

**PLACER COUNTY
OFFICE OF EMERGENCY SERVICES**

M E M O R A N D U M

To: Honorable Board of Supervisors

From: Thomas Miller, County Executive Officer
by: Richard Simmons, Emergency Services Program Manager

Date: October 25, 2011

Subject: Adopt a Resolution approving the Truckee Fire Protection District Capital Improvement Plan for 2011 which reduces its mitigation fee structure from 23-28.5% depending on whether development is residential or nonresidential.

ACTION REQUESTED

Adopt a resolution approving the Truckee Fire Protection District Capital Improvement Plan for 2011 which reduces its mitigation fee structure from 23-28.5% depending on whether development is residential or nonresidential.

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 prepare a Capital Improvement Plan (CIP) with an annual update that is subject to Board of Supervisors approval.

Capital Improvement Plans

CGC 66000 requires a CIP address: (1) anticipated impact of development on the provision of services, (2) the specific proposed usage of fees, (3) the reasonable relationship between fees and type of development, (4) a separate accounting system for collected funds, (5) conduct of properly noticed public hearings, and (6) conduct of an annual plan review/update. The Truckee Fire Protection District 2011 plan does so and is therefore, in compliance.

District Capital Improvement Plan for 2011

The District contracted with Willdan Financial Services to update its 2010 plan based on current and projected conditions, resulted in fee reductions ranging from 23 to 28.4% between residential and nonresidential development. The Board of Directors of the Truckee Fire Protection District held a noticed public hearing on its plan on September 20, 2011, and at that meeting adopted it via Resolution Number 14-2011.

The plan reduces rates as shown:

Fee schedule: (\$/ft²)

<u>Occupancy</u>	<u>Previous Rate</u>	<u>2011 Rate</u>
<i>Residential</i>		
- Single Family	\$0.95	\$0.68
- Multifamily	\$1.26	\$0.90
<i>Nonresidential</i>		
- Industrial	\$0.61	\$0.47
- Commercial	\$0.85	\$0.66
- Office	\$1.22	\$0.95

Ultimately, rate reductions are due to a previously planned but now completed property purchase and completion of a station remodel. In addition, plans for the purchase of two pieces of property adjacent to existing stations have been changed by the Board of Directors and those properties will continue only to be leased.

FISCAL IMPACT

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

Attachments

Resolution

Truckee Fire Protection District Board of Directors Resolution 14-2011

Truckee Fire Protection District 2011 Capital Facilities and Mitigation Fee Expenditure Plan –
on file for public review with Clerk of the Board

BEFORE THE BOARD OF DIRECTORS
OF THE
TRUCKEE FIRE PROTECTION DISTRICT
RESOLUTION 14-2011

A RESOLUTION ADOPTING THE CAPITAL FACILITIES
AND
MITIGATION FEE EXPENDITURE PLAN
FOR THE YEAR 2011

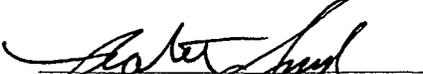
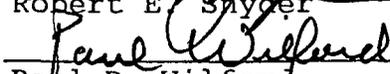
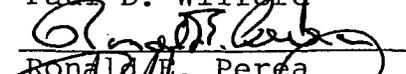
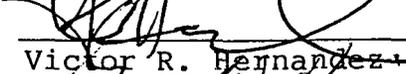
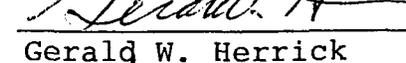
WHEREAS, at the Regular Meeting held at 5:30 p.m. on September 20, 2011, in the Board Room of the Truckee Sanitary District located at 12304 Joerger Dr., Truckee, CA, the Board of Directors of the Truckee Fire Protection District reviewed the Capital Facilities and Mitigation Expenditure Plans for the Year 2011; Nevada County, Placer County, and the Town of Truckee, regarding historical and projected data about staffing, facilities, and capital inventory to develop estimations of adequate staffing levels and capital inventory. This information has been used to develop a fair and equitable mitigation fund equation for utilization of these funds.

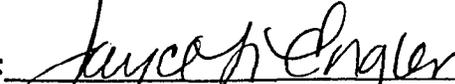
WHEREAS, the Board of Directors and staff carefully reviewed and approved the Capital Facilities and Mitigation Fee Expenditure Plans for the Year 2011.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors adopts the Capital Facilities and Mitigation Fee Expenditure Plans for the Year 2011,

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Board of Directors directs staff to distribute the Capital Facilities and Mitigation Fee Expenditure Plan for the Year 2011 to the Nevada County Board of Supervisors, the Placer County Board of Supervisors, and to the Town Council of the Town of Truckee for their review and adoption.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors of the Truckee Fire Protection District held on September 20, 2011 by the following roll-call vote:

AYES:	 Robert E. Snyder	NOES:	_____
	 Paul D. Wilford		_____
	 Ronald E. Perea	ABSENT:	_____
	 Victor R. Hernandez		_____
	 Gerald W. Herrick	ABSTAIN:	_____

ATTESTED BY: 
Joyce L. Engler, Clerk of the Board

DATED: September 20, 2011

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

In the matter of: **A RESOLUTION APPROVING
THE TRUCKEE FIRE PROTECTION DISTRICT
CAPITAL IMPROVEMENT PLAN FOR 2011**

Resol. No: _____

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **OCTOBER 25, 2011** 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 development's impact on local services, and the Placer County Board of Supervisors created the legal framework, codified in the Placer County Code Chapter 15.36.010, on August 28, 1990 for fire protection districts to collect fees to mitigate development impacts on their services; and

WHEREAS the legal authority to levy fees is by law vested in the Board of Supervisors and therefore, in order to collect mitigation fees on new construction, the fire protection district, not having any direct legal authority itself, must prepare and submit to the Board of Supervisors for its approval, a capital facilities plan that delineates a fee schedule; and

WHEREAS, the Truckee Fire Protection District contracted with the financial consulting firm, *Willdan Financial Services*, to update their previous plan and capture the impacts on development in the District's area due to the current economic climate; and

WHEREAS the Board of Directors of the Truckee Fire Protection District held a public hearing on September 20, 2011 to review the Capital Improvement Plan in which the fee structure was reduced anywhere from 23-28.5% and subsequently adopted it by passing District Resolution 14-2011.

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