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**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)**  
**EXECUTIVE OFFICER'S REPORT**

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**AGENDA ITEM No. 8**

**DATE:** June 3, 2015  
**TO:** Fresno Local Agency Formation Commission  
**FROM:** David E. Fey, AICP, Executive Officer   
**SUBJECT:** Consider Adoption: Municipal Service Review and Sphere of Influence Update prepared for the Bald Mountain Fire Protection District

**RECOMMENDATIONS:**

1. Receive this report and any public testimony regarding the proposed Municipal Service Review and proposed Sphere of Influence Update.
2. Find that the Municipal Service Review is exempt from the California Environmental Quality Act pursuant to section 15306 (Information Collection).
3. Approve the recommended Municipal Service Review determinations, together with any changes deemed appropriate.
4. Adopt a resolution updating the Sphere of Influence as shown in Exhibit 1.
5. Recommend that the District develop a plan for eventual expansion of its service area (Area C - Figure 2, of the MSR) prior to the next scheduled MSR update (2020). Such a plan will serve as a fiscal and operational estimate for expansion of the District services, how these services will integrate with other fire agencies and special districts, and can provide the public with information about Prop. 218 elections that will be a necessary part of the District's planning effort.
6. Recommend that the District continue to explore opportunities for service delivery efficiencies such as mutual aid agreements for shared facilities with neighboring agencies including but not limited to the Sierra Cedars Community Service District, CSA No. 31 (Shaver Lake), and/or CSA No. 50 (Auberry Fire) and with other agencies such as the U.S. Forest Service and CAL FIRE.

**Summary/Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to review and update, as necessary, Special District's Sphere of Influence (SOI) before January 1, 2008, and every five years thereafter. Prior to, or in conjunction with an agency's SOI update, LAFCo is required to conduct a *Municipal Service Review* (MSR) for each agency within its jurisdiction.

MSRs provide a comprehensive review of the services provided by a city or district and present recommendations with regard to the condition and adequacy of these services and whether or not any modifications to a city or district's SOI is necessary. MSRs can be used as informational tools by LAFCo and local agencies in evaluating the efficiencies of current district operations and may suggest changes in order to better serve the public. The MSR may serve as a vehicle to increase knowledge and communication among the various affected local agencies, and may serve to identify potential ways to resolve difficulties or commend effective services among local agencies.

SOI updates may affirm an existing SOI boundary or recommend modifications to the SOI boundary. LAFCo is not required to initiate changes to an SOI based on findings and recommendations of the service review, although it does have the power to do so if such modifications are consistent with recommendations or conclusions made in a study prepared pursuant to Government Code Section 56378, 56425, or 56430. Such updates are required by State law to be conducted every five years, as necessary. MSRs are required to be prepared prior to or in conjunction with SOI updates.

State law requires that the Commission in its consideration of the MSRs adopt written determinations for each of the following nine criteria:

1. Growth and population projections for the affected area
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies
4. Financial ability of agencies to provide services
5. Status of, and opportunities for, shared facilities
6. Accountability for community service needs, including governmental structure and operational efficiencies
7. Any other matters related to effective or efficient service delivery, as required by commission policy

As part of the MSR update, it is the practice of the LAFCo to concurrently update the SOI of the local agency. The Commission is required to consider the following five criteria and make appropriate determinations in relationship to the Commission's designated SOI for the agency:

1. The present and planned land uses in the area, including agricultural and open-space lands
2. The present and probable need for public facilities and services in the area
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide
4. The existence of any social or economic communities of interest in the area
5. For a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere of influence

### **Environmental Determination**

Staff has determined that consideration of and adoption of the Municipal Service Reviews and Sphere of Influence update determinations are actions considered to be "Categorically Exempt" as per Section 15306 (Information Collection) of the California Environmental Quality Act Guidelines (CEQA). Any change to a District's Sphere of Influence resulting from recommendations adopted by the Commission will require additional review under CEQA.

### **Bald Mountain Fire Protection District - Discussion & Summary of Determinations**

On June 13, 2007, the Commission adopted the first MSR for the Bald Mountain Fire Protection District ("District") prepared by a consultant under the direction of LAFCo staff. At the time, LAFCo relied on a combination of staff and consultants to prepare and adopt over 133+ MSRs

for all the local agencies within LAFCo's jurisdiction in order to comply with the Legislature's January 1, 2008 deadline. Though these MSRs complied with the Act, the Commission has since determined that the value of the report can be improved by employing a more deliberate and thorough approach for LAFCo staff to perform the subsequent generation of MSRs.

On May 28, 2014, Fresno LAFCo sent notice to the District informing the agency of the initiation of the MSR update. The notice letter included a copy of the District's 2007 MSR and a formal request to review and provide comments, financial reports, policy documents, and operational information needed to begin the update process. A formal response letter with the necessary information was sent to LAFCo on September 25, 2014. The District board of directors reviewed the 2007 MSR and identified several changes it sought in the report. LAFCo staff worked closely with the District to prepare the 2015 MSR including meeting with the board on numerous occasions.

The Bald Mountain Fire Protection District ("District" or "BMFPD") was formed on December 12, 1961, to provide public safety services in accordance with the Fire Protection District Law of 1961. The District encompasses approximately 14 square miles located north of Highway 168 above the unincorporated community of Auberry in the Meadow Lakes – Pine Ridge Area. The District conducts operations from its fire station located at 41967 Auberry Road, Auberry, CA 93602.

The southwest corner of the District abuts the Fresno County Fire Protection District and the west and north portions of the District abut County Service Area No. 50 (Auberry Fire). Three special districts are located east of the District; County Service Area No. 31 (Shaver Lake), Waterworks District No. 41 (Shaver Lake), and Sierra Cedars County Service District. Waterworks District No. 40 (Shaver Springs) abuts the District's southern boundary, and Waterworks No. 37 (Alder Springs) is located within the District's service area.

The District's service area consists of approximately 9,045 acres. Commission records indicate that the District's SOI covers approximately 16,651 acres, as shown on Exhibit 1.<sup>1</sup> On April 30, 2015, LAFCo staff met with the District Board of Directors to clarify the boundaries previously identified in the 2007 MSR. Staff has clarified the discrepancy and a thorough analysis is provided in the Commission's 2015 MSR Update for the District. This MSR used the correct SOI as identified in LAFCo records and clarified the mapping discrepancy that occurred in the first MSR for the District.

The purpose of the District is to serve as a non-profit volunteer fire department for community education, prevention, and suppression of fires and provide emergency medical assistance, including the investigation of fire and prosecution of arson. The District responds to emergency 911 calls or other calls related to fire suppression or medical emergencies. CAL FIRE, headquartered at 210 S. Academy near Sanger, dispatches the District service calls through a joint Fire Communications Facility. The District works in cooperation with the Auberry, Shaver Lake, and Pine Ridge Volunteer Fire Departments and the California Division of Forestry.

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<sup>1</sup> RSOI-125, Making Determinations and Approving Proposed Amendment of the SOI for BMFPD, Exhibit 1.

Population projections for the District are anticipated to be slower in this region in comparison with other portions of Fresno County. The District informed LAFCo staff that the agency does not foresee the need to revise its current SOI boundary to account for projected changes to population or growth in the District. The District is composed of approximately 14 volunteers with several of them tasked with multiple responsibilities. Given that the District experiences change in seasonal demands, hot summers and snow in the winters, the Department volunteer members adjust to accommodate the District's needs.

The District's primary funding source is generated from property tax assessments collected from properties within the District boundaries. The District receives a portion of the general property tax levied within its boundaries. According to the State Controller's Report Fiscal Year 2011-12 Annual Report, the District received \$99,082 in revenue for that year. The District provided a summary of its balance sheet standard as of October 10, 2014. The balance sheet standard shows the District with a total checking/savings account of \$100,101. Total District assets are estimated at approximately \$557,004, while the total of other current liabilities are \$18,356. The District has a long-term liabilities figure of \$103,604. As of October 2014, the combined liabilities for the District totals approximately \$121,961.<sup>2</sup> Based on information provided from the District's balance sheets it appears that the District adequately monitors its financial resources which enables the District to continue providing services to its continuance.

There may be opportunities for the District to share facilities or personnel members with the neighboring CSA No. 50 (Auberry), CSA No. 31 (Shaver Lake), Sierra Cedars CSD, or the Pine Ridge Fire Protection Departments (Fresno County Fire Protection District Company 68). It is noted that fire protection is one type of local governmental service that lends itself to be efficiently and effectively provided using regional or even as a county-wide agency. Should the District consider in the future that it could be operated more efficiently given potentially greater economies of scale, the consolidation with adjacent fire protection agencies or the Fresno County FPD should be considered.

The District is not interested in consolidation with any other fire districts at this time, nor does it desire a revision to its existing SOI. The MSR recommends the District to develop a plan for eventual expansion of its service area (Area C - Figure 2, of the MSR) prior to the next scheduled MSR update (2020). Such a plan will serve as a fiscal and operational estimate for expansion of the District services; however, these services will integrate with other fire agencies and special districts and can provide the public with information about Prop. 218 elections that may be necessary to incorporate the District's long-term planning effort. The MSR recommends the District to continue to explore opportunities for service delivery efficiencies such as mutual aid agreements for shared facilities with its neighboring agencies.

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<sup>2</sup> Bald Mountain Fire Protection District, Balance Sheet Standards.