

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

AGENDA ITEM No. 8

DATE: August 14, 2019

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: George Uc, Senior Analyst

SUBJECT: Consider Adoption: Municipal Service Review and Sphere of Influence Update for County Service Area No. 50 (Auberry Volunteer Fire Department).

Recommendation: Adopt the Municipal Service Review update prepared for County Service Area No. 50 and update the sphere of influence by taking the following actions:

Action 1:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act ("CEQA") Guidelines find that the MSR prepared for County Service Area No. 50 is Categorically Exempt from the provisions of CEQA under section 15306, "Information Collection."

Action 2:

- B. Find that the written determinations and recommendations within the Municipal Service Review and sphere of influence update for County Service Area No. 50 satisfy state law.
- C. Pursuant to Government Code ("GC") sections 56425 and 56430 make the required determinations and recommendations for the Municipal Service Review and District sphere of influence update, adopt the Municipal Service Review prepared for the District, and update the sphere of influence for said District by reaffirming its boundaries.
- D. Make the following recommendations:
 - a. Recommend that the Special District Administration develop guidelines or policies that support its ongoing effort to provide staff training for employees with financial reporting responsibilities regarding year-end closing procedures, completion of financial statements, and preparation of annual audited financial statements.
 - b. Inform Fresno County Public Works and Planning, Road Division,

regarding the four potential road hazards identified in Attachment C.

- c. Recommend that the District assess whether demand for fire protection is of sufficient level to consider a request to expand the District's service area, per Attachment D.

Executive Summary

County Service Area No. 50, Auberry Volunteer Fire Department ("District") was formed in 2003 to provide fire protection and emergency medical services near the unincorporated community of Auberry. The District's service area and sphere of influence ("SOI") are coterminous and encompasses 31,114 acres. The attached Municipal Service Review ("MSR") prepared for the District recommends the affirmation the existing District SOI. Further background, analysis, determinations, and recommendations are presented in the draft MSR (Attachment B).

County Service Area Law

The County Service Area Law¹ was created in the 1950s to provide for expanded levels of service within unincorporated areas where residents are willing to pay an additional tax assessment for the extra service. Majority of the County Service Areas ("CSAs") in Fresno County provide one or two types of services while all other types of services enumerated in the District's principal act are considered to be "latent," meaning that they are not being exercised by the District. Activation of these latent powers to provide a new service requires LAFCo authorization.

Municipal Service Reviews and Public Review Availability

In order to update the SOI for a local agency pursuant to GC section 56425(g), LAFCo has prepared this service review consistent with GC section 56430. An MSR is a comprehensive study prepared by LAFCo to inform local agencies and the community about municipal services provided by local agencies.

LAFCo Policy 107-03 requires that a draft MSR be posted on the Commission's website with a minimum 21-day public review period. The draft MSR update was circulated and made available for review from July 24, 2019, through August 13, 2019. No official written comments were received as of the publishing date of this staff report.

MSR Summary - CSA No. 50 (Auberry Volunteer Fire Department)

CSA No. 50 provides fire protection and emergency medical services to Auberry and the greater areas near the community. The District estimates that 4,000 people reside within the District.

¹ Government Code section 25210.1 et seq.

The District is a dependent special district governed by the Fresno County Board of Supervisors ("BOS"). The District's finances and billing responsibilities are managed by Fresno County Public Works and Planning, Resource Division, Special District Administration staff, and fire protection and operation of the fire department is provided by a contract between the County of Fresno and Auberry Volunteer Fire Department.

One fire chief oversees the day-to-day operation of the District, and the District's volunteer fire personnel consists of 12 firefighters, and six cadets. Each volunteer firefighter is required to attend training courses that meet the State Fire Marshal's standards at least three times a month. The District maintains a record of each volunteer's completed training course work. Volunteer personnel maintain the station and its grounds, department vehicles, and equipment.

The District's fire station is located on 33051 Power House Road, Auberry, California 93602. The station is made of metal and is equipped with four bays that house two Type 2 fire engines to fight structural and forest fires with a minimum capacity of 500 gallons per minute, one 2000-gallon water tender, one rescue squad vehicle, and miscellaneous firefighting equipment. The District's primary water source is located at Auberry Elementary School. The school site has a private well and one above-ground metal water storage tank. If a major fire compromises the District's primary water supply, the District can access water within the San Joaquin River.

The MSR notes that the District's fire equipment and supplies are in reliable condition. The District informed LAFCo that the department is also interested in purchasing a second water tender and upgrading its fire engine in the near future.

The BOS adopts an annual budget for the District that projects operation and maintenance costs for the upcoming year. The MSR notes that the County entered into a three-year agreement with the District to provide a stable funding source for the necessary personnel, vehicles, and necessary tools to deliver structural fire protection and first responder medical services for fiscal years 2016-17 through 2020-21. The District is reimbursed by the County for the actual cost to provide services upon submittal of itemized invoices at a reimbursement base amount of \$72,000 over the life of the agreement. The District's primary source of funding is an annual special tax assessment levied on the 1,230 parcels within the District. The District's fire chief also consults with CAL FIRE and Fresno County regarding potential state grant funding opportunities.

The MSR observes that Special District Administration could improve in its annual financial end-of-year closing procedures for the District's budget by establishing guidelines or policies to support ongoing staff training for employees with financial management responsibilities. Page 12 of the MSR provides additional context to the District's finances.

There are 425 parcels zoned as agriculture, 710 rural residential units, 50 multiple family units, 11 churches, one convalescent home (no longer in service), and 27 commercial properties. Majority of the residential units sit on lots of five acres or larger. The MSR notes that the District's service area consists of mixed oak woodland and grazing land. For purposes of fire management, the District is identified in a wildland-urban interface zone, meaning existing homes within the Auberry community are in an area that is prone to brush or rangeland fires

based on climate conditions, the amount, type, and distribution of vegetation in proximity to structures located within the District. The District participates in mutual cooperative agreements with other fire protection and emergency response agencies, and the District is a member of the "Fresno-Kings Unit Strategic Fire Plan" organized by Fresno County Fire Protection District/CAL FIRE.

During the preparation of the MSR, the District informed LAFCo that volunteers are trained to be familiar with driving fire engines through various roadways within the District. The District Fire Chief identified four roads within the District that need widening and upgrading. These roads are: Spearhead Lane, Little Sandy Road, Blue Heron Lane, and a narrow access road near Lodge Road south of the Napa Auto Parts store. Page 15 and Figure 2 of the MSR provide additional information. In the event of an emergency, access to the scene of an emergency via the listed road sections may be restricted due to the fire engines exceeding the roadway width and weight capacity.

The MSR notes that there is an unserved location northeast of the District's service area along the backside of Jose Basin Road. A review of the parcel information revealed that most of the parcels are either vacant lots or owned by the state, federal government, or Southern California Edison Company. The District estimates that there are six residential units in this area that are outside of both the District and Bald Mountain Fire Protection District. Nevertheless, the District has responded to emergencies in this area via the Jose Basin Road.

The MSR makes the following recommendations:

- Recommend that the Special District Administration develop guidelines or policies that support their ongoing effort to provide staff training for employees with financial reporting responsibilities regarding year-end closing procedures, completion of financial statements, and preparation of annual audited financial statements.
- Inform Fresno County Public Works and Planning, Road Division, regarding the four potential road hazards identified in Attachment B (Figure 2 of the MSR).
- Recommend that the District assess whether demand for fire protection is of sufficient level to consider a request to expand the District's service area, per Figure 3 of the MSR.

Summary of Required Determinations

CKH requires LAFCo to review and update, as necessary, special districts' SOIs every five years. Prior to, or in conjunction with an agency's SOI update, LAFCo is required to conduct an MSR for each agency. State law requires that the Commission adopt written MSR determinations for each of the following seven criteria:

1. Growth and population projections for the affected area.
2. Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

3. Present and planned capacity of public facilities and adequacy of public services, including 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 matter related to effective or efficient service delivery, as required by Commission policy.

As part of the SOI update, the Commission is required to consider the following four criteria and make appropriate determinations in relationship to each:

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 if the Commission determines that they are relevant to the agency.

The attached MSR and SOI update present these determinations with District information and the analysis used in support of the Commission's determinations and recommendations.

Environmental Determination

MSRs are categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 - Regulation section 15306), which states: "Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource." MSRs collect data for the purpose of evaluating municipal services provided by the agencies. There are no physical changes to the environment created by these studies. There is no possibility that the MSR and SOI update may have a significant effect on the environment because there are no proposed land use changes or other changes to the environment.