

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

July 26, 2005  
*Continued from June 21, 2005*

**FROM:** **NORMAN A. KANOLD**, Assistant County Administrator  
Economic Development and Public Services Group

**PETER HILLS**, Fire Chief/Fire Warden  
San Bernardino County Consolidated Fire District

**SUBJECT: APPLICATION TO LOCAL AGENCY FORMATION COMMISSION FOR  
REORGANIZATION OF THE COUNTY FIRE DEPARTMENT AND RELATED ACTIONS**

**RECOMMENDATION:** Acting as the governing body of San Bernardino County and all Board-governed special districts having fire and related emergency powers, take the following actions in regards to a reorganization of the County Fire Department:

1. Adopt **Resolution No. 2005-267** of application to the Local Agency Formation Commission (LAFCo), a copy of which is on file with the Clerk of the Board, for a reorganization of the County Fire Department as more fully described in the application and in the background section of this agenda item.
2. Approve the County Fire Department Service Levels and Deployment Goals, included as Appendix B in the LAFCo application, to be used as a planning resource for current and future fire operations of the County Fire Department.
3. Provide direction to staff regarding the establishment of either a single countywide fire advisory commission to provide advice and comment to the County Fire Department on the operations of the newly-established County Fire Department or, in the alternative, a separate advisory commission for each of the four regional improvement districts (Valley, Mountain, North Desert, and South Desert) to provide this function; **\*The Board directs staff to seek public input from the existing advisory commissions relating to establishment of an advisory commission relative to the new County Fire Department and bring a recommendation back to the Board in mid-September.**
4. Authorize the transfer of all personnel, equipment, facilities, and other personal and real property owned by any Board-governed special district having fire powers to the newly-formed County Fire Department upon approval of the LAFCo application and eventual implementation of the reorganization.
5. Authorize County Service Area 70--Fire Administration to pay LAFCo filing fees related to the application in the amount of \$61,950.

**\*\*The Board directs staff to move forward in dialogue regarding the 201 rights Memorandum of Understanding with Inland Counties Emergency Medical Agency (ICEMA).**

cc: w/resolution:  
PSSG – Kanold  
County Fire – Hills  
CC – Krahelski  
CAO – Clay, Thies  
File – PSSG

mo

Record of Action of the Board of Supervisors

**Resolution No. 2005-267**

**APPROVED w/Board Direction**

**BOARD OF SUPERVISORS  
COUNTY OF SAN BERNARDINO**

MOTION	AYE	AYE	AYE	AYE	AYE
	1	4	4	4	5

**DENA SMITH, INTERIM CLERK OF THE BOARD**

BY \_\_\_\_\_

DATED: July 26, 2005

ITEM 059

# APPLICATION TO LOCAL AGENCY FORMATION COMMISSION FOR REORGANIZATION OF THE COUNTY FIRE DEPARTMENT AND RELATED ACTIONS

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**BACKGROUND:** On February 1, 2005, the Board directed staff to prepare an application to the Local Agency Formation Commission for a reorganization of the County Fire Department consistent with one of several alternatives that were first presented at a Board workshop on the subject in November 2004. The alternative selected by the Board essentially consolidates the County's 32 separate Board-governed fire district operations into one countywide fire protection district. This district, in turn, would be subdivided into four regional improvement districts (Valley, Mountain, North Desert, and South Desert) in order to preserve the property tax and other local revenue base for each region.

The action by the Board on February 1, 2005, was based upon nearly three years of study, beginning with the release of a request (RFP) for proposals in February 2002 to hire a professional consultant to study the financial solvency of the County Fire Department. The RFP process resulted in the Board awarding a contract in June 2002 to Emergency Services Consultants, Inc. (ESCi), a national consulting firm specializing in fire, police, and other emergency management services. ESCi's study and recommendations were presented to the Board in May 2003. The study concluded that the County Fire Department faced a cumulative \$83 million deficit in funding its operations by the end of fiscal year 2010/11 and recommended a number of financing mechanisms to help counter this scenario. It also recommended a reorganization of the current County Fire Department for greater management efficiencies and effectiveness, as well as the development of countywide service level and deployment goals to be used in planning for future expenditures and revenues in various geographical areas of the County.

Following the ESCi presentation, the Board directed the County Administrative Office and County Fire Department to pursue and refine a number of recommendations in the ESCi report and bring them back for Board consideration, including possible scenarios for a reorganization of the County Fire Department. A work group was created for this purpose and presented its final report and recommendations to the Board at two workshops, one held on November 16, 2004, and the other on February 1, 2005. At the workshops, staff presented three separate alternatives for reorganizing the County Fire Department for greater efficiency and effectiveness. Each concept had advantages and disadvantages, and each would be an improvement over the current organizational structure. Based on the workshop presentations, the Board directed that an application be prepared to LAFCo based upon the concept described in the first paragraph of this section. Additionally, the Board directed staff to research the legality of implementing the proposed County Fire Department Service Levels and Deployment Standards and bring the matter back to the Board for further consideration.

## DESCRIPTION OF REORGANIZATION

The proposal outlined in the LAFCo application involves a series of separate but related actions in order to accomplish the reorganization. An overall description of the reorganization proposal is presented in the sections below:

Establishment of Single Fire Protection District: The sphere of influence and service boundaries of the current Yucca Valley Fire Protection District would be expanded to include all unincorporated areas of the County with the exception of self-governed entities having fire powers and including the territory now known as "the unfunded area" of the County. The district would also overlay three cities that are already overlaid by Board-governed fire districts: the Town of Yucca Valley, City of Fontana, and City of Grand Terrace. The district would be renamed "San Bernardino County Fire Protection District," and generally be known as the "San Bernardino County Fire Department."

It should be noted that neither the expansion of the Yucca Valley Fire Protection District's sphere and service boundaries nor the request for continued ambulance powers in the new fire protection district will result in an expansion of district territory having ambulance "201 status." The County Fire Department currently has four ambulance areas with "201 status," which derives from Section 1797.201 of the California Health and Safety Code and essentially allows cities and fire districts with an established ambulance operation prior to June 1, 1980, to continue providing these services without an agreement from local emergency medical services agencies. These four districts are: Lake Arrowhead Fire Protection District, CSA 56 (Wrightwood), CSA 29 (Lucerne), and Yucca Valley Fire Protection District. Under the reorganization, these four ambulance area operations would remain intact and continue to provide

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ambulance service to those communities. No future ambulance operation of the expanded district, if one were to be formed, would qualify for or be entitled to "201 status."

Dissolution/Removal of Fire Powers of 23 Fire Districts/Improvement Zones: Concurrent with the establishment of the new district, 9 existing districts would be dissolved and 14 others would have fire powers removed. The latter group consists of multiple service districts that would continue to exist and provide other empowered services to the communities they serve but without the designated fire powers. The districts to be dissolved or have fire powers removed are identified in the LAFCo application. The property tax revenue base of these districts would be transferred to the successor district through a tax transfer agreement required as part of the LAFCo process. An exception to this transfer would be County Service Area 70, which is one of the districts having its fire powers removed. In order to protect the property tax base of this district and ensure that it is used to help fund the administrative functions of the Department, the application recommends that this property tax revenue be transferred to the County General Fund where it can be redirected each year to the district's budget.

All staff equipment, and facilities of the former districts or improvement zones would ultimately be transferred to the new San Bernardino County Fire Protection District when the reorganization is approved and implemented.

Establishment of 10 new Improvement Districts: As part of the proposal, four regional improvement districts would be established within the fire protection district. These regional improvement districts would be established to preserve the property tax and other local revenue bases of the region to fund expenditures related to that region and protect those dollars from being spent outside the region. These regional improvement districts have specific legal boundaries, as defined in the application, and would be named "Valley," "Mountain," "North Desert," and "South Desert." Each of these improvement districts would have a separate annual budget and be administered within the financial constraints of that budget. Also, a Board-appointed advisory commission could be established for each regional improvement district to provide advice and recommendations to the Department and Board regarding operations within the improvement district.

In addition to the regional improvement districts described above, six special improvement districts would be established with identical boundaries as those of existing districts where special taxes have been implemented for fire/emergency-related services. By law, these communities must continue to have the special tax revenues protected through the establishment of improvement districts within the new parent district. The current districts that will be reestablished and renamed under the new district are County Service Area 30 (Red Mountain/Fire Protection), County Service Area 38-L (Highland/Paramedic), County Service Area 38-M (Yucaipa/Paramedic), County Service Area 38-N (El Mirage/Fire Protection), County Service Area 70 FP-1 (Windy Acres/Fire Protection), and County Service Area 70 PM-1 (Lake Arrowhead/Paramedic).

Impact on Existing Service Levels: The application makes it clear that the reorganization will not affect current service levels in any way. It is, in essence, a management reorganization to streamline administration of the County Fire Department as it is currently structured. No service levels will be either reduced or increased as a result of the reorganization, and it should be transparent to residents of the districts insofar as service levels are concerned.

The County Fire Department is recommending Board approval of the County Fire Department Service Levels and Deployment Goals as a separate recommendation in this agenda item to be used as a planning tool for evaluating service levels consistently in seven different geographical areas of the County (Urban, Urban-Cluster, Suburban, Suburban-Cluster, Rural, Rural-Cluster, Wilderness Area). This document would be of significant assistance to the Department and Board in planning for current and future service levels of different communities, depending on funding sources to support such increased service levels.

Impact on Contractual Arrangements with Cities: The reorganization has no impact on the County Fire Department's contractual arrangements for services with various cities, other than that the contracts will need to be amended to reflect the new district's name once the reorganization is achieved.

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Approval of **Recommendation #3** would have the Board provide direction to staff regarding the type of advisory commission structure to be established in conjunction with the reorganization. Currently, the County Fire Department and Board receive advice and comment on fire district operations from a number of existing advisory commissions or municipal advisory councils designated for this purpose. With many of the districts being either dissolved or having their fire powers removed and folded into one of the four regional improvement districts, the need for a revised advisory commission structure is apparent. One option is to create a single advisory commission for the entire district, with representation from each of the four improvement districts. Another option is to create four separate advisory commissions, each representing an improvement district. This latter option would ensure that each advisory commission would be drawn from communities within the regional area and that the commission would provide advice regarding the operations of that specific improvement district.

Approval of **Recommendation #4** would authorize the transfer of all personnel, equipment, and other property of the Board-governed fire districts affected by this reorganization to the new fire protection district upon approval of the reorganization by LAFCo and under timelines provided by the conditions of approval.

Approval of **Recommendation #5** authorizes payment by the County Fire Department of LAFCo filing fees associated with the submission of the application in the amount of \$61,950. The application requests that the Commission consider a 50% fee waiver (\$46,500) for the number of dissolution and power removal actions required (\$93,000 prior to waiver reduction), as these are all part of the same reorganization application. The waiver request has been included in the amount authorized for payment.

**REVIEW BY OTHERS:** The resolution and application have been reviewed and approved as to legal form by County Counsel (Thomas Krahelski, Deputy, 387-5436) on May 31, 2005. In addition, the item has been reviewed by the County Administrative Office (Valerie Clay, Deputy Administrative Officer for Budget, 387-5410, and Wayne Thies, Administrative Analyst III, 397-5409).

**FINANCIAL IMPACT:** The filing fees associated with this application, \$61,950, will be paid by the County Fire Department. Adequate appropriations are available in the Department's FY 2004/05 budget for this purpose and will be transferred to the LAFCo budget after approval. Additional costs related to the application may be necessary as required by LAFCo during its review process (i.e., additional published notice costs) and will be paid by the Department from its FY 2005/06 budget.

**SUPERVISORIAL DISTRICTS:** All.

**PRESENTERS:** Norman A. Kanold, 387-4532; and Peter R. Hills, 387-5948.