

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: February 26, 2008

Subject: Adopt a Resolution approving the 2007-2008 update of the South Placer Fire Protection District Capital Facilities Plan which contains a 3.5% increase in fees.

ACTION REQUESTED

Adopt a resolution approving the 2007-2008 update of the South Placer Fire Protection District Capital Facilities Plan which contains 3.5% increase in mitigation fees based on the change in value of the *Consumer Price Index for All Urban Consumers* (CPI-U).

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 (or a Capital "Improvement" Plan) that is subject to Board of Supervisors approval. Updates of the plan are required annually.

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 2007/2008 update of the South Placer Fire Protection District Capital Facilities Plan has been reviewed by the Office of Emergency Services confirming that it meets all requirements of CGC 66000.

South Placer Fire Protection District Capital Facilities Plan 2007-2008

The Board of the South Placer Fire District held a noticed public hearing to review the plan on January 16, 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 6 2007/2008.

The plan increases all fees by 3.5 % based on the CPI-U for the period October 2006 - October 2007. The District collected \$222,459 in mitigation fees during FY 2006-2007, and had capital outlays \$735,911 for the Olive Ranch Station and \$19,478 in refunds leaving a mitigation fund balance on June 30, 2007 of \$394,583. The District projects 2007-2008 expenses of \$513,000 primarily related to the Olive Ranch Station.

New fee schedule with 3.5% increase included:

- Areas served by fire hydrants:

Construction Type	With Sprinklers	Without Sprinklers
Residential, Single & Multi-Family– Light Load	\$0.261/ft ²	\$0.534/ft ²
Commercial and Industrial - Moderate Load	\$0.534/ft ²	\$1.067/ft ²
Commercial and Industrial - Heavy Load	\$0.794/ft ²	NA-Code requires Sprinklers

- Rural areas not served by fire hydrants:

Construction Type	With Sprinklers	Without Sprinklers
Residential, Single & Multi-Family– Light Load	\$0.274/ft ²	\$0.544/ft ²
Commercial and Industrial - Moderate Load	\$0.544/ft ²	\$1.056/ft ²
Commercial and Industrial - Heavy Load	NA-Code requires hydrants	NA-Code requires hydrants

FISCAL IMPACT

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

Attachments

- Resolution
- South Placer Fire Protection District Board of Directors Resolution 6 2007/2008
- South Placer Fire Protection District Capital Facilities Plan 2007-2008 – **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 2007/2008 UPDATE
TO THE SOUTH PLACER FIRE PROTECTION DISTRICT
CAPITAL FACILITIES PLAN**

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **FEBRUARY 26, 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 Facilities 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 2007/2008 plan update meets all statutory requirements and the 3.5% mitigation fee increase is based on the October 2006-October 2007 increase in the Consumer Price Index for All Urban Consumers; and

WHEREAS South Placer Fire Protection District had 2006/2007 mitigation revenues of \$222,459 and capital outlays of \$735,911 for the Olive Ranch Station and \$19,478 in refunds, it was left with a mitigation fees fund balance of \$394,583 on June 30, 2007. It projects 2007/2008 revenues of \$220,000 and expenditures totaling in excess of \$513,000 which are again primarily related to the Olive Ranch Station; and

WHEREAS the South Placer Fire Protection District Board of Directors held a properly noticed public hearing to review the 2007/2008 Capital Facilities Plan update on January 16, 2008, it was approved and certified it in the Board of Director's Resolution 6 2007/2008.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County of Placer that the 2007/2008 South Placer Fire Protection District Capital Facilities Plan update is hereby approved.

235

