


**EXECUTIVE OFFICER'S AGENDA REPORT**  
**APRIL 25, 2007**

TO: LAFCO Commissioners  
FROM:  Marjorie Blom, Executive Officer  
SUBJECT: Consideration of MSR 07-01 – Countywide Fire Services Municipal Service Review

BACKGROUND

In 2005, LAFCO initiated the preparation of a Countywide Fire Services Municipal Service Review. Mr. Ronny Coleman, consultant with Emergency Services Consulting inc., (ESCi) has completed the Final Draft document and will present his findings to the Commission. Following Mr. Coleman's presentation, the Commission will hold a public hearing to consider the adoption of the Countywide Fire Services MSR.

INTRODUCTION

The Countywide Fire Services Municipal Service Review (CWFSMSR) was prepared for the Stanislaus Local Agency Formation Commission (LAFCO) in accordance with Section 56430 of the California Government Code. It responds to the requirement that LAFCO conduct a Municipal Service Review (MSR) to study the delivery of municipal services and update spheres of influence.

The MSR evaluates the services provided by the following 14 Rural Fire Protection Districts in Stanislaus County: Burbank-Paradise, Ceres, Denair, Hughson, Industrial, Keyes, Mountain View, Oakdale Rural, Salida, Stanislaus Consolidated, Turlock Rural, Westport, West Stanislaus, and Woodland.

The MSR also includes information on the following City Fire Departments: Ceres, Modesto, Newman, Oakdale, Patterson, and Turlock. This Commission has or will be adopting MSR's for each of the individual cities, as required by State law. To date, the following City MSR's have been completed: Hughson, Modesto, Oakdale, Patterson and Turlock. Information on the California Department of Forestry is also included, although LAFCO has no authority over this agency.

*Municipal Service Review (MSR) Requirements*

The term "municipal services" generally refers to the full range of services that a public agency provides or is authorized to provide. The California Governor's Office of Planning and Research (OPR) has concluded that LAFCO is only required to review services provided by agencies with spheres of influence. In addition, OPR has determined that the LAFCO's have flexibility in identifying which services will be reviewed, the timetable for review and what geographic areas will be selected for review.

The statewide requirement for service reviews is a response to the identified need for a more coordinated and efficient delivery of public services to support California's anticipated growth. The service review provides the LAFCO with a tool to comprehensively study existing and potential public service conditions, as well as to evaluate organizational options for accommodating growth, preventing urban sprawl, and ensuring that critical services are efficiently provided.

## MUNICIPAL SERVICE REVIEW DETERMINATIONS

The Cortese-Knox-Hertzberg Local Government Act requires that, prior to January 1, 2008, LAFCO conduct municipal service reviews and sphere of influence updates on all cities and special districts in the County. Section 56430 governing municipal service reviews requires that LAFCO make determinations concerning the following factors:

1. Infrastructure Needs and Deficiencies.
2. Growth and population projections for the affected area.
3. Financing constraints and opportunities.
4. Cost avoidance opportunities.
5. Opportunities for rate restructuring.
6. Opportunities for shared facilities.
7. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers.
8. Evaluation of management efficiencies.
9. Local accountability and governance.

The LAFCO must make the above determinations regarding these factors pursuant to the provisions of Government Code Section 56430. The municipal service review process does not require the LAFCO to initiate changes of organization (i.e. dissolution or consolidation) based on the determinations. The local agencies themselves are not the object of the municipal service review; rather, municipal service reviews are intended to survey the adequacy of public services within specific regions.

The consultant has prepared written determinations on the nine factors listed above (see Final Draft document pages 212-226). However, Staff reviewed the MSR document, including the determinations proposed by the consultant and found that several of the determinations did not directly relate to Government Code Section 56430. Therefore, written determinations recommended by Staff are provided for the Commission's consideration, and are attached as "Exhibit A".

The decision to approve or disapprove any of the written determinations proposed (either by the consultant or Staff) rests entirely with the Commission. Once adopted, the written determinations will be utilized in updating the spheres of influence of the fire districts, or upon review of a proposal for a change of organization or reorganization by the affected district(s).

## CEQA

The Stanislaus LAFCO is the lead agency under the California Environmental Quality Act (CEQA) for this municipal service review. The Commission must therefore address CEQA requirements before taking any action. The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by LAFCO and to comply with the California Environmental Quality Act (CEQA).

In this case it has been determined that this project is exempt from CEQA pursuant to Article 19, Section 15306, Class 6 - Information Collection. The Stanislaus Local Agency Formation Commission will file this Notice of Exemption upon approval of the Countywide Fire Services Municipal Service Review. (See attached Notice of Exemption, "Exhibit B").

### INFORMATIONAL DOCUMENT

The Countywide Fire Services Municipal Services Review (MSR) is an informational document and does not substitute for discretionary decisions that can only be made by the Commission. The MSR is subject to reconsideration and revision as directed by the LAFCO staff or by the Commission.

In addition, as indicated previously, this Countywide Fire Services Municipal Service Review is not a proposal for a change of organization, such as a dissolution or consolidation. Stanislaus LAFCO policies favor applications from the affected agencies and communities rather than initiation by LAFCO.

### ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider choosing one of the following options:

- Option 1: APPROVE the written determinations as provided by the Consultant.
- Option 2: APPROVE the written determinations as provided by the LAFCO Staff.
- Option 3: CONTINUE this matter to a future meeting (maximum of 70 days), if the Commission needs more information.

### RECOMMENDED ACTION

**Approve Option 2.** Based on the information presented in the Countywide Fire Services Municipal Service Review, Staff recommends that the Commission:

1. Open the Public Hearing to receive comments on the Final Draft Countywide Fire Services Municipal Service Review (MSR);
2. Incorporate further corrections and/or additions to the Countywide Fire Services MSR that may be accepted prior to, or during the public hearing;
3. Determine that the attached Municipal Service Review is statutorily exempt from environmental review, pursuant to Article 19, Section 15306, Class 6 - Information Collection, of the State CEQA Guidelines; and
4. Adopt LAFCO Resolution No. 2007-09, by setting forth the written determinations addressing the nine factors of a municipal service review in accordance with Government Code Section 56430.

Attachments: Exhibit A - Staff Recommended Written Determinations  
Exhibit B - Notice of Exemption  
LAFCO Resolution No. 2007-09

***Note: The Final Draft Countywide Fire Services Municipal Service Review (MSR) was provided under separate cover to the Commission prior to the April 25th meeting.***

## **EXHIBIT A**

### **STATEMENT OF WRITTEN DETERMINATIONS PURSUANT TO GOVERNMENT CODE SECTION 56430 FOR THE COUNTYWIDE FIRE SERVICES MUNICIPAL SERVICE REVIEW**

The Stanislaus Local Agency Formation Commission has considered information presented on the Countywide Fire Services Municipal Service Review and adopts the following written determinations, as amended by staff:

#### **1. INFRASTRUCTURE NEEDS AND DEFICIENCIES**

**Purpose:** To evaluate the infrastructure needs and deficiencies of a jurisdiction in terms of availability of resources, capacity to deliver services, and condition of facilities.

**Summary:** One of LAFCO's goals is to encourage the efficient provision of public services. Infrastructure needs and deficiencies refer to the adequacy of existing and planned public facilities in relation to how public services are, and will be, provided to citizens. Infrastructure can be evaluated in terms of capacity, condition, availability, quality and correlation among operational, capital improvement, and financial plans. The most common and visible infrastructure aspect of the fire service is a fire station, but other types of facilities need to be evaluated as well.

#### **Written Determinations – Infrastructure Needs & Deficiencies**

The following points represent the written service review determinations relating to infrastructure needs and deficiencies:

##### Determination 1.0

- There are distinct differences in the availability and capacity of fire protection and emergency medical services throughout Stanislaus County. These differences, which are primarily drawn from variations in service and staff arrangements, reflect the independent practices and policies of the local agencies.

##### Determination 1.1

- Response times for fire protection and emergency medical services are important benchmarks in assessing performance and allocating resources.

##### Determination 1.2

- Providing emergency medical services represents the largest demand for fire protection providers in Stanislaus County. As life expectancies increase, local agencies will need to develop and dedicate additional resources to maintain existing service levels.

##### Determination 1.3

- There is no long-term comprehensive strategic or master plan within the region to improve or recommend changes to infrastructure capacity for fire protection. This prevents adequate consideration of options and alternatives.

#### Determination 1.4

- Fire protection and emergency medical services response patterns in the study area are characterized by overlapping polygons and areas with no coverage. In certain areas, there is a redundancy and other areas response times are longer than normal. This prevents the effective and efficient use of limited resources.

#### Determination 1.5

- Fire stations in the districts are generally aged and while still serviceable, are in need of substantial upgrades. The fire stations in the cities vary in age but are in generally better condition, and in some cases are already scheduled for replacement. There are very few new stations in the overall inventory. However, new stations that are being built do comply with contemporary standards. Specifically, these include the recent stations constructed in Salida, Oakdale, and Ceres.

#### Determination 1.6

- The fire apparatus inventory is also, in general, aged, and many vehicles are likely to need replacement in the next 5 to 10 years.

#### Determination 1.7

- Small tools and equipment range from being nearly obsolete to being relatively current, with the preponderance being older and in need of replacement.

#### Determination 1.8

- The level of service being provided ranges from urban to rural, with no degree of consistency in fringe areas that are hard to serve or underserved. There are large areas that are underserved with current station distribution.

## **2. GROWTH AND POPULATION**

**Purpose:** To evaluate service needs based upon existing and anticipated growth patterns and population projections.

**Summary:** The efficient provision of public safety services is related to the ability of an agency to plan for future service demands. The purpose of this category is to provide LAFCO with the ability to review both the existing and reasonable future needs for public services and to evaluate whether the projections for future growth and population are integrated into an agency's planning efforts. This analysis may be used to determine whether sphere of influence (SOI) and/or service area boundaries reflect expected growth areas, if future SOI changes are necessary or feasible and if agencies are planning for anticipated changes in service demands.

### **Written Determinations – Growth and Population**

The following points represent the written service review determinations relating to growth and

population:

#### Determination 2.0

- The population projections issued by the Stanislaus Council of Government (StanCOG) are reasonable estimates of the current and future population for Stanislaus County.

#### Determination 2.1

- Cities and fire districts in Stanislaus County use varying data sources and methodologies when determining the population they serve and projecting growth in their service population, such as the number of parcels, number of structures, number of households, number of persons, etc.

#### Determination 2.2

- StanCOG forecasts indicate that between 2000 and 2030, the County's population is expected to increase by 84 percent, adding another 375,000 residents that will need emergency services. Based on current emergency demand per 1000 people, that growth will increase the workload by another 25,000 calls.

### 3. FINANCING CONSTRAINTS & OPPORTUNITIES

Purpose: To evaluate factors that affect the financing of needed improvements.

Summary: A community's public service needs should be reviewed in light of resources available to fund services. The service review examines the financing constraints and opportunities that have an impact on the delivery of services within the County. This provides LAFCO, local agencies, and the public the ability to assess whether agencies are taking advantage of available funding and financing opportunities. Service reviews may also discover potential innovations, including collaborative strategies, with financing mechanisms, which may hold value for affected local agencies.

#### Written Determinations – Financing Constraints & Opportunities

The following points represent the service review determinations relating to financing constraints and opportunities:

#### Determination 3.0

- Existing budgetary reserves for some fire protection districts may be insufficient to meet future needs.

#### Determination 3.1

- State law defines the type and level of revenue that is available to special districts to support fire protection and emergency medical services.

#### Determination 3.2

- Opportunities to augment revenues for fire protection and emergency medical services in the unincorporated territory are limited. Voter-approved initiatives in California have constrained the ability of governmental agencies to fund fire protection services through new assessments and taxes. Thus, it is often difficult to obtain the required 2/3 vote which would assist the Districts in addressing increases in service costs and demands.

#### Determination 3.3

- Continued State actions regarding the budgeting aspects of local government make the prediction of the stability of all funding sources difficult.

#### Determination 3.4

- Capital equipment costs are increasing faster than the revenue sources, which make the purchases of high priced items more difficult.

#### Determination 3.5

- The per capita level of the county fire service agencies is lower overall than the benchmarks being set statewide and the national benchmark of \$100 per person.

#### Determination 3.6

- Many of the volunteer fire departments will face the need to acquire full-time staff to replace declining volunteer forces, thus raising the costs of the department significantly when this occurs.

#### Determination 3.7

- Those fire departments already staffed with full-time personnel will face increased costs in both salary and benefits that may or may not be linked to the increase in revenue sources.

### **4. COST AVOIDANCE OPPORUNITIES**

Purpose: To identify practices or opportunities that may help eliminate unnecessary costs.

Summary: Efficient service delivery depends, in part, on eliminating unnecessary costs. Cost avoidance opportunities are explored in this document, including, but not limited to identifying and exploring such actions as reducing or eliminating duplicative services, reducing high administration cost ratios, replacing outdated or deteriorating infrastructure and equipment, redrawing overlapping or inefficient service boundaries, replacing inefficient purchasing or budgeting practices, implementing economies of scale, efficiently utilizing outsourcing opportunities.

#### **Written Determinations – Cost Avoidance Opportunities**

The following points represent the written service review determinations relating to cost avoidance

opportunities:

Determination 4.0

- Local agencies have made a concerted effort to avoid unnecessary expenditures by economizing existing resources and developing shared arrangements with other agencies to provide and coordinate fire protection services. These efforts have helped to control cost increases, establish economies of scale, and avoid duplication of services.

Determination 4.1

- The existing Stanislaus County Regional 9-1-1 Center should be retained.

Determination 4.2

- The fire protection districts could develop a joint powers agency to provide an opportunity to engage in purchasing practices to reduce unit costs of acquisition if properly designed and maintained. The JPA could also serve as a vehicle to develop broader based specifications for purchase of other administrative services, such as liability insurance.

Determination 4.3

- Response times should be considered in the analysis and development of future decisions to avoid duplication of effort.

## 5. OPPORTUNITIES FOR RATE RESTRUCTURING

Purpose: To identify opportunities to positively impact rates without decreasing service levels.

Summary: Although not applicable in all cases, a service review may review agency rates which are charged for public services and existing opportunities for rate restructuring where possible without impairing the quality of services provided. Agency rates can be reviewed for rate setting methodologies, conditions that could impact future rates, and variances among rates, fees, taxes, charges, etc. within an agency.

### Written Determinations – Rate Restructuring

The following points represent the written service review determinations relating to opportunities for rate restructuring:

Determination 5.0

- Local fire protection agencies that provide services such as inspections and permits for which they charge fees have varying fee structures. There are no identified significant opportunities to improve on rates or fees for services.

Determination 5.1

- Opportunities to augment revenues for fire protection and emergency medical services in the unincorporated region are limited largely due to the requirement of two-thirds approval by the voters within a district.

Determination 5.2

- Fire protection services in Stanislaus County are principally funded through general tax revenues. Opportunities to restructure rates are primarily limited to “one time” impact fees charged to new development and would not have a measurable impact on overall revenues.

Determination 5.3

- All agencies should have a plan for the acquisition of funds for capital acquisition for future fire stations and equipment.

Determination 5.4

- Based on national benchmark data, every fire agency – regardless of population protected – should work to achieve a minimum per capita level of financial resources equal to the baseline of \$100.00 per person. This would require voter approved assessment or tax initiatives to be taken by each district to establish additional funding sources.

## 6. OPPORTUNITIES FOR SHARED FACILITIES AND RESOURCES

Purpose: To evaluate the opportunities for a jurisdiction to share facilities and resources to develop more efficient service delivery.

Summary: The cost of service provision may be reduced and certain efficiencies can be increased using strategies for sharing resources and the procurement of those resources. Service reviews also consider the development of options for planning for future sharing of facilities and/or resources. The primary facilities utilized in the delivery of fire protection services are fire stations and training facilities. Many jurisdictions across the State and nationally have pursued a regional approach to sharing these facilities.

### Written Determinations – Opportunities for Shared Facilities and Resources

The following points represent the written service review determinations relating to opportunities for shared facilities:

Determination 6.0

- There are opportunities to share support services, including emergency communications, specialized equipment and services, such as hazardous materials response, confined space rescues, etc.

Determination 6.1

- Local fire protection agencies have partnered to establish an effective network of shared resources with respect to providing fire protection services in Stanislaus County. These partnerships, which include a series of automatic and mutual aid agreements, help to ensure that an adequate level of fire protection service is available at all times within each agency's respective jurisdiction.

Determination 6.2

- Two of the most obvious sharing of facilities are already in existence – the Stanislaus Regional 9-1-1 Center and the Regional Fire Academy. Each fire district is a member of the Fire Science Advisory Committee. Each of the fire districts has made a financial contribution to the Training Center. The current communications system is an excellent example of shared facilities.

Determination 6.3

- The presence of the Accredited Fire Academy at Modesto Junior College should be continued and expanded to better serve the needs of the volunteer fire service.

Determination 6.4

- The opportunity, at some level, to improve vehicle maintenance through a cooperative agreement is a viable option.

**7. GOVERNMENT STRUCTURE**

Purpose: To consider the advantages and disadvantages of various government structures to provide public services.

Summary: Service reviews provide a mechanism for studying the existing and future public service environment relating to organizational options for accommodating growth, preventing urban sprawl and ensuring that critical services are efficiently and effectively provided.

While service reviews do not require LAFCO to initiate organizational changes as a result of this process, LAFCO, the public or local agencies may pursue subsequent changes to government structure. LAFCO may evaluate the advantages and disadvantages of amending or updating spheres of influence (SOI's), annexations to or detachments from cities or special districts, formation of new special districts, incorporation of cities, dissolutions, mergers, consolidations and other re-organization options.

**Written Determinations – Government Structure Options**

The following points represent the written service review determinations relating to government structure options include:

Determination 7.0

- There is no mechanism currently in place to comprehensively plan, fund, and administer an integrated system for publicly funded regional fire protection and emergency medical services. Because of local sovereignty, the planning, funding, and operational functions of structural fire protection and emergency medical services in the unincorporated region are performed by 14 public agencies.

Determination 7.1

- Federal, state, and local agencies share responsibility in providing fire protection services in Stanislaus County. The 14 local fire protection districts assume the greatest role in fire protection service within the unincorporated areas.

Determination 7.2

- The majority of the local fire protection districts depend on volunteers to provide fire protection and emergency medical services within their respective jurisdictions. Increasing demographic changes will further challenge these agencies to recruit and retain a sufficient number of volunteers to maintain adequate service levels in the future.

Determination 7.3

- Sixty-six different board members govern structural fire protection and emergency medical services in areas outside of cities.

Determination 7.4

- The agencies representing fire protection and emergency medical services within the unincorporated area of Stanislaus County are encouraged to establish a comprehensive fire protection system with a master planning effort. Cities should be encouraged to participate.

Determination 7.5

- The majority of the districts have territory within a city's sphere of influence. Where the city and district spheres of influence interface or overlap, the district's sphere of influence will give way to that of the city, per LAFCO policy. These districts have a "diminishing" sphere of influence and as city annexations take place, the territory is detached from the affected district. In essence, if a district loses all of its territory it could ultimately be dissolved.

Determination 7.6

- Volunteer-based fire protection services have been effective and sources of community identity throughout Stanislaus County. As an information tool, and in response to changing demographics, LAFCO could consider a governance study to evaluate alternative government structure options involving the volunteer-based fire protection districts. The focus of the study would be to identify and evaluate whether alternative government structures would help sustain the long-term effectiveness of fire protection services within the unincorporated area. (Government Code Section 56378 authorizes LAFCO to initiate

and conduct special studies to help fulfill its legislative mandate to encourage the orderly formation and development of local agencies.)

## **8. EVALUATION OF MANAGEMENT EFFICIENCIES**

Purpose: To evaluate the management structure of the organization.

Summary: Management efficiency refers to the overall effectiveness of an agency's internal organization to provide efficient, quality public services. Local government efficiency can be gauged by a number of approaches and strategies, including the implementation of plans to improve service delivery, elimination of duplication of effort cost containment, maintenance of qualified employees through training and career development and pursuit of appropriate customer services approaches, including public involvement. Service reviews consider these points in relation to unique local circumstances, resources and issues identified through determinations in other categories.

### **Written Determinations – Evaluation of Management Efficiencies**

The following points represent the written service review determinations relating to evaluation of management efficiencies:

#### Determination 8.0

- There should be more master or strategic planning in the fire agencies. There is limited evidence of long-term budget activity to prepare to meet overall system needs in the future. There is evidence that specific agencies have developed amortization and replacement plans for apparatus and equipment, but the effort cannot be called master or strategic planning, with few exceptions.

#### Determination 8.1

- The creation of the current fire prevention program within the fire warden's office should assist in the standardization of the fire prevention function.

#### Determination 8.2

- Standardized training for volunteers in the outlying areas can be difficult due to time constraints of the volunteers.

## **9. LOCAL ACCOUNTABILITY AND GOVERNANCE**

Purpose: To evaluate the public accessibility and participation associated with the agency's decision-making processes.

Summary: Service reviews include an evaluation of local accountability and governance, to the extent to which each agency fosters local accountability. Local accountability and governance is measured in terms of decision-making capabilities and management processes.

The objective of this portion of the analysis is to positively impact the public's knowledge of and involvement in the local decision-making process and actions and use of this information when evaluating a change in structure.

**Written Determinations – Local Accountability & Governance**

The following points represent the written service review determinations relating to local accountability and governance:

Determination 9.0

- Some districts have district boards appointed by the Board of Supervisors. This is consistent with State law. Smaller districts often use this method as a cost savings technique. It is common for election costs to run several thousand dollars for each election. This cost would be paid by the district.

Determination 9.1

- Changes to the organizational structure by itself will not address the problems of either insufficient revenues or ineffective management of programs.

Determination 9.2

- Detachment, which results in reduction in revenues, is a serious issue with the districts.

Determination 9.3

- The Boards of Directors are in compliance with the Brown Act public meeting provisions. The information provided indicates that all districts comply with open meeting requirements, including regular meeting minutes, providing the public an opportunity to observe and comment upon district actions. Posting of meeting times and dates is conducted in a variety of fashions, including the use of the doors on the fire stations, faxing to local newspapers, and the use of other prominent civic buildings for postings.

Determination 9.4

- The County Fire Warden is now providing prevention services, which provides an economy of scale to the process.

EXHIBIT "B"

NOTICE OF EXEMPTION

**TO:** Lee Lundrigan – County Clerk-Recorder  
1021 "I" Street  
Modesto, CA 95354

**FROM:** Stanislaus LAFCO  
1010 Tenth Street, 3<sup>rd</sup> Floor  
Modesto, CA 95354  
(209) 525-7660

Office of Planning & Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

**Title:** Countywide Fire Services Municipal Service Review (MSR)

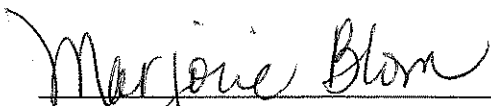
**Description:** The Stanislaus Local Agency Formation Commission has prepared a Municipal Service Review for the following 14 rural fire protection districts within Stanislaus County: Burbank-Paradise, Ceres, Denair, Hughson, Industrial, Keyes, Mountain View, Oakdale Rural, Salida, Stanislaus Consolidated, Turlock Rural, Westport, West Stanislaus, and Woodland. The Districts are legally authorized to provide fire protection and emergency services, and as special districts, they are required to have an adopted and updated SOI. The Cortese-Knox-Hertzberg Act of 2000 calls for a Service Review to be completed prior to or concurrent with the SOI Update. This Service Review evaluates the public services provided by the Districts and provides the information base prior to updating each of the District's Spheres of Influence.

**Public Agency Approving Project:** The Stanislaus Local Agency Formation Commission (LAFCO). The LAFCO hearing on this proposal is scheduled for April 25, 2007. Contact Person: Marjorie Blom, Executive Officer at: (209) 525-7660.

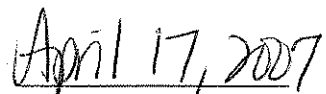
**Environmental Determination:** The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by LAFCO and to comply with the California Environmental Quality Act (CEQA). In this case it has been determined that this project is exempt from CEQA pursuant to Article 19, Section 15306, Class 6 (Information Collection) of the State Guidelines. The Stanislaus Local Agency Formation Commission will file this Notice of Exemption upon approval of the Countywide Fire Services Municipal Service Review.

**Reasons for Exemption:** It has been determined with certainty that there is no possibility that the project may have a significant effect on the environment and therefore it is found to be exempt from CEQA as the Countywide Fire Services Municipal Service Review is an informational document and does not involve, authorize or permit the siting or construction of any facilities associated with the Districts.

Signature:  
Name & Title:

  
Marjorie Blom, Executive Officer

Date:



**STANISLAUS COUNTY LOCAL AGENCY  
FORMATION COMMISSION**

**RESOLUTION**

**DATE:** April 25, 2007

**NO.** 2007-09

**SUBJECT:** Approving the Countywide Fire Services Municipal Services Review (MSR) – Setting Forth the Written Determinations in Accordance with Government Code Section 56430

On the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, and approved by the following vote:

Ayes:	Commissioners:
Noes:	Commissioners:
Absent:	Commissioners:
Ineligible:	Commissioners:

**THE FOLLOWING RESOLUTION WAS ADOPTED:**

**WHEREAS**, a Municipal Service Review mandated by California Government Code Section 56430, has been prepared for the fourteen (14) rural fire protection districts within Stanislaus County, in accordance with the Cortese-Knox-Hertzberg Reorganization Act of 2000;

**WHEREAS**, the fourteen (14) rural fire protection districts covered in the Municipal Service Review are as follows: Burbank-Paradise, Ceres, Denair, Hughson, Industrial, Keyes, Mountain View, Oakdale Rural, Salida, Stanislaus Consolidated, Turlock Rural, Westport, West Stanislaus, and Woodland;

**WHEREAS**, the Municipal Service Review (MSR) is an informational document and its adoption is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15306, Class 6 – Information Collection;

**WHEREAS**, on October 26, 2005, the Commission engaged the services of Ronny Coleman, with Emergency Services Consulting, inc. to prepare the Countywide Fire Services MSR;

**WHEREAS**, on September 27, 2006, Mr. Coleman provided a PowerPoint presentation on the Draft Countywide Fire Services MSR;

**WHEREAS**, Mr. Coleman has completed revisions to the Draft Countywide Fire Services MSR, based on comments received from the affected fire districts, the Commission, LAFCO staff, and members of the public, and has submitted the document for Commission review and subsequent approval;

**WHEREAS**, at the time and in the form and manner provided by law, the Executive Officer has given notice of the April 25, 2007 public hearing by this Commission on this matter;

**WHEREAS**, the Commission has heard all interested parties desiring to be heard and has considered the Countywide Fire Services Municipal Service Review document and all other relevant evidence and information presented at said hearing;

**WHEREAS**, California Government Code Section 56430 requires the Commission to conduct a Municipal Service Review and prepare a written statement of determinations with respect to certain factors outlined in this section;

**WHEREAS**, no changes to the Districts Sphere of Influence are proposed or contemplated at this time;

**WHEREAS**, upon adoption of the Countywide Fire Services Municipal Service Review (MSR), staff shall begin an update to each of rural fire protection districts' spheres of influence, in accordance with Government Code Section 56425(g);

**NOW, THEREFORE, BE IT RESOLVED** by the Commission:

1. Certifies that the project is exempt under the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15306, Class 6 (Information Collection) of the State CEQA Guidelines;
2. Approves the Municipal Service Review prepared for the review of the 14 rural fire protection districts within Stanislaus County, and the written determinations prepared by the Executive Officer, included hereto as Attachment 1;

**ATTEST:** \_\_\_\_\_  
Marjorie Blom  
Executive Officer

Attachment: 1. Statement of Written Determinations for the Municipal Service Review

## ATTACHMENT 1

### STATEMENT OF WRITTEN DETERMINATIONS PURSUANT TO GOVERNMENT CODE SECTION 56430 FOR THE COUNTYWIDE FIRE SERVICES MUNICIPAL SERVICE REVIEW

The Stanislaus Local Agency Formation Commission has considered information presented on the Countywide Fire Services Municipal Service Review and adopts the following written determinations, as amended by staff.

#### 1. INFRASTRUCTURE NEEDS AND DEFICIENCIES

**Purpose:** To evaluate the infrastructure needs and deficiencies of a jurisdiction in terms of availability of resources, capacity to deliver services, and condition of facilities.

**Summary:** One of LAFCO's goals is to encourage the efficient provision of public services. Infrastructure needs and deficiencies refer to the adequacy of existing and planned public facilities in relation to how public services are, and will be, provided to citizens. Infrastructure can be evaluated in terms of capacity, condition, availability, quality and correlation among operational, capital improvement, and financial plans. The most common and visible infrastructure aspect of the fire service is a fire station, but other types of facilities need to be evaluated as well.

#### Written Determinations – Infrastructure Needs & Deficiencies

The following points represent the written service review determinations relating to infrastructure needs and deficiencies:

##### Determination 1.0

- There are distinct differences in the availability and capacity of fire protection and emergency medical services throughout Stanislaus County. These differences, which are primarily drawn from variations in service and staff arrangements, reflect the independent practices and policies of the local agencies.

##### Determination 1.1

- Response times for fire protection and emergency medical services are important benchmarks in assessing performance and allocating resources.

##### Determination 1.2

- Providing emergency medical services represents the largest demand for fire protection providers in Stanislaus County. As life expectancies increase, local agencies will need to develop and dedicate additional resources to maintain existing service levels.

##### Determination 1.3

- There is no long-term comprehensive strategic or master plan within the region to improve or recommend changes to infrastructure capacity for fire protection. This prevents adequate consideration of options and alternatives.

#### Determination 1.4

- Fire protection and emergency medical services response patterns in the study area are characterized by overlapping polygons and areas with no coverage. In certain areas, there is a redundancy and other areas response times are longer than normal. This prevents the effective and efficient use of limited resources.

#### Determination 1.5

- Fire stations in the districts are generally aged and while still serviceable, are in need of substantial upgrades. The fire stations in the cities vary in age but are in generally better condition, and in some cases are already scheduled for replacement. There are very few new stations in the overall inventory. However, new stations that are being built do comply with contemporary standards. Specifically, these include the recent stations constructed in Salida, Oakdale, and Ceres.

#### Determination 1.6

- The fire apparatus inventory is also, in general, aged, and many vehicles are likely to need replacement in the next 5 to 10 years.

#### Determination 1.7

- Small tools and equipment range from being nearly obsolete to being relatively current, with the preponderance being older and in need of replacement.

#### Determination 1.8

- The level of service being provided ranges from urban to rural, with no degree of consistency in fringe areas that are hard to serve or underserved. There are large areas that are underserved with current station distribution.

## **2. GROWTH AND POPULATION**

**Purpose:** To evaluate service needs based upon existing and anticipated growth patterns and population projections.

**Summary:** The efficient provision of public safety services is related to the ability of an agency to plan for future service demands. The purpose of this category is to provide LAFCO with the ability to review both the existing and reasonable future needs for public services and to evaluate whether the projections for future growth and population are integrated into an agency's planning efforts. This analysis may be used to determine whether sphere of influence (SOI) and/or service area boundaries reflect expected growth areas, if future SOI changes are necessary or feasible and if agencies are planning for anticipated changes in service demands.

### **Written Determinations – Growth and Population**

The following points represent the written service review determinations relating to growth and population:

Determination 2.0

- The population projections issued by the Stanislaus Council of Government (StanCOG) are reasonable estimates of the current and future population for Stanislaus County.

Determination 2.1

- Cities and fire districts in Stanislaus County use varying data sources and methodologies when determining the population they serve and projecting growth in their service population, such as the number of parcels, number of structures, number of households, number of persons, etc.

Determination 2.2

- StanCOG forecasts indicate that between 2000 and 2030, the County's population is expected to increase by 84 percent, adding another 375,000 residents that will need emergency services. Based on current emergency demand per 1000 people, that growth will increase the workload by another 25,000 calls.

### 3. FINANCING CONSTRAINTS & OPPORTUNITIES

Purpose: To evaluate factors that affect the financing of needed improvements.

Summary: A community's public service needs should be reviewed in light of resources available to fund services. The service review examines the financing constraints and opportunities that have an impact on the delivery of services within the County. This provides LAFCO, local agencies, and the public the ability to assess whether agencies are taking advantage of available funding and financing opportunities. Service reviews may also discover potential innovations, including collaborative strategies, with financing mechanisms, which may hold value for affected local agencies.

#### Written Determinations – Financing Constraints & Opportunities

The following points represent the service review determinations relating to financing constraints and opportunities:

Determination 3.0

- Existing budgetary reserves for some fire protection districts may be insufficient to meet future needs.

Determination 3.1

- State law defines the type and level of revenue that is available to special districts to support fire protection and emergency medical services.

Determination 3.2

- Opportunities to augment revenues for fire protection and emergency medical services in

the unincorporated territory are limited. Voter-approved initiatives in California have constrained the ability of governmental agencies to fund fire protection services through new assessments and taxes. Thus, it is often difficult to obtain the required 2/3 vote which would assist the Districts in addressing increases in service costs and demands.

Determination 3.3

- Continued State actions regarding the budgeting aspects of local government make the prediction of the stability of all funding sources difficult.

Determination 3.4

- Capital equipment costs are increasing faster than the revenue sources, which make the purchases of high priced items more difficult.

Determination 3.5

- The per capita level of the county fire service agencies is lower overall than the benchmarks being set statewide and the national benchmark of \$100 per person.

Determination 3.6

- Many of the volunteer fire departments will face the need to acquire full-time staff to replace declining volunteer forces, thus raising the costs of the department significantly when this occurs.

Determination 3.7

- Those fire departments already staffed with full-time personnel will face increased costs in both salary and benefits that may or may not be linked to the increase in revenue sources.

#### 4. COST AVOIDANCE OPPORUNITIES

Purpose: To identify practices or opportunities that may help eliminate unnecessary costs.

Summary: Efficient service delivery depends, in part, on eliminating unnecessary costs. Cost avoidance opportunities are explored in this document, including, but not limited to identifying and exploring such actions as reducing or eliminating duplicative services, reducing high administration cost ratios, replacing outdated or deteriorating infrastructure and equipment, redrawing overlapping or inefficient service boundaries, replacing inefficient purchasing or budgeting practices, implementing economies of scale, efficiently utilizing outsourcing opportunities.

#### Written Determinations – Cost Avoidance Opportunities

The following points represent the written service review determinations relating to cost avoidance opportunities:

Determination 4.0

- Local agencies have made a concerted effort to avoid unnecessary expenditures by economizing existing resources and developing shared arrangements with other agencies to provide and coordinate fire protection services. These efforts have helped to control cost increases, establish economies of scale, and avoid duplication of services.

Determination 4.1

- The existing Stanislaus County Regional 9-1-1 Center should be retained.

Determination 4.2

- The fire protection districts could develop a joint powers agency to provide an opportunity to engage in purchasing practices to reduce unit costs of acquisition if properly designed and maintained. The JPA could also serve as a vehicle to develop broader based specifications for purchase of other administrative services, such as liability insurance.

Determination 4.3

- Response times should be considered in the analysis and development of future decisions to avoid duplication of effort.

**5. OPPORTUNITIES FOR RATE RESTRUCTURING**

Purpose: To identify opportunities to positively impact rates without decreasing service levels.

Summary: Although not applicable in all cases, a service review may review agency rates which are charged for public services and existing opportunities for rate restructuring where possible without impairing the quality of services provided. Agency rates can be reviewed for rate setting methodologies, conditions that could impact future rates, and variances among rates, fees, taxes, charges, etc. within an agency.

**Written Determinations – Rate Restructuring**

The following points represent the written service review determinations relating to opportunities for rate restructuring:

Determination 5.0

- Local fire protection agencies that provide services such as inspections and permits for which they charge fees have varying fee structures. There are no identified significant opportunities to improve on rates or fees for services.

Determination 5.1

- Opportunities to augment revenues for fire protection and emergency medical services in the unincorporated region are limited largely due to the requirement of two-thirds approval by the voters within a district.

Determination 5.2

- Fire protection services in Stanislaus County are principally funded through general tax revenues. Opportunities to restructure rates are primarily limited to “one time” impact fees charged to new development and would not have a measurable impact on overall revenues.

Determination 5.3

- All agencies should have a plan for the acquisition of funds for capital acquisition for future fire stations and equipment.

Determination 5.4

- Based on national benchmark data, every fire agency – regardless of population protected – should work to achieve a minimum per capita level of financial resources equal to the baseline of \$100.00 per person. This would require voter approved assessment or tax initiatives to be taken by each district to establish additional funding sources.

**6. OPPORTUNITIES FOR SHARED FACILITIES AND RESOURCES**

Purpose: To evaluate the opportunities for a jurisdiction to share facilities and resources to develop more efficient service delivery.

Summary: The cost of service provision may be reduced and certain efficiencies can be increased using strategies for sharing resources and the procurement of those resources. Service reviews also consider the development of options for planning for future sharing of facilities and/or resources. The primary facilities utilized in the delivery of fire protection services are fire stations and training facilities. Many jurisdictions across the State and nationally have pursued a regional approach to sharing these facilities.

**Written Determinations – Opportunities for Shared Facilities and Resources**

The following points represent the written service review determinations relating to opportunities for shared facilities:

Determination 6.0

- There are opportunities to share support services, including emergency communications, specialized equipment and services, such as hazardous materials response, confined space rescues, etc.

Determination 6.1

- Local fire protection agencies have partnered to establish an effective network of shared resources with respect to providing fire protection services in Stanislaus County. These partnerships, which include a series of automatic and mutual aid agreements, help to ensure that an adequate level of fire protection service is available at all times within each agency’s respective jurisdiction.

#### Determination 6.2

- Two of the most obvious sharing of facilities are already in existence – the Stanislaus Regional 9-1-1 Center and the Regional Fire Academy. Each fire district is a member of the Fire Science Advisory Committee. Each of the fire districts has made a financial contribution to the Training Center. The current communications system is an excellent example of shared facilities.

#### Determination 6.3

- The presence of the Accredited Fire Academy at Modesto Junior College should be continued and expanded to better serve the needs of the volunteer fire service.

#### Determination 6.4

- The opportunity, at some level, to improve vehicle maintenance through a cooperative agreement is a viable option.

### 7. GOVERNMENT STRUCTURE

**Purpose:** To consider the advantages and disadvantages of various government structures to provide public services.

**Summary:** Service reviews provide a mechanism for studying the existing and future public service environment relating to organizational options for accommodating growth, preventing urban sprawl and ensuring that critical services are efficiently and effectively provided.

While service reviews do not require LAFCO to initiate organizational changes as a result of this process, LAFCO, the public or local agencies may pursue subsequent changes to government structure. LAFCO may evaluate the advantages and disadvantages of amending or updating spheres of influence (SOI's), annexations to or detachments from cities or special districts, formation of new special districts, incorporation of cities, dissolutions, mergers, consolidations and other re-organization options.

#### Written Determinations – Government Structure Options

The following points represent the written service review determinations relating to government structure options include:

#### Determination 7.0

- There is no mechanism currently in place to comprehensively plan, fund, and administer an integrated system for publicly funded regional fire protection and emergency medical services. Because of local sovereignty, the planning, funding, and operational functions of structural fire protection and emergency medical services in the unincorporated region are performed by 14 public agencies.

#### Determination 7.1

- Federal, state, and local agencies share responsibility in providing fire protection services in Stanislaus County. The 14 local fire protection districts assume the greatest role in fire protection service within the unincorporated areas.

#### Determination 7.2

- The majority of the local fire protection districts depend on volunteers to provide fire protection and emergency medical services within their respective jurisdictions. Increasing demographic changes will further challenge these agencies to recruit and retain a sufficient number of volunteers to maintain adequate service levels in the future.

#### Determination 7.3

- Sixty-six different board members govern structural fire protection and emergency medical services in areas outside of cities.

#### Determination 7.4

- The agencies representing fire protection and emergency medical services within the unincorporated area of Stanislaus County are encouraged to establish a comprehensive fire protection system with a master planning effort. Cities should be encouraged to participate.

#### Determination 7.5

- The majority of the districts have territory within a city's sphere of influence. Where the city and district spheres of influence interface or overlap, the district's sphere of influence will give way to that of the city, per LAFCO policy. These districts have a "diminishing" sphere of influence and as city annexations take place, the territory is detached from the affected district. In essence, if a district loses all of its territory it could ultimately be dissolved.

#### Determination 7.6

- Volunteer-based fire protection services have been effective and sources of community identity throughout Stanislaus County. As an information tool, and in response to changing demographics, LAFCO could consider a governance study to evaluate alternative government structure options involving the volunteer-based fire protection districts. The focus of the study would be to identify and evaluate whether alternative government structures would help sustain the long-term effectiveness of fire protection services within the unincorporated area. (Government Code Section 56378 authorizes LAFCO to initiate and conduct special studies to help fulfill its legislative mandate to encourage the orderly formation and development of local agencies.)

### **8. EVALUATION OF MANAGEMENT EFFICIENCIES**

Purpose: To evaluate the management structure of the organization.

Summary: Management efficiency refers to the overall effectiveness of an agency's internal organization to provide efficient, quality public services. Local government

efficiency can be gauged by a number of approaches and strategies, including the implementation of plans to improve service delivery, elimination of duplication of effort cost containment, maintenance of qualified employees through training and career development and pursuit of appropriate customer services approaches, including public involvement. Service reviews consider these points in relation to unique local circumstances, resources and issues identified through determinations in other categories.

### **Written Determinations – Evaluation of Management Efficiencies**

The following points represent the written service review determinations relating to evaluation of management efficiencies:

#### Determination 8.0

- There should be more master or strategic planning in the fire agencies. There is limited evidence of long-term budget activity to prepare to meet overall system needs in the future. There is evidence that specific agencies have developed amortization and replacement plans for apparatus and equipment, but the effort cannot be called master or strategic planning, with few exceptions.

#### Determination 8.1

- The creation of the current fire prevention program within the fire warden's office should assist in the standardization of the fire prevention function.

#### Determination 8.2

- Standardized training for volunteers in the outlying areas can be difficult due to time constraints of the volunteers.

## **9. LOCAL ACCOUNTABILITY AND GOVERNANCE**

**Purpose:** To evaluate the public accessibility and participation associated with the agency's decision-making processes.

**Summary:** Service reviews include an evaluation of local accountability and governance, to the extent to which each agency fosters local accountability. Local accountability and governance is measured in terms of decision-making capabilities and management processes.

The objective of this portion of the analysis is to positively impact the public's knowledge of and involvement in the local decision-making process and actions and use of this information when evaluating a change in structure.

### **Written Determinations – Local Accountability & Governance**

The following points represent the written service review determinations relating to local accountability and governance:

Determination 9.0

- Some districts have district boards appointed by the Board of Supervisors. This is consistent with State law. Smaller districts often use this method as a cost savings technique. It is common for election costs to run several thousand dollars for each election. This cost would be paid by the district.

Determination 9.1

- Changes to the organizational structure by itself will not address the problems of either insufficient revenues or ineffective management of programs.

Determination 9.2

- Detachment, which results in reduction in revenues, is a serious issue with the districts.

Determination 9.3

- The Boards of Directors are in compliance with the Brown Act public meeting provisions. The information provided indicates that all districts comply with open meeting requirements, including regular meeting minutes, providing the public an opportunity to observe and comment upon district actions. Posting of meeting times and dates is conducted in a variety of fashions, including the use of the doors on the fire stations, faxing to local newspapers, and the use of other prominent civic buildings for postings.

Determination 9.4

- The County Fire Warden is now providing prevention services, which provides an economy of scale to the process.

(I:\LAFCOadmin\LAFCO\FIRE MSR\FinalDraft.4.25.07\REso 2007-09 - Attachment 1 - Determinations.doc)