

# Placer Union High School District

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MR. BART O'BRIEN  
SUPERINTENDENT

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COLFAX HIGH SCHOOL  
DEL DRO HIGH SCHOOL  
FORESTHILL HIGH SCHOOL  
MAIDU HIGH SCHOOL  
PLACER HIGH SCHOOL  
PLACER SCHOOL FOR ADULTS

June 30, 2008

County of Placer  
Board of Supervisors  
175 Fulweiler Ave.  
Auburn, CA 95603

Re: Developer Fee Rates

Dear Reader:

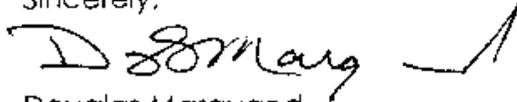
On June 24, 2008, the Placer Union High School District Board of Trustees approved the enclosed resolution to increase developer fee rates.

As authorized by Government Code §65995, the Board has approved increasing development fees from \$2.63 to \$2.97 per square foot for residential construction and reconstruction. The Board also approved increasing our development fees from \$0.42 to \$0.47 per square foot for new commercial and industrial construction. The increase in fees will become effective August 25, 2008.

The District's justification for collecting residential and commercial/industrial development fees is based on a Developer Fee Justification Study. A copy of this Justification Study can be provided electronically by e-mailing your request to Ms. Margaret Adolph at [madolph@puhsd.k12.ca.us](mailto:madolph@puhsd.k12.ca.us). This study is also available for viewing at our District Office.

Should you have any additional questions about this fee increase, please contact me at your convenience.

Sincerely,



Douglas Marquand  
Assistant Superintendent, Administrative Services  
Placer Union High School District  
P.O. Box 5048  
Auburn, CA 95604-5048  
Office: (530) 886-4410 Fax: (530) 886-4439  
[dmarquan@puhsd.k12.ca.us](mailto:dmarquan@puhsd.k12.ca.us)

RECEIVED

JUL 01 2008

CLERK OF THE  
BOARD OF SUPERVISORS



1           **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Governing Board of the Placer  
2 Union High School District as follows:

3 1.     Procedure. This Board hereby finds that prior to the adoption of this Resolution, the Board  
4 conducted a public hearing at which oral and written presentations were made, as part of the Board's  
5 regularly scheduled June 24, 2008, meeting. Notice of the time and place of the meeting, including a  
6 general explanation of the matter to be considered, was published twice in a newspaper in accordance  
7 with Government Code section 66018, and a notice, including a statement that the data required by  
8 Government Code section 66016 was available, was mailed at least 14 days prior to the meeting to  
9 any interested party who had filed a written request with the District for mailed notice of the meeting  
10 on new or increased fees or service charges within the period specified by law. Additionally, at least  
11 10 days prior to the meeting, the District made available to the public, data indicating the amount of  
12 the cost, or estimated cost, required to provide the service for which the fee or service charge is to be  
13 adjusted pursuant to this Resolution, and the revenue sources anticipated to provide this service,  
14 including general fund revenues. By way of such public meeting, the Board received oral and written  
15 presentations by District staff which are summarized and contained in the District's "Capital  
16 Improvement Plan & Revenue/Expenditure Simulation" hereinafter referred to as the "Plan" along  
17 with other materials which formed the basis for the action taken pursuant to this Resolution.

18 2.     Findings. The Board has reviewed the Plan as it relates to proposed and potential development, the  
19 resulting school facilities needs, the cost thereof, and the available sources of revenue including the  
20 increase in fees provided by this Resolution, and based thereon and upon all other written and oral  
21 presentations to the Board, hereby makes the following findings:

- 22       A.    Enrollment at the various District schools presently exceeds capacity or is at capacity.
- 23       B.    Additional development projects within the District, whether new residential construction or  
24           residential reconstruction involving increases in habitable areas, or new commercial or  
25           industrial construction will increase the need for school facilities.
- C.    Without the addition of new school facilities, further residential development projects or  
              commercial or industrial development projects within the District will result in a significant  
              decrease in the quality of education presently offered by the District.
- D.    Residential development and commercial or industrial development is projected within the  
              District's boundaries and the enrollment produced thereby will exceed the capacity of the  
              schools of the District. Projected development within the District, without additional school  
              facilities, will result in conditions of overcrowding which will impair the normal functioning  
              of the District's educational programs.
- E.    The fees proposed in the Plan and the fees increased pursuant to this Resolution are for the  
              purpose of providing adequate school facilities to maintain the quality of education offered  
              by the District.
- F.    The fees proposed in the Plan and increased pursuant to this Resolution will be used for the  
              construction and reconstruction of school facilities as identified in the Plan.
- G.    The uses of the fees proposed in the Plan and increased pursuant to this Resolution are  
              reasonably related to the types of development projects on which the fees are imposed.
- H.    The fees proposed in the Plan and increased pursuant to this Resolution bear a reasonable  
              relationship to the need for school facilities created by the types of development projects on  
              which the fees are imposed.

- 1 I. The fees proposed in the Plan and increased pursuant to this Resolution do not exceed the  
2 estimated amount required to provide funding for the construction or reconstruction of  
3 school facilities for which the fees are levied; and in making this finding, the Board declares  
4 that it has considered the availability of revenue sources anticipated to provide such facilities,  
5 including general fund revenues.
- 6 J. The fees imposed on commercial or industrial development bear a reasonable relationship  
7 and are limited to the needs of the community for elementary, middle or high school  
8 facilities and are reasonably related and limited to the need for schools caused by the  
9 development.
- 10 K. The use of the fees proposed in the Plan and increased pursuant to this Resolution (the  
11 construction and reconstruction of school facilities) is reasonably related to the types of  
12 development projects on which the fees are imposed (residential, commercial and industrial)  
13 because such development projects will produce increased enrollment that exceeds the  
14 existing capacity of District facilities and that will require such newly constructed or  
15 reconstructed facilities.
- 16 L. The need for public facilities (the newly constructed or reconstructed school facilities) is  
17 reasonably related to the types of development projects on which the fees are imposed  
18 (residential, commercial and industrial) because such development projects will produce  
19 increased enrollment that exceeds the existing capacity of District facilities and that will  
20 require such newly constructed or reconstructed facilities.
- 21 M. With respect to commercial or industrial developments, each of the findings and  
22 determinations made above in subsections F, K, and L, pursuant to the requirements of  
23 subdivision (a) of Government Code section 66001, were made on the basis of categories of  
24 commercial and industrial development; and in making these determinations, the Board  
25 declares that it has taken into account all of the documents and information presented to it.
- N. The fees will be collected for school facilities for which an account has been established and  
funds appropriated and for which the District has adopted a construction schedule and/or to  
reimburse the District for expenditures previously made.

3. Fee. Based upon the foregoing findings, the Board hereby increases the previously levied fee to the  
amount of two dollars and ninety-seven cents (\$2.97) per square foot of habitable, assessable space  
for residential construction and reconstruction to the extent of the resulting increase in habitable,  
assessable areas; and to the amount of forty-seven cents (\$.47) per square foot for new increases in  
commercial or industrial construction.

4. Fee Adjustments and Limitations. The fees adjusted herewith shall be subject to the following:

- A. The amount of the District's fees shall be reviewed as provided by law to determine if a fee  
increase according to the adjustment for inflation set forth in the statewide cost index for  
Class B construction as determined by the State Allocation Board is justified.
- B. The fees adjusted pursuant to paragraph 3, above do not apply during the term of any  
contract entered into between a subdivider or builder and the District, or any applicable city  
or county on or before January 1, 1987, that requires the payment of a fee, charge or  
dedication for the construction of school facilities as a condition to the approval of  
residential development.

1 C. Any development project for which a final map was approved and construction had  
2 commenced on or before September 1, 1986, is subject only to the fee, charge, dedication or  
3 other form of requirement in existence on that date and applicable to the project.

4 D. The term "development project" as used herein is as defined by section 17620 of the  
5 Education Code.

6 5. Appeal Procedure. Any person or company paying fees on commercial or industrial developments  
7 pursuant to this Resolution may appeal the imposition of the fee to the District's Assistant  
8 Superintendent of Administrative Services. Any such appeal must be filed in writing with the  
9 Assistant Superintendent of Administrative Services within ten days after payment of the fees. The  
10 document shall state all grounds for the appeal. The grounds for any such appeal include the  
11 inaccuracy of including the project within any particular category, if any, or that the employee  
12 generation or pupil generation factors utilized for any applicable category are inaccurate as applied to  
13 the project. The party appealing will be given an opportunity to meet with the Assistant  
14 Superintendent of Administrative Services. The Assistant Superintendent of Administrative Services  
15 will render his written decision within thirty days of the filing of the appeal, unless this time is  
16 extended by mutual agreement. If the person or company is dissatisfied with the decision of the  
17 Assistant Superintendent of Administrative Services, the person or company may appeal to the  
18 Governing Board. The appeal must be filed with the Superintendent within ten days of the Assistant  
19 Superintendent of Administrative Service's decision. The Board shall make its decision after  
20 conducting a hearing. The decision of the Board shall be final.  
21 Any party appealing the fee shall bear the burden of establishing that the fee is improper.

22 6. Additional Mitigation Methods. The policies set forth in this Resolution are not exclusive and the  
23 Board reserves the authority to undertake other or additional methods to finance school facilities  
24 including but not limited to the Mello-Roos Community Facilities Act of 1982 (Government Code  
25 §§53311, et seq.) and such other funding mechanisms as are authorized by law. This Board reserves  
the authority to substitute the dedication of land or other property or other form of requirement in  
lieu of the fees levied by way of this Resolution at its discretion, so long as the reasonable value of  
land to be dedicated does not exceed the maximum fee amounts contained herein or modified  
pursuant hereto.

7. Implementation. For residential, commercial or industrial projects within the District, the  
Superintendent, or the Superintendent's designee, is authorized to issue Certificates of Compliance  
upon the payment of any fee levied under the authority of this Resolution, which fees are to be  
collected at the time of issuance of building permit.

8. California Environmental Quality Act. The Board hereby funds that the increase in fees provided by  
this Resolution is to obtain funds for capital projects necessary to maintain service within the District  
and that therefore this action is statutorily exempt from the provisions of the California  
Environmental Quality Act (CEQA).

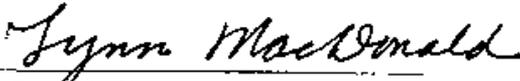
9. Commencement Date. The effective date of this Resolution shall be August 25, 2008, which is the  
first business day at least 60 days following the Resolution's adoption by the Board.

10. Notification of Local Agencies. Pursuant to Education Code section 17621(c), the Secretary of the  
Board is hereby directed to forward copies of this Resolution to the Planning Commission and Board  
of Supervisors of the County of Placer and to the Planning Departments of the Cities of Auburn and  
Colfax and the Town of Loomis. The Resolution should be accompanied by all relevant support

1 documents, and a map clearly indicating the boundaries of the area subject to the fee.

2 11. Severability. If any portion of this Resolution is found by a Court of competent jurisdiction to be  
3 invalid, such finding shall not affect the validity of the remaining portions of this Resolution. The  
4 Board hereby declares its intent to adopt this Resolution irrespective of the fact that one or more of  
5 its provisions may be declared invalid subsequent hereto.

6 **ATTEST:**

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9 Lynn MacDonald, Clerk