities and Fire Mitigation Fee Expenditure Plan for FY 2010/2011 - **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** Resol. No: \_\_\_\_\_  
**THE ALPINE SPRINGS COUNTY WATER**  
**DISTRICT CAPITAL FACILITIES AND FIRE**  
**MITIGATION FEE EXPENDITURE PLAN**  
**FOR FISCAL YEAR 2010/2011.**

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **December 14, 2010** 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 on November 12, 2010 and adopted it by passing Resolution 14-2010. The District used the 4.2% increase in the Construction Cost Index for the period August 2009 - October 2010 to determine the increase in its proposed annual fee schedule.

**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 the Fiscal Year 2010/2011 is hereby approved.

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RESOLUTION 14-2010  
OF THE  
ALPINE SPRINGS COUNTY WATER DISTRICT

A RESOLUTION ADOPTING THE CAPITAL FACILITIES  
AND  
FIRE MITIGATION FEE EXPENDITURE PLAN FOR THE FISCAL YEAR  
2010/2011

**WHEREAS**, at the Regular Meeting held at 8:30 a.m. on November 12, 2010, 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 Expenditure Plan for the Fiscal Year 2010/2011 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 Fiscal Year 2010/2011.

**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 Fiscal Year 2010/2011 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 November 12, 2010 by the following Roll Call Vote:

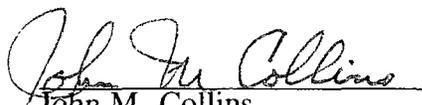
AYES: DANZ, NUNGESTER, NORTHROP, QUINAN, GRANT

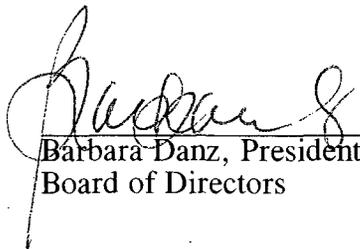
NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Attest:

  
John M. Collins  
Clerk of the Board

  
Barbara Danz, President  
Board of Directors

