

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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PROPOSAL NO.: LAFCO 3206

HEARING DATE: APRIL 20, 2016

RESOLUTION NO. 3220

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3206; APPROVING THE REORGANIZATION TO INCLUDE ANNEXATIONS TO THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT, ITS SOUTH DESERT SERVICE ZONE AND SERVICE ZONE FP-5 OF SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND FORMATION OF SERVICE ZONE FP-5 NEEDLES (generally encompassing the boundaries of the City of Needles representing approximately 20,998 acres (32.81 square miles) for the annexation to County Fire, its South Desert Service Zone, Service Zone FP-5 and the formation of Service Zone FP-5 Needles).

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

WHEREAS, an application for the proposed reorganization in the County of San Bernardino was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred as the "Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.), and the Executive Officer has examined the application and executed her certificate in accordance with law, determining and certifying that the filings are sufficient; 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 this 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, the public hearing by this Commission was held upon the date and at the time and place specified in the notice of public hearing and in order or orders continuing the hearing; and,

WHEREAS, at this 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; and,

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WHEREAS, the Commission determines to modify the proposal to include the annexation to Service Zone FP-5 and the formation of new Service Zone FP-5 Needles.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby determine, resolve, order and find as follows:

DETERMINATIONS:

SECTION 1. The proposal is approved subject to the terms and conditions hereinafter specified:

CONDITIONS:

Condition No. 1. The boundaries of this change of organization are approved as set forth in Exhibits "A" and "A-1", attached this resolution;

Condition No. 2. The following distinctive short form designation shall be used through this proceeding: LAFCO 3206;

Condition No. 3. The effective date of this reorganization shall be no earlier than the completion of terms and conditions outlined in this resolution for approval as authorized by Government Code Sections 56886(p) and 57202;

Condition No. 4. Upon the effective date of the reorganization, the San Bernardino County Fire Protection District (hereafter "County Fire" or "SBCFPD") South Desert Service Zone, as the Successor District to the fire and emergency medical response obligations of the City of Needles shall succeed and/or be assigned all rights, duties, responsibilities, properties (both real and personal except as further described in conditions below), contracts, equipment, assets, liabilities, obligations, functions, executory provisions, entitlements, permits and approvals of the City of Needles for its Fire Department. Said Successor District shall be subject to the terms and conditions contained herein;

Condition No. 5. Upon the effective date of the reorganization including annexation, pursuant to the terms specific in the Plan for Service, attached as Exhibit "B", the Successor District shall accept all equipment transferred from the City of Needles in "as is" condition [pursuant to Government Code Section 56886(h)]. All assets including, but not limited to, equipment (vehicles, apparatus, supplies, etc.) rolling stock, tools, office furniture, fixtures and equipment, and appurtenances held by the City of Needles, except for Fire Station #31, shall be transferred to the Successor District, the South Desert Service Zone of SBCFPD. All title transfer documents for vehicles shall be prepared by the City of Needles to be filed upon the effective date of the change with copies provided to LAFCO;

Condition No. 6. Prior to the issuance of the Certificate of Completion for the reorganization to include annexation, pursuant to the provisions outlined in Government Code Section 56886 (i), (o) and (s), the Commission requires that the Successor District,

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the South Desert Service Zone of SBCFPD and the City of Needles finalize a lease agreement for the continuing use of Fire Station #31 until completion of the construction of Station #32 with a copy of the signed agreement provided to the Executive Officer of LAFCO.

Condition No. 7. Upon the effective date of the reorganization including annexation, there shall be created a subzone of Service Zone FP-5, to be identified as FP-5 Needles, to isolate the special tax revenue contributed by the territory within the City of Needles proposed for annexation into Service Zone FP-5 by LAFCO 3206. All actions required by the SBCFPD to implement the special tax by the August 8, 2016 due date for placement of the special tax on the tax rolls by the San Bernardino County Treasurer/Tax Collector shall identify the territory as Service Zone FP-5 Needles and the revenues received by the San Bernardino County Auditor Controller/Treasurer/Tax Collector shall be separately accounted for;

Condition No. 8. The Successor District, South Desert Service Zone, shall also assume all joint use, maintenance, automatic aid or mutual aid agreements held by the City of Needles Fire Department [Government Code Section 56886(r)]. Amendments of existing agreements required for successful transfer shall be completed and submitted to the Local Agency Formation Commission prior to the issuance of the Certificate of Completion to address any changes [Government Code Section 56886(r)(v)];

Condition No. 9. Upon the effective date of this reorganization, any funds currently deposited for the benefit of the City of Needles fire operations which have been impressed with a public trust, use or purpose, shall be transferred to the Successor District and said District shall separately maintain such funds in accordance with the provisions of Government Code Section 57462;

Condition No. 10. The City of Needles and the San Bernardino County Fire Protection District, applicants for this change of organization, shall indemnify, defend and hold harmless the Commission from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission;

SECTION 2. DETERMINATIONS. The following determinations are noted in conformance with Commission policy and Government Code Section 56668:

1. The County Registrar of Voters Office has determined that the study area is legally inhabited with 1,520 registered voters as of January 21, 2016.
2. The reorganization area is within the sphere of influence assigned the San Bernardino County Fire Protection District through approval of the companion proposal identified as LAFCO 3205.
3. The County Assessor's Office has determined that the total assessed valuation of land and improvements for the area is \$302,526,887 as of January 22, 2016.

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This figure is broken down as \$107,464,798 for land and \$195,062,089 for improvements.

4. Notice of this hearing was published as required by law in *The Needles Desert Star*, a newspaper of general circulation in the area. As required by State law and Commission policy, a 1/8th page legal ad was provided in compliance with the provisions of Government Code Section 56157. Individual notices were provided to all affected and interested agencies, County departments and those individuals and agencies requesting special notice. Comments from registered voters and any affected local agency have been reviewed and considered by the Commission in making its determination.
5. In compliance with the requirements of Government Code Section 56125, individual notice was mailed to landowners within the reorganization area for Service Zone FP-5 (totaling 2,425) due to the special tax being extended. Comments from landowners have been considered by the Commission in making its determination.
6. The proposed reorganization does not conflict with the established City's General Plan. The proposed reorganization has no direct impact on such land use designations.
7. The Southern California Association of Governments (SCAG) has adopted a Regional Transportation Plan and Sustainable Community Strategy pursuant to the provisions of Government Code Section 65352.5. Approval of LAFCO 3206 has no direct impact on these determinations. The Sustainable Community Strategy includes as a determination the need to assure the ongoing availability of health and safety services which approval of LAFCO 3206 will support.
8. The Local Agency Formation Commission has determined that this proposal is statutorily exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the proposal will not change the area in which the service is provided; therefore, no physical affect upon the environment can be foreseen. The Commission certifies it has reviewed and considered the environmental recommendation and finds that a General Rule Statutory Exemption as authorized under Section 15061(b) (3) of the State CEQA Guidelines is appropriate. The Commission adopted the Statutory Exemption and directed the Executive Officer to file a Notice of Exemption within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.
9. The study area is presently served by the following public agencies: County of San Bernardino, City of Needles, Mojave Desert Resource Conservation District, Needles Unified School District and Palo Verde Community College District. The San Bernardino County Fire Protection District and its South Desert and FP-5 Service Zones will be expanded through completion of this reorganization. None of the other agencies are affected jurisdictionally by this reorganization proposal as they are regional in nature.

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10. Upon reorganization, the primary successor district, the South Desert Service Zone of County Fire, will extend the defined range of services to residents, landowners and governments within the boundaries of the jurisdictional change. The Plan for the Extension of Service, jointly submitted by the City of Needles and County Fire, provides a general outline of the delivery of services mandated by Government Code Section 56653. This Plan and the Fiscal Impact Analysis indicates that the transfer of service to the South Desert Service and County Fire, can, at a minimum, maintain the level of service delivery currently received by the area. The Plan for Service including Property Transition Plan and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan and Fiscal Impact Analysis conforms to those adopted standards and requirements.
11. The proposal complies with Commission policies and reflects a mechanism to address the long-term sustainability of the delivery of fire suppression, prevention and emergency medical response to the citizens and City of Needles. The reorganization area can benefit from the assumption of fire protection and emergency medical response by the South Desert Service Zone of the San Bernardino County Fire Protection District as evidenced by the Plan for Service.
12. This proposal will not affect the fair share allocation of the regional housing needs assigned to the City of Needles through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process.
13. With respect to environmental justice, the reorganization provides for the continuation of existing fire protection, and emergency medical response services within the area and will not result in the unfair treatment of any person based upon race, culture or income.
14. The County Board of Supervisors has successfully completed the process for the determination of a transfer of ad valorem property tax revenues upon successful completion of this reorganization to the successor agencies, SBCFPD and its South Desert Service Zone. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
15. The maps and legal descriptions prepared by the County Surveyor are in substantial compliance with LAFCO and State standards.

SECTION 3. Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change or organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

SECTION 4. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

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SECTION 5. The Commission hereby directs that following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer is hereby directed to initiate protest proceedings in compliance with this resolution and State law (Part 4, commencing with Government Code Section 57000), provide for a 21-day protest proceeding, set the matter for consideration of the protest proceedings, and provide notice of the hearing pursuant to Government Code Section 57025 and 57026.

SECTION 6. Upon conclusion of the protest proceedings, the Executive Officer shall adopt a resolution setting forth her determination on the levels of protest filed and not withdrawn and setting forth the action on the proposal considered.

SECTION 7. Upon adoption of the final resolution by the Executive Officer, either a Certificate of Completion or a Certificate of Termination, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204, shall be prepared and filed for the proposal.

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

AYES: COMMISSIONERS: Bagley, Cox, Curatalo, McCallon, Williams

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Lovingood, Ramos

.....
STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN BERNARDINO)

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission for San Bernardino County, 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 regular meeting of April 20, 2016.

DATED: April 20, 2016




KATHLEEN ROLLINGS-McDONALD
Executive Officer

LAFCO 3205
Sphere of Influence Amendment (Expansion) for the San Bernardino County
Fire Protection District

LAFCO 3206
Reorganization to include Annexation to the San Bernardino County Fire
Protection District, its South Desert Service Zone

Those portions of the County of San Bernardino, State of California, lying within Sections 1, 12, 13, 24, & 25, Township 8 North, Range 22 East, San Bernardino Meridian, Sections 4 through 10, 15 through 20, 29 & 30, Township 8 North, Range 23 East, San Bernardino Meridian, Sections 1, 11 through 14, 23 through 25, & 36, Township 9 North, Range 22 East, San Bernardino Meridian, Sections 19, 20, 28 through 33, Township 9 North, Range 23 East, San Bernardino Meridian, and Section 36, Township 10 North, Range 22 East, San Bernardino Meridian, described as follows:

Beginning at the northwest corner of Section 36, Township 10 North, Range 22 East, San Bernardino Meridian (S.B.M.);


1. Thence easterly along the north line of said Section 36 and the north line of LAFCO 2857, dated July 25, 2000, a distance of 3293.82 feet, more or less, to the State Line between California and Arizona;
2. Thence southerly along said State Line and said LAFCO 2857 a distance of 8654.42 feet, more or less, to the south line of the north half of Section 1, Township 9 North, Range 22 East, S.B.M., and being the north line of LAFCO 1963 dated June 10, 1980;
3. Thence leaving said LAFCO 2857 southerly along said State Line and said LAFCO 1963 a distance of 2780.62 feet, more or less, to the north line of said Section 12, Township 9 North, Range 22 East, S.B.M. and being the north line of LAFCO 837 dated May 22, 1970;
4. Thence leaving said LAFCO 1963 southerly along said State Line and said LAFCO 837 a distance of 2674.20 feet, more or less, to the south line of the north half of said Section 12 and being the north line of LAFCO 1300 dated April 12, 1973;
5. Thence leaving said LAFCO 837 southerly along said State Line and said LAFCO 1300 a distance of 1332.92 feet, more or less, to the north line of the south half of the southeast quarter of said Section 12 and being the north line of LAFCO 2455 dated March 30, 1988;
6. Thence leaving said LAFCO 1300 southerly along said State Line and said LAFCO 2455 a distance of 6222.26 feet, more or less, to the northeasterly line of LAFCO 2153 dated July 9, 1982;

7. Thence leaving said LAFCO 2455 southerly along said State Line and said LAFCO 2153 a distance of 1480.77 feet, more or less, to the northeasterly line of LAFCO 943 dated May 25, 1971;
8. Thence leaving said LAFCO 2153 southerly along said State Line and said LAFCO 943 a distance of 993.68 feet, more or less, to the east line of Section 24, Township 9 North, Range 22 East, S.B.M. and being the intersection with the northeasterly line of LAFCO 2373 dated August 26, 1986;
9. Thence leaving said LAFCO 943 southerly along said State Line and said LAFCO 2373 a distance of 4990.19 feet, more or less, to the west line of the southeast quarter of the southeast quarter of Section 19, Township 9 North, Range 23 East, S.B.M. and being the intersection with the northeasterly line of LAFCO 357 dated November 21, 1966;
10. Thence leaving said LAFCO 2373 southerly along said State Line and said LAFCO 357 a distance of 4665.15 feet, more or less, to the west line of the east half of Section 29, Township 9 North, Range 23 East, S.B.M. and being the intersection with the northeasterly line of LAFCO 343 dated December 23, 1965;
11. Thence leaving LAFCO 357 southerly along said State Line and said LAFCO 343 a distance of 5752.02 feet, more or less, to the north line Section 33, Township 9 North, Range 23 East, S.B.M. and being the intersection with the northeasterly line of LAFCO 837 dated May 22, 1970;
12. Thence leaving said LAFCO 343 southerly along the said State Line and said LAFCO 837 a distance of 11634.68 feet, more or less, to the south line of Section 4, Township 8 North, Range 23 East, S.B.M. and being the intersection with the east line of LAFCO 2355 dated June 10, 1986;
13. Thence leaving said LAFCO 837 southerly along said State Line and said LAFCO 2355 a distance of 11591.38 feet, more or less, to the south line of Section 15, Township 8 North, Range 23 East, S.B.M.;
14. Thence leaving said State Line westerly along the south line of said Section 15 and Section 16, Township 8 North, Range 23 East, S.B.M., and said LAFCO 2355 a distance of 8987.74 feet, more or less, to the west line of Section 21, Township 8 North, Range 23 East, S.B.M.;
15. Thence southerly along the west line of said Section 21 and Section 28, Township 8 North, Range 23 East, S.B.M., and said LAFCO 2355 a distance of 10637.08 feet, more or less, to the north line of Section 32, Township 8 North, Range 23 East, S.B.M.;
16. Thence westerly along the north line of said Section 32, Section 31, Township 8 North, Range 23 East, S.B.M. and Section 36, Township 8 North, Range 22 East, S.B.M., and said LAFCO 2355 a distance of 15803.73 feet, more or less, to west line of Section 25, Township 8 North, Range 23 East, S.B.M.;

17. Thence northerly along the west line of said Section 25 and Sections 24, 13, & 12, Township 8 North, Range 22 East, S.B.M., and said LAFCO 2355 a distance of 21262.31 feet, more or less, to the north line of said Section 12 and being the south line of LAFCO 837 dated May 22, 1970;
18. Thence northerly along the west line of Section 1, Township 8 North, Range 22 East, S.B.M., and Sections 36, 25, & 24, Township 9 North, Range 22 East, S.B.M., and said LAFCO 837 a distance of 16021.20 feet, more or less, to the northerly Right-of-Way (R/W) line of the A.T.&S.F. Railroad;
19. Thence northwesterly along said northerly R/W line and said LAFCO 837 a distance of 6681.67 feet, more or less, to the west line of Section 23, Township 9 North, Range 22 East, S.B.M.;
20. Thence northerly along the west line of said Section 23 and Sections 14 & 11, Township 9 North, Range 22 East, S.B.M., and said LAFCO 837 a distance of 11787.79 feet, more or less, to the north line of said Section 11;
21. Thence easterly along the north line of said Section 11 and said LAFCO 837 a distance of 5309.34 feet, more or less, to the west line of Section 1, Township 9 North, Range 22 East, S.B.M. and being the west line of LAFCO 2857 dated July 25, 2000;
22. Thence leaving said LAFCO 837 northerly along the west line of said Section 1 and Section 36, Township 10 North, Range 22 East, S.B.M., and said LAFCO 2857 a distance of 10585.38 feet, more or less, to the **Point of Beginning**.

Containing 19,908.75 acres (31.11 sq. miles), more or less.

This legal description was prepared by me or under my direction.



James I. Stone
Deputy County Surveyor
PLS 9075, Expiration: March 31, 2016

01/27/2016

Date





Annexation Proposal for the

City of
Needles

RECEIVED
MAR 01 2016

LAFCO
San Bernardino County

Plan for Service

March 1, 2016

Background:**History-**

The Needles Fire Department was formed more than 50 years ago as a volunteer Fire Department. While the department remained a volunteer/ paid call Fire Company for the majority of its existence, San Bernardino County began Fire service oversight functions in 1977. In 2004 Needles City entered into a contract with San Bernardino County Fire to provide Fire protection in the City of Needles. This 10 year contract was for \$442,445.00 per year. The current Contract is a 1 year contract for \$612,000.00, which will expire May 31, 2016. A two month extension of this contract has been negotiated at a rate of \$51,000.00 per Month. Should Annexation fail a new Contract will need to be negotiated.

Over time the Needles Fire Department evolved into a combination Full Time Paid and Extra help fire fighters working 24 hours per day. The most recent change occurred in June of 2015 when Station 31 began using the County Fire staffing model of 3 paid professionals per day with at least one of those being a Paramedic. providing constant staffing in compliance with OSHA 29 CFR, Part 1910.134 (g)(3)&(4), California Code of Regulations: 8 CCR § 5144 (g) (3)(4).

Recent Activities-

May 2015-

Division Chief Chamberlin gave a presentation on the availability of Annexation into the San Bernardino County Fire District to the Needles City Council. The City Council formed a Fire Services Task Force making recommendations to the Council on the future of Fire Services in Needles. (Appendix A – initial catalyst for discussion)

June, July August 2015-

The Fire Services Task Force met each month to consider the most cost effective and efficient options for Fire Protection in Needles, considering starting their own fire department, contracting to an outside fire agency, or annexation into the San Bernardino County Fire District.

October 2015-

The Fire Services Task Force made their recommendation to the Needles City Council and recommended annexation into the San Bernardino County Fire District with an FP-5 tax overlay. (Appendix B)

October 2015-

The Needles City Council in regular session voted 4-2 in favor of pursuing annexation into the San Bernardino County Fire District, however the resolution was returned to the Council for clarification of intent per LAFCO direction. (Appendix C)

December 2015-

The Needles City Council met in regular session and adopted resolution 2015-51 and officially requested annexation into the San Bernardino County Fire District with FP-5 tax overlay. (Appendix D)

Identified assets and liabilities

The City of Needles currently has possession of 1 fire station:

Fire Station 31: city Owned

633 Front Street Needles Ca

Structure size: 3500 square feet

Lot size approximately .75 acres

Fire Station 32 is currently under construction with an expected completion date of November 1st 2016, at which time Fire Station 31 will close and be referred back to the City of Needles. All operations will take transferred to Station 32, a County Owned facility at that time.

County Fire has agreed to enter a lease agreement for the current Fire Station located at 633 Front St, until such time that the County Fire Station 32 construction is completed.

Vehicle Inventory

Stock #	Unit #	Type	Year	Make	Miles
NDL18342	E-31	Type 1	2005	KME	165320
NDL18324	BP-31	Type 6	2003	Ford/rosenbauer	116339
NDL5815	U-31	Pickup	2003	Ford	

It is agreed upon by both parties that no financial compensation shall be given for the vehicle inventory to transfer to County Fire.

There are no identified liens or holdings outside of the City of Needles

There is no currently identifiable Assistance to Firefighter Grant (AFG), Department of Homeland Security (DHS) or State of California Office of Emergency Services (OES) based apparatus, personnel or equipment that requires ongoing tracking.

All employees are currently employed by The San Bernardino County Fire District and under MOU agreement between the County of San Bernardino and Local 935 with no identifiable liability. (Appendix D)

Plan for Service Delivery

The San Bernardino County Fire District has indicated that their standard model of delivery is a 3 person Advanced Life Support (ALS) Paramedic Engine or Truck Company for a single resource fire station.

The delivery model would include at least one daily Paramedic based on the mandatory statutes set forth by Inland County Emergency Medical Agency (ICEMA), which functions as the governing body for the oversight of medical care within San Bernardino County.

A large component of the annexation is the incorporation of the regionalized service delivery modeling. Each apparatus will be outfitted with Global Positioning System/Automatic Vehicle Location (GPS/AVL) technology to assist in location services and through our Computer Aided Dispatch (CAD), Mobile Data Computer (MDC) providing updated instant mapping capability and via location services, deploying the closest possible resource to meet the demand.

The new FP-5 Needles Zone would incorporate an entire overlay of the existing City of Needles. A review of the City of Needles overlay resulted in the following findings:

Encompassed within the City of Needles are 3,222 parcels, of these parcels 453 are government owned and are not required to pay the tax. This leaves the total count at 2,769 parcels based on the current overlay of the district.

Based on the approved anticipated tax of \$148.23 x's 2769 parcels= \$410,448.87, plus the 27% of the city ad valorem tax \$183,870.00 the anticipated revenue \$594318.47 for FY16/17.

This staffing model requires \$1,589,103 based on salary and benefits starting in FY16/17 and with a 3% inflationary measure per year, ending the five-year forecast (FY20/21) at \$2,065,833.00.

We have provided an updated spreadsheet to reflect only the portion of the personnel that the City of Needles will be paying for, which accounts for approximately 27% of the services and supplies budget overall.

Services and Supplies budget for FY16/17 requires \$44,550.00

Total operating expenses for FY16/17 is \$598,761.00.

The Services and Supplies budget will increase to \$48,222.35 based on a 2% inflationary factor per annum.

The Needles City portion of the Staffing, services and supplies breaks down as such; FY16/17 27 % ad valorem tax or \$183,870.00 plus FP-5 overlay tax of \$365,299.49 total \$549,169.49.

With ad valorem tax being the unknown the estimated cost at year 5 is based solely on 3% annual increase to FP-5 which would take that calculation to \$411,147.80 plus 27 % of current ad valorem tax of \$183,870 totals to \$595,017.80.

We rounded out the needs by including a very conservative collection rate of 12% for the County approved first responder billing (ALS stabilization fee) and a low value of \$5,000 in cost recovery which historically has been double this amount.

This concludes the findings of all available data and factual evidence to support the Plan for Service for the annexation proposal of City of Needles into the San Bernardino County Fire District.

I hereby certify that the statements furnished above and the documents attached present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read 'Mark Hartwig', with a large, stylized loop at the end.

Mark Hartwig, Fire Chief

San Bernardino County Fire District

6942 Airway Avenue, Suite A, Yucca Valley, CA 92284 | Phone: 760-365-3335 Fax: 760-365-3337

www.SBCounty.gov



Fire District
Division 5 - South Desert

Mark A. Hartwig
Fire Chief/Fire Warden

Dave Benfield
Division Chief

RECEIVED
DEC 17 2015

LAFCO
San Bernardino County

January 5, 2015

Rick Daniels, City Manager
City of Needles
817 3rd Street
Needles, CA 92362

Mr. Daniels:

Currently the City's contract with San Bernardino County Fire (County Fire) pays for six limited-term firefighters (LT's) and other costs. The LT's work a schedule like full-time firefighters, but they have much lower pay and no benefits. The LT's are allowed to work a maximum of three years for County Fire as LT's to prevent County Fire from violating labor laws.

The original vision in hiring LT's under this Limited Term Firefighter Program (LT Program) was both to implement low-cost firefighter positions, and to allow LT's to gain valuable experience so that they could ultimately become full-time firefighters with County Fire or other organizations. However, under this program, County Fire has experienced great difficulty maintaining staffing levels. As such, County Fire will begin phasing out the LT Program, and will be replacing LT's with full-time firefighters.

The time frame for this transition is not yet known and will depend heavily on revenues. This will impact the City of Needles greatly, as County Fire will no longer offer a low-cost option for firefighters. The phase-out of the LT Program will definitely increase contract costs drastically. Currently the contract cost for the City of Needles is approximately \$620,000. If we were to hypothetically (today) replace the LT's with full-time firefighters, contract costs would increase by approximately \$600,000. My intent in this letter is to advise you of County Fire's future staffing plans so that the City of Needles can adequately plan for the future increase in expenses, or explore other options. Please feel free to contact me with any questions.

Respectfully,

Dave Benfield
Division Chief

BOARD OF SUPERVISORS

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Appendix SA#1

October 16, 2015

To: Mayor Paget, M.D., Council members, Rick Daniels, City Manager

From: Michael Wright, representing the Fire Service Task Force Committee

Subject: Fire Service Task Force Committee recommendation of Fire Services for City of Needles, California.

The Fire Service Task Force Committee met three times in which there were many issues explored, discussed and debated. The committee was facilitated by Rick Daniels, City Manager. Committee members had the opportunity to review the cities' fire service history which brought us up to our present situation. It was determined the city had a few options to investigate.

- 1.) The city could maintain their contractual relationship with San Bernardino County Fire.
- 2.) The city could seek an alternative fire service provider, i.e. Mohave Valley Fire Dept.
- 3.) The city could be annexed into San Bernardino County Fire District.
- 4.) The city could create it's own fire department.

Obviously, continuing the current contract with San Bernardino County Fire is not feasible. The alternative to the current contract, which was closer to what the city could afford, (\$612,000), was also a consideration. This model would result in a staffing reduction of one firefighter, but would provide a full Paramedic Engine company staffed. This staffing level is equivalent to Mohave Valley Fire Department.

It was estimated that contracting with Mohave County Fire Department would cost the city \$1.2 million to staff a fire station here in Needles.

Annexation into the County Fire District would cost a permanent transfer of \$582,000 from the total property tax collected. A parcel tax up to a maximum of \$171 could be levied to decrease the cities' cost. Level of service is maintained and may be enhanced by two firefighters in the future.

The Paid Call/Volunteer, city fire service model presented an unrealistic financial burden. When a rough draft budget was formulated, it became clear the city does not have the resources to fund it's own agency. There is legitimate concern of homeowners and business insurance rates being significantly raised or even cancelled. The city made substantial outreach efforts to draw interest in a PCF/Volunteer fire agency and determine the size of an eligible pool of candidates. (Please see attached list of agencies notified.) At this point there is a total of zero applications received.

Many hours were spent discussing these options. We were privileged to have guest speakers and concerned citizens attend the meetings. Mike Lowenthal, owner/operations manager of Baker Ambulance spoke to the committee to inform us of what roll his services play in emergency response. Division Chief John Chamberlin and Battalion Chief Tom Marshall from San Bernardino County Fire attended meetings and were willing to clarify many questions the committee had regarding the service they provide. Janet Jernigan, a local business owner provided insight into the possible scenarios regarding insurance issues. Local resident Barry Menges, provided valuable fire service details and perspective.

At our last meeting we again heard input from citizens, local business owners and Chief Chamberlin. We, the committee, were charged with coming to an agreement as to how the city of Needles could best be served with fire protection. Taking into consideration cost, level of service, response time and availability, I.S.O. and insurance consequences, availability and reliability of resources, community involvement and local control, we came to an unanimous, collective decision.

The Fire Service Task Force committee recommends the the city of Needles begin the necessary steps toward annexation into the County Fire District. The committee also recognizes the need for community involvement and would recommend implementing a reserve firefighter, paid-call and/or explorer program to enhance service and provide local residents the opportunity for involvement. The citizens participation is welcomed, encouraged and would be initiated by Chief Chamberlin and Chief Marshall.

Throughout California and much of the nation, the regional approach to fire services has proven to be a beneficial trend.

The committee agrees this would be the most cost effective route for securing ongoing fire protection services for the city. While it does require the permanent transfer of funds, a parcel tax would relieve some of the cost. Even without a parcel tax levee the cost is less than the city is currently paying. The level of service would remain, with the possible enhancement of adding two firefighter positions which Chief Chamberlin is requesting. Coverage of the city would remain intact with the existing mutual aid agreement. The city currently has an I.S.O. rating of five (5) which is unlikely to change. The County Fire District has the ability to provide many emergency response resources as well as human resources which is a cost the city would not have to incur. The San Bernardino County Fire District will have complete financial responsibility. Financial, operational, logistical and supportive resources will be provided by the fire district relieving the city of other costly obligations.

Appendix B #1

Appendix B H2

EXHIBIT B

EXHIBIT B

		Volunteer (30)	Paid Call (15)	District	Rates	Notes
Licensing		300	300	incl.		
Internal Services						
Central purchasing		30,000	30,000	incl.		estimate
Mgmt Info Sys/O & M		25,000	25,000	incl.		estimate
Fleet management		35,000	35,000	incl.		estimate
Finance dept. services		5,000	5,000	incl.		estimate
Supplies/Materials						
Uniforms		45,000	22,500	incl.		Year 1 (unif 1200/p; brush gear 300/p)
Office supplies		300	300	incl.		estimate
Computer/printer supplies		300	300	incl.		estimate
Safety equipment		500	500	incl.		estimate
General supplies		100	100	incl.		estimate
Vehicle Fuel		20,000	20,000	incl.		estimate
Plant						
Building replacement fund		8,333	8,333	n/a		* Building sale \$100k
Vehicle replacement fund		51,000	51,000	n/a		* Equipment sale \$100k
Other assets replacement fund		5,000	5,000	n/a		estimate
Furniture, fixtures & equipment		0	0	n/a		estimate
TOTALS		667,833	1,145,786	582,000	*	

Appendix B #3

RESOLUTION NO. 2015-49

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF NEEDLES, CALIFORNIA, ACCEPTING THE
RECOMMENDATION OF THE FIRE SERVICES TASK FORCE
AND DIRECTING STAFF TO BEGIN THE APPLICATION PROCESS
FOR ANNEXATION INTO THE COUNTY FIRE DISTRICT
FOR CONTINUED FIRE PROTECTION SERVICES

WHEREAS, on January 5, 2015, the San Bernardino County Fire Department notified the City of Needles that the annual cost of fire protection services would be increasing from approximately \$620,000 to approximately \$1.2 million due to the elimination of their limited term firefighter program which provided low cost firefighter positions (lower pay and no benefits) while allowing the limited terms to gain valuable experience; and

WHEREAS, on July 14, 2015, the City Council appointed community members to serve on a Fire Services Task Force to research options for continued fire protection services within the City of Needles, including continuing the relationship with the County Fire Department; seeking an alternative fire service provider; annexation into the San Bernardino County Fire District; or creation of a municipal volunteer/paid-call fire department; and

WHEREAS, the Task Force met on three occasions during which significant reports and other information were provided on many components of operating a local fire department all of which was explored, discussed, and debated and all questions were answered by staff; and input was received from local emergency services personnel, citizens and business owners; and

WHEREAS, by majority consensus, the Fire Services Task Force recommended that the City of Needles begin the necessary steps towards annexation into the County Fire District, and, recognizing the need for community involvement, further recommended the implementation of a reserve firefighters, paid-call and/or explorer program to enhance service and provide local residents the opportunity for involvement in their fire department.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Needles, California, hereby accepts the recommendation of the Fire Services Task Force as outlined in their written report dated October 16, 2015 attached hereto and incorporated herein and directs the City Manager to begin the application process with the San Bernardino County Local Agency Formation Commission (LAFCO) for annexation into the San Bernardino County Fire District.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 27th day of October, 2015, by the following roll call vote:

AYES: Councilmembers Frazier, Williams, Darcy and Richardson

NOES: Councilmembers Gudmundson and Evans

ABSENT: None

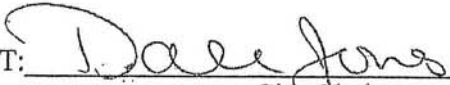
ABSTAIN: None

Cheryl/council/resolution - fire services task force recommendation - accept (Oct '15)

Resolution No. 2015-49
(Page Two)

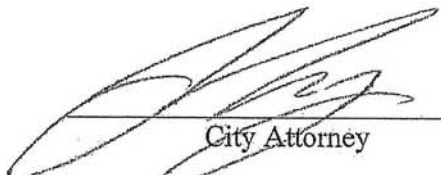


Mayor

ATTEST:  (SEAL)

City Clerk

APPROVED AS TO FORM:



City Attorney

Cheryl/council/resolution - fire services task force recommendation - accept (Oct '15)

BC #2

RESOLUTION NO. 2015-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES, CALIFORNIA, AUTHORIZING THE FILING OF AN APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR A SPHERE OF INFLUENCE AMENDMENT (EXPANSION) OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND REORGANIZATION TO INCLUDE ANNEXATIONS TO THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT, ITS SOUTH DESERT SERVICE ZONE AND SERVICE ZONE FP- 5

WHEREAS, the City of Needles desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code for:

1. A sphere of influence amendment for the San Bernardino County Fire Protection District (District); and
2. A reorganization proposal to include, but not limited to, annexation to the San Bernardino County Fire Protection District and its South Desert Service Zone and Service Zone FP- 5 as more specifically described in the City's application attached hereto; and

WHEREAS, the territory proposed for reorganization is legally inhabited and a description of the boundaries for all actions is set forth in the City's application attached hereto, and by this reference incorporated herein; and

WHEREAS, the proposed reorganization will not conflict with any existing sphere of influence as the proposed change includes an amendment to the San Bernardino County Fire Protection District sphere of influence to accommodate the proposed reorganization; and

WHEREAS, it is desired that the proposed reorganization be subject to the following terms and conditions:

1. The District shall assume all rights, duties, responsibilities, obligations, functions, executory provisions related to fire protection services, except as otherwise outlined in the Conditions of Approval by LAFCO.
2. The Plan for Service included with the application outlines the general approach and parameters for delivering fire protection services to serve the City. The District will assume responsibility for providing sustainable service to the residents and businesses of the City as a condition of the annexation and for providing the personnel, facilities, equipment, and oversight necessary to do so on an ongoing basis.

3. As a function of the reorganization, the City shall annex to the District's South Desert Service Zone and Service Zone FP- 5 for the purpose of fire protection operations.
4. All previously authorized charges, fees, assessments, and/or taxes currently in effect, now levied or collected by the City related to fire protection shall continue to be levied and collected by the District.
5. The standard terms and conditions imposed by the Local Agency Formation Commission upon all proposals or such additional conditions as may be deemed appropriate or necessary by the Local Agency Formation Commission in its consideration; and

WHEREAS, the reasons for the sphere of influence amendment and proposed reorganization are to provide effective, safe and financially sustainable fire protection services to the City of Needles.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Needles, California, as follows:

SECTION 1. The City Manager is hereby authorized to apply to the Local Agency Formation Commission for San Bernardino County to take proceedings for the sphere of influence review and proposed reorganization as described in the City's application, in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

SECTION 2. The City Manager is authorized to negotiate terms and conditions with San Bernardino County and County Fire regarding fire service and the annexation.

SECTION 3. The City Manager is authorized to negotiate an interim contract agreement for County Fire to deliver fire protection services to the City until the annexation is completed.

SECTION 4. The Mayor and City Council of the City of Needles acknowledge and agree to the Local Agency Formation Commission for San Bernardino County's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of its Accounting and Financial Division of its Policy and Procedure Manual updated August 2015.


PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 8th day of December, 2015, by the following roll call vote:

AYES: Councilmembers Gudmundson, Frazier, Darcy and
Richardson

NOES: Councilmembers Evans and Williams

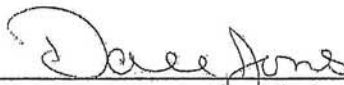
ABSENT: None

ABSTAIN: None



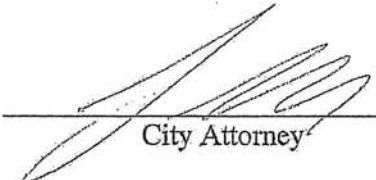
Mayor

(SEAL)

ATTEST: 

City Clerk

APPROVED AS TO FORM:



City Attorney

Needles Annexation 5 year Plan	2016 Proposed Staffing Count	2015/16 Average Cost Per Position	2016/17 Average Cost Per Position	2016/17 SBCCPD Proposed Staffing	2017/18 Average Cost Per Position	2017/18 SBCCPD Proposed Staffing	2018/19 Average Cost Per Position	2018/19 SBCCPD Proposed Staffing	2019/20 Average Cost Per Position	2019/20 SBCCPD Proposed Staffing	2020/21 Average Cost Per Position	2020/21 SBCCPD Proposed Staffing
Staffing												
Station 32 - ME - Capt/Eng/FFPM												
Captain (FSZ PAYS)	3	\$ 204,177.00	\$ 214,385.85	\$ 643,157.55	\$ 218,673.57	\$ 656,020.70	\$ 223,047.04	\$ 669,141.12	\$ 229,738.45	\$ 689,215.35	\$ 236,630.60	\$ 709,891.81
Engineer (FSZ PAYS)	3	\$ 177,614.00	\$ 186,494.70	\$ 559,484.10	\$ 190,224.59	\$ 570,673.78	\$ 194,029.09	\$ 582,087.26	\$ 199,849.96	\$ 599,549.88	\$ 205,845.46	\$ 617,536.37
FF/PM (CITY PAYS)	9	\$ 143,816.00	\$ 151,006.80	\$ 453,020.40	\$ 154,026.94	\$ 462,080.81	\$ 157,107.47	\$ 471,322.42	\$ 161,820.70	\$ 485,462.10	\$ 166,075.32	\$ 500,075.96
Total Count of Employees												
Total Salary and Benefits			\$ 551,887.35	\$ 1,655,662.05		\$ 1,688,775.29		\$ 1,722,550.80		\$ 1,774,227.32		\$ 1,827,454.14
Services and Supplies												
Services and Supplies												
Transfers for Support Services/Admin Costs				\$ 165,000.00		\$ 168,300.00		\$ 171,666.00		\$ 175,099.32		\$ 178,601.31
Confire/MIS Support				\$ 177,280.00		\$ 180,825.60		\$ 184,442.11		\$ 188,130.95		\$ 191,893.57
Capital Replacement - Small Tools and Equipment				\$ 142,500.00		\$ 145,350.00		\$ 148,257.00		\$ 151,222.14		\$ 154,246.58
Capital Replacement - Vehicle Equipment Replacement				\$ 5,000.00		\$ 5,000.00		\$ 5,000.00		\$ 5,000.00		\$ 5,000.00
Total Appropriations				\$ 50,000.00		\$ 50,000.00		\$ 50,000.00		\$ 50,000.00		\$ 50,000.00
Revenues				\$ 2,195,442.05		\$ 2,238,250.91		\$ 2,281,915.93		\$ 2,343,679.75		\$ 2,407,185.62
Special Tax												
Special Tax PP-5 (\$143.91 X 3% = \$148.23/parcel @ 2,769 parcels) (factored @ 89% collection rate)				\$ 16/17		\$ 376,258.48		\$ 387,546.23		\$ 399,172.62		\$ 411,147.80
Delinquent Prior Year Special Tax Revenue (6%)				\$ 365,399.49		\$ 24,626.93		\$ 26,126.71		\$ 26,910.51		\$ 27,717.83
Other Revenue												
Ad Valorem Tax (\$800K x 22.9%)				\$ 183,700.00		\$ 183,200.00		\$ 183,200.00		\$ 183,200.00		\$ 183,200.00
First Responder Fee - 881 EMS based calls @ \$275 each (12% collection rate)				\$ 29,073.00		\$ 29,073.00		\$ 29,073.00		\$ 29,073.00		\$ 29,073.00
Other Revenue - Non-Operating (Cost Recovery)				\$ 5,000.00		\$ 5,000.00		\$ 5,000.00		\$ 5,000.00		\$ 5,000.00
Total Revenues				\$ 607,199.43		\$ 618,897.22		\$ 630,945.95		\$ 643,356.13		\$ 656,138.63
Total Revenues less Appropriations				\$ (1,588,242.62)		\$ (1,619,355.69)		\$ (1,650,969.98)		\$ (1,700,323.62)		\$ (1,751,056.99)

Note: Captains/Engineers/FFPM salaries/benefits based upon averages in bud prep system of SD County Fire

Note: Transfers for support services and admin costs represents share office staff; as well as share of training expenses, SCBA program and safety gear pool program; as well as \$65,728 of share of DC and 3 BCs (Chamberlin's FTE figures)

Note: Capital Replacement - Vehicle Equipment Replacement maintenance fee \$50k

Note: "Other Revenue" figures added \$5k for cost recovery

Note: One time start up costs not factored in (SCBAs, cardiac monitor, ballistic protection)

Note: First Responder Fee is factored at 80% of 1101 calls (881) @ \$275 per call with collection rate of 12%

I hereby certify that the statements furnished above and the documents attached present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief as of the date prepared. This plan will be revised and updated through the LAFCO process as more information becomes available.

3-3-2016

Mark Hartwig, Fire Chief

DATE

RECEIVED


MAR 03 2016

LAFCO
San Bernardino County

City of Needles - Proposed Contract Annual Budget FY 2016-2017			
Salaries and Benefits	Number of Positions	Average Cost Per Position	SBCFPD Proposed Existing Staffing
Suppression			
Fire Fighter PM	3	149,725	449,175
Suppression Total	3		\$ 449,175
PCF	0		-
Chief Officers (3.66%)			
SBCFPD Division Chief	1	287,319	10,516
Battalion Chief	3	232,644	25,544
Chief Officers Total	4		\$ 36,060
Total Salaries and Benefits	7		\$ 485,235
Operating Expenses			
Services and Supplies			56,034
Station Expenses			
C031			33,748
Total Operating Expenses			\$ 89,782
Administrative Overhead Costs			30,397
Total S&B and Operating Expenses			\$ 605,414
Total Annual Requirements			\$ 605,414
PER MONTH CHARGE			\$ 50,451.20


 Mark Hartwig, Fire Chief/SBCFI

 3/23/16
 Date


 Rick Daniels, City Manager

 3/22
 Date

 SUBJECT TO
 COUNCIL
 CONFIRMATION

 RECEIVED
 MAR 23 2016

 LAFCO
 San Bernardino County