



Lou Ann Teixeira  
*Executive Officer*

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October 12, 2016 (Agenda)

October 12, 2016  
 Agenda Item 9

Contra Costa Local Agency Formation Commission (LAFCO)  
 651 Pine Street, Sixth Floor  
 Martinez, CA 94553

**Fire and Emergency Medical Services  
 Municipal Services Review and Sphere of Influence Updates (2<sup>nd</sup> Round)**

Dear Members of the Commission:

On August 10, 2016, the Commission accepted the Final MSR report and adopted the required determinations in conjunction with the Fire and Emergency Medical Services (EMS) Municipal Service Review (MSR) (2<sup>nd</sup> Round) covering the following local agencies:

- City of El Cerrito
- City of Pinole
- City of Richmond
- County Service Area (CSA) EM-1
- Contra Costa County Fire Protection District (CCCFPD)
- Crockett Carquinez FPD (CCFPD)
- East Contra Costa FPD (ECCFPD)
- Kensington FPD (KFPD)
- Moraga Orinda FD (MOFD)
- Rodeo Hercules FPD (RHFPD)
- San Ramon Valley FPD (SRVFPD)

The 2<sup>nd</sup> round Fire/EMS MSR includes the following: 1) data updates for the 11 fire/EMS service providers, 2) review of auto and mutual aid agreements, and 3) focused analysis on ECCFPD and RHFPD and the interface with CCCFPD. The 2<sup>nd</sup> round MSR provides sphere of influence (SOI) options and recommendations for ECCFPD and RHFPD only, given the focus of the review.

In August, the Commission also reviewed SOI options for the eight special districts included in the MSR as shown in Attachment 1. The Commission directed staff to consult with the districts regarding the SOI updates. LAFCO staff reached out to the districts, and received no responses.

**DISCUSSION**

The requirement for LAFCOs to conduct MSRs was established by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH Act”) as an acknowledgment of the importance of SOIs, and recognition that periodic updates of SOIs should be conducted on a

five-year basis (Gov. Code §56425(g)), with the benefit of better information and data through MSRs (Gov. Code §56430(a)). The MSR serves as a basis for the SOI updates and future boundary changes.

SOIs define the logical, long-term service boundary for an agency. SOIs can be the same, larger, or smaller than the existing local agency boundary. Contra Costa LAFCO has used various SOI designations including “zero,” which signals that services will ultimately be provided by another agency, and “provisional” SOI, which delineates that a future restructuring or change of organization is needed.

LAFCOs are required to make written determinations, as shown below, in accordance with Gov. Code §56425(e) when establishing, amending, or updating a local agency’s SOI:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing SOI.
6. When adopting, amending, or updating an SOI for a special district, the commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts.

The attached table provides SOI and governance options and recommendations. As noted above, the 2016 MSR includes SOI options and recommendations for ECCFPD and RHFPD; the SOI options and recommendations for the other six districts are partially based on the 2009 SOI options and partially on updated information obtained through the 2<sup>nd</sup> round MSR.

At this time, LAFCO staff recommends that the Commission adopt the following SOI updates:

- **CSA EM-1** – retain existing coterminous SOI
- **ECCFPD** – adopt a provisional SOI with an initial update to the Commission in six months, and further status reports as determined by the Commission, regarding the fiscal, governance and services challenges facing the ECCFPD
- **MOFD** – retain existing coterminous SOI
- **RHFPD** – adopt a provisional SOI with initial update to the Commission in six months, and further status reports as determined by the Commission, regarding the fiscal, governance and services challenges facing the RHFPD; and participation in the West County “Task Force” discussions regarding collaborative efforts and activities
- **SRVFPD** - retain existing coterminous SOI

Staff recommends that the Commission defer the SOI updates for the districts serving West Contra Costa County, including CCCFPD, CCFPD, and KFPD pending an update on collaborative efforts in West County.

In conjunction with the 2009 MSR, there was a recommendation that the West County fire service providers (i.e., cities and districts) form a Task Force with representatives from all affected agencies. The Task Force would undertake and implement a regional Standards of Cover (SOC) Study, apply for grants, refine operational practices and develop cooperative agreements to improve services through collaboration.

It is recommended that the West County fire chiefs discuss this recommendation and provide feedback to the Commission as to the level of interest in a Task Force, along with an update on any current and/or future partnerships among the West County fire service agencies relating to a SOC study, and collaboration on grant opportunities, programs and services. The discussion should involve all West County fire service providers including RHFPD and the cities of El Cerrito, Pinole and Richmond.

***Environmental Analysis*** - It has been determined that LAFCO's actions on the proposed SOI updates are exempt under the General Rule exemption §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

## **RECOMMENDATIONS**

1. Receive the staff report and open the public hearing to consider adopting the SOI updates;
2. After receiving public comments close the hearing;
3. Determine that the SOI updates are exempt under the General Rule exemption §15061(b)(3) of the CEQA Guidelines;
4. Update the SOIs as recommended for CSA EM-1, ECCFPD, MOFD, RHFPD and SRVFD;
5. Defer SOI updates for CCCFPD, CCFPD, and KFPD pending an update on collaborative efforts in West County; and
6. Provide input and direction as desired.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

- Attachment 1- Summary Table - Governance and SOI Options & Recommendations
- Attachments 2A-2E – Resolutions/Maps Updating SOIs for CSA EM-1, ECCFPD, MOFD, RHFPD and SRVFD

c: Distribution

**Fire & Emergency Medical Services  
Sphere of Influence (SOI) and Governance Options**

AGENCY	SOI RECOMMENDATIONS	2016 GOVERNANCE OPTIONS
County Service Area (CSA) EM-1	<ul style="list-style-type: none"> <li>• Retain existing coterminous SOI</li> </ul>	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
Contra Costa County Fire Protection District (CCCFPD)	<ul style="list-style-type: none"> <li>• Defer SOI update pending report from West County agencies regarding a regional Standards of Cover (SOC) Study, and collaboration on grant opportunities, programs and services</li> </ul>	<ul style="list-style-type: none"> <li>• Consider annexing underserved areas and areas the district is already serving (e.g., Tesoro refinery, Roddy Ranch, small area southeast of Clayton)</li> </ul>
Crockett-Carquinez Fire Protection District (CCFPD)	<ul style="list-style-type: none"> <li>• Defer SOI update pending report from West County agencies regarding a regional SOC Study, and collaboration on grant opportunities, programs and services</li> </ul>	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
East Contra Costa Fire Protection District (ECCFPD)	<ul style="list-style-type: none"> <li>• Adopt a provisional SOI with an initial update to the Commission in six months, and further status reports as determined by the Commission, regarding the fiscal, governance and services challenges facing the ECCFPD</li> </ul>	<ul style="list-style-type: none"> <li>• Establish an independent governing board</li> <li>• Work with the County and cities of Brentwood and Oakley to develop a multi-faceted funding plan to increase revenues (e.g., special taxes, development fees, community facility districts, etc.)</li> <li>• Continue efforts to educate and involve the community</li> <li>• Develop a long-range service and cost plan that ensures adequate service levels</li> </ul>
Kensington Fire Protection District (KFPD)	<ul style="list-style-type: none"> <li>• Defer SOI update pending report from West County agencies regarding a regional SOC Study, and collaboration on grant opportunities, programs and services</li> </ul>	<ul style="list-style-type: none"> <li>• Enhance reporting to separate City of El Cerrito and KFPD call data</li> </ul>
Moraga Orinda Fire District (MOFD)	<ul style="list-style-type: none"> <li>• Retain existing coterminous SOI</li> </ul>	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
Rodeo Hercules Fire Protection District (RHFPD)	<ul style="list-style-type: none"> <li>• Adopt a provisional SOI with initial update to the Commission in six months, and further status reports as determined by the Commission regarding the fiscal, governance and services challenges facing the RHFPD</li> </ul>	<ul style="list-style-type: none"> <li>• Pursue new funding sources</li> <li>• Participate in a Battalion 7/West County Fire/EMS Task Force with other West County service providers to undertake/implement a SOC study, apply for grants, refine operational practices, develop cooperative agreements and pursue other collaborative efforts</li> </ul>

AGENCY	SOI RECOMMENDATIONS	2016 GOVERNANCE OPTIONS
San Ramon Valley Fire Protection District (SRVFPD)	<ul style="list-style-type: none"> <li>• Retain existing coterminous SOI</li> </ul>	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
City of El Cerrito	<ul style="list-style-type: none"> <li>• Participate with West County fire agencies in a regional SOC Study, and collaboration on grant opportunities, programs and services</li> <li>• SOI update following 2<sup>nd</sup> round city services MSR</li> </ul>	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
City of Pinole	<ul style="list-style-type: none"> <li>• Participate with West County fire agencies in a regional SOC Study, and collaboration on grant opportunities, programs and services</li> <li>• SOI update following 2<sup>nd</sup> round city services MSR</li> </ul>	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
City of Richmond	<ul style="list-style-type: none"> <li>• Participate with West County fire agencies in a regional SOC Study, and collaboration on grant opportunities, programs</li> <li>• SOI update following 2<sup>nd</sup> round city services MSR</li> </ul>	<ul style="list-style-type: none"> <li>• None identified</li> </ul>

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING A SPHERE OF INFLUENCE UPDATE FOR**  
**COUNTY SERVICE AREA EM-1**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted its 2<sup>nd</sup> round MSR covering fire and emergency medical services including services provided by County Service Area (CSA) EM-1, and adopted written determinations as required by Government Code §56430 on August 10, 2016; and

**WHEREAS**, the District's service boundary is countywide, encompasses approximately 720 square miles, and is coterminous with the District's SOI; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public meetings held on August 10 and October 12, 2016; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous SOI for CSA EM-1 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District bounds encompass a wide variety of present and planned land uses, as it includes the entirety of Contra Costa County. The District has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact the District's services. There is Williamson Act land within the District's boundaries and SOI.
  - b. *The present and probable need for public facilities and services in the area* – The District is a financing mechanism to provide enhanced emergency medical services to Contra Costa County. There is a

present and probable need for public facilities and services in the County, which are enhanced by assessments collected through the CSA. Service demand will increase with development. No changes in public facilities or services provided by the District will result from this SOI update.

- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – the District faces financing constraints due to the assessment being capped at current levels. The current financing is not adequate to deliver long-term services given the historical inflation patterns. Retention of the SOI will not affect the present capacity of public facilities and adequacy of services provided by CSA EM-1.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CSA EM-1 was formed in 1989 as a countywide dependent district of the County. The District is primarily financed through assessments. The social and economic communities of interest include the entirety of Contra Costa County. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the areas that are relevant to CSA EM-1.
- e. *For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI should be considered* – CSA EM-1 does not provide structural fire service. The District is countywide and there are numerous DUCs within the District’s boundary/SOI.
- f. *When adopting, amending, or updating an SOI for a special district, the commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts* – CSA EM-1 service boundary encompasses the entire County - approximately 720 square miles. The District is a financing mechanism to provide enhanced emergency medical services to Contra Costa County.

\*\*\*\*\*

PASSED AND ADOPTED THIS 12<sup>TH</sup> day of October 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

\_\_\_\_\_  
MARY N. PIEPHO, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: October 12, 2016

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# County Service Area EM-1 (Emergency Services)

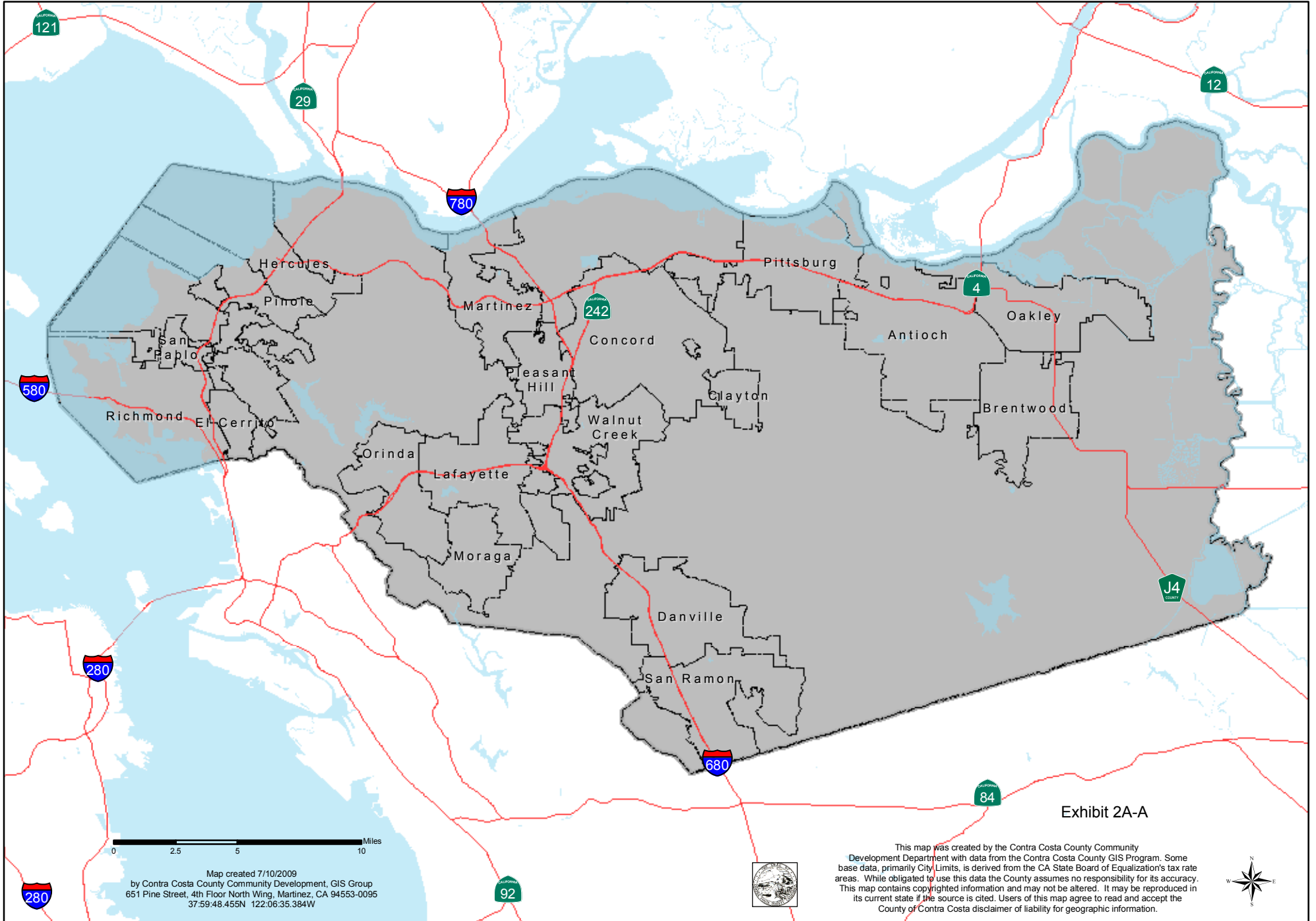


Exhibit 2A-A

Map created 7/10/2009  
by Contra Costa County Community Development, GIS Group  
651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095  
37:59:48.455N 122:06:35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.





**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING A SPHERE OF INFLUENCE UPDATE FOR**  
**EAST CONTRA COSTA FIRE PROTECTION DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundary, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted its 2<sup>nd</sup> round MSR covering fire and emergency medical service (EMS) providers, including services provided by the East Contra Costa Fire Protection District (ECCFPD) and adopted written determinations as required by Government Code §56430 on August 10, 2016; and

**WHEREAS**, the 2<sup>nd</sup> round MSR includes data updates for the 11 fire/EMS providers, 2) review of auto and mutual aid agreements, and 3) focused analysis on the two most distressed fire districts, including ECCFPD; and

**WHEREAS**, the MSR report identified a number of issues relating to fire/EMS including that most fire service providers have the financial ability to deliver adequate services, continued population growth and job creation will place additional service demands on Fire/EMS, and that many Contra Costa County fire agencies are unable to meet “Best Practices” for response times and staffing; and

**WHEREAS**, in updating SOIs for fire service providers, LAFCO should consider the uniqueness of fire service areas as a result of automatic aid, mutual aid and contract service arrangements; and

**WHEREAS**, ECCFPD’s service boundary encompasses approximately 249 square miles, and its SOI and boundary are not coterminous; and

**WHEREAS**, the MSR noted a number of significant financial, service and governance deficiencies that need to be addressed; and

**WHEREAS**, the MSR report identified two SOI options for ECCFPD, including a “zero” SOI to signal a future reorganization and a “provisional” SOI requiring ECCFPD to report back to LAFCO at least annually on its progress in addressing the fiscal, governance and service challenges identified in the MSR; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District’s SOI; and

**WHEREAS**, the SOI update was duly considered at public hearings held on August 10 and October 12, 2016; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Adopt a “provisional” SOI for ECCFPD and require an initial report back to the Commission in six months, and further status reports as determined by the Commission, regarding the fiscal, governance and services challenges facing the ECCFPD.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands*  
The District bounds encompass residential, commercial, mixed-use, agricultural, recreational, open space and watershed uses located throughout the District. The predominant uses are agricultural and open space, with the agricultural core located west of Discovery Bay and Byron, and pasture lands throughout Morgan Territory, Marsh Creek, Knightsen and northern Bethel Island. The District contains expansive open space including Morgan Territory Regional Park, Vasco Caves Regional Park, Contra Loma Regional Park, Round Valley Regional Preserve, Black Diamond Mines Regional Preserve, and the northern portion of Mount Diablo State Park. Residential and commercial areas are concentrated in the cities of Brentwood and Oakley, with some residential areas in the unincorporated communities of Discovery Bay and Bethel Island. Future growth is expected to occur in Brentwood, Oakley, Discovery Bay, Byron (airport) and Bethel Island (Delta Coves), and will add at least 5,000 new residents to the District’s service area. The District has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact the District’s services. There is Williamson Act land within the District’s boundary and SOI.
  - b. *The present and probable need for public facilities and services in the area – ECCFPD*  
provides fire and emergency medical services including basic life support (BLS). Ambulance transport and advanced life support (ALS) is provided by Contra Costa County Fire Protection District/AMR. ECCFPD contracts with CCCFPD for dispatch, radio, information and fire prevention services. There is a present and probable need for public facilities and services in the existing boundary/SOI. Service demand will increase with build-out of the cities and in the designated unincorporated areas. New development will exacerbate the existing fiscal and service deficiencies. In recent years, ECCFPD has reduced its number of fire stations from eight to three, which are inadequate to serve ECCFPD’s 249 square mile service area. No changes in public facilities or services provided by the District will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide – the MSR report indicated that service levels are higher in urban and suburban areas and pockets than in outlying areas. Travel times are*

longer to the open space and grazing lands in the western and southern portions of the District, and in the surrounding islands. ECCFPD's service limitations result in excessive response time and ongoing automatic aid from CCCFPD.

- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – ECCFPD was formed in 2002 as a dependent district through the consolidation of Bethel Island, East Diablo and Oakley fire protection districts; there have been no boundary changes to the District since its formation in 2002. ECCFPD is funded primarily through property taxes, within limited funding through intergovernmental and miscellaneous revenues. The social and economic communities of interest include the cities of Brentwood and Oakley, and the unincorporated communities of Bethel Island, Byron, Discovery Bay and Knightsen. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the areas that are relevant to ECCFPD.
- e. *For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI should be considered* – several disadvantaged communities fall within ECCFPD's SOI, including Bethel Island and Knightsen. These two areas experience among the worst response times in the ECCFPD of 13:37 and 18:18, respectively (90% of responses fall within those times), which fall significantly below overall District times, and well below national standards for "Best Practices," which recommend response times of 5 minutes and 20 seconds 90% of the time.
- f. *Nature, location, extent, functions & classes of services to be provided* – ECCFPD service boundary encompasses approximately 249 square miles. The District provides fire and emergency medical services including BLS. Ambulance transport and ALS is provided by CCCFPS/AMR. ECCFPD contracts with CCCFPD for dispatch, radio, information and fire prevention services. The District currently has three fire stations – one in Brentwood, one in Discovery Bay, and one in Oakley.

\* \* \* \* \*

PASSED AND ADOPTED THIS 12<sup>TH</sup> day of October 2016, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

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MARY N. PIEPHO, CHAIR, CONTRA COSTA LAFCO

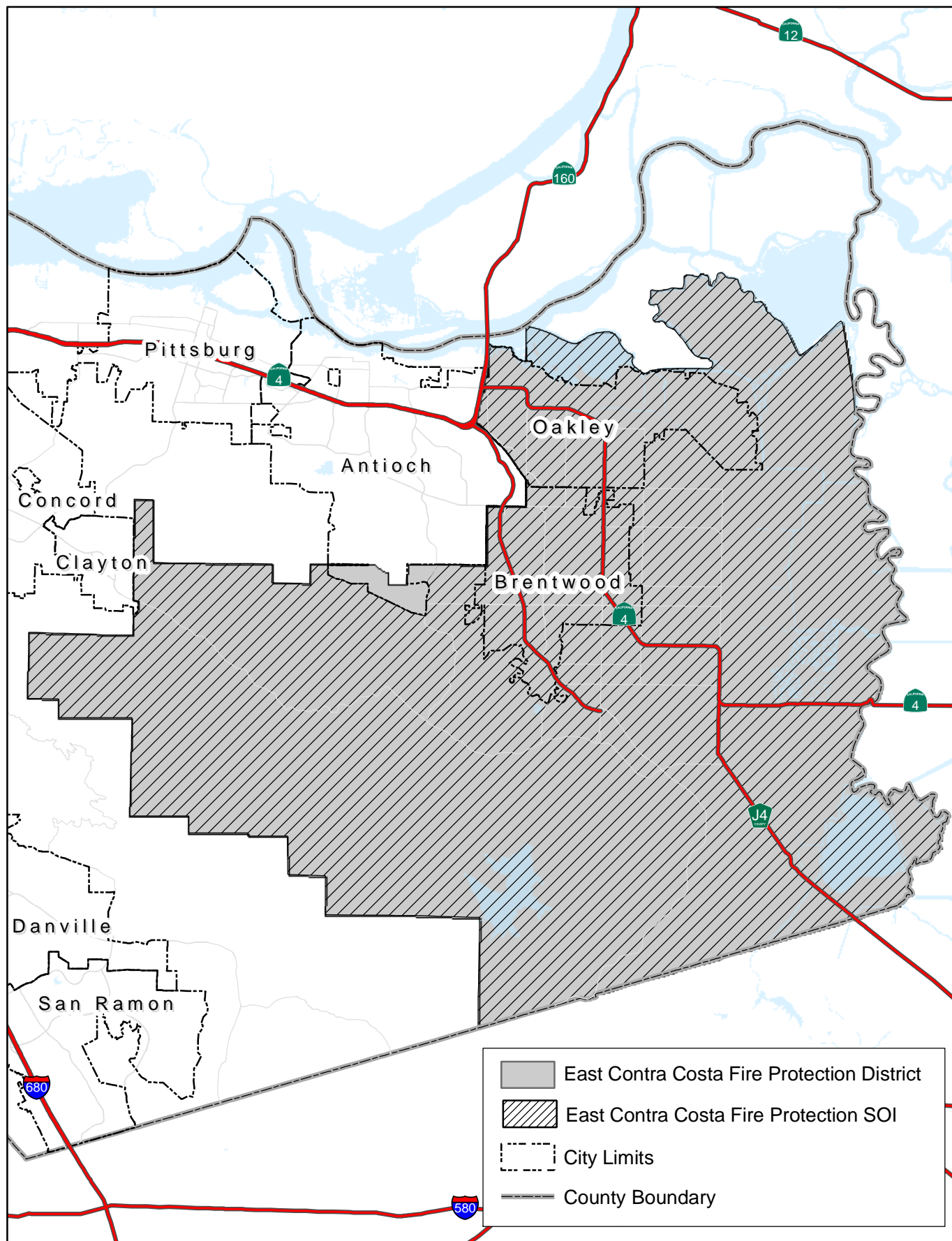
*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: October 12, 2016

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Lou Ann Texeira, Executive Officer

# East Contra Costa Fire Protection District and Provisional SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING A SPHERE OF INFLUENCE UPDATE FOR**  
**MORAGA-ORINDA FIRE DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted its 2<sup>nd</sup> round MSR covering fire and emergency medical service (EMS) providers, including services provided by the Moraga-Orinda Fire District (MOFD) and adopted written determinations as required by Government Code §56430 on August 10, 2016; and

**WHEREAS**, the 2<sup>nd</sup> round MSR included data updates for the 11 fire/EMS providers, 2) review of auto and mutual aid agreements, and 3) focused analysis on the two most distressed fire districts; and

**WHEREAS**, the MSR report identified a number of issues relating to fire/EMS including that most fire service providers have the financial ability to deliver adequate services, continued population growth and job creation will place additional service demands on Fire/EMS, and that many Contra Costa County fire agencies are unable to meet “Best Practices” for response times and staffing; and

**WHEREAS**, in updating SOIs for fire service providers, LAFCO should consider the uniqueness of fire service areas as a result of automatic aid, mutual aid and contract service arrangements; and

**WHEREAS**, MOFD’s service boundary encompasses approximately 42 square miles, and its SOI and boundary are coterminous; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District’s SOI; and

**WHEREAS**, the SOI update was duly considered at public hearings held on August 10 and October 12, 2016; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous SOI for MOFD as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* MOFD bounds encompass residential, commercial, institutional, agricultural and open space uses within the cities of Moraga and Orinda and surrounding unincorporated areas to the east and west of the cities. Present land uses in the incorporated areas are predominantly residential and commercial. The cities both contain significant open space. Land uses in the unincorporated areas are primarily open space. Future land uses within the existing SOI include some new development. The District has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact the District's services. There is Williamson Act land within the District's boundary and SOI.
  - b. *The present and probable need for public facilities and services in the area* – MOFD provides fire and emergency medical services including paramedic and ambulance transport. MOFD contracts with Contra Costa County Fire Protection District (CCCFPD) for dispatch and radio services. There is a present and probable need for public facilities and services within the District boundary/SOI. Service demand will increase with build-out of the cities. No changes in public facilities or services provided by the District will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – the MSR report did not identify any capacity or service adequacy issues that would prevent MOFD from continuing to serve its boundary/SOI area. The MSR noted that two of the District's five fire stations are in fair/poor condition and that rehabilitation of these stations is planned. Retention of SOI will not affect the present capacity of public facilities and adequacy of services provided by MOFD.
  - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – MOFD was formed in 1997 as an independent special district through the consolidation of the Moraga Fire Protection District and the Orinda Fire Protection District; there has been one boundary change to the District since its formation. The District is funded primarily through property taxes, within limited funding through ambulance fees, fire flow taxes, and miscellaneous revenues. The social and economic communities of interest include the cities of Moraga and Orinda and the unincorporated community of Canyon. Other communities of interest within the District include St. Mary's College (Moraga), Redwood Regional Park, Robert Sibley Regional Preserve, Charles Lee Tilden Regional Park and Golf Course, and portions of Wildcat Canyon Regional Park and San Pablo and Briones reservoirs. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the areas that are relevant to MOFD.

- e. *For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI should be considered – There are no DUCs within the MOFD boundary/SOI.*
  
- f. *Nature, location, extent, functions & classes of services to be provided – MOFD service boundary encompasses approximately 42 square miles. The District provides fire prevention and suppression, advanced and basic life support for medical emergencies, ambulance transport, rescue, initial hazardous materials response, fire inspection, education and fire-related permit services. The District relies on CCCFPD/AMR for back-up ambulance services. There are five fire stations located within the District, three in Orinda and two in Moraga.*

\* \* \* \* \*

PASSED AND ADOPTED THIS 12<sup>TH</sup> day of October 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

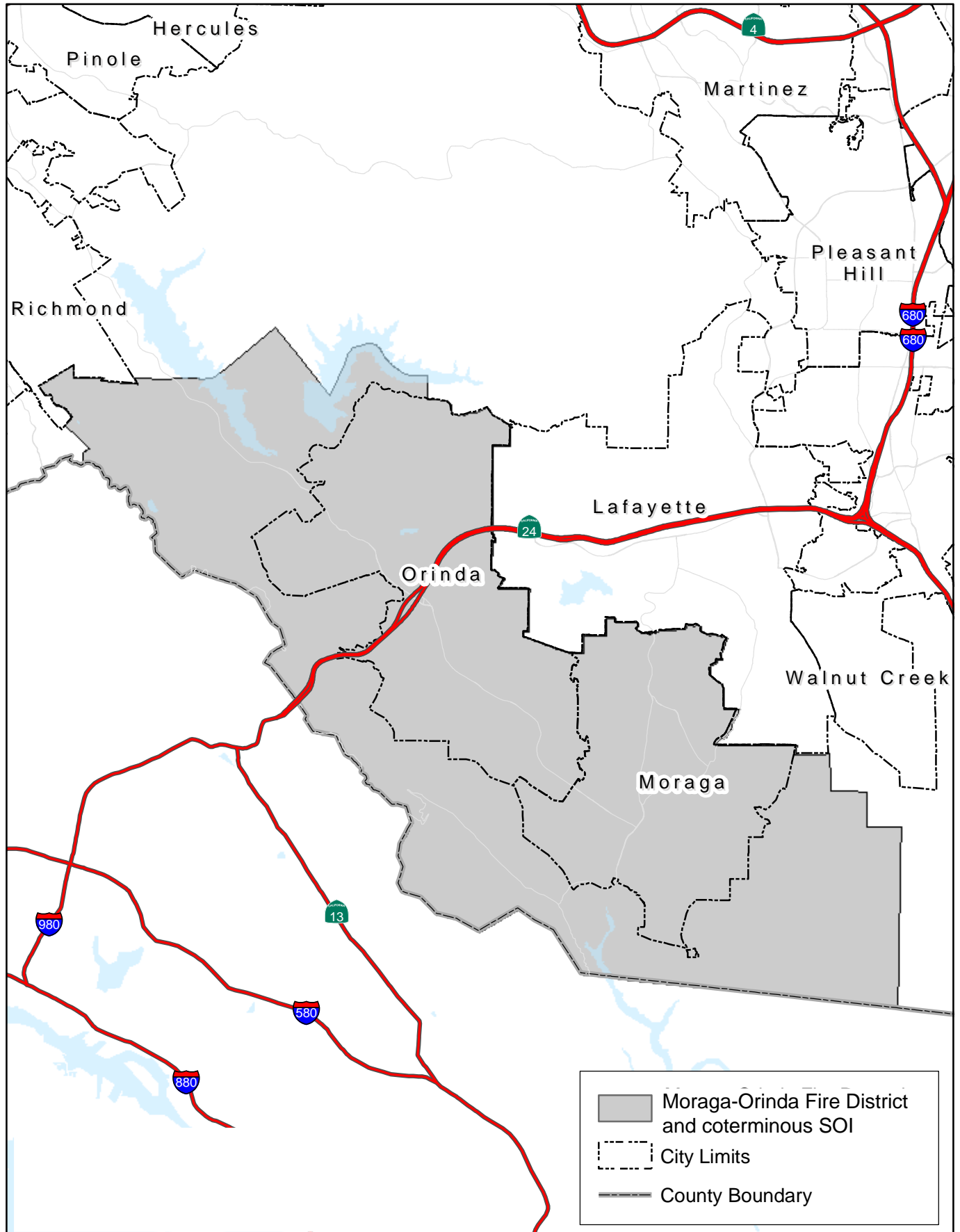
\_\_\_\_\_  
 MARY N. PIEPHO, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: October 12, 2016

\_\_\_\_\_  
 Lou Ann Texeira, Executive Officer

# Moraga-Orinda Fire District and SOI





**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING A SPHERE OF INFLUENCE UPDATE FOR**  
**RODEO HERCULES FIRE PROTECTION DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted its 2<sup>nd</sup> round MSR covering fire and emergency medical service (EMS) providers, including services provided by the Rodeo Hercules Fire Protection District (RHFPD) and adopted written determinations as required by Government Code §56430 on August 10, 2016; and

**WHEREAS**, the 2<sup>nd</sup> round MSR includes data updates for the 11 fire/EMS providers, 2) review of auto and mutual aid agreements, and 3) focused analysis on the two most distressed fire districts, including RHFPD; and

**WHEREAS**, the MSR report identified a number of issues relating to fire/EMS including that most fire service providers have the financial ability to deliver adequate services, continued population growth and job creation will place additional service demands on Fire/EMS, and that many Contra Costa County fire agencies are unable to meet “Best Practices” for response times and staffing; and

**WHEREAS**, in updating SOIs for fire service providers, LAFCO should consider the uniqueness of fire service areas as a result of automatic aid, mutual aid and contract service arrangements; and

**WHEREAS**, RHFPD’s service boundary encompasses approximately 25 square miles, and its SOI and boundary are coterminous; and

**WHEREAS**, the MSR noted a number of significant financial and service deficiencies that need to be addressed; and

**WHEREAS**, the MSR report identified two SOI options for RHFPD, including a “zero” SOI to signal a future reorganization and a “provisional” SOI requiring RHFPD to report back to LAFCO at least annually on its progress in addressing the fiscal and service challenges identified in the MSR; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District’s SOI; and

**WHEREAS**, the SOI update was duly considered at public hearings held on August 10 and October 12, 2016; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Adopt a “provisional” SOI for RHFPD and require an initial report back to the Commission in six months, and further status reports as determined by the Commission, regarding the fiscal and services challenges facing the RHFPD. Further, RHFPD will participate with the other West County fire/EMS providers on a plan to address regional standards of cover, expand grant opportunities, and other opportunities to collaborate and enhance services in West County.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands*  
The District bounds are primarily residential, commercial, industrial and open space. Residential areas are concentrated in the western portion of the District's land area, with higher densities generally located west of I-80. Commercial areas are located along highways and major roads, and also concentrated in the town centers. Industrial activity is located along the coastline and consists of a large industrial park and the headquarters of a biological research company in Hercules, and the ConocoPhillips San Francisco Oil Refinery in Rodeo. Open space is located in the eastern half of the District's land area. The District has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact the District’s services. There is Williamson Act land within the District’s boundary and SOI.
  - b. *The present and probable need for public facilities and services in the area – RHFPD provides fire and emergency medical services including paramedic services. RHFPD contracts with CCCFPD for dispatch and radio services. There is a present and probable need for public facilities and services in the existing boundary/SOI. Renewed growth and development within the RHFPD service area will increase the need for adequate RHFPD facilities and services. Closure of one of its two fire stations, which is imminent in the absence of new funding sources, will have a significant adverse impact on service levels. No changes in public facilities or services provided by the District will result from this SOI update.*
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide – with the current two staffed stations, RHFPD is generally able to provide adequate services to its service area. Though functional, the two stations do not meet current “essential services” and “best practices and design” standards, according to the District. Currently, the District does not have funding to construct a new station. Increased growth and development in Hercules, including potential projects at the ConocoPhillips Refinery, will add to the service demands currently experienced by the District. The potential closure of one of its two stations due to inadequate financial*

resources will have a significant adverse impact on response times and ability to respond to multiple calls simultaneously. The need for aid from adjacent agencies will increase, and the ability to provide aid to other agencies will be diminished. The SOI update will not affect public services or facilities.

- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RHFPD was formed in 1927. The District is funded primarily through property and special taxes, within limited funding through intergovernmental and miscellaneous revenues. The social and economic communities of interest include the City of Hercules and the unincorporated Rodeo community. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the areas that are relevant to RHFPD.
- e. *For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI should be considered* – one disadvantaged community – Rodeo – is within RHFPD’s SOI. The area is within one mile of RHFPD Station 75, and therefore response times for the first-arriving engine company should meet or exceed Best Practice norms. However, if Station 75 closes as a result of revenue shortfalls, the next closest station would be Station 76, over two miles away, and response time would increase.
- f. *Nature, location, extent, functions & classes of services to be provided* – RHFPD service boundary encompasses approximately 25 square miles. RHFPD provides fire and emergency medical services including paramedic services. RHFPD contracts with CCCFPD for dispatch and radio services, and with CCCFPD/AMR for ambulance transport services.

\* \* \* \* \*

PASSED AND ADOPTED THIS 12<sup>TH</sup> day of October 2016, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

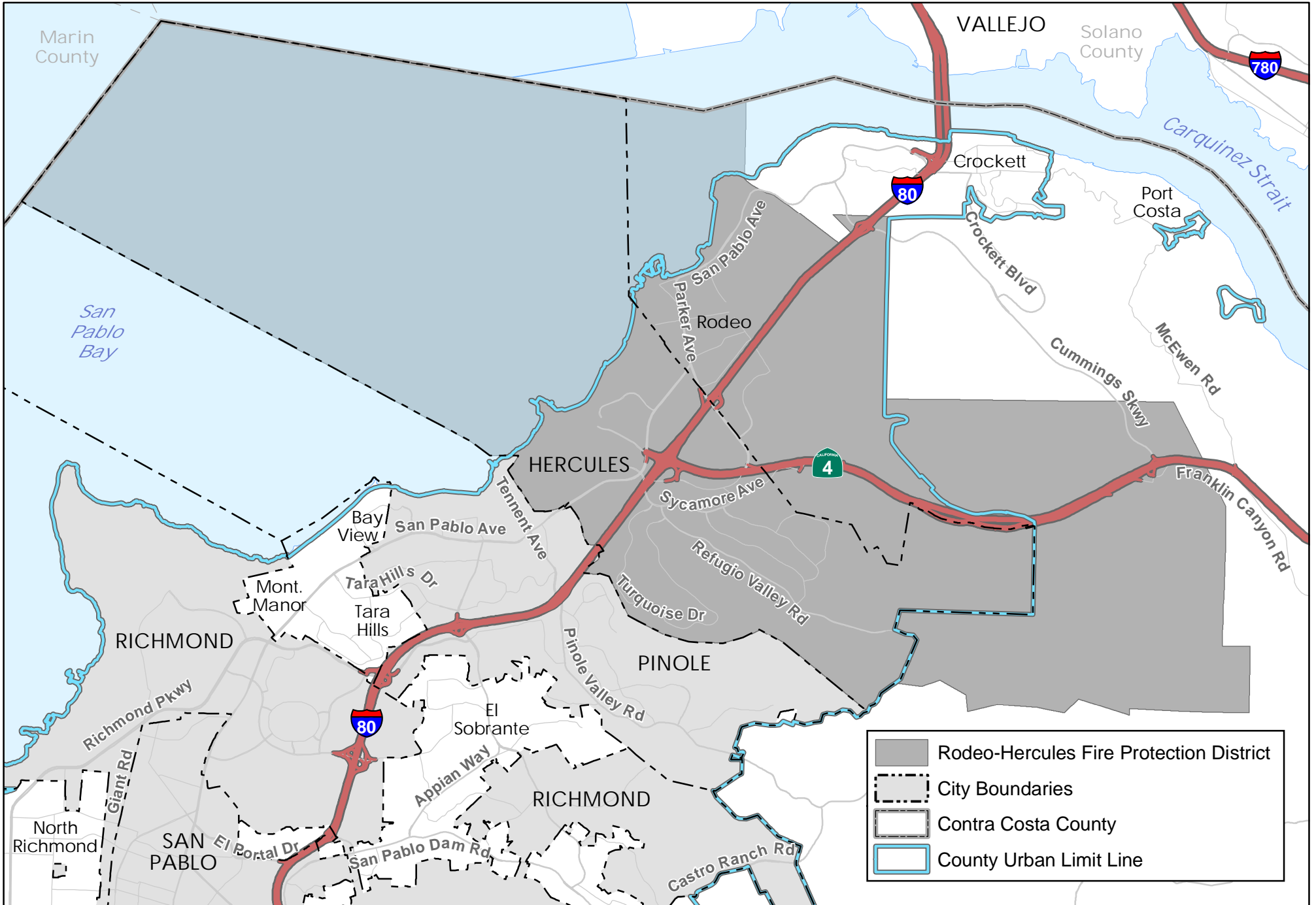
\_\_\_\_\_  
MARY N. PIEPHO, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: October 12, 2016

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# Rodeo-Hercules Fire Protection District and coterminous SOI



	Rodeo-Hercules Fire Protection District
	City Boundaries
	Contra Costa County
	County Urban Limit Line

Map created 04/05/2016  
 by Contra Costa County Department of  
 Conservation and Development, GIS Group  
 30 Muir Road, Martinez, CA 94553  
 37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

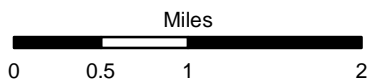


Exhibit 2D-A

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING A SPHERE OF INFLUENCE UPDATE FOR**  
**SAN RAMON VALLEY FIRE PROTECTION DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted its 2<sup>nd</sup> round MSR covering fire and emergency medical service (EMS) providers, including services provided by the San Ramon Valley Fire Protection District (SRVFPD) and adopted written determinations as required by Government Code §56430 on August 10, 2016; and

**WHEREAS**, the 2<sup>nd</sup> round MSR includes data updates for the 11 fire/EMS providers, 2) review of auto and mutual aid agreements, and 3) focused analysis on the two most distressed fire districts; and

**WHEREAS**, the MSR report identified a number of issues relating to fire/EMS including that most fire service providers have the financial ability to deliver adequate services, continued population growth and job creation will place additional service demands on Fire/EMS, and that many Contra Costa County fire agencies are unable to meet “Best Practices” for response times and staffing; and

**WHEREAS**, in updating SOIs for fire service providers, LAFCO should consider the uniqueness of fire service areas as a result of automatic aid, mutual aid and contract service arrangements; and

**WHEREAS**, SRVFPD’s service boundary encompasses approximately 155 square miles, and its SOI and boundary are coterminous; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District’s SOI; and

**WHEREAS**, the SOI update was duly considered at public hearings held on August 10 and October 12, 2016; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous SOI for SRVFPD as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* SRVFPD bounds encompass residential, commercial, mixed-use, agricultural and open space uses within the cities of San Ramon and Danville and the unincorporated communities of Alamo, Blackhawk, Diablo, Tassajara Valley, and southern portions of Morgan Territory. The District has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact the District's services. There is Williamson Act land within the District's boundary/SOI.
  - b. *The present and probable need for public facilities and services in the area –* SRVFPD provides dispatch, fire and emergency medical services including paramedic and ambulance transport. There is a present and probable need for public facilities and services within the District's boundary/SOI. Service demand will increase with build-out of the cities. No changes in public facilities or services provided SRVFPD will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide –* the MSR report did not identify any capacity or service adequacy issues that would prevent the District from continuing to serve its boundary area. Retention of the SOI will not affect the present capacity of public facilities and adequacy of services provided by SRVFPD.
  - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency –* SRVFPD was originally formed in 1921 as an independent special district known as the Danville Fire District; there have been numerous reorganizations and boundary changes to the District since its formation. SRVFPD is funded primarily through property taxes, within limited funding through ambulance fees and service charges, intergovernmental and miscellaneous revenues. The social and economic communities of interest include the cities of Danville and San Ramon, and the unincorporated communities of Alamo, Blackhawk and Diablo. The southern portions of Morgan Territory and the Tassajara Valley are included with the SRVFPD bounds and SOI expansion areas. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the areas that are relevant to SRVFPD.
  - e. *For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities (DUCs) within the existing SOI should be considered –* there are no DUCs within

the SRVFPD boundary/SOI. However, there is a disadvantaged community identified in southeast San Ramon.

- f. *Nature, location, extent, functions & classes of services to be provided* – SRVFPD service boundary encompasses approximately 155 square miles. The District provides fire prevention and suppression, advanced and basic life support for medical emergencies, ambulance transport, rescue, initial hazardous materials response, fire inspection, education and fire-related permit services. The District has nine staffed stations, and two stations staffed by on-call volunteers. Of the staffed stations, four are located in the San Ramon, three in the Danville, one in Alamo and one in Blackhawk. The two stations staffed by on-call volunteers serve Morgan Territory.

\*\*\*\*\*

PASSED AND ADOPTED THIS 12<sup>TH</sup> day of October 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

\_\_\_\_\_  
MARY N. PIEPHO, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: October 12, 2016

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# San Ramon Valley Fire Protection District and SOI

