

REGULAR MEETING AGENDA

Del Norte Local Agency Formation Commission
Board of Supervisors Chambers
981 H Street, Suite 100, Crescent City, CA 95531
July 24, 2017 4:00 pm

1. Call to Order/Roll Call
Pledge of Allegiance
2. Public Hearings
 - A. Smith River CSD MSR SOI Update
(This hearing was continued, and will be closed and then re-noticed, to allow more time to work with the District)
3. Regular Business
 - A. Approval of May 22, 2017 Draft Minutes (ATTACHMENT 3A)
 - B. FY 2016-17 year end accounting (ATTACHMENT 3B)
 - C. Klamath Fire Protection District Update including Del Norte Grand Jury response (ATTACHMENT 3C)
4. Inquiries, Reports, Correspondence, Application Status and Referrals
 - A. Staff - The Executive Officer will provide a report of current projects, issues of interest, and pending legislation (ATTACHMENT 4C).
Report on Harbor District presentation
Report on HRC CSD potential annex discussions
Report on State Water Resources Control Board coordination on water services extensions to mobile home parks
Report on Cost recovery for BOV CSD litigation (Counsel)
State legislation for Special District seats on LAFCo
CALFIRE Correspondence
Rules of Order Report
 - B. Commission - On their own initiative, Commission members may make brief announcements or reports on their own activities. They may ask questions for clarification, make a referral to staff or request a business matter for a future agenda per Government Code Section 54954.2 (a).
 - C. Public - Public comment on items of interest within LAFCo subject matter jurisdiction, and not otherwise appearing on the agenda. No action may be taken on any item not appearing on the agenda.
5. Adjournment

REGULAR MEETING MINUTES

Del Norte Local Agency Formation Commission

May 22, 2017 4:00 pm

Members present: Blake Inscore (Vice-Chair), Roger Gitlin (Chairman), Gerry Hemmingsen, Bob Berkowitz, Sparky Countess

Members absent: Jason Greenough

Others present: Executive Officer George Williamson, County Counsel Elizabeth Cable, and Nicole Burshem, PS Business Services, Linda Sutter

1. Call to Order/Roll Call

Chairman Gitlin called the meeting to order at 4:00 p.m.

Nicole Burshem took roll call.

Commissioner Countess led the Pledge of Allegiance.

Closed Session

Chairman Gitlin adjourned to closed session at 4:01 p.m. and reconvened in open session at 4:11. Elizabeth Cable, Legal Counsel, reported LAFCO is successful in the case - CVPT 16-1124, and the Notice of Entry of Judgement was entered.

Public Comment on Closed Session items only

The following person(s) addressed the Commission: None

Conference with Legal Counsel- Existing litigation pursuant to Government Code § 54956.9(d)(1) *Bertsch-Ocean View Community Services District v. Del Norte LAFCo et. al* CVPT 16-1124

2. Public Hearings

A. **FY 2017-18 Final Budget (ATTACHMENT 3A)** – Chairman Gitlin asked Mr. Williamson to identify the Acronyms addressed in the report and opened public hearing at 4:14 p.m. Mr. Williamson reported this is the second public hearing on this matter. The prior meeting on March 27th was for the draft budget where the Commission took favorable action. Mr. Williamson reported he has distributed the budget to the City and County staff, it was posted, and we received no response. This budget is the same as the last two. Mr. Williamson reported there has been no budget increase for several years. Last year there was a slight reduction. This budget restores the FY 2016-17 amounts. The Commission has followed the appropriate protocols.

Chair Gitlin opened public hearing. The Resolution has been prepared. There is one change from Draft Budget reviewed at the March meeting. There was a slight increase in the County Interfund Cost Plan charge. The Resolution is in the packet for the Commission to review.

Commissioner Berkowitz asked if Mr. Williamson could explain what some of the items are for, such as the insurance. Mr. Williamson responded there is some exposure given your action that affect money, territory, and extension of services. This is insurance for you as a commission in case there was a suit, this is like Errors and Omission insurance. Commissioner Berkowitz asked if the county insurance worked for this. Mr. Williamson responded you are an independent commission so no that would not work. Commissioner Berkowitz asked what the Interfund-Cost Plan is. Mr. Williamson responded it is an expense item (budget account #70530) the County charges to the commission for managing the accounts and funds held in the County Auditor's office, such as when LAFCo receives funds from the City or an application deposit. Linda Sutter commented that everything is reviewed in the public concerning these meetings and it is kind of hard to review a budget when you don't have access to it. Mr Williamson responded that the meeting agendas including the budget items, are posted on the Del Norte LAFCo website www.delnortelafco.org.

On a motion by Commissioner Countess, seconded by Commissioner Inscore, and unanimously carried on a polled vote the Del Norte Local Agency Formation Board of Commissioners approved FY 2017-18 Final Budget.

- B. **Smith River CSD MSR SOI Update (to be continued to July meeting)** – Mr. Williamson reported we are making good progress and there was a change since the last review. There has been a Smith River Community Service District management change. This MSR is the first one that the general manager has worked on. We are helping him understand the process and why they are doing it. There has been good progress, but we don't have everything to present to you. He is confident they will have that ready very soon. He is requesting that they open that up to the public, take action, and continue the hearing until July.

On a motion by Commissioner Inscore, seconded by Commissioner Berkowitz, and unanimously carried on a polled vote the Del Norte Local Agency Formation Board of Commissioners approved to continue the hearing until the July24 meeting.

3. Regular Business

- A. **Approval of March 27, 2017 Draft Minutes (ATTACHMENT 4A)** –

On a motion by Commissioner Inscore, seconded by Commissioner Countess, and unanimously carried on a polled vote the Del Norte Local Agency Formation Board of Commissioners approved the minutes of March 27, 2017.

- B. **Approval of FY 2017-18 Staffing Services Contract (ATTACHMENT 4B)** – Mr. Williamson reported we have been fortunate to be able to provide

staffing services since 2008. We enjoy the work and feel it is very meaningful. One of the highlights was helping the Fair board form a special district. We were able to work with the Fair board to form a Park and Recreation Community Service District. They are in a much better financial situation. Mr. Williamson reported there is periodic request for service extension. We provide the service down in Humboldt as well as Del Norte. We would like to continue your staffing services for the next fiscal year.

On a motion by Commissioner Countess, seconded by Commissioner Berkowitz, and unanimously carried on a polled vote the Del Norte Local Agency Formation Commission approved FY 2017-18 staffing services contract with Planwest Partners Inc.

- C. **Klamath Fire Protection District Update (ATTACHMENT 4C)** – Mr. Williamson reported there is a report and a list of ten key items in the packet. Since the last meeting, we have talked about all of these 10 items. This same group of items was considered last week at the Klamath River Fire District board meeting. There's another meeting on June 6th. Mr. Williamson reported we hope to make even more progress on this at that meeting. This is just a staff report for an update, but in July we hope to have more concrete information. Linda Sutter asked if the Commission is voting on this item. Chairman Gitlin responded we are not voting on this just getting an update and asked Mr. Williamson when the Commission will be voting on this item. Mr. Williamson responded at the July meeting. Chairman Gitlin asked Mr. Williamson to reach out to the Tribe to answer questions at the next meeting.

4. **Inquiries, Correspondence, Application Status and Referrals**

- A. **Staff** - The Executive Officer will provide a report of current projects, issues of interest, and pending legislation. Mr. Williamson reported he has been contacted by the water board and within the Hussy Ranch Corporation (HRC) Community Service District there is potential to combine those water systems. Mr. Williamson will meet with the water board engineer tomorrow morning to see what their plans are. Mr. Williamson is hoping to come back in July with more of a report. Commissioner Inscore asked if there was any more opportunity to ask special districts to come to the table to join the board. Mr. Williamson responded he has and he wants to see where the legislation goes and if that is approved we will have some specific legislation that we can use to streamline that process. The action should be soon.
- B. **Commission** - On their own initiative, Commission members may make brief announcements or reports on their own activities. They may ask questions for clarification, make a referral to staff or request a business matter for a future agenda per Government Code Section 54954.2 (a).

Commissioners commented: None

C. **Public** - Public comment on items of interest within LAFCo subject matter jurisdiction, and not otherwise appearing on the agenda. No action may be taken on any item not appearing on the agenda.

Public comment: None

5. **Adjournment**

On a motion by Commissioner Berkowitz, seconded by Commissioner Countess, and unanimously carried the Del Norte Local Agency Formation Board of Commissioners approved to adjourn the meeting. There being no further business to come before the Commission, the Chairman adjourned the meeting at 4:46 p.m. until the next regularly scheduled meeting on July 24, 2017 at 4:00 p.m.

Respectfully Submitted,

**DEL NORTE
LOCAL AGENCY FORMATION COMMISSION**
1125 16th Street, Suite 202
Arcata, California 95521
TEL (707) 825-9301 FAX (707)825-9181
eo@delnortelafo.org

AGENDA ITEM 3A

MEETING DATE: July 24, 2017
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: FY 2016-2017 Year End Accounting

RECOMMENDATION

The following procedures are recommended with respect to the Commission's consideration of this item:

By order of the Chair, with Commission concurrence, review FY 2016-17 Budget Amendment.

- Receive verbal report from staff;

DISCUSSION

The FY 2016-17 Final Budget was adopted by the Commission on May 23, 2016. A budget amendment was made to account for an actual available fund balance of \$4,569.00, which is \$4,255.00 less than staff calculation. The Commission selected budget amendment option 2, which maintained FY 2016-17 staffing levels and kept the budget slightly below the approved amount. To accommodate that, the City and County contributions increased by \$2,047.00 each. Both the City and County have made their revenue contributions. In addition to increased City and County contributions, the Interfund Cost Plan expense was reduced from \$1,759.00 to \$1,598.00.

Legal counsel expenditures exceeded budget amount solely due to litigation defense for Bertsch Oceanview Legal action against LAFCo. The \$3,937.00 shown under revenue is a partial city reimbursement. Full reimbursement from the City, per the indemnification clause, is being requested now that the suit has been settled in LAFCo's favor.

With the year-end, we are presenting a final accounting in Exhibit A. We would like to acknowledge the County Auditor's helpfulness in providing information.

ATTACHMENTS

Exhibit A - FY 2016-17 Year End accounting

DEL NORTE
LOCAL AGENCY FORMATION COMMISSION
1125 16th Street, Suite 202
Arcata, California 95521
TEL (707) 825-9301 FAX (707)825-9181
eo@delnortelafo.org

Exhibit A
DEL NORTE LAFCo
FY 2016-17 FINAL & AMENDED BUDGET WITH YR END ACCOUNTING

		FY 2016-17 FINAL	FY 2016-17 Amendment	FY 2016-17 Year End.
Account	EXPENDITURES			
Line #	SERVICES & SUPPLIES			
20150	Insurance	\$2,100.00	\$2,100.00	\$1,870.44
20200	CALAFCO Membership	\$840.00	\$840.00	\$840.00
20221	Printing/ Postage	\$100.00	\$100.00	\$1.34
20230	Professional Services			
	MSR/SOI Preparation	\$24,500.00	\$22,405.00	\$18,964.00
	Application Processing	\$10,000.00	\$10,000.00	\$0.00
20231	Prof. Serv. Executive Officer/ Admin.	\$47,500.00	\$45,500.00	\$45,398.95
20232	Prof. Serv. Legal Counsel	\$1,500.00	\$1,500.00	\$7,445.48
20240	Advertising/Publications	\$400.00	\$400.00	\$135.90
	Conferences (CALAFCO when funds available)	\$0.00	\$0.00	\$0.00
70530	Interfund-Cost Plan	\$1,759.00	\$1,598.00	\$1,596.00
20233	Public Member Stipend (up to 8 mtgs @ \$40/mtg)	\$320.00	\$320.00	\$200.00
	TOTAL EXPENDITURES	\$89,019.00	\$84,763.00	\$76,452.11
	REVENUES			
91125	Project Revenue (Application Deposit/Reimbursement)*	\$10,000.00	\$10,000.00	\$3,937.72
90300	Interest	\$10.00	\$10.00	\$278.45
90780	Del Norte County	\$35,092.42	\$35,092.00	\$35,092.42
90781	City of Crescent City	\$35,092.42	\$35,092.00	\$35,092.42
07100	Funds from Account #42801007100	\$8,824.16	\$4,569.00	\$4,569.00
	TOTAL REVENUES	\$89,019.00	\$84,763.00	\$78,970.01
	FUND BALANCE			
07100	Account #42801007100	\$0.00	\$0.00	\$2,518.01

*Deposit paid by applicants to cover application processing. Projected amount for auditor use in issuing payment for expense claims.

DEL NORTE
LOCAL AGENCY FORMATION COMMISSION
1125 16th Street, Suite 202
Arcata, California 95521
TEL (707) 825-9301 FAX (707)825-9181
eo@delnortelafco.org

AGENDA ITEM 3C

MEETING DATE: July 24, 2017
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: Klamath Fire Protection District Status Report

Del Norte LAFCo Fire Services Specialist John McFarland attended Klamath Fire Protection District (FPD) June 29 2017 Board meeting. The June 21 regular meeting could not be held due to lack of Quorum. All board members and the fire chief present. Items discussed at Del Norte LAFCO request included:

1. Recap by Board Chair Eloisa Gaboni and John McFarland of June 6 meeting with Yurok Tribe to implement the Redwood Casino Hotel agreement.
2. Update on District volunteer recruitment efforts. Chief Lonnie Levi reported there are 12 volunteers on current roster, 2 are tribal employees including Larry Nova, a tribal forester.
3. Discussion on increasing parcel based assessment. Larry Nova and District Board member Joan Fournier will serve on an assessment committee. There was a new District resident attending the meeting that also expressed support for an assessment increase.
4. Evan Hawking was interviewed by the Board to serve as Assistant fire chief to cover for seasonal chief absence. Chief Levi supports assistant chief appointment.
5. District FY 2017-18 Budget preparation and adoption schedule. A draft budget was presented at the June meeting. Adoption expected at the July meeting.
6. Coordination with Klamath Fire Auxiliary on upcoming fundraising activities. Auxiliary President and former volunteer firefighter Johnette Gahart and other Auxiliary board members attended the June 29 meeting.
7. The Board approves an agreement with the Eel River Valley Fire Academy to conduct a Klamath Fire Academy in 2017. The agreement is attached, although the dates will change

The Del Norte County Grand Jury included the Klamath Fire Protection District in their 2017 Report. That portion of the report is attached. The Klamath FPD Board was scheduled to discuss this report at their July 19 Board Meeting.

ATTACHMENTS: June 6 2017 Klamath FPD, Yurok Tribe and Del Norte LAFCo meeting agenda for Redwood Casino Hotel agreement implementation
Fire Academy Agreement
Del Norte County Grand Jury 2017 Report Klamath Fire Protection District Excerpt

**Klamath Fire Protection District - Yurok Tribe
Del Norte LAFCo Meeting;
June 6, 2017 2:00PM
Oregos Room, Redwood Hotel Casino, Klamath CA**

Invitees: Yurok Tribe: Troy Ralstin, David Gensaw, Dean Baker,
Earl Jackson, Leonard Masten
Yurok EDC: Tanya Sangrey, Terry Colton,
Klamath FPD: Eloisa Gaboni, Rocco Fiori, Lonnie Levi
Del Norte LAFCo: George Williamson, John McFarland

Proposed Outcomes

1. Assignments for Redwood Hotel Casino - Service Agreement Implementation
2. Communication and Coordination methods

Agenda:

- Brief Introductions;
- Draft services agreement implementation reporting and planning progress:
Klamath FPD workers compensation insurance coverage for new volunteers,
Tribal employees that are volunteers will be covered by the Districts insurance;
Klamath FPD volunteer recruitment efforts, 8 volunteer recruits, mostly past
members being reactivated, 2 are tribal employees including tribal forester Larry Nova;
Seasonal Assistant Fire chief appointment, Klamath FPD will interview Evan
Hawking, may be other candidates as well;
Station rebuilding projects and apparatus acquisition grants, Chief Levi to develop list
of facilities upgrades, deferred maintenance, apparatus and equipment needing funding.
Klamath FPD FY 2017-18 Budget preparation and adoption, draft budget at the
May meeting & approval at June meeting. Assigned to Board Chair and Fire Chief;
Clarification that residents, & those working in District eligible to be volunteers,
Klamath FPD Board agreed residency was no longer sole consideration, working for
any employer in Klamath now meets the volunteer membership requirement;
Fundraising activities, Klamath Fire Auxiliary President and former volunteer
firefighter Johnette Gahart to be contacted. Need ideas for events this year!
- Implementation schedule update
- Other parties to be involved: Del Norte County, Klamath CSD, CALFIRE, OES;
- Benefit assessment update for Klamath FPD
Parcel fee increase discussed at Klamath FPD Board May 2017 meeting. Larry Nova
and Board member Joan Fournier to serve on an assessment committee.
- Next steps, next meeting, closure

**AGREEMENT FOR THE DEVELOPMENT AND COORDINATION OF THE
PROPOSED KLAMATH FIRE RECRUIT ACADEMY**

This agreement is made and entered into this ___ day of _____, 2017 by and between the Fortuna Fire Protection District, hereinafter referred to as FFPD, and the Klamath Fire Protection District, hereinafter referred to as the KFPD.

WITNESSETH

WHEREAS, the KFPD desires to host an introductory – Basic Firefighter 1 Training Academy with the objective of providing volunteers with the basic information and training for fires and emergencies for which the KFPD responds to; and

WHEREAS, the KFPD desires to introduce entry level firefighters to the basic knowledge and skills necessary to work efficiently and safely at fire/rescue emergency scenes utilizing curriculum which is based on National Fire Protection Association (NFPA) Section 1001 standards, the accepted California State Fire Marshall Office - State Fire Training standard; and

WHEREAS; The KFPD is seeking assistance in the development, coordination and instruction of the above mentioned training academy; and

WHEREAS, The Eel River Valley Fire Academy through the FFPD has the administration, curriculum and personnel in place and available to assist the KFPD in their pursuit of establishing a Basic Firefighter 1 Training Academy;

NOW, THEREFORE, for and in consideration of the mutual covenants, conditions, and provisions herein contained, it is expressly agreed and understood as follows:

1. TERM

This agreement shall commence July, 2017 and shall continue until Klamath Fire Recruit Academy completion per the established academy schedule.

2. DEVELOPMENT AND COORDINATION RESPONSIBILITIES

FFPD agrees to provide the necessary personnel to develop and coordinate the Klamath Fire Recruit Academy for the year 2017 to include training schedule development and oversight, instructor assignments and curriculum presentations.

3. PAYMENT FOR SERVICES

The KFPD agrees to compensate the FFPD in an amount not to exceed \$5,470.00. This includes \$1,200.00 FFPD coordination fee for the services provided; up to \$2,600.00 in trainer stipends; up to \$500.00 in materials; and up to \$1,170.00 in travel expenses. Payment due upon Klamath Fire Recruit Academy completion.

4. INDEMNITY

KFPD agrees to protect, defend, indemnify, and hold FFPD, its officers, employees, and agents, free and harmless from and against any and all losses and its' agents of any kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character in connection with or arising directly or indirectly out of FFPD's actions in performance of this Agreement, except such loss or damage which was caused by the sole negligence or willful misconduct of FFPD.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized agents the day and year shown above.

KLAMATH FIRE PROTECTION DISTRICT

By 
District Board Chairman

Date 6/28/2017

By 
District Clerk

Date 6/28/2017

FORTUNA FIRE PROTECTION DISTRICT

By _____
District Board Chairman

Date _____

By _____
District Clerk

Date _____

K L A M A T H F I R E P R O T E C T I O N D I S T R I C T

Methodology

The Del Norte County Grand Jury is mandated by California law to inquire into the condition and management of Special Districts. We began our investigation of the Del Norte County Klamath Fire Protection District (KFPD) in July 2016. By the time we finished our investigation, changes were already being implemented.

In order to obtain a greater understanding of the KFPD, we traveled to all of the Del Norte County Fire Districts and received complete tours. We also went to two Fire District Board Meetings, met with a past and a present Del Norte County Supervisor, interviewed multiple Fire District Board Members and Fire District Chiefs plus met with Cal Fire twice. In addition, we met with the Del Norte County Auditor's Office, reviewed the Del Norte Local Agency Formation Commission (LAFCO) reports, researched the Del Norte County Triplicate articles, and viewed Del Norte County Board of Supervisor meetings pertaining to KFPD.

Discussion / Facts

Fire Districts respond to many kinds of emergencies. The smallest percentage of their calls is to fight structure fires. The highest volume of their responses is for medical emergencies, which includes home medical emergencies and vehicle accidents. When an ambulance is called, the fire personnel is usually the first on the scene to help.

Each Fire District is manned by a dedicated Fire Chief, volunteers, and a Board of Directors. The districts help each other through mutual and automatic aid agreements. Cal Fire supports them when available as well as outlying County Fire Districts.

The Klamath Fire Protection District (KFPD) faces two main challenges: recruiting volunteers and lack of adequate funding. Klamath is considered a "bedroom community," where a good portion of the population work in Crescent City during daylight hours and are not available in Klamath. Klamath has lost businesses that contribute to the loss of both manpower for recruiting fire volunteers in the area and revenue for the district. Also, there is land in the Klamath area that is not on the Del Norte County Property Tax Roll. The Klamath Fire District does not generate revenue from the tax -exempt properties. These properties include Tribal land and Federal/State Park lands.

Findings

F1) The KFPD Fire Chief and Board Chair appear competent and hard working. Without many active volunteers, the burden of the maintenance and emergency calls fall on the Fire Chief. Without a secretary, many duties fall on the Board Chair. One example is recruiting volunteers, which is very time consuming.

F2) KFPD has a problem with not having enough volunteers, especially during the day. There are not a lot of businesses in Klamath to pull volunteers from.

F3) Cal Fire may be available in the area as back up at times but they are seasonal. It would cost approximately \$250,000 per year to guarantee Cal Fire's yearlong presence to be at the Klamath Station (Amador Program).

F4) It is commendable that the KFPD equipment is in working order with their limited number of volunteers.

F5) KFPD receives minimal funds from Del Norte County to run their District. The amount they receive is based on the growth rate of their district and is from the Del Norte County Property Tax Roll. The growth rate in Klamath has declined the past several years. Therefore, they receive a low share. This rate is computed by a state formula and doesn't vary much year to year.

F6) KFPD receives a Fire Assessment from properties on the Del Norte County Tax Roll. This was voted on by the property owners in Klamath. It would take another vote by the property owners to increase this fee.

F7) KFPD has no current grants.

F8) KFPD receives very limited donations. They currently have no fund raising events.

F9) In October 2015 the LAFCO staff initiated an outreach with the Yurok Tribe to look for coordination opportunities to improve fire protection and emergency response services in the Klamath area. Unfortunately, the Tribal Executive Director at that time passed away and the efforts ceased.

F10) In January 2017 the LAFCO Executive Officer stated at the KFPD Board Meeting that they have a contact for a possible temporary Assistant Fire Chief. He specializes in recruitment and training.

F11) In March 2017 the KFPD Board, a member of LAFCO and the Yurok Tribe met to try to find solutions to some of these issues. The Yurok Tribe agreed to honor any service agreements and MOUs with KFPD. They will also encourage their employees to volunteer with KFPD by allowing them paid time off.

F12) In April 2017 the Yurok Tribe is again meeting with the KFPD Board and LAFCO as a continuation of these discussions.

Recommendations

R1) Hire a part-time secretary to help the KFPD recruit volunteers.

R2) Have a temporary Assistant Chief to help KFPD with recruiting and training volunteers.

R3) Have a KFPD recruitment campaign using the fliers, brochures, and posters provided by LAFCO.

R4) Try to get an understanding from local businesses to recruit employees as volunteers without having them take a cut in pay.

R5) Try to encourage KFPD team building through sponsored activities.

R6) Contact the Triplicate to help recruit KFPD volunteers.

R7) Apply for KFPD grants and try to utilize the full-time grant writers in the Yurok Office to assist with increased funding sources.

R8) Seek KFPD donations from the tax-exempt properties.

R9) Hold some KFPD fund raising activities.

R10) Try to get the KFPD Fire Auxiliary active again to help host events which could increase community comradery.

R11) Attempt raising enough money for KFPD to procure the Amador Program. In order for this to happen, there would need to be a proven income stream 3 years prior to the program starting. The \$250,000 would be a yearly fee to keep this program going.

Conclusion

Fire Districts have an effect on everyone that is anywhere in the county. Wherever you are, if there is an emergency, whether it is a fire, a medical event or flooding they respond. This includes being at a home, outside, in a car, or at a public place-anywhere.

It was an honor to meet the people we talked to in our investigation. The volunteers, Board Members, and all the fire staff put so much selfless time and energy into helping with emergencies for everyone in Del Norte County. It is hard to put into words the respect we feel for them and the work they do. Without them, peoples' safety in Del Norte County would be put in jeopardy. We cannot thank them enough. They are all heroes. They have helped make a difference in so many people's lives.

We would like to thank all of the people who gave us their time to answer our questions. This report would not be possible without them.

**DEL NORTE
LOCAL AGENCY FORMATION COMMISSION**
1125 16th Street, Suite 202
Arcata, California 95521
TEL (707) 825-9301 FAX (707)825-9181
eo@delnortelafco.org

AGENDA ITEM 4A

MEETING DATE: July 24, 2017
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: Executive Officers Report

Verbal Report on Harbor District presentation to Commission July 18, 2017

Verbal Report on Hussey Ranch Corporation (HRC) Community Services District (CSD) potential annexation discussions

Responded to letter from HRC CSD to Jed Smith Homeowners Association on potential consolidation of water systems. The Jed Smith Homeowners Association is within the CSD Sphere of Influence

Verbal Report on State Water Resources Control Board coordination on water services extensions to mobile home parks

Sent letter to the City of Crescent city, with a copy to State Water Resources Control Board outlining LAFCo process for extending services outside City boundaries for health and safety purposes.

Verbal Report on Cost recovery for BOV CSD litigation (Counsel)

Verbal Report on State legislation for Special District seats on LAFCo

CALFIRE Correspondence - attached

Del Norte LAFCo Policies and Procedures Regarding Rules of Order:

The Policies and Procedures adopted in 2014 state that Robert's Rules of Order are the preferred rules of order for LAFCo meeting procedures:

"Robert's Rules of Order is designated as the general guide for conducting meetings and will be used to resolve points of order. Three members of the Commission constitute a quorum for the transaction of business. No act of the commission shall be valid or binding unless three or more members concur. In the absence of a quorum, the members present shall adjourn the hearing to a stated time and place (per Robert's Rules of Order)."

However, the policies and procedures are being updated and it is recommended that the new rules of order for LAFCo meeting procedures be Rosenberg's Rules of Order:

"Rosenberg's Rules of Order is designated as the general guide for conducting meetings and will be used to resolve points of order, unless said rules conflict with provisions of the California Government Code concerning the meetings of public entities and agencies."

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

Humboldt-Del Norte Unit
118 S. Fortuna Blvd
Fortuna, CA 95540
(707) 725-4413
(707) 726-1240 (FAX)



All Volunteer Fire Departments Serving
Humboldt, Del Norte, and Western Trinity Counties

June 1, 2017

RE: Assistance by Hire, Effective June 1, 2017 until Superseded

Dear Chief:

CAL FIRE has found it increasingly necessary to utilize non-CAL FIRE, local fire department equipment and personnel to accomplish the objectives of the Wildland Fire Protection mission upon State Responsibility Areas (SRA) within the administrative boundaries of the Humboldt-Del Norte Unit. This letter will clarify when local departments may be paid for wildland fire suppression activities on SRA. **[This Policy is for the use of local fire department resources on wildland State DPA fires within this Unit only unless specifically noted.]** Local agencies may be requested under one of three separate agreements, Mutual Aid, Local Agency Agreement (Assistance By Hire), or the California Fire Assistance Agreement (CFAA) At the time of dispatch, you will be advised which agreement the request is made under. The base rate under this agreement differs from the Cal EMA (CFAA) base rates. Cal EMA requests are normally of longer duration and are for incidents outside the area encompassed by the Humboldt-Del Norte Unit.

The following is the Humboldt-Del Norte Unit Policy for local agency assistance by hire:

A. The CAL FIRE Incident Commander may use the emergency fund to pay for the suppression activities of local fire departments on wildland fires provided the following criteria are met:

1. Local government resources **within their own district** will normally be considered operating under mutual aid agreements for the **first 2 hours** of any incident and **not be paid**. After 2 hours they may be switched to "**assistance by hire**" status, which would be compensated starting at the time of the initial request and ending when resources are back in quarters. Local government resources **outside their own district** will normally be "**assistance by hire**" from the time of initial request and ending when resources are back in quarters.
2. Local government resources must be operating under the direct control of CAL FIRE. Local government resources operating on incidents where their department is part of a unified command structure with CAL FIRE are not paid. Local government resources which are dispatched under auto-aid or mutual aid agreements will not be paid for "unable to locate", "false alarm", or "canceled in-route", incidents except when specifically authorized by the CAL FIRE incident commander. Local government resources which have not been dispatched by the Fortuna ECC (self launched) will not be paid unless specifically authorized by the CAL FIRE IC.

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

3. Specialized equipment, not normally covered by mutual aid agreements, ordered by CAL FIRE and operating under the control of CAL FIRE may be paid on SRA wildland fires. This equipment is normally reimbursed from time of dispatch.

4. CAL FIRE is the initiator of the request for local resources. No local government official or fire department may obligate the State to financial liability.

5. Within a local agency's jurisdiction, within SRA, the local agency may be paid when engaged in wildland fire suppression activities, not to include:

- a. Structure or vehicle fires
- b. Standby at threatened structures or property

6. Outside the local agency's jurisdiction, the local agency may be paid when the request is made by CAL FIRE for a wildland incident and when all other criteria are met.

7. This agreement does not apply when the request is made by Cal EMA or a Federal Agency. In those cases (unless a separate agreement has been made), CFAA rates will apply.

B. When assistance is requested by CAL FIRE, CAL FIRE assumes no liability for any damages to any local government equipment.

C. Any damage claim must be made to the State of California Department of General Services. A copy of the damage investigation documentation must be sent the CAL FIRE HUU headquarters office.

D. CAL FIRE is not obligated to pay for additional personnel and equipment that was not specifically requested by CAL FIRE.

E. The CAL FIRE Incident Commander is responsible for ensuring necessary documents are completed and that appropriate payments are made.

F. It is the responsibility of the sending agency to insure that such personnel are provided protective clothing and equipment as required by the California Code of Regulations, Title 8, Section 3410, Article 10.1, Section 3401, et seq., and that fire engines meet the minimum ICS standards for the type of equipment requested. Equipment and personnel not meeting the minimum requirements will be immediately released without payment.

G. It is the responsibility of the sending agency to ensure that the apparatus has adequate radio communications capability. Inability to communicate with other resources on the incident may result in immediate release without pay.

H. In the event of damage or loss of equipment (brass, hose, Nomex, tools, etc), other than damage to vehicles, the Local Agency is responsible for notifying the CAL FIRE Incident Commander or

designee. This CAL FIRE representative will arrange for resupply out of stock at the incident. If insufficient stock is available, the CAL FIRE representative will arrange for resupply by the HUU Logistics Officer. Appropriate documentation is the FC 315, signed by a CAL FIRE representative.

The following reimbursement rates will be paid to all local government agencies within the Humboldt-Del Norte Unit, except Arcata Fire Protection District, and Humboldt Bay Fire Authority, which are addressed in separate agreements.

Staffed Fire Engines

ICS Type I (4 person)	\$180.00/hr
Staffing:	1 Captain 1 Engineer 2 Firefighters
ICS Type II	\$146.00/hr
ICS Type III	\$141.00/hr
ICS Type IV	\$122.00/hr
Staffing:	1 Captain or Engineer 2 Firefighters
ICS Type V and VI	\$106.00 /hr
Staffing:	1 Captain or Engineer 1 Firefighter

CAL FIRE supplies fuel after the first burning period. The owner supplies lubricants and maintenance.

Water Tenders (All types)

1 Captain or Engineer	\$122.00 per hour
1 Captain or Engineer and 1 Firefighter	\$141.00 per hour

CAL FIRE supplies fuel after the first burning period. The owner supplies lubricants and maintenance.

Water Tender Support Vehicle

(fuel and maintenance provided by owner).	\$59.00/day plus \$0.54/mile
---	------------------------------

Unstaffed Fire Engines

Type III	\$81.00 per hour
Type IV	\$68.00 per hour
CAL FIRE supplies fuel, lubricants and routine scheduled maintenance.	

Administrative Fee Rate

An administrative fee of 10% will be assessed to all charges as per the California Fire Assistance Agreement (CFAA), Exhibit A and the Cal EMA Rate Letter dated January 7, 2011.

Shift Tickets

Payment will be based on Emergency Equipment Shift Tickets signed by CAL FIRE staff that supervised the resource in question.

Payment for any department equipment (fire engine or water tender) received through the Federal Excess Program will be reduced \$5.00 per hour. For example, the basic rate for a staffed Type III engine would be \$136.00/hr.

Staffing on engines is to be consistent with ICS standards. Type I engines are to have 4-person effective staffing. Type II, III, & IV are to be 3-person effective. Type V & VI are to be 2-person effective.

Water tenders are normally ordered with one operator only. Water Tenders ordered by CAL FIRE with Operator and Firefighter will be paid at the operator plus firefighter rate.

During times of extreme draw down, CAL FIRE may rent unstaffed engines. These engines would be staffed with CAL FIRE employees and retained within the boundaries of the Humboldt-Del Norte Unit. Duration could be extensive, depending of length of time CAL FIRE engines are committed to incidents. Prior to assuming control of a rented engine, CAL FIRE staff will conduct a general condition inspection, a safety inspection, a minimum equipment inventory, and an operator orientation. Documents are attached to this letter that detail these items. The supplying agency will provide a written equipment inventory that will be verified at the time CAL FIRE assumes control and again when returned to supplying agency.

Individually hired personnel from local fire agencies, other than those staffing engines or water tenders, will be paid on the following schedule.


Overhead	\$31.00/hr
Vehicle	\$45.00/day plus \$0.54/mile (fuel and maintenance provided by owner)

The preferred method of payment for all equipment and personnel is the CalFire 93, Equipment Use Invoice, payable to the agency. An FC-42 may be utilized for individually hired personnel.

Many requests for local government assistance will be either mutual aid or automatic aid and not require payment. However, this policy and payment schedule will allow CAL FIRE to reimburse local agencies when a need for assistance exists.

Your local CAL FIRE Battalion Chief should be your contact if you have any questions or concerns.

Sincerely,



 Hugh Scanlon, Unit Chief
 Humboldt-Del Norte Unit
 CAL FIRE



 Date