

**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: July 24, 2007

Subject: **Adopt a Resolution Approving the Squaw Valley Fire Department Capital Facilities Plan Update – June 2007 which maintains the existing Mitigation Fee structure**

ACTION REQUESTED

That your Board adopts a resolution approving the June 2007 Squaw Valley Fire Department Capital Facilities Plan Update which maintains the existing Mitigation Fee structure.

BACKGROUND

Legal Authority

Government Code 66000 *et seq.* (GC 66000) allows local agencies to *collect*, but not to *levy* fees to offset the impact of new development on local services. Legal authority to *levy* fees in fact rests with the Board of Supervisors. The Board enabled collection of development fees by fire protection districts by creating a legal framework for collections in County Code (Chapter 15.36.010). However, per GC 66000, in order for a fire district to collect fees it must prepare a Capital Facilities (or Capital Improvements) Plan which is subject to annual approval by the Board of Supervisors.

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 (or Improvement) Plans

In completing a Capital Facilities Plan, the law requires the fire protection district to: anticipate development impacts, determine the use of fees, establish a reasonable relationship between fees and type of development, account separately for funds, hold properly noticed public hearings, and conduct an annual program review and update.

Squaw Valley Fire Department

The Board of Directors of the Squaw Valley Public Service District (District) held a properly noticed public hearing on June 26, 2007 to review the Fire Department plan, and ultimately confirmed it by Resolution 2007-25 (attached). The plan maintains its

existing mitigation fee structure, shown below, that was approved by your Board's action on March 20, 2001.

Fee Structure	
Residences, condominiums and hotels	\$500/bedroom
Any commercial occupancy	\$1050/1,000 ft ²

NOTE: For reference and comparative purposes and should your Board approve the other fire district fee schedules as presented by the districts today, attached to this memo is a chart illustrating all Eastern Slope fire agency mitigation fee schedules.

Keeping to the true intent of CGC 66000, the Fire Department's Mitigation Fund balance was reduced to zero in 2005 due to final payment on acquisition of a Type 1 engine in 2004 and construction and occupation of its new fire station in 2005. As a result, the beginning mitigation fund balance for 2006 was \$27,085 and mitigation fee revenues of \$19,160 (unaudited) were realized this past year. The Department ended its year with a fund balance of \$46,245 (unaudited). There are no planned Fiscal Year 2007 Mitigation Fund expenditures, and mitigation fee revenue in the coming year is projected at \$9,000.

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

Squaw Valley Fire Department Capital Facilities Plan Update with Announcement Memo

Attachments:

- Resolution
- Squaw Valley Public Service District Resolution No. 2007-25
- Proposed Fire Mitigation Fee Schedules Comparative Chart

**Proposed Fire Mitigation Fee Schedules
Eastern Slope Fire Departments and Protection
Districts**

Residential Fees:

Department /District	/Ft²
Alpine Springs County Water District	\$0.88
Northstar Fire Department	\$0.77
North Tahoe Fire Protection District	\$0.77
Squaw Valley Fire Department	\$500/bedroom
Truckee Fire Protection District	\$0.89 for single family \$1.18 for multi-family

Nonresidential Fees:

Department /District	Comm Space /Ft²	Office Space /Ft²	Industrial Space /Ft²
Alpine Springs County Water District	\$1.44	\$1.84	\$1.28
Northstar Fire Department	\$0.77	\$0.77	\$0.77
North Tahoe Fire Protection District	\$0.57	\$0.73	\$0.51
Squaw Valley Fire Department	\$1.05	\$1.05	\$1.05
Truckee Fire Protection District	\$0.80	\$1.14	\$0.57

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

In the matter of:

Resol. No: _____

**A RESOLUTION APPROVING THE 2007
SQUAW VALLEY FIRE DEPARTMENT CAPITAL
FACILITIES PLAN UPDATE – JUNE 2007**

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **JULY 24, 2007** 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* (GC 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, in fact, rests with the Board of Supervisors, which codified the requisite legal framework, specifically for fire districts, in County Code Chapter 15.36.010; and

WHEREAS, GC 66000 requires that in order to collect mitigation fees on new development, the fire district must annually prepare and submit to the Board of Supervisors, a Capital Facilities (or Capital Improvements) Plan that delineates and supports a proposed fee schedule; and

WHEREAS, the Squaw Valley Public Service District Board of Directors held a public hearing to review its plan on June 26, 2007, and adopted it by passing Resolution Number 2007-25. The plan maintains the original fee structure which was approved by your Board on March 20, 2001; and

WHEREAS, the Squaw Valley Fire Department has a beginning mitigation fund balance for 2007 of \$46,245 and projects \$9,000 in mitigation fee revenues, it has no planned capital expenditures for 2007-2008.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County of Placer that the Squaw Valley Fire Department Capital Facilities Plan Update – June 2007 is hereby approved.

RESOLUTION 2007-25

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SQUAW VALLEY PUBLIC SERVICE DISTRICT
APPROVING THE 2007 CAPITAL FACILITIES PLAN UPDATE**

WHEREAS, the Board of Directors of the Squaw Valley Public Service District considered the Squaw Valley Fire Department's existing fire protection services and facilities within its boundaries; and,

WHEREAS, Fire Chief Peter Bansen prepared a Fire Capital Facilities Mitigation Analysis (Analysis) dated January 2001, and updated as of February 2001; and,

WHEREAS, the Plan set forth the relationship between new development and those services or facilities required and appropriate to serve new development, and the estimated costs of those services or facilities; and,

WHEREAS, the Plan sets forth the fees needed to meet the demands caused by new development within the boundaries of the Squaw Valley Fire Department;

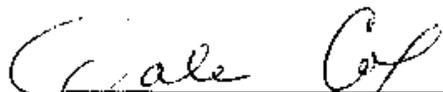
NOW, THEREFORE, BE IT RESOLVED that:

1. The Board of Directors hereby approves and adopts the attached 2007 Capital Facilities Plan Update.
2. The Board hereby finds that the Fire Protection Fees set forth therein are reasonable and necessary to finance fire protection equipment and facilities needed to meet the demands caused by new development within the boundaries of the Squaw Valley Fire Department.
3. The Board authorizes and directs the Fire Chief to forward the Plan Update to the Board of Supervisors of the County of Placer for approval and adoption of the Fire Mitigation Fees recommended in the Plan.

PASSED AND ADOPTED this 26th day of June 2007 at a regular meeting of the Board of Directors duly called and held by the following vote:

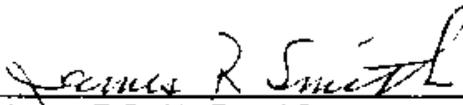
AYES: Directors Dale Cox, Brad Dutton, John Moberly, Eric Poulsen and John Wilcox
NOES: None
ABSENT: None
ABSTAIN: None

APPROVED:



Dale Cox, Board President

ATTEST:



James R Smith, Board Secretary

