



AGENDA ITEM 7B

MEETING: March 18, 2015

TO: Humboldt LAFCo Commissioners

FROM: Colette Metz, Administrator

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

The Commission will receive an overview of a proposal, submitted by registered voter petition, to form a fire protection district in the Fruitland area. Staff is recommending the public hearing be continued to the May 20th LAFCo meeting to evaluate possible amendments to the proposal, 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.

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 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

A 21-day public hearing notice was mailed to all landowners and registered voters within 300 feet of the affected territory (Attachment A). The notice summarized the proposal and included a map of the subject territory, as well as information regarding the March 18th 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. As such, staff is recommending the public hearing be continued to the May 20th LAFCo meeting to evaluate possible amendments to the proposal, including: 1) responding to a request received from the Rolling Meadow Ranch to be included within the district boundaries, and 2) adding a contiguous parcel clause (similar to Bridgeville FPD). These possible amendments are discussed in more detail below.

Boundary Amendment Request

LAFCo received a letter from Andrew Machata, owner of Rolling Meadow Ranch requesting his property be considered for inclusion within the proposed boundaries of the Fruitland Ridge FPD (Attachment B). The Rolling Meadow Ranch is located across the Middle Fork Eel River from the proposed Fruitland Ridge FPD boundary and consists of approximately 7,000 acres that extends from the Middle Fork Eel River drainage to the upper Larabee Creek drainage near the Bridgeville FPD boundary. The Rolling Meadow Ranch is very sparsely populated and likely generates a very limited demand for structural fire protection services. Fruitland VFC has indicated they respond periodically to the McCann bridge area, but the Rolling Meadow Ranch, especially the eastern portion is outside of the department's typical response area. The ranch appears to be accessed from Dyerville Loop Road to the McCann Bridge and then south on McCann Road, but access would be limited during periods of high water in winter months when the McCann Bridge is flooded. Access to the eastern portion of the Rolling Meadow Ranch may also be available from the southern portion of the Bridgeville FPD; however, this area was not considered to be within that District's typical response area. A preliminary map showing the proposed boundary in relation to the requested expansion area is included in Attachment C.

Special Tax Provisions

Upon fire district formation approval, the Fruitland Ridge FPD would seek approval of a special tax that would generate approximately \$21,000 per year. Special tax revenues would adequately cover ongoing costs of providing service, such as those associated with insurance, utilities, fuel, and disposable equipment. In addition, the special tax revenue would help to provide improved training on-site in Fruitland Ridge (rather than require that firefighters travel to the Humboldt Bay area for training), regularly replace personal protective equipment, and replace equipment and apparatus. Items in the budget reflect past expenditures of Fruitland VFC (1980 to present) and estimated amounts for equipment and reserve funds. The following is a proposed budget for the Fruitland Ridge FPD.

Table: Proposed District Budget

Item	Notes	Amount
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
Total		\$21,050

A flat tax methodology of \$60 per parcel 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. Several large landholders have raised concerns about the associated cost for owning multiple properties. A contiguous parcel clause similar to what was included in the Bridgeville FPD formation approval is being considered for the proposed Fruitland Ridge FPD formation, as follows:

Contiguous Parcel Clause for Bridgeville FPD:

The Bridgeville FPD shall establish procedures to allow that any such parcels which are contiguous, undeveloped, held under identical ownership and used solely for agricultural grazing may, upon approval of an application of the owners thereof to the FPD Board, be treated as a single parcel for purposes of this special tax.

Subsequent to voter approval of the district formation and special tax, the Bridgeville FPD Board held duly noticed public hearings and established procedures by ordinance to administer the special tax and the above referenced exemptions that balanced the needs of the District for funding and the burdens on property owners. According to Ben Fleek, Bridgeville Fire Chief, approximately 10 property owners applied for the contiguous parcel exemption. However, it is important to note that the special tax in Bridgeville generates approximately \$40,000 per year, almost double what is proposed for the Fruitland Ridge FPD. Therefore, it will be important to evaluate the impacts to revenue any exemptions would have on the total proposed budget for Fruitland Ridge FPD.

C. RECOMMENDATION

This item has been agenized for consideration as part of a noticed public hearing. Staff recommends the public hearing be continued to the May 20th LAFCo meeting to further address possible boundary and special tax provisions.

Attachments

Attachment A: Mailed Hearing Notice

Attachment B: Rolling Meadow Ranch Letter

Attachment C: District Boundary Map



NOTICE OF HEARING FORMATION OF THE FRUITLAND RIDGE FIRE PROTECTION DISTRICT

NOTICE IS HEREBY GIVEN that the Humboldt Local Agency Formation Commission ("LAFCo" or "Commission") will hold a public hearing on March 18, 2015, at 9:00 a.m., or as soon thereafter as the matter can be heard, to consider the formation of the proposed Fruitland Ridge Fire Protection District (FPD). The hearing will be held in the Board of Supervisors Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California 95501, or to such date and time as it may be continued by LAFCo.

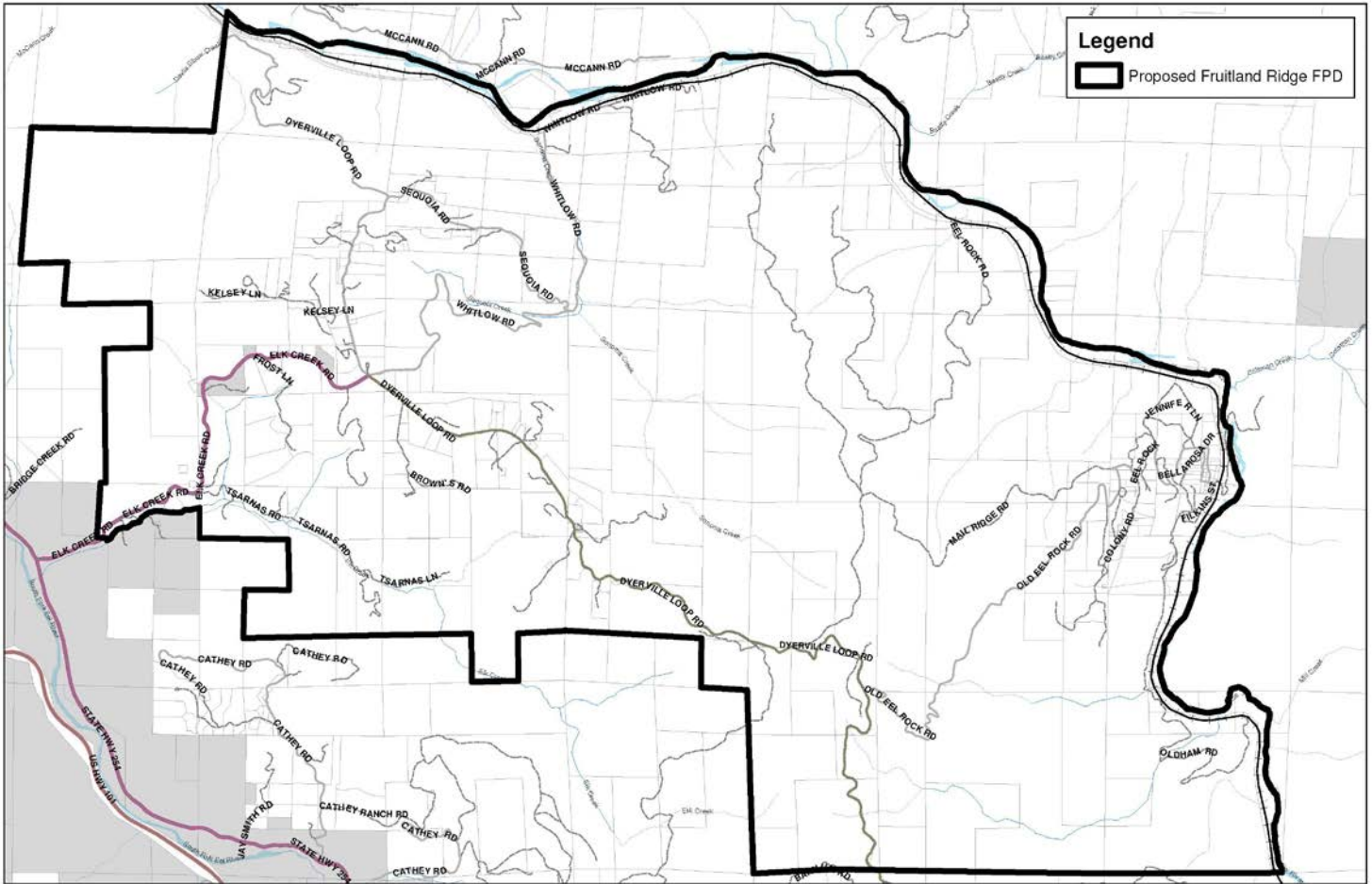
Proceedings for this district formation were initiated by petition of registered voters within the proposed district boundaries. See *Exhibit A* on reverse for a figure showing the exterior boundaries of the proposed district. The reasons for this proposal are to (1) establish a fire protection district 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.


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 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.

At said public hearing, the Commission will consider all oral and written testimony of any interested persons or affected agencies. Pursuant to state law, only issues raised at the public hearing described in this notice or in written correspondence delivered to the Commission at or prior to the public hearing may be raised in any legal challenge to Commission actions.

Please direct comments, questions, and requests to review documents to Humboldt LAFCo, 1125 16th Street, Suite 202, Arcata, CA 95521. Phone: (707) 445-7508. E-mail: administrator@humboldtlafo.org.

Note: State Law requires that LAFCo notify various parties, such as landowners and registered voters, both within and adjacent to the affected territory. For this reason, you may receive multiple copies of this notice.



 **HUMBOLDT**
Local Agency Formation Commission
1125 16th Street, Suite 202
Arcata, CA 95521

NOTICE OF HEARING

«NAME»
«ADDRESS»
«CITY», «STATE» «ZIP»

ROLLING MEADOW RANCH INC
3060 Airport West Drive
Vero Beach, FL 32960
772-299-3739
772-299-3789 fax

Humboldt LAFCo
1125 16th Street
Arcata, CA 95521

Re: Fruitland Ridge Fire Protection

Dear Humboldt LAFCo,

I own the 7,000 acre Rolling Meadow Ranch that is contiguous to the current proposed boundaries of the proposed fire district. I am requesting that my property be included in the district.

The ranch is made up of 83 parcels. There is almost no development on the property. There is an old barn, a shop and a very rough hunting cabin. I would hope that the formation language would provide for a discounted parcel fee for an owner with multiple parcels.

Access may seem a concern to some. I don't think that it is. From the fire station it is a short drive down Dyerville Loop Road to the McCann bridge and then south on McCann Road to the ranch. The only time access would be an issue is in the dead of winter when the McCann bridge is under water. The odds of a fire during that time is almost nil. We will provide keys to our gate for the district. We also have year around access from the Alderpoint Road.

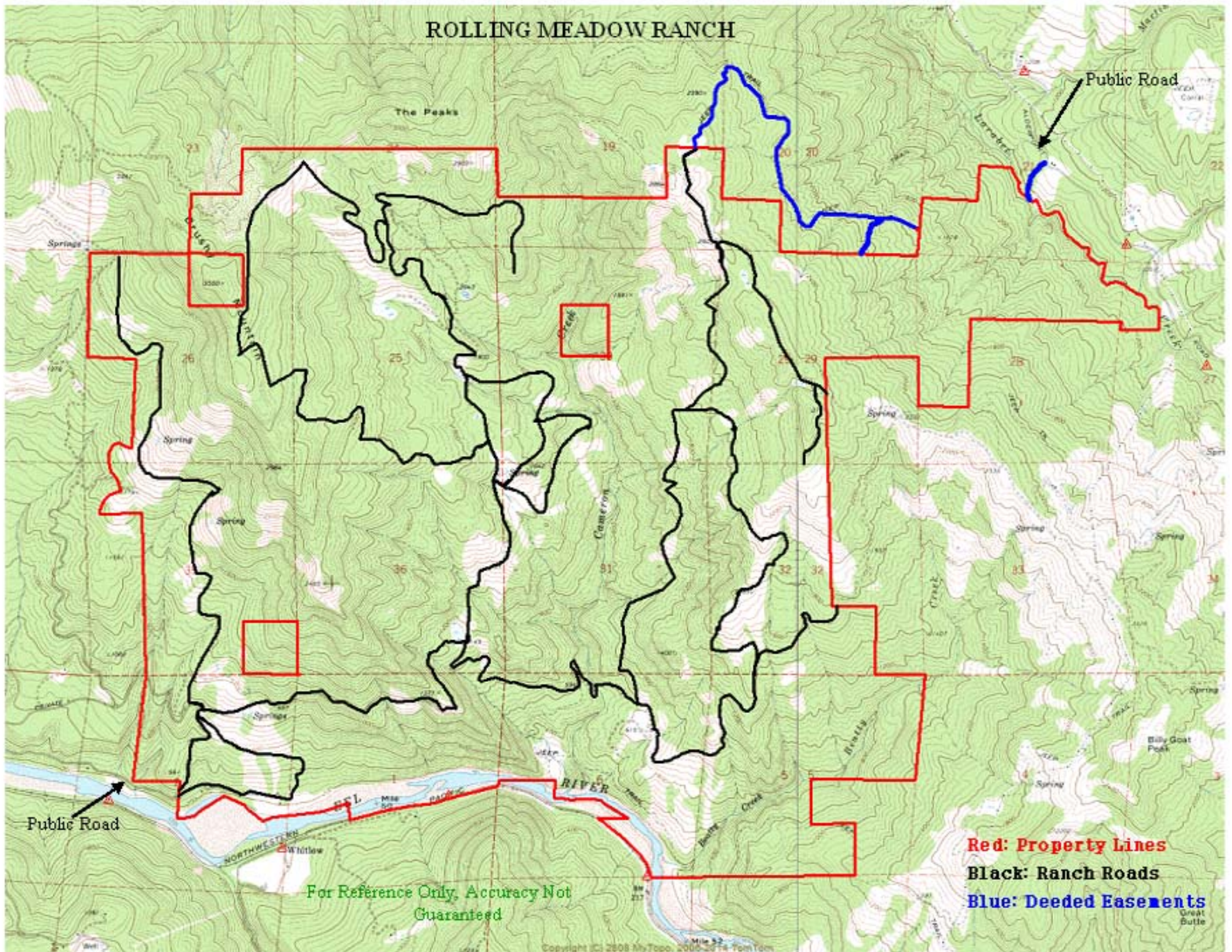
Sincerely,

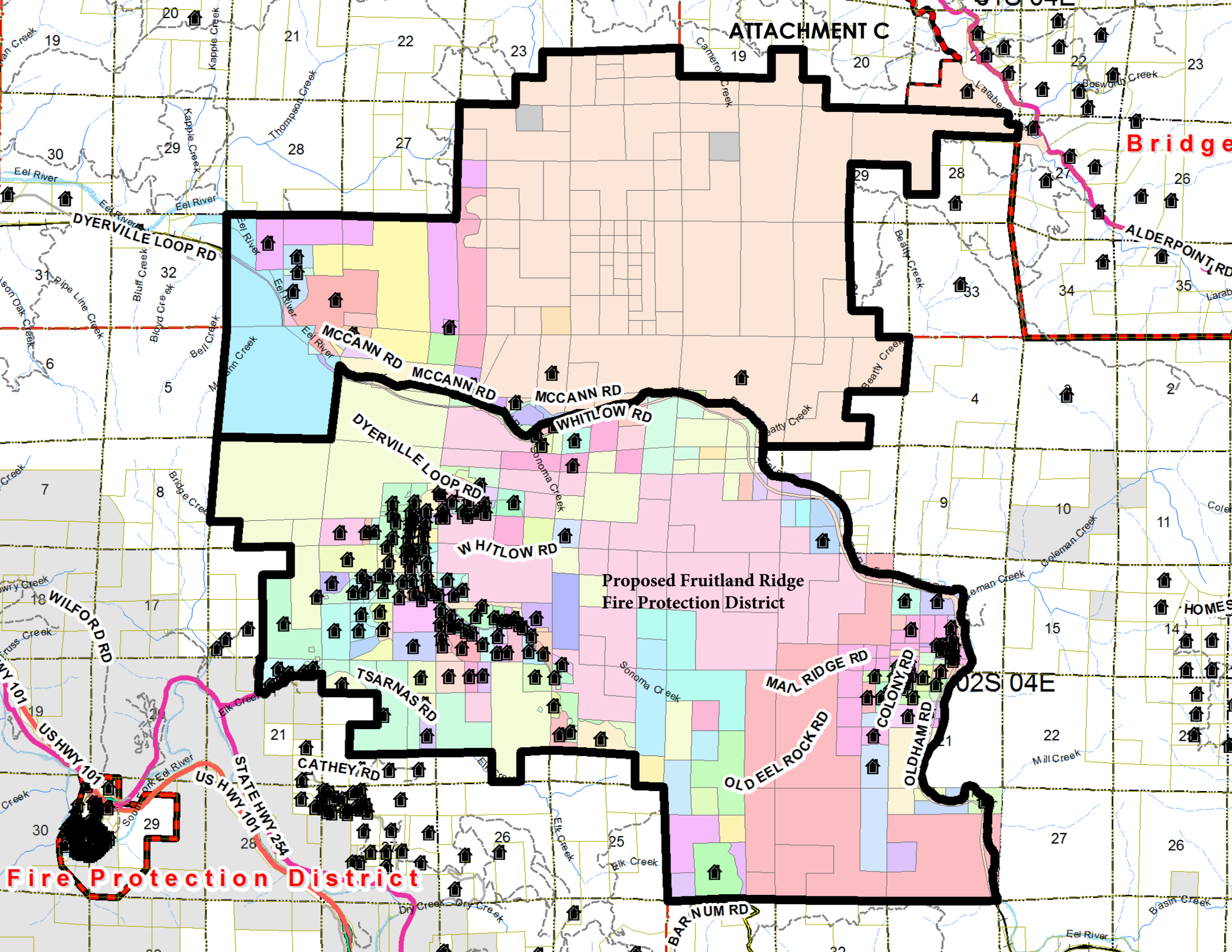


Andrew Machata

Rolling Meadow Ranch

ROLLING MEADOW RANCH





ATTACHMENT C

Bridge

ALDERPOINT RD

Proposed Fruitland Ridge
Fire Protection District

02S 04E

Fire Protection District