



**Local Agency
Formation Commission
of Santa Clara County**

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SantaClaraLAFCO.org

Commissioners

Rich Constantine
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Gary Kremen
Mike Wasserman
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Alternate Commissioners

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Cindy Chavez
Matt Mahan
Russ Melton
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Executive Officer
Neelima Palacherla

**COUNTYWIDE FIRE SERVICE REVIEW TAC MEETING #2 AGENDA
SPECIAL MEETING**

May 24, 2021 • 10:00 AM (PST)

Technical Advisory Committee (TAC) Members:

Appointed by LAFCO: Yoriko Kishimoto, Susan Vicklund Wilson

Appointed by Santa Clara County Fire Chiefs' Association: Chief Tony Bowden (Central Fire District), Chief Ruben Torres (City of Santa Clara), Chief Jim Wyatt (City of Gilroy)

Appointed by Santa Clara County/Cities Managers' Association: Carl Cahill (Town Manager, Los Altos Hills), James Lindsay (Town Manager, Saratoga), Christina Turner (Town Manager, Morgan Hill), Ed Shikada (Town Manager, Palo Alto & Alternate)

***** BY VIRTUAL TELECONFERENCE ONLY *****

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, this meeting will be held by teleconference only. No physical location will be available for this meeting. However, members of the public will be able to access and participate in the meeting.

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

PUBLIC ACCESS

Members of the public may access and watch a live stream of the meeting on Zoom at <https://sccgov-org.zoom.us/j/99598564348>. Alternately, the public may listen in to the meeting by dialing (669) 900-6833 and entering Meeting ID 99598564348# when prompted.

WRITTEN PUBLIC COMMENTS may be submitted by email to LAFCO@ceo.sccgov.org. Written comments will be distributed to the Commission as quickly as possible. Please note that documents may take up to 24 hours to be posted to the agenda on the LAFCO website.

SPOKEN PUBLIC COMMENTS will be accepted through the teleconference meeting. To address the Commission, click on the link <https://sccgov-org.zoom.us/j/99598564348> to access the Zoom-based meeting.

1. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
2. When the Chairperson calls for the item on which you wish to speak, click on "raise hand" icon. The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
3. When called, please limit your remarks to the time limit allotted.

NOTICE TO THE PUBLIC

1. Pursuant to Government Code §84308, no LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party, or his/her agent; or any participant or his /or her agent, while a LAFCO proceeding is pending, and for three months following the date a final decision is rendered by LAFCO. Prior to rendering a decision on a LAFCO proceeding, any LAFCO commissioner who received a contribution of more than \$250 within the preceding 12 months from a party or participant shall disclose that fact on the record of the proceeding. If a commissioner receives a contribution which would otherwise require disqualification returns the contribution within 30 days of knowing about the contribution and the proceeding, the commissioner shall be permitted to participate in the proceeding. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 within the preceding 12 months by the party, or his or her agent, to a LAFCO commissioner. For forms, visit the LAFCO website at www.santaclaralafco.org. No party, or his or her agent and no participant, or his or her agent, shall make a contribution of more than \$250 to any LAFCO commissioner during the proceeding or for 3 months following the date a final decision is rendered by LAFCO.
2. Pursuant to Government Code Sections 56100.1, 56300, 56700.1, 57009 and 81000 et seq., any person or combination of persons who directly or indirectly contribute(s) a total of \$1,000 or more or expend(s) a total of \$1,000 or more in support of or in opposition to specified LAFCO proposals or proceedings, which generally include proposed reorganizations or changes of organization, may be required to comply with the disclosure requirements of the Political Reform Act (See also, Section 84250 et seq.). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. More information on the scope of the required disclosures is available at the web site of the FPPC: www.fppc.ca.gov. Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).
3. Pursuant to Government Code §56300(c), LAFCO adopted lobbying disclosure requirements which require that any person or entity lobbying the Commission or Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. In addition to submitting a declaration, any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them. Additionally, every applicant shall file a declaration under penalty of perjury listing all lobbyists that they have hired to influence the action taken by LAFCO on their application. For forms, visit the LAFCO website at www.santaclaralafco.org.
4. Any disclosable public records related to an open session item on the agenda and distributed to all or a majority of the Commissioners less than 72 hours prior to that meeting are available for public inspection at the LAFCO Office, 777 North First Street, Suite 410, San Jose, California, during normal business hours. (Government Code §54957.5.)
5. In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the LAFCO Clerk 24 hours prior to the meeting at (408) 993-4705.

1. INTRODUCTIONS

2. PUBLIC COMMENTS

This portion of the meeting provides an opportunity for members of the public to address the Committee on matters not on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No action may be taken on off- agenda items unless authorized by law. Speakers are limited to THREE minutes. All statements that require a response will be referred to staff for reply in writing.

3. REVIEW AND DISCUSSION OF DRAFT SERVICE REVIEW DETERMINATIONS CRITERIA

4. REVIEW LIST OF FIRE / EMS ISSUES TO BE COVERED IN THE SERVICE REVIEW

5. DATA COLLECTION PROCESS AND TIMELINE

- a. Questionnaire / Request for Information
- b. Agency Interviews
- c. Data Compilation into Agency Profiles / Chapters
- d. Agency Verification of Compiled Data

6. REVIEW AND DISCUSS DRAFT COMMUNITY ENGAGEMENT PLAN

- a. Webpage for the 2021 Countywide Fire Service Review
- b. Community Survey
- c. Community Meetings

7. SET DATE & TOPICS FOR NEXT TAC MEETING

8. ADJOURN

**LAFCO's Countywide Fire Service Review
Draft Service Review Determinations Criteria**

Service Review Determinations Legal Requirements:

- Growth and population projections for the affected area;
- Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence (SOI);
- Present and planned capacity of public facilities; and adequacy of public services, and infrastructure needs or deficiencies, including infrastructure needs or deficiencies related to structural fire protection in any disadvantaged unincorporated communities within or contiguous to the SOI;
- Financial ability of agencies to provide services;
- Status of and opportunities for shared facilities;
- Accountability for community service needs, including governmental structure and operational efficiencies; and
- Any other matter related to effective or efficient service delivery, as required by commission policy.

Service Review Determinations Criteria:

In making required determinations for the fire service review for Santa Clara County fire agencies, CPSM will assess each agency in each category using the criteria described below.

Growth and population projections for the affected area

The amount and percent of population growth projected by the Association of Bay Area Governments between 2020 and 2040.

Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- Pursuant to GC 56033.5, a DUC in Santa Clara County is a community with an annual median household income that is less than 80% of the statewide annual median household income (i.e., less than \$60,188 per U.S. Census Bureau, 2015-2019 Five-Year American Community Survey) and where there reside twelve or more registered voters.

Present and planned capacity of public facilities and adequacy of public services, and infrastructure needs or deficiencies, including infrastructure needs or deficiencies related to structural fire protection in any disadvantaged unincorporated communities within or contiguous to the SOI

- The age and condition of existing stations as rated by department management.
- The age of current line apparatus in relation to the agency's apparatus replacement schedule.
- The number and distribution of stations and apparatus in the service area.
- The overall capacity of stations and apparatus to accommodate projected growth, assuming each apparatus can handle, on average, up to ten calls per shift.
- The extent to which the fire department meets locally established response performance standards for structure fire calls and County established standards for EMS calls.
- The extent of mutual/automatic aid received and provided.
- The number of Structure Fires within the service area and associated fire loss
- The number and extent of wildfires, including the amount of acreage involved and call durations.
- A determination as to whether Fire and EMS services are either unavailable or substandard in disadvantaged unincorporated communities within or contiguous to the SOI
- Incident Reporting: The accurate recording of call data and routine reporting on agency workload.

Financial ability of agency to provide services

- Department type: Municipal department, County-dependent district or independent district.
- Budget: The degree of stability in department expenditures and budgets between 2018-19 and 2021-22. Departments considered stable are those that experienced a reduction of not greater than 5% in expenditures between the four years.
- Staffing: The degree of stability in department staffing between 2018-19 and 2021-22.
- Apparatus replacement: Whether or not the agency has an apparatus replacement fund where annual contributions are made to provide for replacement purchases.

- Fund balance and reserves (for fire districts): the audited undesignated fund balance as of June 30, 2020 and the percent of annual operating expenses of the unreserved balance. A reserve of 15% to 25% is considered reasonable.

Status of and Opportunities for shared facilities

- Potential station consolidation: Where proximity of stations and call capacity of apparatus between stations within a single jurisdiction or within adjoining jurisdictions appear to support an evaluation of consolidation (one mile or less between stations and distribution of call volume among remaining apparatus is not greater than ten calls per shift).
- Deployment: The use of peak-period service units, cross-staffing of apparatus, posting or roving units and automatic move-ups.
- Determination if mutual aid or automatic response agreements could enhance service delivery options.
- Training: Whether the agency has a training facility and/or training program to potentially accommodate the training of other departments; identification of natural training partners.
- Wildfire mitigation efforts: Review the wildfire mitigation efforts, including the enforcement of needed abatement efforts.
- Apparatus maintenance: As all agencies are currently maintaining their own apparatus, this was identified as a possible universal shared facility/service.
- Communications: The compatibility of an agency's radio band/frequency with other departments in the county.

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

- The accountability chain as demonstrated in the reporting of performance outcomes between the fire department and the elected governing body.
- The agency's compliance with open meeting and public records laws, frequency of meetings, availability of information on the website and public outreach.
- Governance and Service Delivery Options: The potential to restructure the governance structure of responsible agencies and/or service providers or change the service provider for a city or district with the goal of increasing service efficiency.
- Review of management and financial audits of agencies.

LAFCO's Countywide Fire Service Review List of Fire / EMS Issues

LAFCO has identified various current and emerging issues related to effective and efficient fire and emergency medical service in the county. The Service Review will provide a brief review and/or an analysis of options for addressing the following issues:

- Options for funding and providing fire service and emergency medical services to the underserved areas of the County
- Regional models for more efficiently providing fire service and emergency medical service delivery countywide
- Frequency of use, costs, benefits and/or burdens of mutual aid and automatic aid on individual agencies and the countywide fire service and emergency medical service system
- Climate change and the increased risk of wildfires
- Wildland Urban Interface (WUI) in Santa Clara County and agencies' plans/programs to prevent or reduce fire risks in the WUI and strengthen their community's resilience to withstand and recover from wildfires
- Interagency communication and coordination responsibilities in fire prevention planning/programming and during fire events in the WUI, along shared borders, and on public and private lands and public rights-of-way
- Status of and best practices for roles and oversight of volunteer fire companies
- Extent to which private fire protection service is used in the county and whether their service conflicts with public fire service providers
- New provision in state law that requires LAFCO to consider fire risks and the location of very high fire hazard zones when reviewing proposals [GC §56668(q)]
- Applicability of new law requiring LAFCO to review certain fire service contracts: Effective January 1, 2016, Government Code §56134 requires LAFCO approval of a fire protection contract or agreement that provides new or extended fire protection services outside a public agency's jurisdictional boundaries and meets either of the following thresholds: (1) transfers responsibility for providing services in more than 25 percent of the area within the jurisdictional boundaries of any public agency affected by the contract; or (2) changes the employment status of more than 25 percent of the employees of any public agency affected by the contract.



LAFCO's Countywide Fire Service Review Draft Community Engagement and Outreach Plan

In an effort to promote broad-based participation in the 2021 LAFCO Countywide Fire Service Review, CPSM and LAFCO staff have developed a Community Engagement and Outreach Plan that will increase public awareness of LAFCO and its Countywide Fire Service Review; and provide opportunities for community members, general public, service providers, affected local agencies, and other interested parties to engage in the service review process and provide timely feedback.

This Community Outreach effort will utilize three key components:

- 2021 Fire Service Review Webpage
- Community Meetings (Virtual)
- Resident / Community Survey

2021 Fire Service Review Webpage:

LAFCO will launch a project webpage on its website that will serve as the main resource for information on LAFCO's Countywide Fire Service Review and associated activities. The webpage will feature a fact sheet that provides an overview of the project, including information on LAFCO's service review responsibilities/requirements, process and time-line for completing the review, service providers that will be reviewed, LAFCO's fire service review consultant, the Technical Advisory Committee (TAC), and LAFCO's collaborative public engagement and community outreach plans for the project.

The webpage will include information on TAC meetings, anticipated virtual community workshops, and a link to a community survey regarding fire/EMS service issues and level of wildfire preparedness. The webpage will also include links to LAFCO's public hearings on the Countywide Fire Service Review. Public Drafts of the Countywide Service Review Report will

be posted on the webpage for public review and comment when they become available.

The webpage will also include background information, including links to LAFCO's prior Countywide Fire Service Reviews, fire district profiles and maps, and a countywide map of the boundaries of the four fire districts and fire stations. Lastly, the webpage will include information on how local agencies, the public, and others can contact LAFCO staff concerning the Countywide Fire Service Review.

Community Meetings:

Three (3) virtual community meetings will be scheduled in June/July of 2021 (specific dates TBD), that will focus on specific geographic areas of Santa Clara County (1. South County, 2. NW Cities and the 3. Central/North Eastern County). It is anticipated that LAFCO will partner with appropriate cities / districts to co-host these meetings. A multi-pronged advertisement effort will be initiated to create an awareness for these meetings.

Information about the meetings will be posted on the LAFCO webpage and emailed to all those on the LAFCO agenda mailing list. In addition, a direct email communication will be initiated to cities and fire districts clerks/ public information officers, requesting a posting on the agency web-pages, twitter feeds and other social media outlets, regarding each of the meetings and how to access these meetings virtually. In addition, cities and districts will be requested to announce these meetings in their various City Council, District meeting updates. The virtual Community Meetings will focus on the following topics:

- Overview of LAFCO (Purpose, Mandate, Commissioners, LAFCO's Role in Oversight of Services and Jurisdictional Boundaries)
- Purpose, Legislative Mandate, and Process for Service Reviews
- Components of the Fire Service Review and issues that will be considered / addressed
- Key steps in the fire service review process and timeline
- Explanation on how data will be collected from service providers
- Explanation on how public / community input will be obtained
- Accessing information and how to stay engaged in the process
- A brief fire safety message/presentation from local providers (TBD)

Resident / Community Survey:

A community survey will be prepared and made available on the LAFCO webpage. The survey will be developed with SurveyMonkey, which is a well-known, on-line cloud-based software, utilizing a sophisticated survey template that allows a customizable format and response analysis. All responses will be confidential. The survey instrument offers clear and concise instruction in assisting participants on how to fill out their survey. The survey is anticipated to include approximately 18 questions that will address the following:

- A brief demographic inquiry regarding who is providing input
- The participant's level of satisfaction regarding the fire and EMS services being provided and perceptions regarding quality, professionalism and courtesy of the personnel providing these services
- Level of preparedness of the participant for fire and EMS emergencies, including wildfire preparedness

