



# N.C.S.D.

Northstar Community Services District  
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**Board of Directors**  
Warren "Chip" Brown, President  
Nancy Ives  
Marilyn Forni  
Mike Moll  
Michael "Spoon" Witherspoon  
  
**General Manager**  
Michael Staudenmayer

## BOARD OF DIRECTORS NORTHSTAR COMMUNITY SERVICES DISTRICT

### RESOLUTION NO. 21-14

#### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTHSTAR COMMUNITY SERVICES DISTRICT ADOPTING THE DISTRICT FIRE CAPITAL FACILITIES PLAN UPDATE AND ESTABLISHING THE CAPITAL ASSETS MITIGATION FEE FOR THE 2021-2022 FISCAL YEAR**

**WHEREAS**, the Board of Directors (the "Board") of the Northstar Community Services District (the "District") has previously adopted and periodically updated a Capital Facilities Plan (sometimes previously referred to as a "Capital Improvements Plan") in connection with fire protection purposes under Government Code section 66000 and following; and

**WHEREAS**, the Board has commissioned and been presented an updated Capital Facilities Plan (the "2021 CFP") in connection with the fire protection services of the District; and

**WHEREAS**, the Board has considered the adoption of the 2021 CFP for fire protection purposes; and

**WHEREAS**, the 2021 CFP supports a Mitigation Fee in the amount of \$1.19 per square foot of new enclosed/habitable construction of over 500 square feet in size, including commercial, residential, miscellaneous buildings, and garages.

**WHEREAS**, Government Code Section 66002(b) requires that the Mitigation Fee and 2021 CFP be adopted only after a duly noticed public hearing; and

**WHEREAS**, the 2021 CFP was available for public inspection and review, and was presented during a public hearing on September 15, 2021, after the requisite published and posted notice; and

**WHEREAS**, after the public hearing and upon due consideration of the 2021 CFP, it appears that new development within the Northstar area will adversely impact and degrade the level of fire protection services in the District unless the recommended Mitigation Fee continues and that the established Mitigation Fee at the rate of \$1.19 per square foot is necessary for new development to pay its proportionate share of capital facilities for fire protection services; and

**WHEREAS**, the 2021 CFP reflects the requisite relationship between the intended purpose of the fee and its rate, and the recommended fee is reasonably calculated not to exceed the cost of capital improvements or services required by such new development, in compliance with Government Code Section 66000 *et seq.*; and,

**WHEREAS**, the area within the District's Community Facilities District No. 1 (the "CFD") is contributing substantial revenues and infrastructure to offset the impact of the CFD on the District's fire protection services, and so the CFD should continue to be excluded from the payment of the Mitigation Fee.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors that the District hereby approves and adopts the 2021 CFP with a Mitigation Fee for all new construction in the District (but excluding areas within the CFD), as follows:

1. A Mitigation Fee equal to \$1.19
2. per square foot of new enclosed/habitable construction of over 500 square feet in size, including commercial, residential, miscellaneous buildings, and garages.
3. The Mitigation Fee may be increased annually at the beginning of each fiscal year to reflect the current cost of the proposed capital facilities projects. The annual increase, if any, shall be established using the then most current *Engineering News-Record* Construction Cost Index.
4. Pursuant to Government Code Section 66002(b), the 2021 CFP shall be annually updated by resolution after a noticed public hearing.
5. The Board requests that the Placer County Board of Supervisors adopt and establish the Mitigation Fee set forth in Section 1.
6. The District shall be responsible for the proper accounting for and expenditure of the Mitigation Fee and further agrees to hold the County of Placer harmless from and defend it against any action, claim, or damages related to the Mitigation Fee, including any challenge to the validity, implementation or use thereof.

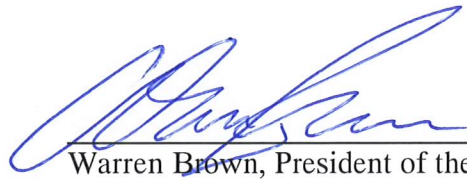
**ADOPTED AND APPROVED** by the Board of Directors of the Northstar Community Services District on September 15, 2020, by the following vote:

AYES: Brown, Forni, Ives, Moll, Witherspoon


NOES: None

ABSTAIN: None

ABSENT: None

  
Warren Brown, President of the Board

Attest:

  
Julie Zangara  
Secretary of the Board