



## AGENDA ITEM 7A

**MEETING:** May 20, 2015

**TO:** Humboldt LAFCo Commissioners

**FROM:** Colette Metz, Administrator

**SUBJECT:** **Proposed Formation of the Fruitland Ridge Fire Protection District**

The Commission will consider a proposal submitted by registered voter petition to form the Fruitland Ridge Fire Protection District. The District formation area consists of approximately 12,671 acres (391 parcels), consistent with the response area of the Fruitland Volunteer Fire Company. Staff recommends approval of the proposal with conditions incorporated.

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LAFCos are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as district formations, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) Section 56375. LAFCos are authorized with broad discretion in amending and conditioning changes of organization as long as they do not directly regulate land use, property development, or subdivision requirements.

### **A. BACKGROUND**

On December 18, 2014, LAFCo received an application by registered voter petition to form the Fruitland Ridge Fire Protection District (FPD). The petition was signed by 29 percent of the registered voters within the proposed formation area as verified by the Humboldt County Clerk-Recorder/Registrar of Voters in accordance with Elections Code Section 9113-9115.

This is the second attempt by residents in the Fruitland Ridge area to form the Fruitland Ridge FPD in order to establish a long-term community-based revenue source to support the continued delivery of fire protection services by the Fruitland Volunteer Fire Company (VFC). The Fruitland VFC has been serving the Fruitland Ridge area since 1985 and currently provides fire suppression, rescue, and basic life support emergency medical services. The Fruitland VFC is governed by the Board of Directors of the Fruitland Ridge VFD, 501(c)3. The Fruitland VFC supports its fire protection operations through fund raising, donations, and grants. However, the future of the Fruitland VFC could be in jeopardy if a consistent source of funding cannot be established that will pay for insurances, fuel, and the maintenance and replacement of essential equipment.

The principal reasons for the proposed formation are as follows:

1. To establish a fire protection district to support the continued operation of the Fruitland Volunteer Fire Company on behalf of the Fruitland Ridge FPD that would make available the benefits and authorities contained in the Fire Protection District Law of 1987.
2. To establish an elected board of directors to manage the delivery of fire protection services to the community.
3. To establish formal boundaries within which fire protection services can be adequately delivered and that clearly define the service responsibilities of the Fruitland Ridge Volunteer Fire Department on behalf of the Fruitland Ridge FPD, for the benefit of fire service providers, land use authorities, the public, and other service providers.
4. To provide the authority to establish revenue sources that can support the delivery of fire protection services that the residents of the Fruitland Ridge FPD can rely upon into the future.

The proposed Fruitland Ridge FPD would be governed by a three (3) member Board of Directors who would be elected by the registered voters within the district and would serve four year terms of office. The continued operation of the proposed Fruitland Ridge FPD would be funded through a voter-approved special tax that would generate approximately \$21,000 per year and would be apportioned to property in the following manner: a maximum rate of \$60 per parcel for all of fiscal year 2015-16. Beginning on January 1, 2017, the District Board may, through open public process, increase the maximum tax rate by applying the increase, if any, in the Consumer Price Index that has occurred since January of the prior year, up to a maximum of five percent. The approval of the district formation would be subject to a two-thirds majority vote in favor of a special tax by the registered voters within the proposed district boundaries.

The formation of the Fruitland Ridge FPD would not change the delivery of fire protection and emergency response services but instead formalize fire protection responsibility that has historically been provided by good-will services. Potential revenues that may be available to the new district upon approval of the proposed Fruitland Ridge FPD (such as special taxes, or other new revenues) would be intended to support the maintenance of current service levels and could allow the Fruitland VFC to improve the level of fire and emergency medical services in the future. The Fruitland VFC would continue to provide fire protection services on behalf of the Fruitland Ridge FPD.

## **B. DISCUSSION**

This is the second public hearing on the proposed formation of the Fruitland Ridge FPD. The Commission reviewed the proposal at a hearing on March 18<sup>th</sup> to evaluate possible amendments, including: 1) responding to a request received from the Rolling Meadow Ranch to be included within the district boundaries, and 2) responding to concerns

raised by several large landholders about the need to include a contiguous parcel clause. With regard to the boundary amendment request, the Commission determined that the Rolling Meadows Ranch was outside the typical response area of the Fruitland VFC, and moved to maintain the district boundary as originally proposed. With regard to the contiguous parcel clause, the Commission directed staff to meet with representatives of the Fruitland VFC and concerned landowners to determine whether special tax provisions could be included to reduce the burden for landowners owning multiple properties while not jeopardizing the funding needs of the District.

Subsequent to the March hearing, LAFCo staff met with representatives of the Fruitland VFC, Humboldt County Planning and Public Works Departments, Sierra Pacific Industries (SPI), and Humboldt Redwood Company (HRC). After discussion about the proposal, including whether the special tax rate (currently proposed at a flat \$60 per parcel) should differentiate between improved and unimproved parcels, it was apparent that any substantial reduction in revenues generated by the special tax could severely impact the department's ability to provide safe and efficient services. The Fruitland VFC confirmed that \$60 per parcel was determined to be the maximum amount the community would be willing to support. In addition, a flat tax methodology that doesn't distinguish between improved or unimproved was selected because roughly equal numbers of calls for service relate to land that is categorized as "vacant" due to resource management operations, recreation, or other activities.

While there is concern by the Fruitland VFC to include a contiguous parcel clause, the department remains committed to include a hardship exemption to allow landowners who fall within the U.S. Department of Housing and Urban Development guidelines for "very low" or "poverty level" income to apply annually for a partial or complete exemption from the tax. This is consistent with the special tax exemption provisions in 2012.

### **C. ANALYSIS**

The analysis of the proposal is organized into two sections. The first section considers the proposal relative to the factors mandated for review by the Legislature anytime LAFCos review boundary changes. The second section considers issues required by other applicable State statutes in processing boundary changes, such as environmental compliance with the California Environmental Quality Act.

#### ***Required Factors for Review***

G.C. Section 56668 requires the Commission to consider 16 specific factors anytime it reviews proposals for a change of organization or reorganization involving special districts. The majority of the prescribed factors focus on the impacts of the proposed boundary changes on the service and financial capacities of the affected agencies. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process.

A summary of key statements and conclusions generated in the review of the mandated factors for the proposal follows with a complete analysis provided in Appendix A.

- o Based on the 2010 Census, the Fruitland VFC serves approximately 327 residents and 195 total housing units.
- o The proposed action would support the mutual social and economic interests of the Fruitland Ridge community by sustaining community-based fire protection services and establishing local governance for such services. In addition, the Fruitland Ridge FPD would be the first local agency within the Fruitland Ridge community and could provide a forum for broader community organization and discourse.
- o The County has zoned approximately 8,604 acres within the proposed boundaries of the Fruitland Ridge FPD as Timber Production (67.93%), approximately 1,084 acres Agriculture Exclusive (8.56%), and approximately 21 acres Agriculture General (0.16%). Fire related districts within the county routinely respond to calls for service at houses on resource land, barns, warehouses, roads, logging sites, and within farm fields.
- o The Fruitland VFC currently responds to calls for service throughout the proposed district boundaries. The weight of response and levels of service after the proposed Fruitland Ridge FPD formation would be substantially similar to current levels and would therefore not significantly influence owners of resource land in their decisions to convert such land to other uses.
- o Potential revenues that may be available to the new district upon approval of the proposed Fruitland Ridge FPD (such as special taxes, or other new revenues) would be intended to support the maintenance of current service levels and could allow the Fruitland VFC to improve the level of fire and emergency medical services in the future.
- o The Sphere of Influence (SOI) for the Fruitland Ridge FPD is proposed to be coterminous with the district boundaries. A Municipal Service Review has been prepared to evaluate the services to be provided prior to establishing a SOI in accordance with Government Code Section 56430.
- o The Myers Flat FPD and the Miranda CSD are the closest fire related districts and are located one and two miles from the proposed boundaries, respectively. Both agencies have "status quo" Spheres of Influence (SOI), meaning that the SOI is contiguous with the district boundaries. Therefore, the proposed Fruitland Ridge FPD boundaries would not conflict with the SOI of a local agency providing fire protection services.

***Other Considerations***

- o Municipal Service Review and Sphere of Influence

A Municipal Service Review (MSR) has been prepared to evaluate the services to be provided prior to establishing a SOI in accordance with Government Code Section 56430 (Attachment B). The SOI for the Fruitland Ridge FPD is proposed to be

coterminous with the district boundaries (which correspond to the Fruitland VFC response area).

- o Environmental Review

The proposed formation of the Fruitland Ridge FPD is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)3 because it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment - where the activity is the establishment of a district boundary and a funding source for a fire service provider that has provided service for 30 years, that does not involve development or a change in the manner for which an existing service is provided.

- o Conducting Authority Proceedings

Typically, a protest hearing is conducted to determine whether a proposal would be confirmed, terminated, or subject to an election based on the number of valid written protests received. Since the formation is already subject to an election for voter approval of the special tax and election of district board members, only the threshold for termination is applicable:

*Terminate formation proceedings if written protests are received from 50 percent or more of the voters residing in the territory.*

Typically, landowner protests are counted to determine whether a change of organization is subject to election (i.e., when at least 25 percent of the number of landowners who also own at least 25 percent of the assessed value of land file written protests), while only registered voters can terminate the proceedings (i.e., when a majority of the voters file written protests).

Staff recommends the Commission delegate authority to the Executive Officer to conduct the protest hearing. This would increase scheduling flexibility, avoid extending Commission meetings for non-discretionary procedures, and expedite the district formation process. It also allows for a local hearing, conducted at a public location in Fruitland. The Fruitland VFC has offered the Fruitland Firehall for the protest hearing. The Executive Officer would report at the Commission's next meeting the outcome of the protest hearing.

#### **D. RECOMMENDATION**

Staff recommends the Commission approve the proposal to form the Fruitland Ridge Fire Protection District. It is recommended the following conditions of approval be applied with delegation to the Executive Officer to determine when the requested actions have been sufficiently satisfied before proceeding with a recordation.

- o The formation of the Fruitland Ridge FPD shall be contingent upon the approval of the special tax by two-thirds (2/3) of the votes cast by voters voting upon the measure within the proposed district boundaries.

- The Fruitland Ridge FPD Board of Directors shall hold duly noticed public hearings and establish procedures by ordinance to administer the special tax including exemptions that balance the needs of the District for funding and the burdens on property owners and file such ordinance with LAFCo.

### ***Alternatives for Commission Action***

Staff has identified three options for Commission consideration with respect to the proposal. These options are summarized below.

- Alternative Action One (Recommended):  
Adopt the draft resolution identified as Attachment C, approving the proposal with the recommended conditions along with any desired changes as requested by members.
- Alternative Action Two:  
Continue consideration of the item to the next regular meeting and provide direction to staff for additional information as needed.
- Alternative Action Three:  
Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year unless a request for reconsideration is filed and approved within 30 days of Commission action.

### ***Procedures for Consideration***

This item has been agenzied for consideration as part of a noticed public hearing. The following procedures are recommended with respect to the Commission's consideration of this item:

- A. Receive verbal report from staff
- B. Open the public hearing and invite testimony.
- C. Discuss item and – if appropriate – close the hearing and consider action on recommendation:

*"I move to adopt Resolution No. 15-04, approving the Formation of the Fruitland Ridge Fire Protection District, as described in the staff report, subject to the recommended conditions".*

### ***Attachments***

Attachment A: Required Factors for Review

Attachment B: Municipal Service Review and Sphere of Influence Report

Attachment C: Draft Resolution of Approval (No. 15-04)

## ATTACHMENT A ANALYSIS OF REQUIRED FACTORS

Government Code Section 56668 requires the Commission to consider 16 specific factors anytime it reviews proposals for a change of organization or reorganization involving special districts. The purpose in considering these factors is to help inform the Commission in its decision-making process.

***1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.***

Based on the 2010 Census, the Fruitland VFC serves approximately 327 residents and 195 total housing units. The average density of Census Blocks that are within the proposed distinct boundaries is 0.014 persons per acre and the average density of housing units is 0.008 housing units per acre. Per capita assessed valuation is approximately \$108,060.

Prominent developments within the proposed Fruitland Ridge FPD boundaries include the rural Fruitland Ridge community, which is generally located along Dyerville Loop Road between Sequoia Road and Eel Rock Road and the Eel Rock community located along the Middle Fork Eel River at the end of Eel Rock Road. Other than wineries and agricultural structures, there are no commercial structures within the proposed district boundaries.

In spite of the decrease in population indicated by the U.S. Census, new development within the proposed district boundaries is expected to occur into the future at existing county-wide rates, which would likely range from 0.25 to 1.0 percent per year. Significant growth during the next ten years is not likely to occur.

All properties within the proposed district boundaries utilize on-site water and wastewater systems, which limits the maximum density of development. In addition, the Humboldt County Framework General Plan and Zoning Maps identify most land within the proposed district boundaries for timber production and grazing activities. However, rural residential uses (vacant and improved) occupy a significant portion of the proposed district boundaries according to the Assessor.

Given uncertainties regarding past and future growth for the proposed district, future district population has been estimated using a conservative growth rate of 1.0 percent per year. Assuming this growth rate and the Census 2010 population, the population of the proposed Fruitland Ridge FPD could reach approximately 415 by the year 2030, or an increase of nearly four new residents per year. Therefore, the demand for fire protection service within the proposed district boundaries is not expected to change significantly over the next 20 years.

**2) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

The Fruitland VFC has been serving the Fruitland Ridge area since 1985 and provides fire suppression, rescue, and basic life support emergency medical services to the proposed district boundaries. The Fruitland Ridge FPD would maintain the fire protection services that are currently provided by the Fruitland VFC, as enumerated in Section 13862 of the Health and Safety Code, which include:

- o Fire Suppression
- o Rescue Services
- o Basic Life Support

The community served by the Fruitland VFC is proposing to form the Fruitland Ridge FPD in order to establish a long-term revenue source to support the continued delivery of fire protection services by the Fruitland VFC.

The formation of the Fruitland Ridge FPD would not change the delivery of fire protection services. The Fruitland VFC would continue to provide fire protection services on behalf of the Fruitland Ridge Fire Protection District. Potential revenues that may be available to the new district upon approval of the proposed Fruitland Ridge FPD (such special taxes or other new revenues) would be used to support the maintenance of current service levels and could allow the Fruitland VFC to improve the level of fire and emergency medical services in the future.

**3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.**

Considerations in the evaluation of alternatives:

§ 56301 “When the formation of a new government entity is proposed, a commission shall make a determination as to whether existing agencies can feasibly provide the needed service or services in a more efficient and accountable manner. If a new single-purpose agency is deemed necessary, the commission shall consider reorganization with other single-purpose agencies that provide related services.”

Alternative actions considered could include:

- o Alternative 1 – County Service Area Formation  
This alternative consists of the formation of a County Service Area, where the County would be responsible for fire protection services and could hire staff or contract with the Fruitland VFC, CAL FIRE, or an adjacent fire department to provide the service.



Humboldt County utilizes a CSA and an Amador Agreement with CAL FIRE to provide fire protection services to the Trinidad Area. In the 1990's Humboldt County utilized Caltrans grant funds to support an Amador Agreement with CAL FIRE to maintain staffing at the Weott Forest Fire Station during non-fire season. The Weott CAL FIRE station is located approximately 9 miles to the northwest edge of the proposed district. Grant funds ran out and no other sources of funds for the Amador Agreement were identified.

Humboldt County has not indicated its desire to establish additional CSA's for fire protection. If Humboldt County were to pursue a CSA, establishing a contract with the Fruitland VFC rather than CAL FIRE would provide the highest level of service to the Fruitland Ridge area given proximity of the fire station and response times. However, the establishment of a CSA would not result in any government efficiencies and administration and governance would be significantly separated from the community to be served.

- o Alternative 2 - Fire Protection District Annexation

This alternative consists of the annexation of the proposed boundaries by an adjacent fire protection district and the merger of the Fruitland VFC with the existing fire district or the dissolution of the Fruitland VFC. Fruitland Ridge is not within the response area of an existing fire protection district; therefore there are no adjacent fire protection districts that could provide adequate fire protection services to the Fruitland Ridge area.

The Myers Flat FPD and Miranda CSD are the nearest special districts that provide fire protection services. Myers Flat FPD is focused on improving its level of service within its district boundaries and has not indicated an interest in annexing the Fruitland Ridge area. Typically, the boundaries of CSDs are limited to the developed areas of communities because most CSD's provide utilities services and these services are intended to be limited to urban or suburban type areas. Therefore, it may not be appropriate for multipurpose-type districts like the Miranda CSD to annex the Fruitland Ridge VFD service area.

- o Alternative 3 – Fire Protection District Annexation/Consolidation

This alternative consists of a larger reorganization involving surrounding fire protection districts and areas outside district boundaries protected by volunteer fire departments not affiliated with special districts.

Fire departments (VFDs and FPDs) considered a larger reorganization involving consolidation and rejected the idea due to the loss of local control of fire protection services and service revenue and costs and no obvious service benefits. Shared administrative costs are a common reason for fire related district merger. Most Humboldt County fire departments have only nominal administrative costs because services are provided by volunteers. Therefore, there is little immediate benefit to pursuing a larger reorganization. There are, however, many benefits for fire departments in Southern Humboldt working cooperatively to share resources and training opportunities and improve mutual and automatic aid. But such actions could

occur just as easily through cooperative agreements rather than consolidation and would not jeopardize local autonomy.

The effects of alternates 2 and 3 could be similar to the proposed district formation in terms of cost and service level, so long as the change in organization resulted in funding to sustain the operation of the Fruitland VFC. To the extent that alternative 1 resulted in another fire department (such as CAL FIRE) providing service to the proposed district formation area, then the alternative action would likely be significantly more costly and result in a lower level of service.

The establishment of a governing board other than one in the Fruitland Ridge area would reduce the control that the community currently has to establish priorities, control costs, and to ensure that the level of service continues to match the needs of the local community. In addition, the establishment of a board other than one in the Fruitland Ridge area may also result in governance by board members that does not share the mutual and economic interests of the Fruitland Ridge area.

The establishment of the Fruitland Ridge FPD would not preclude future reorganizations that may include consolidation. However, an attempt to consolidate fire protection services in the Fruitland Ridge area, if not supported by the Fruitland Ridge VFD or other neighboring fire departments, would likely be unsuccessful and could prejudice future organization proposals.

The proposed action would maintain and enhance fire protection to the Fruitland Ridge area provided by the Fruitland VFC by establishing ongoing funding support through tax revenue from the local community and by establishing a Board of Directors that is elected by the community. The proposed action would support the mutual social and economic interests of the Fruitland Ridge community by sustaining community-based fire protection services and establishing local governance for such services. In addition, the Fruitland Ridge FPD would be the first local agency within the Fruitland Ridge community and could provide a forum for broader community organization and discourse.

The proposed action would have little or no effect on adjacent areas, most of which have their own local fire department. The proposed action would not affect Humboldt County tax revenue or government structure because Humboldt County only provides fire protection services in County Service Area 4 in the Trinidad area and does not budget funds for fire protection services in the Fruitland Ridge area.

**4) *The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.***

The Fruitland VFC currently responds to calls for service throughout the proposed district boundaries. The weight of response and levels of service after the proposed Fruitland Ridge FPD formation would be substantially similar to current levels. Potential revenues that may be available to the new district upon approval of the proposed Fruitland Ridge FPD (such as special taxes, or other new revenues) would be intended to support the

maintenance of current service levels and could allow the Fruitland VFC to improve the level of fire and emergency medical services in the future. Therefore, the proposal contributes to the logical and reasonable development of a fire service provider that has provided service for 30 years so as to advantageously provide for the present and future needs of the community.

With respect to G.C. Section 56377, portions of the affected territory are substantially unimproved and devoted to an open-space use (Agriculture and Timber Production) under the Humboldt County General Plan. However, the formation of the Fruitland Ridge FPD does not involve changes to the type or level of fire protection services provided, would not convert agricultural land or open space uses, and does not propose to change land uses or land use patterns. Therefore, the proposal does not conflict with G.C. Section 56377.

**5) *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.***

The County has zoned approximately 8,604 acres within the proposed boundaries of the Fruitland Ridge FPD as Timber Production, approximately 1,084 acres Agriculture Exclusive, and approximately 21 acres Agriculture General. There are 4 active Williamson Act contracts within the proposed district boundary totaling approximately 1,737 acres (see Williamson Act Contract table below). Two of the Williamson Act contracts within the proposed boundaries represent ranches located on the east side of the Middle Fork Eel River with small portions parcels that extend across the river into the proposed district boundaries.

**Williamson Act Contracts**

<b>Ranch Name - Ranch ID</b>	<b>Acres</b>
Eel Rock Ranch - 182	3.0
Fort Seward Ranch - 225	1,723.8
Fred Nunnemaker Ranch - 433	1.8
Whitlow Ranch - 240	8.5
Total	1,737.2

Source: Humboldt County Building and Planning

The Fruitland VFC currently provides fire protection services to the Williamson Act Ranches within their existing response area. The formation of the Fruitland Ridge FPD does not involve changes to the type or level of fire protection services provided, nor would it convert agricultural land or involve the construction of or alteration to structures, grading, or other site disturbing activities on land planned for agriculture, and does not propose to change land uses or land use patterns.

Agricultural resources within the proposed district boundaries will not be affected by the proposed district formation for the following reasons:

- (1) The Fruitland VFC currently responds to calls for service throughout the proposed district boundaries. The weight of response and levels of service after the proposed

Fruitland Ridge FPD formation would be substantially similar to current levels and would therefore not significantly influence owners of resource land in their decisions to convert such land to other uses.

- (2) It is common throughout Humboldt County that rural populations are dispersed within and around agriculture and timber land and logical boundaries for fire protection district would include such lands.
- (3) 28 percent of the land within existing fire protection district boundaries within Humboldt County is zoned TPZ or TC (coastal zone), 27 percent is zoned AE, and seven percent is zoned AG, which totals to over 60 percent of all land within fire related districts (including cities). Fire related districts within the county routinely respond to calls for service at houses on resource land, barns, warehouses, roads, logging sites, and within farm fields.
- (4) The two fire districts that have the most career/professional firefighters and that ostensibly provide the highest level of fire protection service in the County, Arcata FPD and the Humboldt No. 1 FPD, have approximately 62 percent and 59 percent agriculture and resource zoned lands, respectively, within their district boundaries. There are 26 agricultural preserve areas within these two districts totaling over 1,400 acres.
- (5) The provision of fire protection services to land planned for agriculture was not noted as a cause of agricultural land conversion in the Agricultural Resources Report ([http://www.co.humboldt.ca.us/gpu/docs/pdf/agrprt\\_2.pdf](http://www.co.humboldt.ca.us/gpu/docs/pdf/agrprt_2.pdf)) prepared in August 2003 for the Humboldt County General Plan Update.
- (6) The Cortese-Knox-Hertzberg Local Agency Reorganization Act requires that special districts first receive written approval from LAFCo prior to providing service outside their district boundaries. Therefore, service must be provided within district boundaries and if calls for fire protection services would occur within resource lands, developed or otherwise, such lands must be located within the boundaries of a fire related district.
- (7) In 2013 the California Subdivision Map Act was amended to require that any subdivision of parcels located in the State Responsibility Area (SRA) or a very high fire hazard severity zone, including subdivisions of resource lands not involving development, receive structural fire protection from a public agency or from another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity (Government Code Section 66474.02). State law, in effect, requires that all land, even land used for timber or agricultural production, be within the boundaries of a fire related district.
- (8) Land within the proposed district boundaries is within the State Responsibility Area and CAL FIRE is expected to continue to provide wildland protection at current levels of protection.

Therefore, the proposed project would not conflict with existing Timber Production Zoning, zoning for agricultural use, or a Williamson Act contract.

***6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.***

The Fruitland VFC response area is approximately 12,600 acres in area and from the intersection of Dyerville Loop Road and Elk Creek Road, the proposed boundary extends:

- o West approximately five to two miles along Elk Creek Road to Humboldt Redwoods State Park;
- o North along Dyerville Loop Road approximately 2.75 miles to point where Devils Elbow Creek meets the Middle Fork Eel River;
- o South along Dyerville Loop Road about 4.7 miles almost to the point where Barnum Road hits Dyerville Loop Road; and
- o East from the southern extent of Dyerville Loop Road approximately 3 miles along Eel Rock Road to Eel Rock and the Middle Fork Eel River.

The proposed Fruitland Ridge FPD boundaries include the Fruitland Ridge Rural Community Center (defined pursuant to the Humboldt County Framework General Plan to be applied to small unincorporated towns and community centers which provide a variety of community and tourist oriented goods and services, but which may not have developed identifiable commercial or residential districts) located near the intersection of Dyerville Loop Road and Kelsey Lane, and the surrounding rural residential areas. The Fruitland Ridge Rural Community Center contains only residential development, other than the Fruitland VFD fire station. The proposed boundaries also include unimproved timber and grazing land that is interspersed within a patchwork of land developed with rural residential uses. The purpose of including timber and grazing lands is to establish a logical boundary that does not result in small islands of unserved areas, which could be developed in the future, between developed areas. The vacant rural residential, timber, and grazing land could be developed with rural residential uses, subject to the limitations established by the General Plan and Zoning Regulations. Such development would be expected to occur over time at current rates.

#### **7) *A regional transportation plan adopted pursuant to G.C. Section 65080.***

The Humboldt Regional Transportation Plan (RTP) was last updated in 2013/14 and is a long-range transportation planning document for Humboldt County. No specific projects are included in the RTP involving the affected territory.

#### **8) *Consistency with city or county general and specific plans.***

The proposed formation of the Fruitland Ridge FPD would not conflict with Humboldt County General Plan policies relating to fire protection. Policies contained in Framework General Plan Section 4700, Fire Protection, relate primarily to on-site water supplies for fire protection and fire safe standards. The proposed formation of the Fruitland Ridge FPD would not affect such policies. The proposed formation of the Fruitland Ridge FPD would not conflict with the adopted Spheres of Influence (SOI) of the Myers Flat FPD or the Miranda CSD, the nearest public agencies that provide fire protection services. Therefore, the proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

**9) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.**

The Sphere of Influence (SOI) for the Fruitland Ridge FPD is proposed to be coterminous with the district boundaries. A Municipal Service Review (MSR) was prepared to evaluate the services to be provided prior to establishing a SOI in accordance with Government Code Section 56430.

The Myers Flat FPD and the Miranda CSD are the closest fire related districts and they are located one and two miles from the proposed boundaries, respectively. Both agencies have "status quo" Spheres of Influence (SOI), meaning that the SOI is contiguous with the district boundaries. Therefore, the proposed Fruitland Ridge FPD boundaries would not conflict with the SOI of a local agency providing fire protection services.

**10) The comments of any affected local agency or other public agency.**

No comments of any affected local agency or other public agency have been received.

**11) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.**

Upon approval of the Fruitland Ridge FPD by LAFCo a special tax would be placed before the registered voters within the proposed district boundaries. The petition to form the Fruitland Ridge FPD has identified a special tax that would generate approximately \$21,000 per year and would be apportioned to property on an annual basis in the following manner: \$60 for each parcel (approximately 364 taxable parcels within the proposed district boundaries). Beginning on January 1, of the first year after formation, the District Board may increase the maximum tax rate by applying the increase, if any, in the Consumer Price Index of the San Francisco-Oakland-San Jose area that has occurred since January of the prior year, up to a maximum of five percent.

The special tax revenue would exceed current annual revenue for the Fruitland VFC and could be used, in conjunction with fund raising and grants, to expand service capacity in the event that the future demand for services increases. The following is a proposed budget for the Fruitland Ridge FPD.

<b>Item</b>	<b>Notes</b>	<b>Amount</b>
Dispatch Expenses	911 services	\$350
Memberships & Dues	CSFA, HCFCFA, SOHUMFCA	\$250
Meetings/Travel	24 Chief's meetings annually	\$500
Fuel		\$1,200
Training		\$750
Utilities		\$600
Insurance	Liability and Workmen's Comp	\$4,900
Administrative Expense/Office Supplies	Newsletters, mailings	\$300

<b>Item</b>	<b>Notes</b>	<b>Amount</b>
Supplies		\$1,200
Repairs		\$2,000
Reserve		\$6,000
Equipment & Apparatus Fund		\$3,000
<b>Total</b>		<b>\$21,050</b>

***12) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.***

All properties within the proposed district boundaries utilize on-site water systems. The Fruitland VFC has one water tender with a 2,250 gallon tank and 250 gpm pump. Although, the proposed Fruitland Ridge FPD would not be required to make improvements to maintain the current level of service, upgrades to apparatus and equipment would be required to ensure the level of service does not decline.

***13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.***

The proposal would not impact any local agencies in accommodating their regional housing needs. The proposed boundaries include unimproved timber and grazing land that is interspersed within a patchwork of land developed with rural residential uses. There are no development plans as part of this proposal.

***14) Any information or comments from the landowner or owners, voters, or residents of the affected territory.***

A 21-day public hearing notice was mailed to all landowners and registered voters within 300 feet of the affected territory. The notice summarized the proposal and included a map of the subject territory, as well as information regarding the public hearing. LAFCo staff received several calls and inquiries about the district formation, including a request from an adjacent landowner to be included within the proposed district boundaries. The Commission reviewed the proposal at a hearing on March 18<sup>th</sup> to evaluate possible amendments, including: 1) responding to a request received from the Rolling Meadow Ranch to be included within the district boundaries, and 2) responding to concerns raised by several large landholders about the need to include a contiguous parcel clause. With regard to the boundary amendment request, the Commission determined that the Rolling Meadows Ranch was outside the typical response area of the Fruitland VFC, and moved to maintain the district boundary as proposed. With regard to the continuous parcel clause, the Commission directed staff to meet with representatives of the Fruitland VFC and concerned landowners to determine whether special tax provisions could be included to reduce the burden for landowners owning multiple properties while not jeopardizing the funding needs of the District.

**15) Any information relating to existing land use designations.**

Prominent developments within the proposed Fruitland Ridge FPD boundaries include the rural Fruitland Ridge community, which is generally located along Dyerville Loop Road between Sequoia Road and Eel Rock Road and the Eel Rock community located along the Middle Fork Eel River at the end of Eel Rock Road. This area also includes vineyards located along Dyerville Loop Road. There are no commercial structures within the proposed district boundaries. The following is a summary of the land uses within the proposed district boundaries based on the Assessor's Use Codes:

**Land Uses Based on Assessor's Use Code**

<i>Land Use Type</i>	<i>Parcels</i>	<i>Acres</i>	<i>% of Total</i>
Improved Residential < 5 acres	81	550.3	4.3%
Vacant Residential < 5 acres	81	521.3	4.1%
Improved Residential 5 - 100 acres	53	1,032.0	8.1%
Vacant Residential 5 - 100 acres	23	412.9	3.2%
Improved Timber Production	36	2,099.1	16.5%
Vacant Timber Production	76	7,786.7	61.2%
Mobile Home	15	142.8	1.1%
Public or Exempt	25	172.0	1.4%
Roads or Other	1	13.9	0.1%
<b>Total</b>	<b>391</b>	<b>12,730.9</b>	<b>100.0%</b>

**Source:** Humboldt County Community Development Services Geographic Information System. Land Use Type based on Humboldt County Assessor's Use Codes.

**Note:** Acreage based on parcel acres in the Land Information System and some parcels extend across the Middle Fork Eel River, outside the proposed district boundaries.

**General Plan Land Use Designation**

<i>Land Use Designation</i>	<i>Acres</i>	<i>% of Total</i>
Agriculture Grazing	2,744.5	21.7%
Agricultural Lands	633.7	5.0%
Agricultural Rural	1,766.0	13.9%
Public	35.4	0.3%
Rural Community Center	62.8	0.5%
Timber Production	7,423.3	58.6%
<b>Total</b>	<b>12,665.7</b>	<b>100.00%</b>

**Zone Classification**

<i>Zone Classification</i>	<i>Acres</i>	<i>% of Total</i>
Agriculture Exclusive	1,084.4	8.56%
Agriculture General	20.6	0.16%
Rural Residential Agriculture	55.8	0.44%
Timberland Production Zone	8,603.7	67.93%
Unclassified	2,901.2	22.91%
<b>Total</b>	<b>12,665.7</b>	<b>100.00%</b>



***16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the local of public facilities and the provision of public services.***

The proposal would not result in inconsistencies with environmental justice safeguards. The Fruitland VFC has evaluated current service costs and needs and deferred or forgone expenses and determined that a budget of approximately \$21,000 per year is necessary to support adequate fire protection services for the community. A special tax rate of \$60 per parcel was determined to be the maximum amount the community would be willing to support. Upon approval of the special tax, the Fruitland Ridge FPD would also establish procedures for implementing a Hardship Exemption, to allow landowners who fall within the U.S. Department of Housing and Urban Development guidelines for "very low" or "poverty level" income to apply annually for a partial or complete exemption from the tax.

**Fruitland Ridge**  
**Fire Protection District**  
Municipal Service Review

Draft May 20, 2015



Prepared for the Formation of the  
Fruitland Ridge Fire Protection District

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# INTRODUCTION

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## Overview

The Humboldt Local Agency Formation Commission (LAFCo) reviews proposals for the formation of new local governmental agencies and changes of organization for all local agencies within Humboldt County. In order for LAFCo to approve the formation of a new agency, information must first be collected that documents the service capabilities of that agency.

This Municipal Service Review (MSR) has been prepared pursuant to Government Code Section 56430 to determine how fire protection services would be provided to the Fruitland Ridge community upon formation of the Fruitland Ridge Fire Protection District (FPD). In addition, the MSR evaluates the establishment of a Sphere of Influence (SOI) for the new district in accordance with Government Code Section 56425. A SOI is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCo. Together, the SOI and MSR document the district's ability to serve existing and future residents.

## Background

On December 18, 2014, LAFCo received an application by registered voter petition to form the Fruitland Ridge FPD. The petition was signed by 29 percent of the registered voters within the proposed formation area as verified by the Humboldt County Clerk-Recorder/Registrar of Voters in accordance with Elections Code Section 9113-9115.

This was the second attempt by residents in the Fruitland Ridge area to form the Fruitland Ridge FPD in order to establish a long-term community-based revenue source to support the continued delivery of fire protection services by the Fruitland Volunteer Fire Company (VFC). The Fruitland VFC has served the Fruitland Ridge area since 1985 and provides fire suppression, rescue, and basic life support emergency medical services. The Fruitland VFC is governed by a Board of Directors of the Fruitland Ridge VFD, 501(c)3. The Fruitland VFC supports its fire protection operations through fund raising, donations, and grants. However, the future of the Fruitland VFC would be in jeopardy if a consistent source of funding cannot be established that would pay for insurances, fuel, and the maintenance and replacement of essential equipment.

The principal reasons for the proposed formation include:

1. To establish a fire protection district to support the continued operation of the Fruitland Volunteer Fire Company on behalf of the Fruitland Ridge FPD that would make available the benefits and authorities contained in the Fire Protection District Law of 1987.
2. To establish an elected board of directors to manage the delivery of fire protection services to the community.
3. To establish formal boundaries within which fire protection services can be adequately delivered and that clearly define the service responsibilities of the Fruitland Ridge Volunteer Fire Department on behalf of the Fruitland Ridge FPD, for the benefit of fire service providers, land use authorities, the public, and other service providers.
4. To provide the authority to establish revenue sources that can support the delivery of fire protection services that the residents of the Fruitland Ridge FPD can rely upon into the future.

The proposed Fruitland Ridge FPD would be governed by a three (3) member Board of Directors who would be elected by the registered voters within the district and would serve four year

terms of office. The continued operation of the proposed Fruitland Ridge FPD would be funded through a voter-approved special tax that would generate approximately \$21,000 per year and would be apportioned to property in the following manner: a maximum rate of \$60 per parcel for all of fiscal year 2015-16. Beginning on January 1, 2017, the District Board may, through open public process, increase the maximum tax rate by applying the increase, if any, in the Consumer Price Index that has occurred since January of the prior year, up to a maximum of five percent. The approval of the district formation would be subject to a two-thirds majority vote in favor of a special tax by the registered voters within the proposed district boundaries.

The formation of the Fruitland Ridge FPD would not change the delivery of fire protection and emergency response services but instead formalize fire protection responsibility that has historically been provided by good-will services. Potential revenues that may be available to the new district upon approval of the proposed Fruitland Ridge FPD (such as special taxes, or other new revenues) would be intended to support the maintenance of current service levels and could allow the Fruitland VFC to improve the level of fire and emergency medical services in the future. The Fruitland VFC would continue to provide fire protection services on behalf of the Fruitland Ridge FPD.

### **Municipal Service Review Determinations**

The MSR provides LAFCo with a tool to study existing and future public service conditions comprehensively and to evaluate organizational options for ensuring that critical services are provided efficiently. The MSR includes a written statement of determinations with respect to the following:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies (including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence).
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

### **Sphere of Influence Determinations**

A central planning responsibility for LAFCo is the determination of a SOI for each local agency under its jurisdiction. LAFCo establishes, amends, and updates SOIs to designate the territory it believes represents the appropriate future service area and jurisdictional boundary of the affected agency. All jurisdictional changes, such as annexations and detachments, must be consistent with the SOIs of the affected local agencies with limited exceptions. LAFCo reviews and updates each local agency's sphere every five years as needed. In determining the SOI of each local agency, the Commission must consider and prepare written statement of determinations with respect to the following:

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 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 they are relevant to the agency.
5. The present and probable need for public facilities and services of any disadvantaged unincorporated communities within the sphere of influence.

# AGENCY PROFILE

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## District Boundary

The Fruitland Ridge formation area is located in the south eastern portion of Humboldt County, and includes the Fruitland Ridge and Eel Rock communities. The Fruitland Ridge FPD boundaries would cover approximately 12,671 acres in area and coincide with the response area into which the Fruitland VFC currently provides fire protection and emergency response services. The proposed district boundary and Sphere of Influence (SOI) would be coterminous. From the intersection of Dyerville Loop Road and Elk Creek Road, the proposed boundary extends:

- West approximately five miles along Elk Creek Road to Humboldt Redwoods State Park;
- North along Dyerville Loop Road approximately 2.7 miles to point where Devils Elbow Creek meets the Middle Fork Eel River;
- South along Dyerville Loop Road about 4.7 miles almost to the point where Barnum Road hits Dyerville Loop Road; and
- East from the southern extent of Dyerville Loop Road approximately 3 miles along Eel Rock Road to Eel Rock and the Middle Fork Eel River.

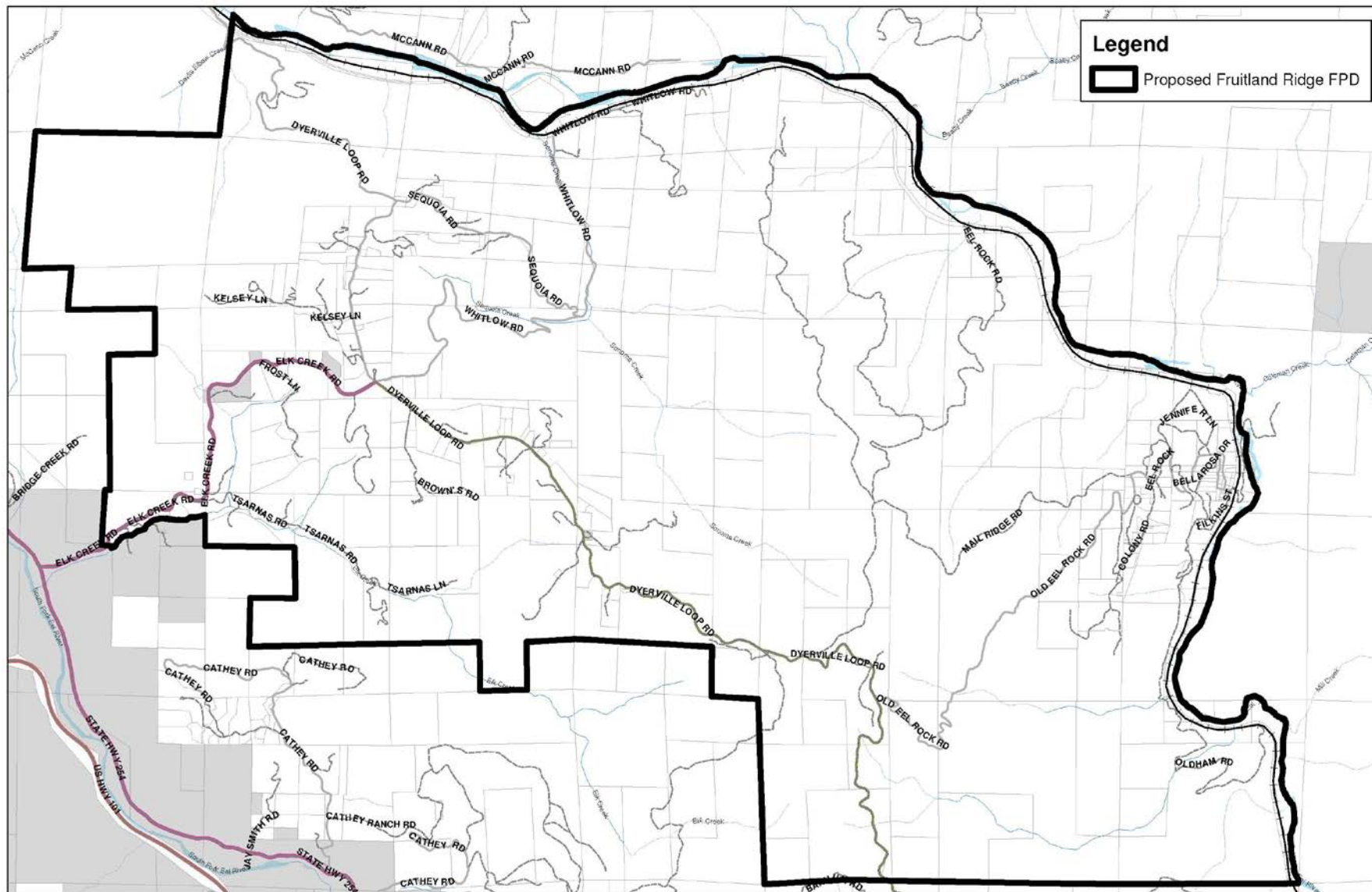
Prominent developments within the proposed Fruitland Ridge FPD boundaries include the rural Fruitland Ridge community, which is generally located along Dyerville Loop Road between Sequoia Road and Eel Rock Road and the Eel Rock community located along the Middle Fork Eel River at the end of Eel Rock Road. Other than wineries and agricultural structures, there are no commercial structures within the proposed district boundaries.

There are two special districts located within the proposed district boundaries, the Humboldt Resource Conservation District and the Southern Humboldt Community Healthcare District. Neither of these districts would be affected by the formation of the Fruitland Ridge FPD.

The Myers Flat FPD and the Miranda CSD are the closest fire-related districts and they are located one and two miles from the proposed boundaries, respectively. Both agencies have "status quo" Spheres of Influence (SOI), meaning that the SOI is coterminous with the district boundaries. Therefore, the proposed Fruitland Ridge FPD boundaries would not conflict with the SOI of a local agency providing fire protection services.

Humboldt County provides general government, law enforcement, public health, emergency management, and road and drainage maintenance services to the proposed district formation area. These services and funding for these services would not be affected by the proposed district formation.

Figure 1 Fruitland Ridge Fire Protection District Boundary and Sphere of Influence





## **Population and Projected Growth**

According to the Census of 2000 and 2010, the Fruitland Ridge area has decreased in population and gained housing units. The 2010 and 2000 Census Blocks do not have identical boundaries, which makes it difficult to accurately calculate population growth. Based on the 2000 Census Blocks that are located entirely within the proposed Fruitland FPD boundaries and that match the 2010 Census Blocks, the population of the Fruitland Ridge area decreased by over 20 percent in the last ten years, and the number of housing units has increased by almost ten percent. Rather than indicate a significant change in population within the Fruitland Ridge area, these data more likely reflect a Census undercount, which is common in rural areas.

Based on the 2010 Census, the proposed Fruitland Ridge FPD includes a population of 327 residents and 195 total housing units. The average density of Census Blocks that are within the proposed distinct boundaries is 0.014 persons per acre and the average density of housing units is 0.008 housing units per acre. Per capita assessed valuation is approximately \$108,060.

In spite of the decrease in population indicated by the U.S. Census, new development within the proposed district boundaries is expected to occur into the future at existing county-wide rates, which would likely range from 0.25 to 1.0 percent per year. Significant growth during the next ten years is not likely to occur.

All properties within the proposed district boundaries utilize on-site water and wastewater systems, which limits the maximum density of development. In addition, the Humboldt County Framework General Plan and Zoning Maps identify most land within the proposed district boundaries for timber production and grazing activities. However, rural residential uses (vacant and improved) occupy a significant portion of the proposed district boundaries according to the Assessor.

Given uncertainties regarding past and future growth for the proposed district, future district population has been estimated using a conservative growth rate of 1.0 percent per year. Assuming this growth rate and the Census 2010 population, the population of the proposed Fruitland Ridge FPD could reach approximately 415 by the year 2030, or an increase of nearly four new residents per year. Therefore, the demand for fire protection service within the proposed district boundaries is not expected to change significantly over the next 20 years.

## **Disadvantaged Unincorporated Communities**

State law requires identification and analysis of service issues within Disadvantaged Unincorporated Communities (DUCs) as part of MSR and SOI reviews. DUCs are defined as inhabited territory that constitutes all or a portion of a community with an annual median household income that is less than 80 percent of the statewide annual household income (MHI). The Fruitland community area consisting of the proposed General Plan Update Rural Community Center boundary, which generally follows parcels lines comprising the core of the community, qualifies as a DUC. There are currently no local agency service providers in Fruitland that provide water, sewer, or fire protection services. However, the formation of the Fruitland Ridge FPD would establish a long-term revenue source to support the continued delivery of fire protection services by the Fruitland VFC. This is critical for the continued provision of fire protection services to the Fruitland community.

## Existing and Planned Uses

Prominent developments within the proposed Fruitland Ridge FPD boundaries include the rural Fruitland Ridge community, which is generally located along Dyerville Loop Road between Sequoia Road and Eel Rock Road and the Eel Rock community located along the Middle Fork Eel River at the end of Eel Rock Road. This area also includes vineyards located along Dyerville Loop Road. There are no commercial structures within the proposed district boundaries.

Land uses within the proposed Fruitland Ridge FPD boundaries are subject to the Humboldt County Framework General Plan, Volume I, and Zoning Regulations (Humboldt County Code Title III, Division 1). The following describes the land within the Fruitland VFC response area and proposed district boundaries and displays information according to land use type (based on Assessor's Use Code data), Zoning Classification, and General Plan Designation.

### Land Use Activity

Given the spread-out nature of development in rural Humboldt County, vacant and improved timber land is the most predominant land use activity. The following is a summary of the land uses within the proposed district boundaries based on the Assessor's Use Codes.

**Table 1.** Land Uses Based on Assessor's Use Code

<i>Land Use Type</i>	<i>Parcels</i>	<i>Acres</i>	<i>% of Total</i>
Improved Residential < 5 acres	81	550.3	4.3%
Vacant Residential < 5 acres	81	521.3	4.1%
Improved Residential 5 - 100 acres	53	1,032.0	8.1%
Vacant Residential 5 - 100 acres	23	412.9	3.2%
Improved Timber Production	36	2,099.1	16.5%
Vacant Timber Production	76	7,786.7	61.2%
Mobile Home	15	142.8	1.1%
Public or Exempt	25	172.0	1.4%
Roads or Other	1	13.9	0.1%
Total	391	12,730.9	100.0%

Source: Humboldt County Community Development Services Geographic Information System.

Land Use Type based on Humboldt County Assessor's Use Codes.

Note: Acreage based on parcel acres in the Land Information System and some parcels extend across the Middle Fork Eel River, outside the proposed district boundaries.

### General Plan

The General Plan designates approximately 60 percent of the proposed district as Timber Production (land that is primarily suitable for the growing, harvesting and production of timber), 22 percent Agriculture Grazing (non-prime lands that are used or contribute to agriculture production), 13 percent Agricultural Rural (Outside of Urban/Rural Community Centers areas, few public services required. Large lot areas on slopes generally less than 30 percent. Timber or agricultural land allowing intensive management opportunities) and five percent Agriculture Lands (remote, steep and high natural hazards areas appropriate for marginal timber, grazing, mining and quarrying, recreational areas, watershed and wildlife areas, occasional rural residences). There is approximately 63 acres of land planned Rural Community Center, which contains the Fruitland VFC fire station. Most of the developed areas of the proposed Fruitland Ridge FPD are planned Agricultural Rural.

**Table 2.** General Plan Land Use Designations

<i>Land Use Designation</i>	<i>Acres</i>	<i>% of Total</i>
Agriculture Grazing	2,744.5	21.7%
Agricultural Lands	633.7	5.0%
Agricultural Rural	1,766.0	13.9%
Public	35.4	0.3%
Rural Community Center	62.8	0.5%
Timber Production	7,423.3	58.6%
Total	12,665.7	100.00%

Source: Humboldt County Community Development Services Geographic Information System.

### **Zoning**

Approximately 76 percent of the land within the proposed district is zoned Agriculture Exclusive or Timber Production Zone. Approximately 22 percent of land within the proposed district is zoned Unclassified (areas that have not been sufficiently studied to justify precise zoning classifications). Most development is located on land zoned Unclassified or Timber Production.

**Table 3.** Zoning Classifications

<i>Zone Classification</i>	<i>Acres</i>	<i>% of Total</i>
Agriculture Exclusive	1,084.4	8.56%
Agriculture General	20.6	0.16%
Rural Residential Agriculture	55.8	0.44%
Timberland Production Zone	8,603.7	67.93%
Unclassified	2,901.2	22.91%
Total	12,665.7	100.00%

Source: Humboldt County Community Development Services Geographic Information System.

### **Infrastructure and Services**

As described above, the formation of the Fruitland Ridge FPD would not change the delivery of fire protection services to the community but does have potential to establish more reliable funding for those services. Potential revenues that may be available to the new district would be used to maintain current service levels and allow the Fruitland VFC to improve the level of fire protection and emergency medical services in the future. The Fruitland VFC would continue to provide volunteer staffing for fire protection services on behalf of the Fruitland Ridge FPD.

### **Service Demand**

The Fruitland VFC is a participant in the countywide fire protection mutual aid agreement and is a member of the Humboldt County dispatch cooperative. The Fruitland VFC provides fire suppression, emergency medical services (in general, a majority of fire department calls for service are emergency medical), auto extrication, hazardous materials, and general public assistance responses.

Calls for service in the Fruitland Ridge area typically range from 15 to 30 per year. Typically between 30 and 50 percent of fire department's calls are emergency medical in nature. The Fruitland VFC responded to approximately 23 calls for service in 2013, of which almost 50 percent were fires of various types and over one-third were medical related (vehicle accident, public assist, and medical).

**Table 4.** Calls for Service

<i>Call Type</i>	<i>2010</i>		<i>2011</i>		<i>2012</i>		<i>2013</i>	
	<i>Calls</i>	<i>Calls</i>	<i>Calls</i>	<i>%</i>	<i>Calls</i>	<i>%</i>	<i>Calls</i>	<i>%</i>
Structure Fire	0	0%	0	0%	1	4%	1	4%
Vegetation Fire	5	36%	0	0%	8	31%	7	30%
Other Fires	0	0%	2	33%	2	8%	3	13%
Medical	6	43%	3	50%	8	31%	8	35%
Vehicle Accident	1	7%	0	0%	2	8%	3	13%
Public Assist	1	7%	0	0%	1	4%	0	0%
Hazardous Condition	1	7%	1	17%	4	15%	1	4%
Total Calls	14	100%	6	100%	26	100%	23	100%

Source: Humboldt County Fire Services Annual Reports, CAL FIRE-Fortuna Interagency Command Center.

### Personnel

Fire protection services for the Fruitland Ridge FPD are provided by the Fruitland VFC. The Fruitland VFC has eight active firefighters. Fruitland VFC firefighters have training, as indicated in the following table.

**Table 5.** Personnel and Training

<i>Personnel</i>	<i>Number</i>
Reserve	20
Volunteer	8
Total	<b>8</b>
<i>Training Qualification</i>	<i>Number*</i>
Fire Fighter I or above	3
Wildland (CICCS)	5
First Responder (Medical)	2
EMT	1
Paramedic	0
HazMat First Responder Ops.	0
Rope Rescue	0
Swift Water Rescue	0
Fire Investigation & Prevention	0

\* Members trained to level

### Emergency Medical Services

The Fruitland VFC currently has one firefighter trained to the Emergency Medical Technician and two firefighters trained to the First Responder level. The North Coast Emergency Medical Services Agency (North Coast EMS) establishes certifications, scopes of practice, and procedures for departments responding to medical emergencies. North Coast EMS maintains Memorandums of Understanding (MOUs) with First Responder Basic Life Support (BLS) and First Responder Advanced Life Support (ALS) departments. The Fruitland VFC is a BLS service provider.

The proposed Fruitland Ridge FPD boundaries are served by City Ambulance of Garberville (20 miles away from the western edge of the proposed district boundary) and it is the same distance to the nearest hospital (Jerold Phelps Community Hospital in Garberville) and approximately 35 miles to the closest comprehensive Emergency Department (Redwood Memorial Hospital in Fortuna). As a result, the Fruitland VFC plays a critical role in that it provides rapid response, carries out BLS medical interventions, and has patients ready for transport when ambulance personnel arrive.

**Current Infrastructure and Facilities**

The Fruitland VFC operates from one fire station located 75 Kelsey Lane near its intersection with Dyerville Loop Road. The fire station houses a fire engine, rescue vehicle, and water tender.

**Table 6.** Facilities and Apparatus

<i>Station</i>	<i>Address</i>	<i>Apparatus (seats)</i>	<i>Year</i>	<i>Type</i>	<i>Pump (GPM)</i>	<i>Tank (Gal)</i>
1	Fruitland Ridge 75 Kelsey Lane	E-6226 (3)	1974	II	450	900
		T-6262 (2)	1994	VI	250	2,250
		R-6271	1984	VII		

**Facilities and Apparatus Transfer**

All equipment and apparatus that are owned by the Fruitland VFC would be transferred to the Fruitland Ridge FPD upon formation. The Fruitland VFC holds a grant deed (Book 281 of Deeds Page 40) for the fire station located at 75 Kelsey Lane (assessed value of land \$13,486 and assessed value of improvements \$24,745), which is to be transferred for nominal amount plus costs associated with the transfer to the Fruitland Ridge FPD.

**Maintenance Schedule**

The proposed Fruitland Ridge FPD would not be required to make immediate improvements to fire protection service infrastructure to maintain the current level of service. However, apparatus and equipment replacement needs and ongoing training needs would be required to ensure the level of service does not decline. Over time and with the benefit of the proposed special tax, the Fruitland Ridge FPD would hope to effectively manage recurring costs, such as those associated with insurance, utilities, fuel, and disposable equipment. In addition, the Fruitland Ridge FPD would establish funds to provide training, regularly replace personal protective equipment, and to replace equipment and apparatus.

**Financing**

**Current Revenues and Expenditures**

The Fruitland Ridge FPD is being formed as a means to establish a dependable long-term source of revenue to support the Fruitland VFC into the future. The Fruitland VFC currently supports its fire protection operations through fundraising and donations. The Fruitland VFC reports annual average revenue of approximately \$3,500 and expenses of approximately \$8,800. However, the past five years have been funded by savings generated by previous large fundraiser events (Reggae on the River). This income resource dissolved five years ago.

**Table 7.** Fruitland VFC Average Revenues and Expenditures

<b>Expense</b>	<b>3-Year Average</b>
Liability/Vehicle Insurance	\$3,500
Worker’s Comp Ins	\$1,400
Utilities	\$900
Fuel	\$1,200
Office Expenses	\$300
Equipment Maintenance	\$500
Medical Equipment	\$500
Fundraising Activities	\$500
Misc.	\$100
911 Dispatch Services	\$300
<b>Total</b>	<b>\$ 8,800</b>
<b>Revenue</b>	<b>\$ 6,000</b>

**Proposed Budget**

Presently there is no government agency that provides year-round community fire protection services to the Fruitland Ridge area and therefore there are no government costs or controls in place for such services in this area. The Fruitland Ridge VFC has estimated that ongoing fire protection services can be sustained with a voter-approved special tax that would generate approximately \$21,000 per year and would be apportioned to property at a maximum rate of \$60 per parcel per year.

To account for inflation the special tax may be increased by as much as five percent per year. Cost inflators, or cost of living increases, are commonly included in special tax initiatives in an attempt to keep special tax revenue equal with general cost increases in the economy. Fire protection service costs typically increase faster than inflation because FPDs are required to keep pace with new state and federal standards and regulations. In order to increase the tax amount, the District Board would need to carry out a vote during a regularly noticed hearing. The FPD would likely take up any cost of living increase as part of their budget process.

In addition, the Fruitland Ridge FPD would establish procedures for implementing a Hardship Exemption, to allow landowners who fall within the U.S. Department of Housing and Urban Development guidelines for “very low” or “poverty level” income to apply annually for a partial or complete exemption from the tax.

The establishment of the proposed special tax would equitably distribute the cost of fire protection services to all residents and landowners. The special tax would be approved by the voters prior to its levy on real property within the proposed district, and would be collected by Humboldt County. The Fruitland Ridge FPD Board of Directors would be required to adopt an annual budget and administer its funds consistent with Fire Protection District Law and budgeting, accounting, and reporting procedures for special districts in California.

The following is a proposed budget for the Fruitland Ridge FPD. Items in the budget are based on past expenditures of Fruitland VFC (1980 to present) as well as estimated amounts for equipment and reserve funds.

**Table 8.** Fruitland Ridge FPD Proposed Budget

<b>Item</b>	<b>Notes</b>	<b>Amount</b>
Dispatch Expenses	911 services	\$350
Memberships & Dues	CSFA, HCFA, SOHUMFCA	\$250
Meetings/Travel	24 Chief's meetings annually	\$500
Fuel		\$1,200
Training		\$750
Utilities		\$600
Insurance	Liability and Workmen's Comp	\$4,900
Administrative Expense/Office Supplies	Newsletters, mailings	\$300
Supplies		\$1,200
Repairs		\$2,000
Reserve		\$6,000
Equipment & Apparatus Fund		\$3,000
<b>Total</b>		<b>\$21,050</b>

### **Accountability and Governance**

Fire protection districts are granted powers by the State of California, pursuant to the Fire Protection District Law (Health and Safety Code Section 13800, et seq.), to carry out the functions designated in the petition for formation and any additional services approved by the board of directors. Services to be provided by the Fruitland FPD include fire suppression, rescue, basic life support emergency medical services, and any other services relating to the protection of lives and property.

The proposed Fruitland Ridge FPD would be governed by a three (3) member board of directors who would be elected by the registered voters within the district and would serve four year terms of office. The board of directors would be required to meet at least once every three months and would have the authority to establish and enforce rules and regulations for the administration, operation, and maintenance of services provided.

The initial election of board members would occur with the election to confirm formation of the Fruitland FPD and special tax held by Humboldt County pursuant to the Uniform District Election Law. Once elected, the board members would be required to meet within 60 days of the effective date of the formation of the FPD. The board of directors would ultimately be required to hold duly noticed public hearings and establish procedures by ordinance to administer the special tax and hardship exemption, and file such ordinance with LAFCo.

**Table 9.** Contact Information

Contact:	Mike Lake, Fire Chief
Mailing Address:	360 Whitlow Road, Myers Flat, CA 95554
Phone Number:	(707) 943-3402
Types of Services:	Fire Suppression; Rescue Services; Basic Life Support
Population Served:	338 residents (2010 Census)
Size of Service Area:	12,671 acres
Number of firefighters:	8 volunteer, 20 reserve

# MUNICIPAL SERVICE REVIEW DETERMINATIONS

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Government Code Section 56430 requires LAFCo to conduct a municipal service review before, or in conjunction with an action to establish or update a sphere of influence. Written statements of determination must be prepared with respect to each of the following:

## **(1) Growth and population projections for the affected area.**

The proposed Fruitland Ridge FPD boundaries include an estimated population of 338 residents and 199 total housing units (2010 Census). New development within the proposed district boundaries is expected to occur into the future at existing county-wide rates, which range from 0.25 to 1.0 percent per year. Assuming a conservative growth rate of 1.0 percent per year and the Census 2010 population, the population of the proposed Fruitland Ridge FPD could reach approximately 417 by the year 2030, or an increase of nearly four new residents per year. Therefore, the demand for fire protection service within the proposed district boundaries is not expected to change significantly over the next 20 years.

## **(2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere.**

The Fruitland Ridge community area consisting of the proposed General Plan Update Rural Community Center boundary, which generally follows parcels lines comprising the core of the community, qualifies as a DUC. There are currently no local agency service providers in the Fruitland Ridge area that provide water, sewer, or fire protection services. However, the formation of the Fruitland Ridge FPD would establish a locally elected governing body and a long-term revenue source to support the continued delivery of fire protection services by the Fruitland VFC.

## **(3) Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.**

The proposed Fruitland Ridge FPD boundaries reflect the current response area of the Fruitland VFC. The fire protection and emergency response services provided by the Fruitland VFC are currently supported by the community and volunteer firefighters themselves, fundraising, donations, and grants when available. The formation of the district would serve to establish a long-term dependable source of revenue (special tax) that is not dependent upon the availability of grant funds or the availability of volunteers to devote time to fundraising activities.

The proposed change in organization would serve to stabilize the delivery of fire protection services to the Fruitland Ridge area. The proposed Fruitland Ridge FPD would not be required to make improvements to maintain the current level of service. Over time and with the benefit of the proposed special tax, the Fruitland Ridge FPD would effectively manage recurring costs, such as those associated with insurance, utilities, fuel, and equipment. In addition, the Fruitland Ridge FPD would have a source of funding to increase the level of on-site training in Fruitland Ridge, regularly replace personal protective equipment, and upgrade equipment and apparatus. This would serve to improve the level of fire protection and emergency response services in the future, through the combined efforts of the Fruitland Ridge FPD and VFC.

## **(4) Financing ability of agencies to provide services.**

No local agencies would be subject to fiscal impacts as a result of the formation of the proposed Fruitland Ridge FPD. The Fruitland Ridge FPD would not be eligible to receive property tax revenue or any other current revenue source that is utilized by local agencies whose



boundaries are within the boundaries of the proposed district, such as sales tax, vehicle license fees, impact fees, or service charges. Nor would the formation of the proposed Fruitland Ridge FPD affect the existing service responsibilities of any other local agency. The proposed Fruitland Ridge FPD would seek voter approval of a new special tax that would generate approximately \$21,000 per year and be used exclusively for fire protection purposes. The Fruitland Ridge FPD Board of Directors would be required to adopt an annual budget and administer its funds consistent with Fire Protection District Law and budgeting, accounting, and reporting procedures for special districts in California.

**(5) Status of and, opportunities for, shared facilities.**

The proposed Fruitland Ridge FPD would maintain the fire protection services that are currently provided by the Fruitland VFC. The Fruitland VFC is a participant in the countywide fire protection mutual aid agreement and is a member of the Humboldt County dispatch cooperative. The Myers Flat FPD and the Miranda CSD are the closest fire related districts and they are located one and two miles from the proposed boundaries, respectively. CAL FIRE provides seasonal wildland fire protection services throughout State Responsibility Area (100 percent of the proposed Fruitland Ridge FPD is State Responsibility Area). CAL FIRE may respond to other types of calls for service if they are available.

**(6) Accountability for community service needs, including governmental structure and operational efficiencies.**

The proposed action would maintain and enhance fire protection to the Fruitland Ridge area provided by the Fruitland VFC by establishing ongoing funding support through tax revenue from the local community and by establishing a Board of Directors that is elected by the registered voters within the community served by the district. The proposed action would support the mutual social and economic interests of the Fruitland Ridge community by sustaining community-based fire protection services and establishing local governance for such services.

**(7) Any other matter related to effective or efficient service delivery, as required by commission policy.**

The topography, natural boundaries, and drainage basins of the Fruitland Ridge area were considered in the development of the proposed Fruitland Ridge FPD boundaries. These factors determine the areas that are accessed, or served, by the Fruitland VFC, or that are served by adjacent fire departments. The proposed Fruitland Ridge FPD boundaries reflect the current and planned service area of the Fruitland VFC. The Sphere of Influence (SOI) for the proposed Fruitland Ridge FPD is proposed to be coterminous with the district boundaries.

# SPHERE OF INFLUENCE DETERMINATIONS

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Government Code Section 56425 specifies that in determining the Sphere of Influence of each local agency, the Commission shall consider and prepare a written statement of its determinations with respect to each of the following:

**(1) The present and planned land uses in the area, including agricultural and open-space lands.**

The proposed Fruitland Ridge FPD boundaries and coterminous SOI reflect the current and planned service area of the Fruitland VFC. Within the proposed Fruitland Ridge FPD boundaries, the General Plan designates approximately 60 percent Timber Production, 22 percent Agriculture Grazing, 13 percent Agricultural Rural, and five percent Agriculture Lands. It is common throughout Humboldt County that rural populations are dispersed within and around agriculture and timber land; therefore, the logical boundaries for fire protection districts would include such lands.

**(2) The present and probable need for public facilities and services in the area.**

The formation of the Fruitland Ridge FPD would not change the delivery of fire protection services provided by the Fruitland VFC. Potential revenues that may be available to the new district upon approval of the proposed Fruitland Ridge FPD (such special taxes or other new revenues) would be used to support the maintenance of current service levels and could allow the Fruitland VFC to improve the level of fire and emergency medical services in the future.

**(3) The present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.**

Although, the proposed Fruitland Ridge FPD would not be required to make improvements to maintain the current level of service, upgrades to apparatus and equipment would be required to ensure the level of service does not decline. As such, the special tax revenue would exceed current annual revenue for the Fruitland VFC and could be used, in conjunction with fund raising and grants, to expand service capacity in the event that the future demand for services increases.

**(4) The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.**

The proposed Fruitland Ridge FPD would support the mutual social and economic interests of the Fruitland Ridge community by sustaining community-based fire protection services and establishing local governance for such services. In addition, the Fruitland Ridge FPD would be the first local agency within the Fruitland Ridge community and could provide a forum for broader community organization and discourse.

**(5) The present and probable need for public facilities and services of any disadvantaged unincorporated communities within the sphere of influence.**

The Fruitland Ridge community area consisting of the proposed General Plan Update Rural Community Center boundary, which generally follows parcels lines comprising the core of the community, qualifies as a DUC. There are currently no local agency service providers in the Fruitland Ridge area that provide water, sewer, or fire protection services. However, the formation of the Fruitland Ridge FPD would establish a locally elected governing body and a long-term revenue source to support the continued delivery of fire protection services by the Fruitland VFC.

## REFERENCES

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1. Application to Humboldt LAFCo. Fruitland Ridge Fire Protection District Formation. 2015.
2. Humboldt County General Plan Update. Community Infrastructure and Services Technical Report, Preliminary Draft, October 2007.  
<http://co.humboldt.ca.us/planning/gp/gpdemo/GPU-TOC-Demo3.htm#ch7>
3. Fruitland Ridge Fire Protection District Proposed Budget.
4. Plan for Service. 2015. Fruitland Ridge Fire Protection District Formation.

**RESOLUTION NO. 11-10****RESOLUTION OF APPROVAL TO FORM THE  
FRUITLAND RIDGE FIRE PROTECTION DISTRICT**

WHEREAS, a registered voter petition initiating the formation of the Fruitland Ridge Fire Protection District pursuant to the Fire Protection District Law of 1987 (California Health and Safety Code Section 13800-13970) and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) was filed with the Humboldt Local Agency Formation Commission (LAFCo); and

WHEREAS, the reasons for the proposal are to: 1) establish a fire protection district to support the continued operation of the Fruitland Volunteer Fire Company on behalf of the Fruitland Ridge FPD that would make available the benefits and authorities contained in the Fire Protection District Law of 1987; 2) establish an elected board of directors to manage the delivery of fire protection services to the community; 3) establish formal boundaries within which fire protection services can be adequately delivered and that clearly define the service responsibilities of the Fruitland Ridge Volunteer Fire Department on behalf of the Fruitland Ridge FPD, for the benefit of fire service providers, land use authorities, the public, and other service providers; and 4) provide the authority to establish revenue sources that can support the delivery of fire protection services that the residents of the Fruitland Ridge FPD can rely upon into the future; and

WHEREAS, the petition complied with the signature requirements in accordance with Health and Safety Code Section 13818; and

WHEREAS, the Executive Officer provided sufficient notice of the public hearing by the Commission in accordance with Government Code Section 56661; and

WHEREAS, the Executive Officer's report and recommendations on the proposal were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at public hearings held on the proposal on March 18, 2015 and May 20, 2015; and

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

**NOW, THEREFORE, BE IT RESOLVED** as follows that:

1. The Commission's determinations on the proposal incorporate the information and analysis provided in the Executive Officer's written report.

2. The Commission as Lead Agency hereby determines that proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment – where the activity is the establishment of a district boundary and a funding source for a fire service provider that has provided service for 30 years, that does not involve development or a change in the manner for which an existing service is provided. The Commission directs the Executive Officer to file a Notice of Exemption with the Humboldt County Clerk.
3. The Commission approves the proposal, subject to confirmation of the voters and upon the terms and conditions stated herein.
4. The proposal is assigned the following distinctive short-term designation: Formation of the Fruitland Ridge Fire Protection District.
5. The proposal includes all the territory within the boundaries as shown on the map and geographic description contained in Exhibit "A", and incorporated by reference herein.
6. The initial three (3) member Board of Directors shall be chosen by an at-large election.
7. Pursuant to Government Code Section 56425, the Commission concurs with the determinations outlined in the Municipal Services Review.
8. The Municipal Services Review for the Fruitland Ridge FPD is hereby adopted.
9. The Sphere of Influence boundary for the Fruitland Ridge FPD, to be coterminous with the FPD boundary, is hereby approved.
10. The financing plan for the Fruitland Ridge FPD, as submitted in the Application and Plan for Service, is adequate to maintain fire protection services currently provided by the Fruitland VFC, contingent on a special tax being approved by registered voters within the proposed district boundaries.
11. The special tax, if approved, would be apportioned to property at a rate of \$60 per parcel.
12. The special tax shall not become effective unless approved by two-thirds (2/3) of the votes cast by voters voting upon the measure within the proposed district boundaries, and shall become effective immediately upon voter approval.
13. The special tax shall not apply to parcels owned by a federal or state governmental agency or another local agency.

14. If approved, the special tax set forth above shall be collected annually by the County of Humboldt in the same manner and subject to the same penalties as other taxes collected by the County.
15. The special tax shall be used by the Fruitland Ridge FPD for fire protection services and tax proceeds received shall be placed in an account created for that purpose.
16. The Fruitland Ridge FPD shall file an annual report regarding the use of the tax proceeds as required by Government Code Section 50075.3.
17. The Fruitland Ridge FPD shall establish procedures for implementing a Hardship Exemption, to allow landowners who fall within the U.S. Department of Housing and Urban Development guidelines for "very low" or "poverty level" income to apply for a partial or complete exemption from the tax.
18. The special tax may be adjusted by the Fruitland Ridge FPD at the beginning of each fiscal year, commencing January 1, 2017, following a public hearing, by no more than the cost of living as determined by the Consumer Price Index (CPI) of the San Francisco-Oakland-San Jose area prepared by the United States Bureau of Labor Statistics or similar indicator of inflation that may come into common and widespread use, not to exceed five percent.
19. The provisional appropriations limit to be submitted to voters as a special tax shall be submitted to Humboldt LAFCo for review prior to election. The permanent appropriations limit shall be based on costs of a full fiscal year of operation.
20. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.
21. The LAFCo Executive Officer is directed to initiate protest proceedings pursuant to the California Government Code (commencing with §57000) in compliance with this resolution.

**CONDITIONS OF APPROVAL** for formation of the Fruitland Ridge FPD shall be as follows:

1. The formation of the Fruitland Ridge FPD shall be contingent upon the approval of the special tax by two-thirds (2/3) of the votes cast by voters voting upon the measure within the proposed district boundaries.
2. The Fruitland Ridge FPD Board of Directors shall hold duly noticed public hearings and establish procedures by ordinance to administer the special tax including exemptions that balance the needs of the District for funding and the burdens on property owners and file such ordinance with LAFCo.

The foregoing resolution was duly and regularly adopted by the Local Agency Formation Commission of the County of Humboldt, State of California.

**PASSED AND ADOPTED** at a meeting of the Humboldt Local Agency Formation Commission on the 20<sup>th</sup> day of May, 2015, by the following roll call vote:

AYES:           Commissioners:  
NOES:           Commissioners:  
ABSENT:        Commissioners:  
ABSTAIN:       Commissioners:

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Virginia Bass, Chair  
Humboldt LAFCo

Attest:

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George Williamson, Executive Officer  
Humboldt LAFCo