

BACKGROUND

This item is a continuation from the June 30, 2022 meeting. The agenda packet, supplemental correspondence, and presentation slides from the June 30, 2022 meeting are provided as Attachment C. The following speakers testified at the June 30, 2022 meeting:

- Richard Yeung, William Mattos and Dan Ramos spoke in opposition to the MSR recommendation that Elkhorn FPD be dissolved.
- Lynnel Pollock spoke in the support of the MSR.
- Bill Weisgerber, Sheila Allen, John Lindsey, and Davis Ewing spoke in opposition to the MSR for the East Davis FPD.

The June 30, 2022 staff report materials covers 16 agencies that provide fire protection services in the unincorporated area of the County (15 Fire Protection Districts (FPDs) and 1 County Service Area (CSA)). Of the 16 districts reviewed in the MSR, two FPDs (East Davis FPD and Elkhorn FPD) are opposed to the MSR and its recommendations. This staff report will address the issues raised by just these two FPDs who remain in opposition to the MSR.

When LAFCo continued the public hearing, it directed staff to conduct additional outreach with the Elkhorn and East Davis FPDs. Meetings with representatives of both districts are scheduled separately for Wednesday, July 20, after this staff report is published. Therefore, staff will provide an update regarding these outreach meetings in a supplemental memo prior to the hearing that will be distributed to the Commission and posted on the LAFCo website.

Elkhorn FPD Issues

The issues raised by testimony and letters provided for the June 30, 2022 are summarized with staff response below.

My property is rural and difficult to access. FPD volunteers are my neighbors or my neighbor's sons and have intimate knowledge of the area and access. Cities don't know our land and roads, don't have appropriate equipment, etc.

Many Elkhorn FPD volunteers live and work outside of the district in Woodland and Natomas while working as full-time firefighters elsewhere, making them unavailable for days on end. The cities of Woodland and West Sacramento have been responding to the Elkhorn FPD under automatic aid for over 10 years and under mutual aid for much longer. The FPD's response data indicates city response is more robust and times are faster. If it is ultimately decided the cities will need to take fire protection and emergency response services in Elkhorn, area familiarization and target hazard identification would be prioritized and would reasonably be expected to be on par with out-of-town volunteers.

My community will be de-prioritized by cities.

Data shows that cities are responding faster than Elkhorn FPD now and with much higher level of response (personnel and apparatus). The Springlake FPD would, under the MSR's recommendations, annex the western portion of the district, and its experience has shown that the City of Woodland has not deprioritized the unincorporated areas it serves since it began providing services in the 1980s. West Sacramento has also provided mutual-aid service in Elkhorn FPD's territory, as well as for CSA No. 9, and these experiences also show expeditious and robust responses to incidents in the unincorporated areas.

With I-5 backup or flooding, cities will be unable to access our district.

The City of West Sacramento has the same access to local roads via Old River Road as the Elkhorn FPD does from its station. As stated previously, many of the district's volunteers live and

work outside of the district. If this is a real threat, then the FPD should also require its own volunteers to live in the district. The cities of Woodland and West Sacramento have never been unable to make it to a call and response times are faster than Elkhorn FPD.

It's unfair to ask Elkhorn FPD to subsidize commuters on I-5 and Old River Road. The Elkhorn community should not have to pay for this.

Yolo County has multiple State Routes (I-5, I-80, I-505, SR 113, SR 16, and SR 45) and many county roads that handle traffic through FPDs. Every FPD in the county and state shares a similar burden.

We will suffer increased response times at a higher cost.

The FPD's independent response data does not support this.

We have new equipment and turnouts (i.e. gear worn by personnel)

Yes, but the response data indicates Elkhorn FPD does not have sufficient personnel to drive/wear them.

We're asking for more time to work out a reasonable solution

MSR is an informational study only that makes a governance recommendation. If a dissolution process is initiated at a later date, there will be more time to evaluate any other alternatives and costs. Staff's understanding is the Elkhorn FPD will share a conceptual proposal at the July 20, 2022 outreach meeting.

Elkhorn Fire Station would close

The Elkhorn Fire Station has never been manned on a regular basis. Recently, the FPD began manning the station during red flag warning events only. The Fire Station would remain for use by the cities contracting with the agencies taking over the service territory (i.e. Springlake FPD and CSA 9) and could be used to house a boat to deploy for a water rescue, which is needed.

Elkhorn FPD Staff Recommendation

The Elkhorn FPD letter dated June 21, 2022 states the LAFCo MSR process "is not intended to eliminate existing small suppliers, and it should not be used to hasten the dissolution of the District in favor of replacing one service provider with another" and dissolution "would result in the disenfranchisement of the same landowners with nominal actual benefit". According to the State of California report called "Growth Within Bounds" dated January 2000 by the Commission on Local Governance for the 21st Century (which was the precursor to the comprehensive rewrite of LAFCo law that became the Cortese Knox Hertzberg Act) this is the stated intention of MSRs:

*"A service review would encompass a comprehensive study of each identifiable public service provided by counties, special districts, and cities in the region. The review would not focus exclusively on an individual jurisdiction to determine its future boundary or service areas. Rather, it would require LAFCO to look broadly at all agencies within a geographic region that provide a service. **The review would also include a component that examines the benefits or disadvantages of consolidation or reorganization of service providers.**"*

As Chief Richard Yeung testified at the June 30, 2022 meeting, there have been calls to dissolve Elkhorn FPD for decades. LAFCo's 1984 Sphere of Influence Study noted similar recommendations that Elkhorn FPD was providing below-average service and should be dissolved and instead served by Springlake and East Yolo FPDs (the district predating the City of West Sacramento incorporation). This study also noted two service areas where landowners had

petitioned to be detached from Elkhorn FPD: 57 acres annexed into Knights Landing FPD and 1,029 acres annexed to East Yolo FPD.

Adequate response has been a chronic issue for Elkhorn FPD since its formation in 1965. The 2016 LAFCo MSR recommended it become a contract district. The Elkhorn FPD did not act on this recommendation, instead continuing to rely on mutual and auto aid at no cost without a similar level of reciprocity as is expected by these agreements. The cities of West Sacramento and Woodland have stated they will downgrade service going back to mutual aid, which will add 6 minutes to city response times. The cities are currently providing a faster and more robust response than the Elkhorn FPD and termination of auto aid would result in a negative impact to public service within the district. Staff recommends the MSR be adopted with the recommendation to dissolve the Elkhorn FPD.

East Davis FPD Issues

The issues raised by comments and letters provided for the June 30, 2022 are summarized with staff response below.

We have made repeated requests to be removed from the MSR and consolidation and there's been no response, or no action has been taken.

As noted above, MSRs are intended to take a broad and comprehensive look at all the districts within a geographic region that provide a service and examine the pros/cons of reorganization. Staff has repeatedly told FPD representatives that it will not remove the East Davis FPD from the MSR. Staff has been responsive and engaged with the districts, including several meetings with East Davis FPD representatives. A lack of compliance with requests does not equate to a lack of outreach or engagement.

It's not fair that Winters FPD was left out of consolidation recommendations.

The Winters FPD already fully meets the criteria of aligning the FPD boundaries to match the city service territory and maximizing efficiency. There also is no neighboring territory served by the City of Winters that would naturally be annexed into the district. Therefore, no boundary changes are needed.

The FPD was not consulted on the content or facts prior to the MSR drafts, none of which has been corrected. The MSR contains inaccurate information, uses information out of context, is biased, etc.

LAFCo staff have met with East Davis FPD representatives four times: 10/21/21, 2/2/22, 2/17/22, 5/16/22 (more than any other FPD), and will meet again on 7/20/22. A District representative attended the March 31, 2022 LAFCo meeting where the Commission directed staff to include the recommendation for East Davis FPD to annex areas served by the City of Davis. The District was provided an administrative draft report dated May 31, 2022 for review. The fire commission provided edits/comments in "track changes" and a letter to LAFCo on June 10, 2022 prior to the June 15, 2022 public review draft. In the June 30, 2022 staff report, a 10-page response to comments was provided detailing every comment the FPD made with staff's explanation of which changes were made or not, and why. This memo was also emailed to Bill Weisgerber on June 30, 2022.

Staff's decision not to incorporate certain requested changes into the Draft MSR does not mean the requests were not considered or that the District was not treated fairly. Staff has not been informed of any additional allegations of inaccuracies or biased statements other than the general statements made at the hearing.

Fire commissioners are volunteers and managing additional territory with consolidation would be an additional burden.

The volunteer Fire Commissioners act under authority delegated by the Board of Supervisors and are an important part of the districts’ governance. However, the time commitment associated with serving on the commission of a contract district is considerably less than for a district that has its own staff and equipment. The cities have generally provided administrative services for its three contract FPDs. It is LAFCo staff’s understanding that the East Davis FPD Fire Commissioners spend time assisting in the placement of charges on the tax roll, which is an administrative task that could also be handled by the City. Another option is the East Davis FPD can use its funds to pay County staff to handle this minimal additional workload. Regardless, there are simple options to delegate any additional tasks so that it does not pose a burden on fire commissioners. The Board of Supervisors, as the ultimate governing body of the three districts around Davis, will consider the LAFCo MSR recommendations and FPD governance to provide services to all the unincorporated Davis-area constituents.

The accounting to manage different assessments/contract costs would be too complicated.

Yolo County Department of Financial Services staff have indicated such district accounting is doable and manageable.

East Davis FPD Staff Recommendation

The recommendation reflected in the Draft MSR would merely align boundaries to existing service territories and would not affect current service levels or costs. These districts were created by the Board of Supervisors to administer the service and all fire commissioners are volunteers to uphold the mission of protection of lives and property critical to the welfare of Yolo County.

Staff looked at the following range of alternatives for the three FPDs served by the City of Davis (East Davis, Springlake, and No Man’s Land) and identified combining all three districts into one as the superior alternative. Staff identified combining them under the East Davis FPD because the Springlake FPD was a more natural fit for the City of Woodland, and the No Man’s Land FPD had less of a connection to most constituents, leaving East Davis FPD as a natural fit. However, if volunteer commissioners are concerned it would be too much of a burden, the districts could be combined under No Man’s Land FPD instead, which is directly governed by the Board of Supervisors.

Reorganization Options for FPDs Served by the City of Davis

Options	Align FPD boundaries to match city service territory	Maximize efficiency by simplify/reduce # of districts	Comments
1. Status Quo	<input type="checkbox"/>	<input type="checkbox"/>	Springlake would remain served by 3 different departments (Davis, Woodland & UC Davis), and 2 different dispatch agencies (YECA & City of Davis).
2. Form a new FPD for Springlake south of CR 29 instead of combining FPDs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would form new districts that are not necessary. Contrary to LAFCo mission of efficient government.

3. Combine East Davis and NML	■	☒	Springlake FPD south of CR 29 would remain needing somewhere to go or form its own district (see #2).
4. Combine Springlake south of CR 29 and NML	■	☒	Partially meets goals but doesn't reduce districts as much as #5. Reduces districts from 3 to 2.
5. Combine all three (East Davis, No Man's Land, & Springlake south of CR 29,	■	■	Reduces districts from 3 to 1.

* Matrix Legend: ■ = fully meets criteria; ☒ = partially meets criteria; ☐ = does not meet criteria

Staff recommends the MSR be adopted with the recommendation to combine the three districts' service territories currently served by the City of Davis into one district, which completes the LAFCo MSR/SOI process. The Board of Supervisors will then consider LAFCo's recommendations at a later date to be determined and decide if and how it wants to implement them. As the governing body ultimately responsible for these districts, the Board of Supervisors' decision on how the districts should be managed will carry great weight in any reorganization process that follows.