

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: November 2, 2010

Subject: Conduct a Public Hearing and adopt by Resolution the 2010 update to the Placer County Fire Capital Improvement Plan that maintains the existing fee schedule.

ACTION REQUESTED

That your Board conduct a Public Hearing and adopt by Resolution the 2010 update to the Placer County Fire Capital Improvement Plan that maintains the existing fee schedule.

BACKGROUND

Legal Authority

California Government Code 66000 *et seq* (CGC 66000) allows local agencies, including fire departments and fire protection districts, to *collect* mitigation fees to offset the impact of new development on the provision of services by those agencies. Legal authority to *levy* fees, however, rests with the Board of Supervisors, and in order to facilitate collection, the Board created a legal framework codified in County Code Chapter 15.36.010.

Capital Improvement Plans

A stipulation of CGC 66000 is that fire entities prepare a Capital Improvement (or "Capital Facilities") Plan (CIP) on which to base its mitigation fee structure, and subject it to annual renewal by the Board of Supervisors. In completing a CIP, the law requires the fire protection district or department consider and address: potential development impacts, use of fees, establishment of a reasonable relationship between the fees and the type of development, separate accounting of funds, holding properly noticed public hearings, and *conducting an annual plan review and update*. The CIP on which this update is based was approved by your Board at the November 3, 2009 meeting.

Placer County Fire 2010 Update

The Board of Supervisors, serving as the legislative body of Placer County Fire, holds a properly noticed public hearing today to conduct the required CIP annual review, and as required by CGC 66000, the plan update, if approved, must be formally adopted by your Board. An inflation index, i.e., the percent change in the Bureau of Labor Statistics *Consumer Price Index for the San Francisco-Oakland-San Jose metropolitan area*, was applied to the fee schedule as permitted in the 2009 plan. However, due to the minimal change of less than 1%, and by not applying the increase to land costs, the fee schedule (shown below) remains unchanged. In accordance with the plan, in 2010 PCF received a new water tender for the Dry Creek station, purchased a new Type III/IV engine and spent \$500,000 on converting an existing apparatus bay at the Atwood station into living space.

Mitigation Fee Structure	
Residential	\$0.65/ft ²
Non-residential	\$0.48/ft ²

FISCAL IMPACT

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

Attachments

Resolution

Updated 2010 Capital Improvement Plan Appendix to the 2009 Plan*

Impact Fee Update for Inflation, 2010*

Proof of Publication

*** 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: **A RESOLUTION APPROVING
THE 2010 UPDATE TO THE PLACER COUNTY
FIRE CAPITAL IMPROVEMENT PLAN**

Resol. No: _____

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **NOVEMBER 2, 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, California Government Code 66000 *et seq* (CGC 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 rests with the Board of Supervisors, which codified the requisite legal framework, specifically to allow fire protection districts and fire departments within independent service districts to levy fees, in County Code Chapter 15.36.010; and

WHEREAS, in order to collect mitigation fees on new development, CGC 66000 requires fire entities submit either a new Capital Improvement Plan or an update to an exiting plan to the Board of Supervisors that meets all statutory requirements in delineating and supporting a fee schedule; and

WHEREAS, the Placer County Fire Board of Directors, i.e., your Board, held a public hearing on November 2, 2010 to review the 2010 Update to the Placer County Fire Capital Improvement Plan; and

WHEREAS, Placer County Fire had an 2010 beginning mitigation fee fund balance of \$3,755,037, projected revenues of \$256,552 and plans for \$1,356,068 in capital expenditures in 2010-2011.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer that the 2010 Update to the Placer County Fire Capital Improvement Plan is hereby approved.

