Amended Resolution No. 3050 for LAFCO 3032 and Excerpts from October 7, 2008 Staff Report on the Community of Barstow Service Review Related to LAFCO 3032 - Barstow Fire Protection District

Attachment 5

LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN BERNARDINO

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PROPOSAL NO.: **LAFCO 3032**

HEARING DATE: **February 18, 2009**

AMENDED RESOLUTION NO. 3050

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO RESCINDING RESOLUTION NO. 3036 AND ITS ACTIONS RELATED TO LAFCO 3032 – A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE BARSTOW FIRE PROTECTION DISTRICT, GRANTING THE REQUEST FOR RECONSIDERATION SUBMITTED BY THE EXECUTIVE OFFICER, MAKING DETERMINATIONS FOR THE SERVICE REVIEW, AND APPROVING SPHERE AMENDMENTS FOR LAFCO 3032 (sphere expansion to include the remainder of the Hinckley community as defined by the boundaries of County Service Area 70 Improvement Zone W; sphere expansion to include the southeast quarter of Section 12 of T09N, R01W; sphere reduction to exclude parcel 0516-012-03; and affirmation of the balance of the existing sphere as shown on the attached maps).

On motion of Commissioner McCallon, duly seconded by Commissioner Pearson, and carried, the Local Agency Formation Commission adopts the following resolution:

WHEREAS, on October 15, 2008, the Local Agency Formation Commission of San Bernardino County (hereinafter referred to as "the Commission"), conducted a public hearing on the proposal known as LAFCO 3032 – A Service Review and Sphere of Influence Update for the Barstow Fire Protection District, and after consideration of oral and written testimony and reports of staff, the Commission approved the service review and sphere of influence update for LAFCO 3032, and;

WHEREAS, on October 15, 2008, the Commission determined that the proposal was statutorily exempt from environmental review, and instructed its Clerk to file a Notice of Exemption within five days, and

WHEREAS, on November 19, 2008, the Commission adopted LAFCO Resolution No. 3034 outlining its approval and determinations for LAFCO 3032; and

WHEREAS, within 30 days of the date of adoption of Resolution No. 3034, the Executive Officer for the Commission filed a request for reconsideration of said resolution in conformance with Government Code Section 56895; and

WHEREAS, at the time and in the form and manner provided by law, said Executive Officer gave notice of a public hearing for this reconsideration request; and, at the February 18, 2009 hearing, the

Commission heard from all parties wishing to be heard on this reconsideration, and the Commission closed the hearing; and

WHEREAS, on February 18, 2009, the Commission determined to rescind Resolution No. 3034 and its actions related to LAFCO 3032 and approved the Request for Reconsideration submitted by the Executive Officer for LAFCO 3032; and

WHEREAS, a service review mandated by Government Code 56430 and a sphere of influence update mandated by Government Code Section 56425 have been conducted by the Local Agency Formation Commission of the County of San Bernardino (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and

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

WHEREAS, the Executive Officer has reviewed available information and prepared a report including her recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

WHEREAS, a public hearing by this Commission was called for February 18, 2009, at the time and place specified in the notice of public hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all plans and proposed changes of organization, objections and evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing;

WHEREAS, the Commission rescinded LAFCO Resolution 3034 adopted November 21, 2008;

WHEREAS, a statutory exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that this service review and sphere of influence update are statutorily exempt from CEQA and such exemption was adopted by this Commission on February 18, 2009 for the modified proposal, and the Clerk was directed to file a Notice of Exemption within five working days of its adoption;

WHEREAS, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it is determined that the following sphere of influence determinations should be made for the Barstow Fire Protection District (hereafter shown as the District):

(1) Expand the sphere of influence to include the remainder of the Hinckley community as defined by the boundaries of County Service Area 70 Improvement Zone W; and

(2) Expand the sphere to include the southeast quarter of Section 12 of T09N, R01W;

(3) Reduce the sphere to exclude parcel 0516-012-03 located in the northern half of Section 19 of T09N, R01E; and

(4) Affirm the balance of the existing sphere of influence for the District

as more specifically depicted on the maps attached hereto as Exhibits "A" and "A-1";

WHEREAS, this resolution is amended by the Executive Officer on April 21, 2010, pursuant to the authority provided in Government Code Section 56883 to correct an error which occurred inadvertently without requiring the initiation of a new review process; and

WHEREAS, the determinations required by Government Code Section 56430 and local Commission policy are included in the report prepared and submitted to the Commission dated October 7, 2008 and received and filed by the Commission on October 15, 2008, a complete copy of which is on file in the LAFCO office. The sphere amendments approved on February 18, 2009 do not change the previous municipal service review determinations required by Government Code Section 56430. The amendment to this resolution dated April 21, 2010 pursuant to the authority provided in Government Code Section 56883 corrects Determination No. 5. The determinations of the Commission are:

1. **Growth and population projections for the affected area:**

The District's sphere of influence is coterminous with the City's sphere, but its boundaries are not coterminous with the City. The District's boundaries include the communities of Lenwood and Barstow Heights as well as the majority of the City (the District does not include the Marine Corps Base at Nebo).

District Boundaries

Utilizing the growth forecast for transportation analysis zones, as identified in the Southern California Association of Government (SCAG) 2008 Regional Transportation Growth Forecast, the District's 2007 population was 30,524 and the population projections are as follows:

2010 – 30,524	2025 – 43,097
2015 – 32,298	2030 – 46,615
2020 – 36,116	

Sphere of Influence

Utilizing the growth forecast for transportation analysis zones, as identified in the Southern California Association of Governments 2008 Regional Transportation Growth Forecast, the District's population projections are as follows:

2010 – 11,004	2025 – 12,945
2015 – 11,713	2030 – 13,786
2020 – 12,280	

Historical trends indicate low growth in the community in comparison with other urban regions of the North Desert region of the County. However, there are planned developments anticipated in the future such as the Waterman Junction development. These future projects will increase the need for public services within the existing District boundaries as well as within

the unincorporated sphere area. However, the single most tangible factor that would limit growth will be the availability of water.

2. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies:

Fire Master Plan

With a current ISO rating of 4 in the urban area and 9 in the rural areas, the District utilizes its Fire Master Plan to plan for future facilities and service. The District updated the Plan in 2007 and recommends the expansion of fire facilities and addition of personnel. The Plan takes into account future growth within the District as well as the developments in the sphere of influence. The District's immediate and short and long-term goals are identified in the 2007 Master Plan.

Stations and Personnel

Currently, the District employs six full time firefighters on three shifts, protecting approximately 40,000 residents and a transient population of more than 100,000 per day. The District owns three stations and two are operational:

- Station 361, located at 861 Barstow Road, was build in 1978 and District staff indicates that it is in good condition, but has the maintenance costs associated with an older structure.
- Station 362, located at 29780 Old Highway 58, was built in 1980. Due to budget and staffing constraints, the station is inactive.
- Station 363, located at 2600 West Main Street, was built in 1998 and is in excellent condition.

Each station maintains a full time staff of three firefighters per shift. For backup, there are 20 paid-call firefighters who respond when available with an additional engine, truck, or water tender. The fire trucks are capable of providing 1,000 to 1,500 gallons of water per minute. The two staffed engines are also medic engines, which mean they carry a paramedic firefighter and equipment to provide advanced life support services.

The District's sphere is within the jurisdiction of County Fire and its North Desert Service Zone. Within the sphere, County Fire is responsible for fire service and operates out of one paid-call fire station. Station 125 is in Hinkley at 37284 Flower Road.

Emergency Calls and Response Times

The District reported 3,424 responses in 2004, 4,055 in 2005, and 4,080 in 2006. The type of emergency calls received is of significance. Only 11.7% of the responses in 2005 were fire related emergencies. In the same year the District responded to 2,453 emergency medical calls which equal approximately 60% of the responses. Given the number of calls and the size of the District, present equipment and personnel will soon be stretched beyond acceptable limits.

Additionally, response to the other station's response area occurs almost on a daily basis because the primary engine was responding to another emergency. In 2005 Station 361 responded into Station 363's response area 48 times, and Station 363 responded 458 times into Station 361's response area.

Commercial and industrial growth is also increasing with the projects along Lenwood Road, North of Main Street and along Commerce Parkway. A concern of the District is the distance from these projects to existing fire stations. The District recognizes that two fire stations are able to provide adequate service at this time; however, additional stations are needed to meet future growth. To address new growth in these areas, the District states it will need to add multiple rescue units and construct seven new fire stations by 2037.

There are some remote areas of the District that cannot be reached within a five to seven minute response time (industry standard). This is due to natural and manmade geographical obstructions: the freeways, Mojave River, and railroad tracks form some of these obstructions. Currently, the District is able to supply six personnel on most calls within 5-10 minutes and a truck within 10-15 minutes. The District has mutual aid agreements with the Fort Irwin Fire Department, County Fire, Daggett Community Services District, Marine Corps Logistics Base, and the Bureau of Land Management – Barstow. The Marine Corps Logistics Base can be on scene in 5-10 minutes and engines from other jurisdictions can be on scene within 30-40 minutes.

Ambulance

The District does not provide transportation of the sick or injured and, except for extreme emergencies, is precluded from doing so by direction of state law. Transportation is accomplished through the assignment of exclusive operating areas to existing transport agencies by the Inland Counties Emergency Management Authority (ICEMA). The agencies currently assigned are Desert Ambulance for ground transport and Mercy Air Ambulance for air transport. Sheriff's Air Rescue, California Highway Patrol Air 80, and the military may be utilized in extreme emergencies or where air rescue is needed.

Infrastructure Needs or Deficiencies

According to the Master Plan, the District's staffing is about 50% of what it should be. The Master Plan refers to a report that the District commissioned in 2007 that projects that growth in the Barstow area will require an additional 66 firefighters within the next twenty years.

As the number of responses continues to increase, the capability of the District to provide adequate services is greatly diminished. Staffing levels are lower than they were in 1986, but call volume has more than doubled. In 2006 there were 812 occurrences when both engines were busy at the same time. This number does not include fire or other responses where both engines were dispatched to the same call. What this means is that approximately 20% of the time the District had no resources available for response. This figure will continue to rise without additional apparatus and personnel. Below is the Executive Summary from the 2007 Master Plan:

After extensive study and analysis, in preparation of this master plan, the following conclusions are made.

We studied predicted response times and geographic coverage areas. Upon analysis of resource deployment and the geographic areas expected to receive coverage from fire units responding to an incident, it was revealed that the Barstow Fire Protection District does not deploy sufficient personnel and apparatus and fails to meet performance objectives described in current industry standards.

Specifically, the following analysis of the Barstow Fire Protection District concludes that:

> The Barstow Fire Protection District needs to increase the number of personnel on staffed apparatus to improve safety and effectiveness for fire suppression. This would allow us to meet the staffing objectives and standards within NFPA [National Fire Protection Association] 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.
>
> The Barstow Fire Protection District should deploy additional apparatus from the Headquarters Fire Station at 861 Barstow Road. This will reduce response times in the coverage area for that station by decreasing the distance another apparatus would travel during concurrent or cued calls. This will also reduce the number of times when there are no units available due to a second call occurring while the first unit is still on the initial call. Currently, 20% of the incidents result in both full time engines being unavailable if there where a third incident.

3. Financial ability of agencies to provide services:

Revenues

The primary source of income is the District's share of the one percent general levy, which represents 75% of total revenues. In previous years, property tax has accounted for up to 92% of total revenues. Because the District relies heavily on its share of the general levy, with all other things being equal, expenditures will increase at a faster rate than revenues. Without additional revenue sources, the District will face challenges in adding new facilities and purchasing new equipment as outlined in the 2007 Master Plan.

On the November 2008 ballot is a measure to impose an additional 3/4 cent sales tax within City limits to pay for increased staffing and equipment for the City Police Department and the Barstow Fire Protection District. The proposed tax would be split 69 percent for fire and emergency medical response services and 31 percent for police. According the County Registrar of Voters website, passage of this measure requires a 2/3 majority vote.

Other sources of revenue include redevelopment pass through, fees and charges, and grants. The District receives approximately $45,000 per year from redevelopment pass through funds. The redevelopment area in Barstow will not expire for roughly 20 years.

However, the District does not currently receive development impact fees from either the City of Barstow or the County. At the time of this writing, the City of Barstow has approved an amendment to its Municipal Code to collect fire impact fees.

Expenditures

Expenditures are comprised of salaries and benefits (83%), maintenance and operations (12%) and apparatus (5%). This ratio of expenditures has been relatively constant for the past four years but fluctuates dependent upon capital purchases and improvements.

Estimated Cost of Enhanced Services

The 2007 Master Plan and the District's response to LAFCO's requests for information indicate that the District is understaffed and lacks the proper equipment. Outlined in the 2007 Master Plan are the estimated costs if the District is to realize full staffing and equipment through 2027. Below are the costs as identified in the Master Plan:

ESTIMATED COSTS				
YEAR	ADDED PERSONNEL	ADDED PERSONNEL COST (Annually)	ADDED CAPITAL COSTS	TOTAL ADDED COSTS
2007-2012	64	$7,244,600	$11,748,016	$18,992,616
2013-2017	33	3,695,850	14,462,104	18,157,954
2018-2022	46	5,090,378	14,851,168	19,941,546
2023-2027	6	455,648	250,000	705,648
TOTAL	**149**	**$16,486,476**	**$41,311,288**	**$57,797,764**

4. Status of, and opportunities for, shared facilities:

The District does not share any fire related facilities with other agencies but states that it is open to the idea in order to reduce costs. The only shared facility identified was the use of the City of Barstow's council chambers for board meetings.

5. Accountability for community service needs, including governmental structure and operational efficiencies:

Local Government Structure and Community Service Needs

The District is an independent, self-governed special district and is comprised of five board members elected at large to four-year staggered terms. Below is the composition of the current board, their positions, and terms of office:

Board Member	Title	Term
Ruben Arredondo	Director	2012
Paul Courtney	Chairman	2010
Barbara Hackbarth	Director	2010
Robert Ott	Director	2012
Ben Rosenberg	Director	2010

Board meetings are held at the City of Barstow Council Chambers on the second Thursday of the month at 7:00 p.m. The District's hearings are broadcast live on the local public access station.

Operational Efficiency
Operational efficiencies are realized through several joint agency practices, for example:

- The District contracts its emergency dispatching to the Regional Fire Protection Authority, a joint powers authority. The District is not a member of the JPA but contracts with the Authority for dispatching service.

- The District is a member of the Public Agencies Self-Insurance System (PASIS), a joint powers authority of eight California cities and districts, for the purpose of pooling the risk for workers compensation insurance with those of other member cities and districts.

- The District has assisted the Daggett, Newbery, and Yermo Community Services District in obtaining grants for safety gear, auto extraction equipment, and communications equipment.

Government Structure Options

There are two types of government structure options:

Out-of-Agency Service Agreements:

The District provides for service outside its boundaries through automatic and mutual aid agreements. The District has mutual aid agreements with the Fort Irwin Fire Department, County Fire, Daggett Community Services District, Marine Corps Logistics Base, and the Bureau of Land Management – Barstow.

Other Government Structure Options:

While the discussion of some government structure options may be theoretical, a service review should address possible options.

- County Fire as responsible entity for fire protection. In this option the District is either dissolved or consolidates with County Fire. Either way, County Fire and its North Desert Service Zone become the responsible entity for fire protection. In the materials provided for this review, District staff indicates that County Fire could not financially provide the same level of service for the same per unit cost. While there are benefits to regionally providing services such as fire protection and potential economies of scale that could be achieved, neither the District nor the City has indicated support for this option. City support would be required in order for a Board-governed entity to overlay City territory.

  The administrative steps required for fulfilling the reorganization of County Fire have only just begun and they need some time to be resolved. Therefore, those issues would need resolution before undertaking any discussion of additional service

responsibilities for the San Bernardino County Fire Protection District beyond its existing service territory.

- The District becoming a subsidiary district of the City of Barstow (City). Legal requirements for establishment of the District as a subsidiary district of the City are:

    - at least 70% of registered voters in the District must reside in the City; and,

    - at least 70% of the District's territory must also be within the boundaries of the City.

  LAFCO staff has verified that both requirements were satisfied in October 2008; therefore, the District is eligible for establishment as a subsidiary district of the City. In order for subsidiary status to be established, an application needs to be submitted to LAFCO requesting such an action be taken along with submission of a plan for services. In this option, the District would continue to exist, the facilities would remain in the name of the District, and the taxes and assessments would still be received by the District. The change comes in the form of governance – the District would be governed by the City Council sitting as the ex-officio members of the Board of Directors.

- Maintenance of the status quo. At this time, the District is not requesting any changes to its governmental structure.

- Expansion of the District to encompass the area of the three communities to the east (Daggett, Newberry, and Yermo). This option would normally not be discussed since Barstow is defined as its own separate community by the Commission. However, it was discussed as an option by the District.

  Consolidation of the fire functions of the three community services districts with that of the Barstow Fire Protection District would create a regional fire provider. This type of service is regional in nature due to the requirement that mutual aid be provided. However, in order for this option to be viable, the District would need to expand its jurisdiction through a sphere of influence expansion and annexation to become the responsible entity to provide fire protection as well as removal of the fire protection powers of the three community services districts. The District would then succeed to the property tax revenues attributable to fire protection of the three community services districts.

Based upon its evaluation, the Commission supports retention of the current District status.

WHEREAS, the following determinations are made in conformance with Government Code Section 56425 and local Commission policy:

1. **Present and Planned Uses:**

The District's boundary currently encompasses approximately 60 square miles, and its sphere extends an additional 125 square miles. Overall, the District's boundaries and sphere include the full range of densities from high density to non-developable land. Land uses also include

the full range which includes open space, rural living, and residential. There are Williamson Act contracts in the sphere area which have open space and agricultural functions along the Mojave River. The majority of the sphere area is a combination of vacant lands with Rural Living and Resource Conservation land use designations and sparsely developed areas. The City's specific plan for Lenwood will guide development in the future in this area. The landownership breakdown of the community is as follows:

Land Owner	Sq Miles	Percentage
Private	120.1	65%
US Bureau of Land Management	57.9	31.3%
Military	6.7	3.6%
State Lands - State Lands Commission	0.1	0.1%
Total	**184.8**	**100.0%**

A portion of the sphere is managed by the Bureau of Land Management, the Stoddard Valley Off-Highway Recreation Area. There is little developable land since the area is designated by the County General Plan as Resource Conservation (open space and recreational activities - minimum lot size 40 acres) and is comprised mostly of Bureau of Land Management lands. The territory of Stoddard Valley OHV has no requirement for municipal level services based upon the public nature of the majority of the land holdings and uses and its recent inclusion within the San Bernardino Fire Protection District for fire suppression, emergency response, rescue, and ambulance. Representatives from the Bureau of Land Management - Barstow Office, state that one of the Barstow Office's goal is to make the Stoddard Valley Off-Highway Recreation Area whole by acquiring all the private lands within the recreation area.

The sphere of influence for the District includes roughly half of the Hinkley community as defined by the boundaries of County Service Area 70 Improvement Zone W. In looking at future service delivery and community needs, the Commission determined to expand the sphere of influence of the District to include the entirety of the Hinkley community. County General Plan land use designations are primarily comprised of Rural Living, Residential Single, and Special Development – Residential. Other land use designations include Resource Conservation, General Commercial, and Neighborhood Commercial.

2. Present and Probable Need for Public Facilities and Services:

At this time, the District is meeting the needs of the community. Currently, roughly two-thirds of the densely populated areas of the District fall within 2.5 miles of the two staffed stations. However anticipated growth is occurring in areas outside the desired response radius of these stations. In order to reduce travel time and allow for the necessary second responses, additional staffed stations should be built in those areas, most likely in the southern portion of the District, and additional units should be staffed at those stations where there is a high incidence of simultaneous calls or cued call volume.

As the incorporated and unincorporated areas of the District continue to develop, the need for increased levels of fire protection will place an increasing burden on the District. In order to meet future demands, revenues must increase at the same pace as development and growth. Increased revenues will allow the District to increase full-time staffing and provide for additional fire fighting apparatuses.

3. Present Capacity of Public Facilities and Adequacy of Public Services

Staffing levels, facilities, and equipment meet the current needs of the community through full-time and paid-call employees. The District has a current ISO rating of 4 in the urban area and 9 in the rural areas. County Fire operates from one station in Harvard to serve the northern sphere area and out of the Helendale state for the southern sphere area.

There are some remote areas of the District that cannot be reached within a five to seven minute response time. This is due to natural and manmade geographical obstructions: the freeways, Mojave River, and railroad tracks form some of these obstructions. Currently, the District is able to supply six personnel on most calls within 5-10 minutes and a truck within 10-15 minutes.

As the number of responses continues to increase, the capability of the District to provide adequate services is greatly diminished. Staffing levels are lower than they were in 1986, but call volume has more than doubled. In 2006 there were 812 occurrences when both engines were busy at the same time. This number does not include fire or other responses where both engines were dispatched to the same call. What this means is that approximately 20% of the time the District had no available full time resources. This percentage figure will continue to rise without additional apparatus.

To provide the District with additional revenues to help adequately support police protection, on the November 2008 ballot is a measure to impose an additional 3/4 cent sales tax within City limits to pay for increased staffing and equipment for the City Police Department and the Barstow Fire Protection District. The proposed tax would be split 69 percent for fire and emergency medical response services and 31 percent for police.

4. Social and Economic Communities of Interest:

The City of Barstow is the core of the social and economic community of interest for the Barstow community. Within the unincorporated sphere, there are five social communities: Barstow Heights, Hinkley, Hodge, Grandview, and Lenwood. The economic driver for the community is transportation and its services, as the community is a transportation junction. The community is within the Barstow Unified School District except for a small portion on the east that extends into the Silver Valley Unified School District.

5. Additional Determinations

- The Commission's Environmental Consultant, Tom Dodson and Associates, has determined the changes outlined for the Barstow Fire Protection District sphere of influence are statutorily exempt from environmental review.

- As required by State Law notice of the reconsideration by the Commission was provided in the same manner as for the original consideration through publication in a newspaper of general circulation, the *Desert Dispatch.* Individual notice of the request for reconsideration was not provided as allowed under Government Code Section 56157 as such mailing would have included more than 1,000 individual notices. As outlined in Commission Policy #27, in lieu of individual notice the publication was provided through an eighth page legal ad.

- As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice.

- Comments from landowners/registered voters and any affected agency were reviewed and considered by the Commission in making its determinations.

WHEREAS, pursuant to the provisions of Government Code Section 56425(i) the range of services provided by the Barstow Fire Protection District shall be limited to the following:

DISTRICT	FUNCTIONS	SERVICES
Barstow Fire Protection District	Fire Protection	Suppression, prevention, structural, watershed, first aid, rescue, paramedic, and ambulance

WHEREAS, having reviewed and considered the findings as outlined above, the Commission expands the sphere of influence to include the remainder of the Hinckley community as defined by the boundaries of County Service Area 70 Improvement Zone W; expands the sphere to the southeast quarter of Section 12 of T09N, R01W; reduces the sphere to exclude parcel 0516-012-03; and affirms the balance of the existing sphere of influence of the Barstow Fire Protection District, and;

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of the County of San Bernardino, State of California, that this Commission shall consider this to be the sphere of influence for the Barstow Fire Protection District; it being fully understood that establishment of such a sphere of influence is a policy declaration of this Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants;

BE IT FURTHER RESOLVED that the Local Agency Formation Commission of the County of San Bernardino, State of California, does hereby determine that Barstow Fire Protection District shall indemnify, defend, and hold harmless the Local Agency Formation Commission of the County of San Bernardino from any legal expense, legal action, or judgment arising out of the Commission's designation of the modified sphere of influence, including any reimbursement of legal fees and costs incurred by the Commission.

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission of the County of San Bernardino by the following vote:

AYES:	**COMMISSIONERS:**	**Cox, Curatalo, McCallon, Nuaimi, Pearson**
NOES:	**COMMISSIONERS:**	**None**
ABSENT:	**COMMISSIONERS:**	**Biane, Mitzelfelt**

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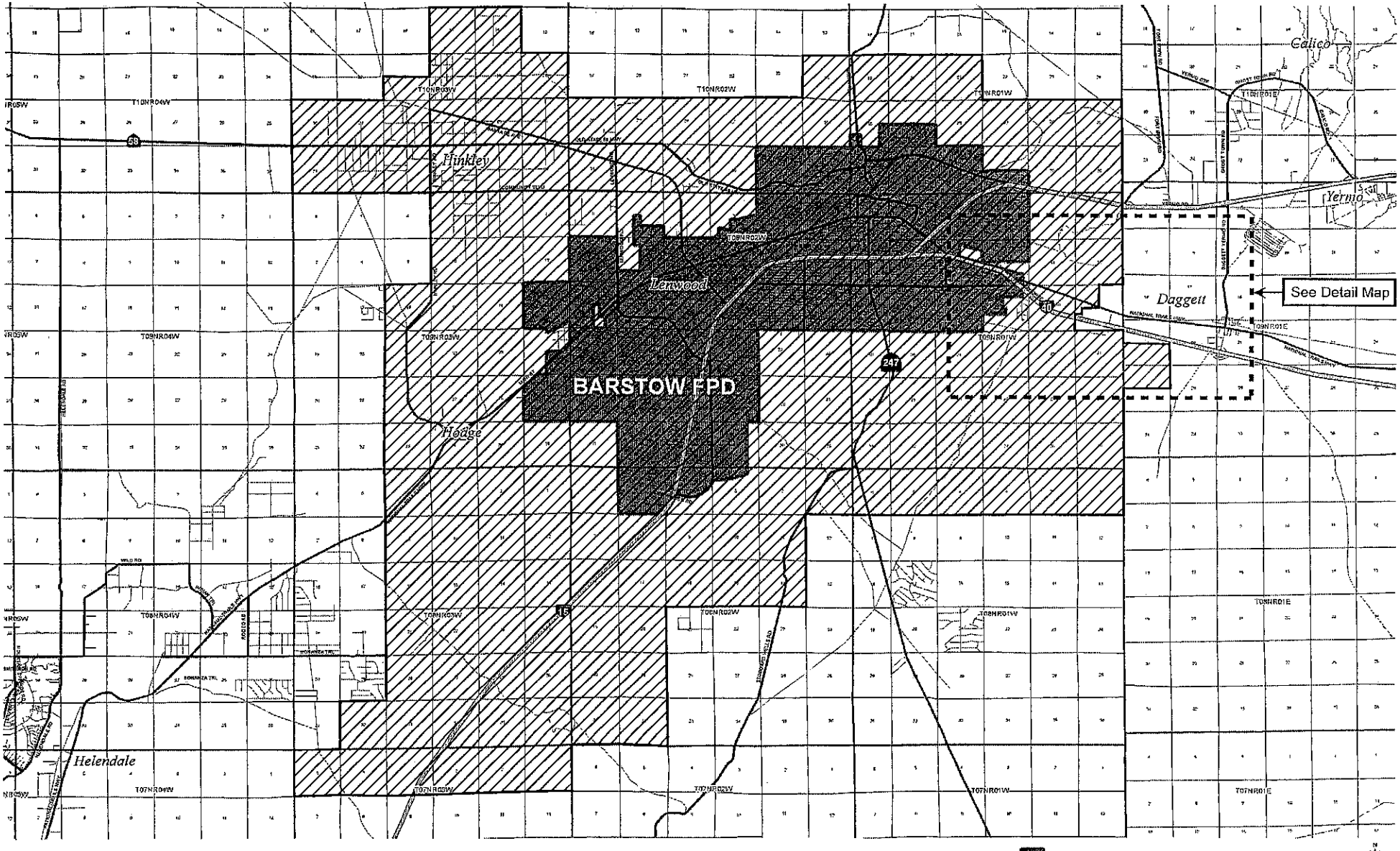
STATE OF CALIFORNIA)
) **ss.**
COUNTY OF SAN BERNARDINO)

AMENDED RESOLUTION NO. 3050

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meetings of February 18, 2009 and April 21, 2010.

DATED: Amended April 21, 2010

KATHLEEN ROLLINGS-McDONALD
Executive Officer

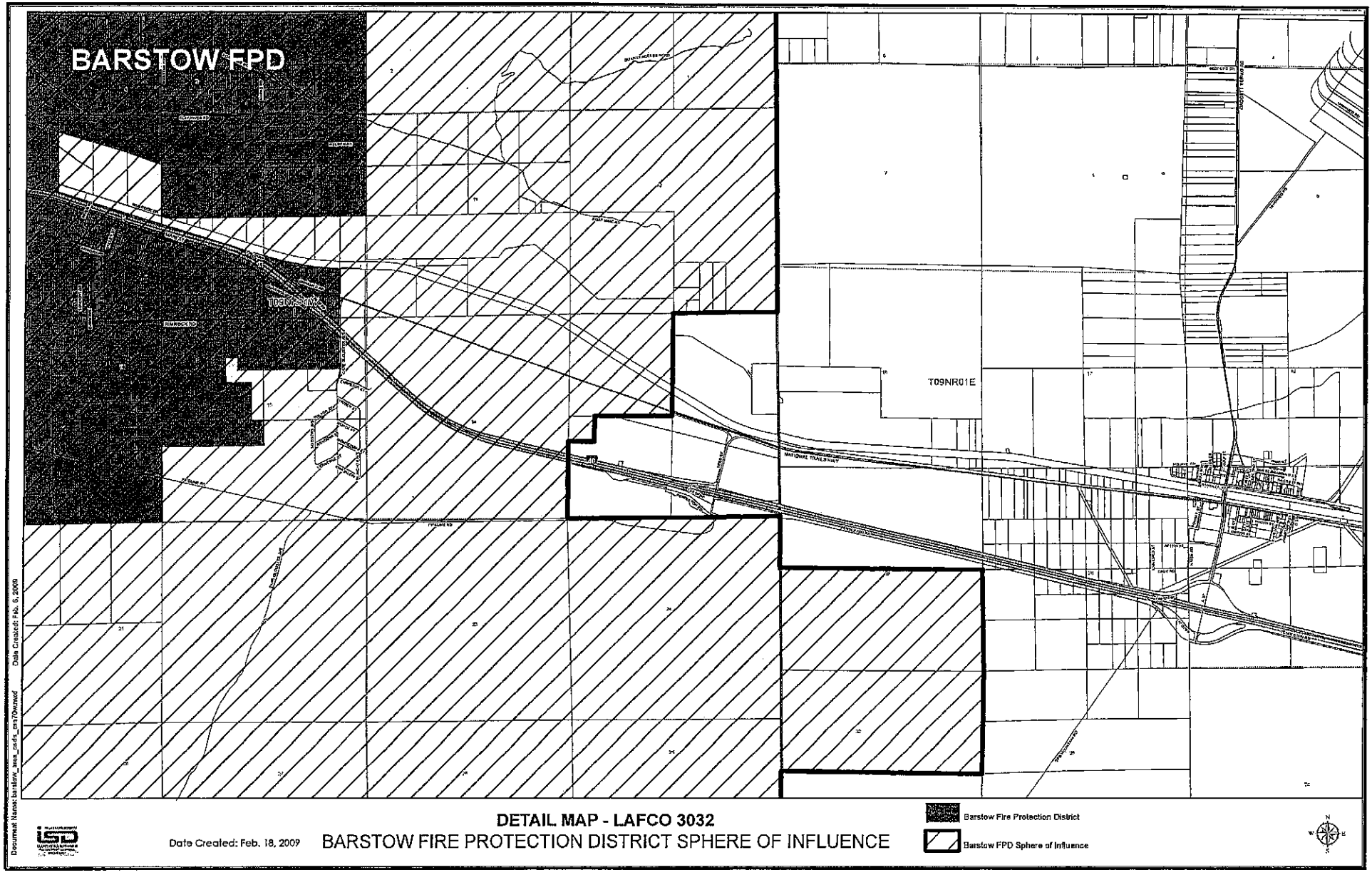


Date Created: Feb 18, 2009

LAFCO 3032 - BARSTOW FIRE PROTECTION DISTRICT SPHERE OF INFLUENCE

EXHIBIT A

EXHIBIT A



DETAIL MAP - LAFCO 3032

Date Created: Feb. 18, 2009

BARSTOW FIRE PROTECTION DISTRICT SPHERE OF INFLUENCE

EXHIBIT A-1

EXHIBIT A-1

BARSTOW FIRE PROTECTION DISTRICT
Municipal Service Review and Sphere of Influence Update

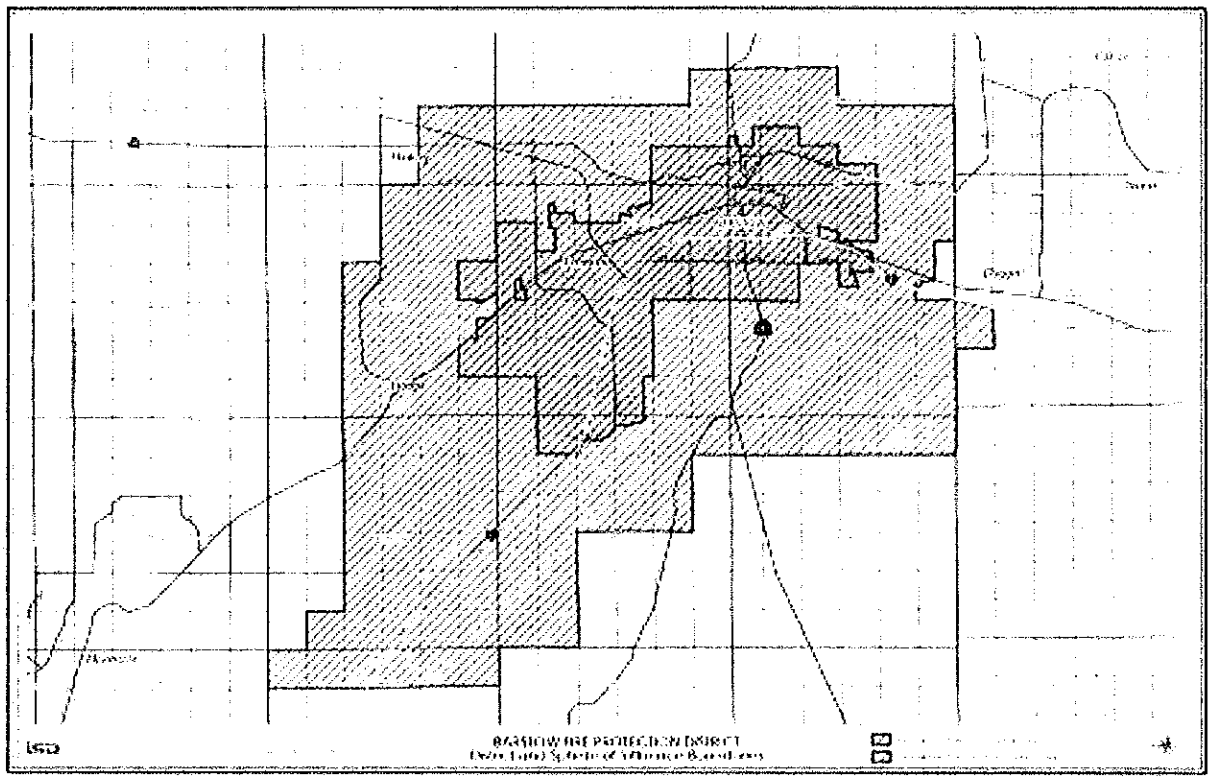
INTRODUCTION:

LAFCO 3032 consists of a municipal service review pursuant to Government Code Section 56430 and sphere of influence update to include a sphere modification pursuant to Government Code 56425 for the Barstow Fire Protection District (District). The District's response and supporting materials are included as Attachment #6 to this report and are briefly summarized in the information below.

The District is an independent special district formed in 1926 and reorganized in 1962 under the "Fire Protection District Law of 1961". It currently operates under the Fire Protection District Law of 1987, Health and Safety Code Section 13800 et seq. The purpose of the District is to provide fire protection and emergency medical response services within the City of Barstow. The District comprises approximately 60 square miles and its sphere of influence extends an additional 125 square miles. The District's sphere of influence is coterminous with that of the City of Barstow and the Odessa Water District. The District is currently authorized by LAFCO to provide fire protection services (suppression, prevention, structural, watershed, first aid, rescue, paramedic, and ambulance).

BOUNDARIES:

The District has a different boundary than the City of Barstow, being approximately 15 square miles larger than the City, but its sphere of influence is coterminous with the City's sphere. The service review and sphere study area includes the City area and the unincorporated communities of Barstow Heights, Hinkley, Grandview, and Lenwood. The study area is generally located southwest of Fort Irwin, west of the Daggett community and northeast of the Town of Apple Valley and City of Victorville. Below is a map of the District's current boundaries and sphere, a copy of which is also included as a part of Attachment #6.



MUNICIPAL SERVICE REVIEW SUMMARY

The Barstow Fire Protection District (District) prepared a service review consistent with San Bernardino LAFCO policies and procedures. The District's response to LAFCO's original and updated requests for materials includes, but is not limited to, the District's budgets and audits and excerpts from its 2007 Master Plan Update.

Growth and population projections for the affected area.

The District's sphere of influence is coterminous with the City's sphere, but its boundaries are not coterminous with the City. The District's boundaries include the communities of Lenwood and Barstow Heights as well as the majority of the City (the District does not include the Marine Corps Base at Nebo).

District Boundaries

Utilizing the growth forecast for transportation analysis zones, as identified in the Southern California Association of Government (SCAG) 2008 Regional Transportation Growth Forecast, the District's 2007 population was 30,524 and the population projections are as follows:

2010 – 30,524	2025 – 43,097
2015 – 32,298	2030 – 46,615
2020 – 36,116	

Waterman Junction

Waterman Junction is anticipated to be a master planned community located west of Interstate 15 between Stoddard Mountain and Lenwood Roads. The planned area would include lake and golf courses and encompass 7,350 acres with 500 acres set aside for potential business 150 acres for educational purposes. The development could add up to 25,000 homes (67,000 people) in the next 20 to 30 years.

The development is still in the planning stages and needs an environmental impact report. The City is anticipated to develop a specific plan for the area, and the developers envision eventual annexation to the City and the Barstow Fire Protection District, which would require LAFCO approval. The project was originally scheduled to break ground in 2010 but is currently on hold while the developer waits until the housing market rebounds[16].

If the entirety of the development comes to fruition and the area is successfully annexed to the City and the District, the development would add approximately 67,000 persons to the SCAG projection of 38,571, for to a total of 105,571.

Sphere of Influence

Utilizing the growth forecast for transportation analysis zones, as identified in the Southern California Association of Governments 2008 Regional Transportation Growth Forecast, the District's population projections are as follows:

2010 – 11,004	2025 – 12,945
2015 – 11,713	2030 – 13,786
2020 – 12,280	

Historical trends indicate low growth in the community in comparison with other urban regions of the North Desert region of the County. However, there are planned developments anticipated in the future such as the Waterman Junction development. These future projects will increase the need for public services within the existing District boundaries as well as within the unincorporated sphere area. However, the single most tangible factor that would limit growth will be the availability of water.

<u>Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.</u>

Fire Master Plan

With a current ISO rating[17] of 4 in the urban area and 9 in the rural areas, the District utilizes its Fire Master Plan to plan for future facilities and service. The District updated the

[16] Aaron Aupperlee, "Housing Slump Stalls Waterman Junction Project," Victorville Daily Press, 11 June 2008, Local News.

[17] According to ISO's website (www.isomitigation.com – Accessed May 16, 2008), Class 1 represents exemplary fire protection, and Class 10 indicates that the area's fire-suppression program does not meet ISO's minimum criteria.

Plan in 2007 and recommends the expansion of fire facilities and addition of personnel. The Plan takes into account future growth within the District as well as the developments in the sphere of influence. The District's immediate and short and long-term goals are identified in the 2007 Master Plan and are included as a part of Attachment #6.

Stations and Personnel

Currently, the District employs six full time firefighters on three shifts, protecting approximately 40,000 residents and a transient population of more than 100,000 per day. The District owns three stations and two are operational:

- Station 361, located at 861 Barstow Road, was build in 1978 and District staff indicates that it is in good condition, but has the maintenance costs associated with an older structure.

- Station 362, located at 29780 Old Highway 58, was built in 1980. Due to budget and staffing constraints, the station is inactive.

- Station 363, located at 2600 West Main Street, was built in 1998 and is in excellent condition.

Each station maintains a full time staff of three firefighters per shift. For backup, there are 20 paid-call firefighters who respond when available with an additional engine, truck, or water tender. The fire trucks are capable of providing 1,000 to 1,500 gallons of water per minute. The two staffed engines are also medic engines, which mean they carry a paramedic firefighter and equipment to provide advanced life support services.

The District's sphere is within the jurisdiction of County Fire and its North Desert Service Zone. Within the sphere, County Fire is responsible for fire service and operates out of one paid-call fire station. Station 125 is in Hinkley at 37284 Flower Road.

Emergency Calls and Response Times

The District reported 3,424 responses in 2004, 4,055 in 2005, and 4,080 in 2006. The type of emergency calls received is of significance. Only 11.7% of the responses in 2005 were fire related emergencies. In the same year the District responded to 2,453 emergency medical calls which equal approximately 60% of the responses. Given the number of calls and the size of the District, present equipment and personnel will soon be stretched beyond acceptable limits.

Additionally, response to the other station's response area occurs almost on a daily basis because the primary engine was responding to another emergency. In 2005 Station 361 responded into Station 363's response area 48 times, and Station 363 responded 458 times into Station 361's response area.

Commercial and industrial growth is also increasing with the projects along Lenwood Road, North of Main Street and along Commerce Parkway. A concern of the District is the distance from these projects to existing fire stations. The District recognizes that two fire

stations are able to provide adequate service at this time; however, additional stations are needed to meet future growth. To address new growth in these areas, the District states it will need to add multiple rescue units and construct seven new fire stations by 2037.

There are some remote areas of the District that cannot be reached within a five to seven minute response time (industry standard). This is due to natural and manmade geographical obstructions: the freeways, Mojave River, and railroad tracks form some of these obstructions. Currently, the District is able to supply six personnel on most calls within 5-10 minutes and a truck within 10-15 minutes. The District has mutual aid agreements with the Fort Irwin Fire Department, County Fire, Daggett Community Services District, Marine Corps Logistics Base, and the Bureau of Land Management – Barstow. The Marine Corps Logistics Base can be on scene in 5-10 minutes and engines from other jurisdictions can be on scene within 30-40 minutes.

Ambulance

The District does not provide transportation of the sick or injured and, except for extreme emergencies, is precluded from doing so by direction of state law. Transportation is accomplished through the assignment of exclusive operating areas to existing transport agencies by the Inland Counties Emergency Management Authority (ICEMA). The agencies currently assigned are Desert Ambulance for ground transport and Mercy Air Ambulance for air transport. Sheriff's Air Rescue, California Highway Patrol Air 80, and the military may be utilized in extreme emergencies or where air rescue is needed.

Infrastructure Needs or Deficiencies

According to the Master Plan, the District's staffing is about 50% of what it should be. The Master Plan refers to a report that the District commissioned in 2007 that projects that growth in the Barstow area will require an additional 66 firefighters within the next twenty years[18].

As the number of responses continues to increase, the capability of the District to provide adequate services is greatly diminished. Staffing levels are lower than they were in 1986, but call volume has more than doubled. In 2006 there were 812 occurrences when both engines were busy at the same time. This number does not include fire or other responses where both engines were dispatched to the same call. What this means is that approximately 20% of the time the District had no resources available for response. This figure will continue to rise without additional apparatus and personnel.

Below is the Executive Summary from the 2007 Master Plan:

> "After extensive study and analysis, in preparation of this master plan, the following conclusions are made.
>
> We studied predicted response times and geographic coverage areas. Upon analysis of resource deployment and the geographic areas expected to receive coverage from fire

[18] Revenue and Costs Specialists. "Fire Suppression Facilities Development Impact Fee Calculation and Nexus Report and Master Facilities Plan for the Barstow Fire Protection District" (September 2007).

units responding to an incident, it was revealed that the Barstow Fire Protection District does not deploy sufficient personnel and apparatus and fails to meet performance objectives described in current industry standards.

Specifically, the following analysis of the Barstow Fire Protection District concludes that:

> The Barstow Fire Protection District needs to increase the number of personnel on staffed apparatus to improve safety and effectiveness for fire suppression. This would allow us to meet the staffing objectives and standards within NFPA [National Fire Protection Association] 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.
>
> The Barstow Fire Protection District should deploy additional apparatus from the Headquarters Fire Station at 861 Barstow Road. This will reduce response times in the coverage area for that station by decreasing the distance another apparatus would travel during concurrent or cued calls. This will also reduce the number of times when there are no units available due to a second call occurring while the first unit is still on the initial call. Currently, 20% of the incidents result in both full time engines being unavailable if there where a third incident.

Financial ability of agencies to provide services.

Revenues

The primary source of income is the District's share of the one percent general levy, which represents 75% of total revenues. In previous years, property tax has accounted for up to 92% of total revenues. Because the District relies heavily on its share of the general levy, with all other things being equal, expenditures will increase at a faster rate than revenues. Without additional revenue sources, the District will face challenges in adding new facilities and purchasing new equipment as outlined in the 2007 Master Plan.

On the November 2008 ballot is a measure to impose an additional 3/4 cent sales tax within City limits to pay for increased staffing and equipment for the City Police Department and the Barstow Fire Protection District. The proposed tax would be split 69 percent for fire and emergency medical response services and 31 percent for police. According the County Registrar of Voters website, passage of this measure requires a 2/3 majority vote.

Other sources of revenue include redevelopment pass through, fees and charges, and grants. The District receives approximately $45,000 per year from redevelopment pass through funds. The redevelopment area in Barstow will not expire for roughly 20 years.

However, the District does not currently receive development impact fees from either the City of Barstow or the County. At the time of this writing, the City of Barstow has approved an amendment to its Municipal Code to collect fire impact fees. As for County development fees, LAFCO staff recommends that the District contact County representatives to incorporate conditions of development for impact fees to the District.

Expenditures

Expenditures are comprised of salaries and benefits (83%), maintenance and operations (12%) and apparatus (5%). This ratio of expenditures has been relatively constant for the past four years but fluctuates dependent upon capital purchases and improvements.

Estimated Cost of Enhanced Services

The 2007 Master Plan and the District's response to LAFCO's requests for information indicate that the District is understaffed and lacks the proper equipment. Outlined in the 2007 Master Plan are the estimated costs if the District is to realize full staffing and equipment through 2027. Below are the costs as identified in the Master Plan:

ESTIMATED COSTS				
YEAR	**ADDED PERSONNEL**	**ADDED PERSONNEL COST (Annually)**	**ADDED CAPITAL COSTS**	**TOTAL ADDED COSTS**
2007-2012	64	$7,244,600	$11,748,016	$18,992,616
2013-2017	33	3,695,850	14,462,104	18,157,954
2018-2022	46	5,090,378	14,851,168	19,941,546
2023-2027	6	455,648	250,000	705,648
TOTAL	**149**	**$16,486,476**	**$41,311,288**	**$57,797,764**

Status of, and opportunities for, shared facilities.

The District does not share any fire related facilities with other agencies but states that it is open to the idea in order to reduce costs. The only shared facility identified was the use of the City of Barstow's council chambers for board meetings.

Accountability for community service needs, including governmental structure and operational efficiencies.

Local Government Structure and Community Service Needs

The District is an independent, self-governed special district and is comprised of five board members elected at large to four-year staggered terms. Below is the composition of the current board, their positions, and terms of office:

Board Member	Title	Term
Ruben Arredondo	Director	2008
Dallas Harris	Clerk	2008
Paul Courtney	Chairman	2010
Barbara Hackbarth	Director	2010
Ben Rosenberg	Director	2010

Board meetings are held at the City of Barstow Council Chambers on the second Thursday of the month at 7:00 p.m. The District's hearings are broadcast live on the local public access station.

Operational Efficiency

Operational efficiencies are realized through several joint agency practices, for example:

- The District contracts its emergency dispatching to the Regional Fire Protection Authority, a joint powers authority. The District is not a member of the JPA but contracts with the Authority for dispatching service.

- The District is a member of the Public Agencies Self-Insurance System (PASIS), a joint powers authority of eight California cities and districts, for the purpose of pooling the risk for workers compensation insurance with those of other member cities and districts.

- The District has assisted the Daggett, Newbery, and Yermo Community Services District in obtaining grants for safety gear, auto extraction equipment, and communications equipment.

Government Structure Options

There are two types of government structure options:

1. Areas served by the agency outside its boundaries through "out-of-agency" service contracts;

2. Other potential government structure changes such as consolidations, reorganizations, dissolutions, etc.

Out-of-Agency Service Agreements:

The District provides for service outside its boundaries through automatic and mutual aid agreements. The District has mutual aid agreements with the Fort Irwin Fire Department, County Fire, Daggett Community Services District, Marine Corps Logistics Base, and the Bureau of Land Management – Barstow.

Government Structure Options:

While the discussion of some government structure options may be theoretical, a service review should address possible options.

- County Fire as responsible entity for fire protection. In this option the District is either dissolved or consolidates with County Fire. Either way, County Fire and its North Desert Service Zone become the responsible entity for fire protection. In

the materials provided for this review, District staff indicates that County Fire could not financially provide the same level of service for the same per unit cost. While there are benefits to regionally providing services such as fire protection and potential economies of scale that could be achieved, neither the District nor the City has indicated support for this option. City support would be required in order for a Board-governed entity to overlay City territory.

LAFCO staff would not support this option, at least at the present time, since the administrative steps required for fulfilling the reorganization of County Fire have only just begun and they need some time to be resolved. Therefore, in the staff opinion those issues would need resolution before undertaking any discussion of additional service responsibilities for the San Bernardino County Fire Protection District beyond its existing service territory.

- Subsidiary district of the City of Barstow. The District does not qualify for subsidiary district status since it does not meet the threshold of at least 70% of the District's boundaries being within the City of Barstow.

- Maintenance of the status quo. At this time, the District is not requesting any changes to its governmental structure, and as a part of this review LAFCO staff is not recommending any changes in structure.

- Expansion of the District to encompass the area of the three communities to the east (Daggett, Newberry, and Yermo). This option would normally not be discussed since Barstow is defined as its own separate community by the Commission. However, it was discussed as an option by the District (although it did not recommend this option) and warrants further discussion.

  Consolidation of the fire functions of the three community services districts with that of the Barstow Fire Protection District would create a regional fire provider. This type of service is regional in nature due to the requirement that mutual aid be provided. However, in order for this option to be viable, the District would need to expand its jurisdiction through a sphere of influence expansion and annexation to become the responsible entity to provide fire protection as well as removal of the fire protection powers of the three community services districts. The District would then succeed to the property tax revenues attributable to fire protection of the three community services districts. Neither LAFCO staff nor District staff recommends this option at this time due to financial considerations outlined above.

SPHERE OF INFLUENCE REVIEW

LAFCO staff recommends that the Commission modify the District's sphere of influence as outlined in the Community Discussion section of this report to exclude the Stoddard Valley Off Highway Recreation Area, include the remainder of the Hinkley community as defined by the boundaries of CSA 70 Zone W, and affirm the remainder the City's sphere.

LAFCO staff also recommends that the Commission affirm the function and services provided by the District as follows:

FUNCTIONS	***SERVICES***
Fire Protection	***Suppression, prevention, structural, watershed, first aid, rescue, paramedic, and ambulance***

The District's boundary currently encompasses approximately 60 square miles, and its sphere extends an additional 125 square miles. The District's submitted materials have indicated that no modification to the existing sphere is currently anticipated.

When updating a sphere of influence for a special district, the Commission is required to establish the nature, location, and extent of any functions or classes of services provided by the district (Government Code §56425(i)). Currently, the District is authorized the function of Fire Protection. Neither the staff of LAFCO nor the District proposes any changes to the District's authorized functions and services. Therefore, staff recommends that the Commission affirm the District's authorized functions and services as outlined above.

FACTORS OF CONSIDERATION:

The District was requested to provide information regarding the sphere of influence update as required by State law. Staff responses to the mandatory factors of consideration for a sphere of influence review (as required by Government Code Section 56425) are identified as follows:

Present and Planned Uses

Overall, the District's boundaries and sphere include the full range of densities from high density to non-developable land. Land uses also include the full range which includes open space, rural living, and residential. There are Williamson Act contracts in the sphere area which have open space and agricultural functions along the Mojave River. The majority of the sphere area is a combination of vacant lands with Rural Living and Resource Conservation land use designations and sparsely developed areas. The City's specific plan for Lenwood will guide development in the future in this area. A portion of the sphere is managed by the Bureau of Land Management, the Stoddard Valley Off-Highway Vehicle Recreation Area. The landownership breakdown of the community is as follows:

Land Owner	Sq Miles	Percentage
Private	120.1	65%
U.S. Bureau of Land Management	57.9	31.3%
Military	6.7	3.6%
State Lands - State Lands Commission	0.1	0.1%
Total	**184.8**	**100.0%**

Present and Probable Need for Public Facilities and Services

At this time, the District is meeting the needs of the community. Currently, roughly two-thirds of the densely populated areas of the District fall within 2.5 miles of the two staffed stations. However anticipated growth is occurring in areas outside the desired response radius of these stations. In order to reduce travel time and allow for the necessary second responses, additional staffed stations should be built in those areas, most likely in the southern portion of the District, and additional units should be staffed at those stations where there is a high incidence of simultaneous calls or cued call volume.

As the incorporated and unincorporated areas of the District continue to develop, the need for increased levels of fire protection will place an increasing burden on the District. In order to meet future demands, revenues must increase at the same pace as development and growth. Increased revenues will allow the District to increase full-time staffing and provide for additional fire fighting apparatuses.

Present Capacity of Public Facilities and Adequacy of Public Services

Staffing levels, facilities, and equipment meet the current needs of the community through full-time and paid-call employees. The District has a current ISO rating[19] of 4 in the urban area and 9 in the rural areas. County Fire operates from one station in Harvard to serve the northern sphere area and out of the Helendale state for the southern sphere area.

There are some remote areas of the District that cannot be reached within a five to seven minute response time. This is due to natural and manmade geographical obstructions: the freeways, Mojave River, and railroad tracks form some of these obstructions. Currently, the District is able to supply six personnel on most calls within 5-10 minutes and a truck within 10-15 minutes.

As the number of responses continues to increase, the capability of the District to provide adequate services is greatly diminished. Staffing levels are lower than they were in 1986, but call volume has more than doubled. In 2006 there were 812 occurrences when both engines were busy at the same time. This number does not include fire or other responses where both engines were dispatched to the same call. What this means is that approximately 20% of the time the District had no available full time resources. This percentage figure will continue to rise without additional apparatus.

To provide the District with additional revenues to help adequately support police protection, on the November 2008 ballot is a measure to impose an additional 3/4 cent sales tax within City limits to pay for increased staffing and equipment for the City Police Department and the Barstow Fire Protection District. The proposed tax would be split 69 percent for fire and emergency medical response services and 31 percent for police.

[19] According to ISO's website (www.isomitigation.com – Accessed May 16, 2008), Class 1 represents exemplary fire protection, and Class 10 indicates that the area's fire-suppression program does not meet ISO's minimum criteria.

Social and Economic Communities of Interest

The City of Barstow is the core of the social and economic community of interest for the Barstow community. Within the unincorporated sphere, there are five social communities: Barstow Heights, Hinkley, Hodge, Grandview, and Lenwood. The economic driver for the community is transportation and its services, as the community is a transportation junction. The community is within the Barstow Unified School District except for a small portion on the east that extends into the Silver Valley Unified School District.