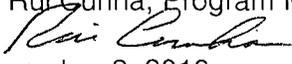


**PLACER COUNTY
OFFICE OF EMERGENCY SERVICES**

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: Adopt a Resolution approving the Penryn Fire Protection District Capital Improvement Plan for Fiscal Year 2010-2011 which is a new plan.

ACTION REQUESTED

Adopt a Resolution approving the Penryn Fire Protection District Capital Improvement Plan for Fiscal Year 2010-2011 which is a new plan.

BACKGROUND

Legal Authority: California Government Code 66000 *et seq* (CGC 66000) allows local fire agencies (independent districts or departments) to collect fees to offset the impact of new development on local services but they are not permitted to levy the fees. Legal authority to *levy* fees rests with the Board of Supervisors, which has enabled independent fire agencies to collect mitigation fees through a legal framework established in Placer County Code Chapter 15.36.010. However, per CGC 66000, in order for a fire district to actually collect fees, it must first submit a Capital Improvement Plan (aka "Capital Facilities Plan") for approval to the local governing body (your Board) and then, once approved, submit an annual update for approval for as long as fees are in effect.

Capital Improvement Plans: The law requires a Capital Improvement Plan 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 Placer County Office of Emergency Services reviews plans submitted by fire protection districts to ensure compliance with CGC 66000.

Penryn Fire Protection District Plan: The District's contracted *Willdan Financial Services* to prepare its new plan. *Willdan* has also been contracted by most of the fire protection districts within the unincorporated County to prepare their capital improvement plans all of which your Board has approved. The mitigation fee schedule indicated in the chart below was based on a comprehensive review of projected new development in the District between now and 2025 by *Willdan* and is incorporated in its *Penryn Fire District Fire Facilities Impact Fee Study, Final Report* dated *August 31, 2010*. As required by CGC 66000, the District Board of Directors held a properly noticed public hearing on September 20, 2010 to review the plan which it subsequently adopted by Resolution 2010-2011,2 (attached). In the absence of a local newspaper, a memo announcing the meeting was posted throughout the Penryn community at local offices and businesses.

Residential	\$0.52/ft ²
Non-Residential:	
Retail	\$1.09/ft ²
Office	\$1.04/ft ²
Industrial	\$0.57/ft ²

Board of Supervisors
Penryn Fire Protection District
2010-2011 CIP
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FISCAL IMPACT

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

Attachments

Resolution

Penryn Fire Protection District Board of Directors Resolution No. 2010-2011,2

Penryn Fire District Fire Facilities Impact Fee Study, Final Report, August 31, 2010:

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
THE PENRYN FIRE PROTECTION DISTRICT
CAPITAL IMPROVEMENT PLAN FOR FISCAL
YEAR 2010-2011 WHICH IS A NEW 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 any impact on services, but fire districts in and of themselves do not have direct legal authority to levy fees, which is an authority of the Board of Supervisors; and

WHEREAS, The Board of Supervisors codified a legal framework specifically for fire districts and departments to collect mitigation fees in County Code Chapter 15.36.010; and

WHEREAS, in order to collect mitigation fees on new development, CGC 66000 requires a fire district prepare and present to the Board of Supervisors for its approval a prescribed format Capital Improvement Plan; and

WHEREAS, the Penryn Fire Protection District prepared a plan that establishes a mitigation fee schedule based on projected growth in the District, the Penryn Fire Protection District Board of Directors held a public hearing for its review of the plan on September 20, 2010, and adopted it by Resolution #2010-2011,2.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer that the Penryn Fire Protection District Capital Improvement Plan for Fiscal Year 2010-2011 is hereby approved.

