


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FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)  
EXECUTIVE OFFICER'S REPORT

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AGENDA ITEM NO. 8

**DATE:** June 3, 2015  
**TO:** Fresno Local Agency Formation Commission  
**FROM:** David E. Fey, AICP, Executive Officer   
**SUBJECT:** Consider Adoption: Municipal Service Review and Sphere of Influence Update prepared for the Bald Mountain Fire Protection District

**RECOMMENDATIONS:**

1. Receive this report and any public testimony regarding the proposed Municipal Service Review and proposed Sphere of Influence Update.
2. Find that the Municipal Service Review is exempt from the California Environmental Quality Act pursuant to section 15306 (Information Collection).
3. Approve the recommended Municipal Service Review determinations, together with any changes deemed appropriate.
4. Adopt a resolution updating the Sphere of Influence as shown in Exhibit 1.
5. Recommend that the District develop a plan for eventual expansion of its service area (Area C - Figure 2, of the MSR) prior to the next scheduled MSR update (2020). Such a plan will serve as a fiscal and operational estimate for expansion of the District services, how these services will integrate with other fire agencies and special districts, and can provide the public with information about Prop. 218 elections that will be a necessary part of the District's planning effort.
6. Recommend that the District continue to explore opportunities for service delivery efficiencies such as mutual aid agreements for shared facilities with neighboring agencies including but not limited to the Sierra Cedars Community Service District, CSA No. 31 (Shaver Lake), and/or CSA No. 50 (Auberry Fire) and with other agencies such as the U.S. Forest Service and CAL FIRE.

**Summary/Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to review and update, as necessary, Special District's Sphere of Influence (SOI) before January 1, 2008, and every five years thereafter. Prior to, or in conjunction with an agency's SOI update, LAFCo is required to conduct a *Municipal Service Review* (MSR) for each agency within its jurisdiction.

MSRs provide a comprehensive review of the services provided by a city or district and present recommendations with regard to the condition and adequacy of these services and whether or not any modifications to a city or district's SOI is necessary. MSRs can be used as informational tools by LAFCo and local agencies in evaluating the efficiencies of current district operations and may suggest changes in order to better serve the public. The MSR may serve as a vehicle to increase knowledge and communication among the various affected local agencies, and may serve to identify potential ways to resolve difficulties or commend effective services among local agencies.

SOI updates may affirm an existing SOI boundary or recommend modifications to the SOI boundary. LAFCo is not required to initiate changes to an SOI based on findings and recommendations of the service review, although it does have the power to do so if such modifications are consistent with recommendations or conclusions made in a study prepared pursuant to Government Code Section 56378, 56425, or 56430. Such updates are required by State law to be conducted every five years, as necessary. MSR's are required to be prepared prior to or in conjunction with SOI updates.

State law requires that the Commission in its consideration of the MSR's adopt written determinations for each of the following nine criteria:

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
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 matters related to effective or efficient service delivery, as required by commission policy

As part of the MSR update, it is the practice of the LAFCo to concurrently update the SOI of the local agency. The Commission is required to consider the following five criteria and make appropriate determinations in relationship to the Commission's designated SOI for the agency:

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 that the agency provides or is authorized to provide
4. The existence of any social or economic communities of interest in the area
5. For a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere of influence

### **Environmental Determination**

Staff has determined that consideration of and adoption of the Municipal Service Reviews and Sphere of Influence update determinations are actions considered to be "Categorically Exempt" as per Section 15306 (Information Collection) of the California Environmental Quality Act Guidelines (CEQA). Any change to a District's Sphere of Influence resulting from recommendations adopted by the Commission will require additional review under CEQA.

### **Bald Mountain Fire Protection District - Discussion & Summary of Determinations**

On June 13, 2007, the Commission adopted the first MSR for the Bald Mountain Fire Protection District ("District") prepared by a consultant under the direction of LAFCo staff. At the time, LAFCo relied on a combination of staff and consultants to prepare and adopt over 133+ MSR's

for all the local agencies within LAFCo's jurisdiction in order to comply with the Legislature's January 1, 2008 deadline. Though these MSR's complied with the Act, the Commission has since determined that the value of the report can be improved by employing a more deliberate and thorough approach for LAFCo staff to perform the subsequent generation of MSR's.

On May 28, 2014, Fresno LAFCo sent notice to the District informing the agency of the initiation of the MSR update. The notice letter included a copy of the District's 2007 MSR and a formal request to review and provide comments, financial reports, policy documents, and operational information needed to begin the update process. A formal response letter with the necessary information was sent to LAFCo on September 25, 2014. The District board of directors reviewed the 2007 MSR and identified several changes it sought in the report. LAFCo staff worked closely with the District to prepare the 2015 MSR including meeting with the board on numerous occasions.

The Bald Mountain Fire Protection District ("District" or "BMFPD") was formed on December 12, 1961, to provide public safety services in accordance with the Fire Protection District Law of 1961. The District encompasses approximately 14 square miles located north of Highway 168 above the unincorporated community of Auberry in the Meadow Lakes – Pine Ridge Area. The District conducts operations from its fire station located at 41967 Auberry Road, Auberry, CA 93602.

The southwest corner of the District abuts the Fresno County Fire Protection District and the west and north portions of the District abut County Service Area No. 50 (Auberry Fire). Three special districts are located east of the District; County Service Area No. 31 (Shaver Lake), Waterworks District No. 41 (Shaver Lake), and Sierra Cedars County Service District. Waterworks District No. 40 (Shaver Springs) abuts the District's southern boundary, and Waterworks No. 37 (Alder Springs) is located within the District's service area.

The District's service area consists of approximately 9,045 acres. Commission records indicate that the District's SOI covers approximately 16,651 acres, as shown on Exhibit 1.<sup>1</sup> On April 30, 2015, LAFCo staff met with the District Board of Directors to clarify the boundaries previously identified in the 2007 MSR. Staff has clarified the discrepancy and a thorough analysis is provided in the Commission's 2015 MSR Update for the District. This MSR used the correct SOI as identified in LAFCo records and clarified the mapping discrepancy that occurred in the first MSR for the District.

The purpose of the District is to serve as a non-profit volunteer fire department for community education, prevention, and suppression of fires and provide emergency medical assistance, including the investigation of fire and prosecution of arson. The District responds to emergency 911 calls or other calls related to fire suppression or medical emergencies. CAL FIRE, headquartered at 210 S. Academy near Sanger, dispatches the District service calls through a joint Fire Communications Facility. The District works in cooperation with the Auberry, Shaver Lake, and Pine Ridge Volunteer Fire Departments and the California Division of Forestry.

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<sup>1</sup> RSOI-125, Making Determinations and Approving Proposed Amendment of the SOI for BMFPD, Exhibit 1.

Population projections for the District are anticipated to be slower in this region in comparison with other portions of Fresno County. The District informed LAFCo staff that the agency does not foresee the need to revise its current SOI boundary to account for projected changes to population or growth in the District. The District is composed of approximately 14 volunteers with several of them tasked with multiple responsibilities. Given that the District experiences change in seasonal demands, hot summers and snow in the winters, the Department volunteer members adjust to accommodate the District's needs.

The District's primary funding source is generated from property tax assessments collected from properties within the District boundaries. The District receives a portion of the general property tax levied within its boundaries. According to the State Controller's Report Fiscal Year 2011-12 Annual Report, the District received \$99,082 in revenue for that year. The District provided a summary of its balance sheet standard as of October 10, 2014. The balance sheet standard shows the District with a total checking/savings account of \$100,101. Total District assets are estimated at approximately \$557,004, while the total of other current liabilities are \$18,356. The District has a long-term liabilities figure of \$103,604. As of October 2014, the combined liabilities for the District totals approximately \$121,961.<sup>2</sup> Based on information provided from the District's balance sheets it appears that the District adequately monitors its financial resources which enables the District to continue providing services to its continuance.

There may be opportunities for the District to share facilities or personnel members with the neighboring CSA No. 50 (Auberry), CSA No. 31 (Shaver Lake), Sierra Cedars CSD, or the Pine Ridge Fire Protection Departments (Fresno County Fire Protection District Company 68). It is noted that fire protection is one type of local governmental service that lends itself to be efficiently and effectively provided using regional or even as a county-wide agency. Should the District consider in the future that it could be operated more efficiently given potentially greater economies of scale, the consolidation with adjacent fire protection agencies or the Fresno County FPD should be considered.

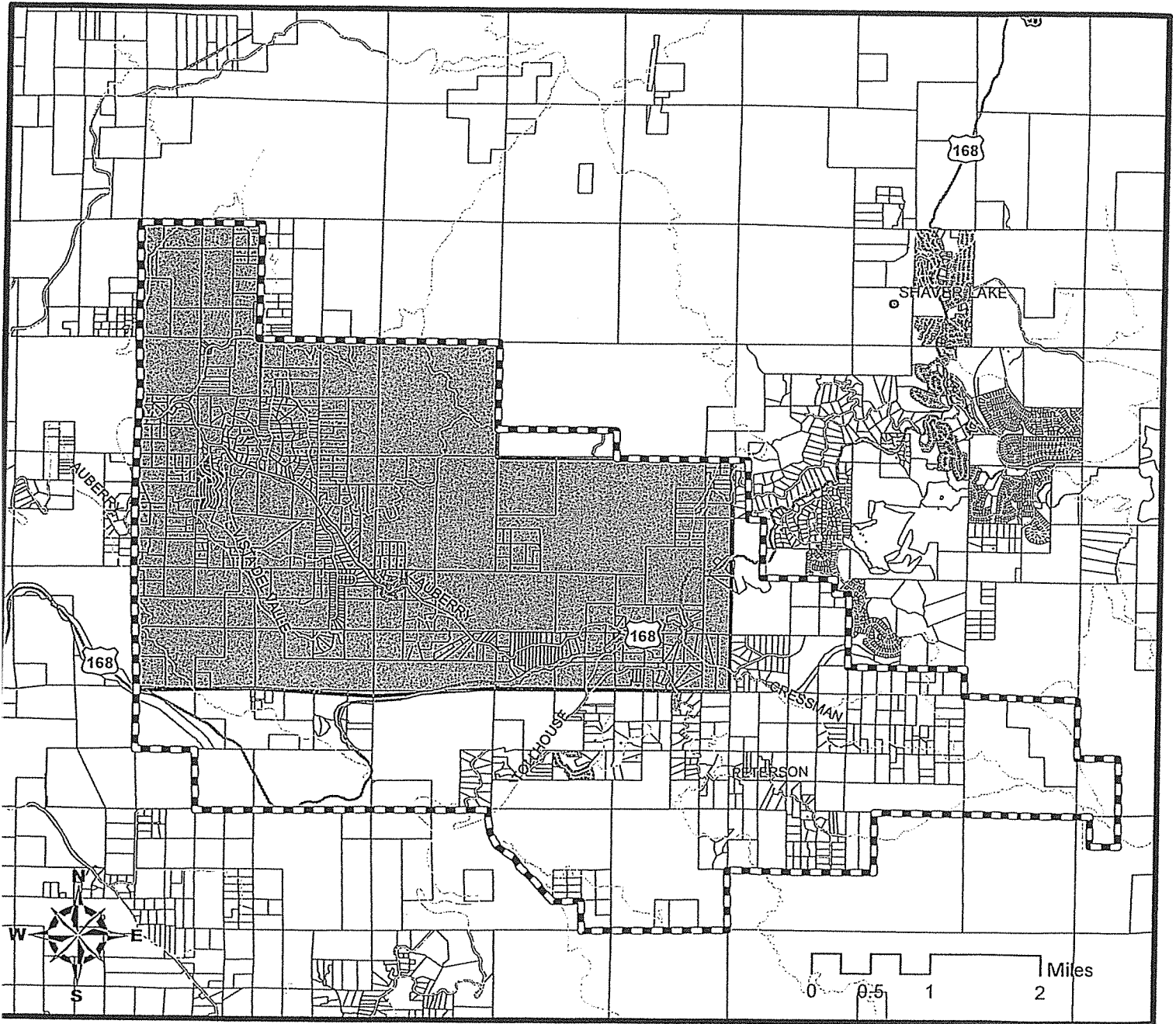
The District is not interested in consolidation with any other fire districts at this time, nor does it desire a revision to its existing SOI. The MSR recommends the District to develop a plan for eventual expansion of its service area (Area C - Figure 2, of the MSR) prior to the next scheduled MSR update (2020). Such a plan will serve as a fiscal and operational estimate for expansion of the District services; however, these services will integrate with other fire agencies and special districts and can provide the public with information about Prop. 218 elections that may be necessary to incorporate the District's long-term planning effort. The MSR recommends the District to continue to explore opportunities for service delivery efficiencies such as mutual aid agreements for shared facilities with its neighboring agencies.


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<sup>2</sup> Bald Mountain Fire Protection District, Balance Sheet Standards.

# EXHIBIT 1

## FRESNO LOCAL AGENCY FORMATION COMMISSION BALD MOUNTAIN FIRE PROTECTION DISTRICT



 BMFPD Service Area and SOI (as depicted by 2007 MSR)

 BMFPD SOI per LAFCo RSOI-125, MSR 2015

District Formed: 1961  
SOI Adopted: 5/28/1975

SOI Updated: 6/3/2015

BOUNDARIES PER LAFCo RECORDS:  
DISTRICT AREA: 9,045 Acres  
SOI AREA: 16,651 Acres

# **BALD MOUNTAIN FIRE PROTECTION DISTRICT**

## **MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE**

**Report to the  
Fresno Local Agency Formation Commission**

David E. Fey, AICP  
Candie Fleming  
George W. Uc  
2607 Fresno Street, Suite B  
Fresno, CA 93721

May 2015

# BALD MOUNTAIN FIRE PROTECTION DISTRICT

Fire protection, fire prevention & education, fire investigation, motor vehicle extrication, mitigation of hazardous chemical releases & waste spills, urban search and rescue, technical rescue, and first responder services

## Contact for District Business

**Board President:** Gloria Sprague (559) 855-5095  
**Board Member:** Clint Nichols (559) 960-0991

## Contact Information for Department & District Business

**Fire Chief:** Cam Dannahoo  
**Board Member:** Don Ashbrook, Advisory Fire Chief  
**Department Headquarters:** 41967 Auberry Road  
Auberry, CA 93602  
**Phone:** (559) 260-6197

## Management Information

**Principal Act:** Fire Protection District Law of 1987 (Health and Safety Code Sec. 13800)  
**Governing Body:** Five-member board of directors  
**Board Members:**  
Gloria Sprague, President Expires 2017  
Don Ashbrook Expires 2017  
Clint Nichols Expires 2017  
Joseph K. Odermatt Appointed in Lieu of Election 2011-Expires Dec 2015  
Joseph B. Wierick Appointed in Lieu of Election 2011-Expires Dec 2015  
**Board Meetings:** Held on the last Thursday of the month at 2:00 p.m., District headquarters  
**Staffing:** 14 volunteer staff members

## Service Information

**Empowered Services:** Fire suppression, EMS-basic life support, training, apparatus maintenance, fire investigation, water rescue, disaster management  
**Services Provided:** Same  
**Area Served:** Vicinity of Auberry Road and Highway 168 south of Shaver Lake  
**Population Served:** 3,297  
**Acres Served:** 9,977 acres  
**SOI:** 16,651 acres  
**Infrastructure:** Department headquarters/fire station at 41967 Auberry Road and five fire engines

## Fiscal Information

**Budget:** \$557,004  
**Sources of Funding:** Property Tax

## Administrative Policies

**Policies/Procedures:** Yes      **By-laws:** Yes      **District Formed:** 1961      **SOI Updated:** 2015

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# 1. MUNICIPAL SERVICE REVIEW

## DESCRIPTION OF DISTRICT

### PRINCIPAL ACT

The Bald Mountain Fire Protection District (“District” or “BMFPD”) was formed on December 12, 1961, to provide public safety services in accordance with Fire Protection District Law of 1961. The statute was updated through Fire Protection District Law of 1987 (Health and Safety Code, Section 13800 et seq.) which succeeds the Fire Protection District Law of 1961 and all of its statutory predecessors.<sup>1</sup> The District encompasses approximately 14 square miles located above the unincorporated community of Auberry in the Meadow Lakes – Pine Ridge Area. District services are provided in accordance with Health and Safety Code. The District operates from a fire station with four equipment bays, located on 41967 Auberry Road, near Meadow Lakes. The Department is empowered to equip and maintain the fire station and establish and enforce rules and regulations for the administration, operation, and maintenance of the District.<sup>2</sup>

The purpose of the District is to serve as a non-profit volunteer fire department for community education, prevention, and suppression of fires and provide emergency medical assistance, including the investigation of fire and prosecution of arson. The District responds to emergency 911 calls or other calls related to fire suppression or medical emergencies. CAL FIRE, headquartered at 210 S. Academy near Sanger, dispatches the District service calls through a joint Fire Communications Facility located at the Fresno Airport.<sup>3</sup>

The District is an independent special district governed by a five-member board of directors. The District’s daily operations are managed by the department fire chief and Department staff. The District is not governed by other legislative bodies such as a city council or board of supervisors. In accordance with Government Code section 56066, Fresno is the principal County and LAFCo is the responsible for preparing this municipal service review (MSR).

### BACKGROUND, TERRITORY, AND SPHERE OF INFLUENCE

RSOI-55<sup>4</sup> – On November 16, 1983, the Commission approved the Bald Mountain Fire Protection and Mid-Valley Fire Protection District Spheres of Influence Revision. The application to the Commission by Bald Mountain Fire Protection District requested an amendment to its SOI to detach 37,000 acres (57 square miles) from the Mid-Valley Fire Protection District and annex this territory to the Bald Mountain Fire Protection District.

<sup>1</sup> Health and Safety Code Section 13803.

<sup>2</sup> Bald Mountain Fire Protection District, Information and Policy Manual provided by the District.

<sup>3</sup> Re: Fresno County General Plan Update Comment Letter by Fresno County Fire Protection District [http://www2.co.fresno.ca.us/4510/4360/General\\_Plan/GP\\_Final\\_EIR/EIR/Append\\_B/FR\\_co\\_fire.pdf](http://www2.co.fresno.ca.us/4510/4360/General_Plan/GP_Final_EIR/EIR/Append_B/FR_co_fire.pdf).

<sup>4</sup> “RSOI” is a LAFCo designator for an application requesting Revision to Sphere of Influence.

RSOI-84 – On December 19, 1990, the Commission approved the District’s SOI revision request to annex approximately 10,240 acres (16 square miles) to the southeast of the District service area to include the Cressman-Shaver Springs and the Alder Springs area. At that time, territories proposed to be included in the SOI revision were undergoing rapid planned development for foothill/mountain residential and commercial uses in conformance with the Fresno County General Plan, primarily along the Auberry Road/Highway 168 corridor for a distance of approximately 20 miles between the communities of Prather and Shaver Lake.<sup>5</sup>

A geographic division occurs between the foothill residential areas and forest areas east of the community of Auberry as the elevation increases eastward along Auberry Road/State Highway 168. The following geographic areas were included with RSOI-84 and are described by community names, elevation levels, and planned land uses for the identified developments in the early 1990s:

- Auberry and New Auberry, at 2,000 feet elevation: Rural Residential- 3,320 acres, Mountain Urban 480 acres, and Specific Plan Residential-340 acres;
- Meadow Lakes/Alder Springs at 4,500 feet elevation: Rural Residential 1,920 acres;
- Shaver Springs at 3,800 feet elevation: Rural Residential – 600 acres;
- Shaver Lake Community at 5,500 feet elevation: Specific Plan Residential 1,740 acres, Mountain Residential 1,700 acres, and Commercial 120 acres;

The most intensive planned developments occurred in the Shaver Lake Community. Fresno County’s Shaver Lake Community Plan designates rural residential and commercial uses in areas within the District’s 1990 revision of the SOI.

RSOI-125–On October 16, 2002, the Commission adopted a resolution to remove approximately 31,144 acres (48.6 square miles or approximately 80%) from the District’s western SOI. The Commission’s action to reduce the District’s SOI facilitated the subsequent formation of County Service Area No. 50 (Auberry Volunteer Fire Department) to provide fire protection services to the communities of Prather and Auberry.

Subsequently, on April 30, 2003, the Commission formed CSA No. 50 (Auberry Fire) by adopting Resolution No. FD-03-01 to provide fire services to approximately 31,144 acres that were formerly part of the District’s SOI. The creation of CSA No. 50 was recorded by the Fresno County Recorder on February 13, 2004 (Document #20040034813). The creation of CSA No. 50 allowed Auberry Volunteer Fire Department to provide Fire and EMS services west of the Bald Mountain Fire Protection District’s service area.<sup>6</sup>

According to LAFCo records, the District’s service area consists of approximately 9,045 acres. The 2007 District MSR incorrectly stated that the District SOI is generally

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<sup>5</sup> Marvin L. Panter, RSOI-84, LAFCo Report to the Commission Agenda No. 6- Bald Mountain FPD- SOI Review, December 19, 1990.

<sup>6</sup> Boundary Change Recorded, CSA 50 (Auberry Fire), Fresno County Recorders Document No. 20040034813.

conterminous with its service area, this is not the case.<sup>7</sup> In addition, it was noted during the preparation of the 2015 MSR that the record for the 2007 BMFPD MSR included a discrepancy between the District's SOI and its service area. Commission records indicate that the District's actual SOI covers approximately 16,651 acres, as shown on Figure 1.<sup>8</sup> On April 30, 2015, the District's Board of Directors confirmed with LAFCo that the District SOI is accurately identified on LAFCo records RSOI-125, as shown on Figure 1.

LAFCo staff has determined that a misinterpretation of information occurred between the processing of application RSOI-125 (Reduction of BMFPD SOI) and the complete recordation of the proposal FD-03-01 (Creation of CSA No. 50, Legal Description). The mapping error included in the RSOI-125 application extends portions of the District's SOI into CSA No. 50's service area. Figure 2 presents the mapping errors as Areas A and B for illustrative purposes.

To resolve this issue, LAFCo staff verified the boundary information included with application for RSOI-125 and compared this with the legal descriptions provided for application FD-03-01 (formation of CSA No. 50). LAFCo staff consulted with the County of Fresno Auditor-Controller/Treasure-Tax Collector-Special Accounting Division to identify tax rate areas for Areas A and B. County records show all parcels identified in Area A and Area B (Figure 2) are within the CSA No. 50 service area and are on the FY 2014-15 Tax Roll paying a portion of their property tax to CSA No. 50, and not to BMFPD.<sup>9</sup>

- Figure 2, Area A- the west portion of the District's service area aligns with CSA No. 50's eastern service area; however the BMFPD SOI per RSOI-125 hand drawn boundaries on maps appear to show the District's SOI to extend into CSA No. 50 service area. Verification of the Commission records indicates that the District SOI aligns with its service area (Area A).
- Figure 2, Area B- a similar situation between the District and CSA No. 50 occurs on the District's Northside. The District's service area and CSA No. 50's service area align along the north of the District. However, map records included in RSOI-125, illustrate the District's SOI boundaries which are hand drawn to extend into CSA No. 50 service area. Verification of the Commission records indicates that the District SOI aligns with its service area (Area B).
- Area C is within the District SOI but outside of its service area. This portion of the SOI amounts to approximately 7,449 acres, largely located southeast of the District's service area.<sup>10</sup> Conversations with the District board indicate that this area could be served by the District at some point in the future, however LAFCo proceedings would need to be initiated in order to annex these lands to the District. The District informed LAFCo that exploration of a Prop. 218 election

<sup>7</sup> RSOI-125, Making Determinations and Approving Proposed Amendment of the SOI for BMFPD, Exhibit 1.

<sup>8</sup> Rick Ballantyne, Bald Mountain Fire Protection District MSR, June 13, 2007 Staff Report to Fresno LAFCo.

<sup>9</sup> Electronic Mail with Auditor-Controller/Treasure-Tax Collector- Special Accounting Division.

<sup>10</sup> Ibid.

could be considered in order to annex territories within Area C in the future. A Proposition 218 election would give tax payers the right to vote on local taxes, and require tax payer approval of property related assessments and fees.

Staff has clarified the discrepancy that occurred in the District's 2007 MSR and concludes that the approved District SOI aligns with the District service area along its western and northern portions as shown on Figure 1.

Figure 1 – Bald Mountain Fire Protection District Boundaries

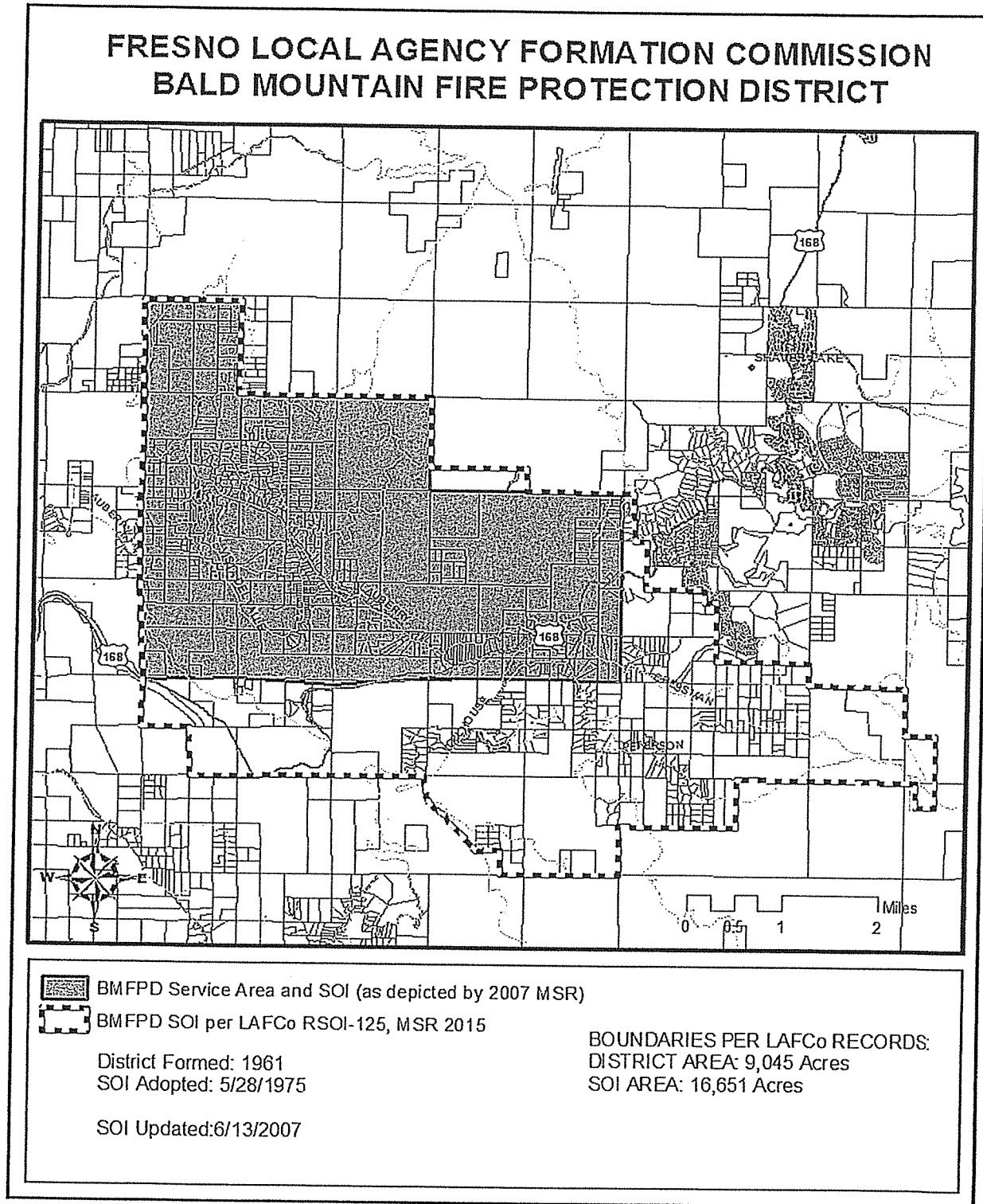
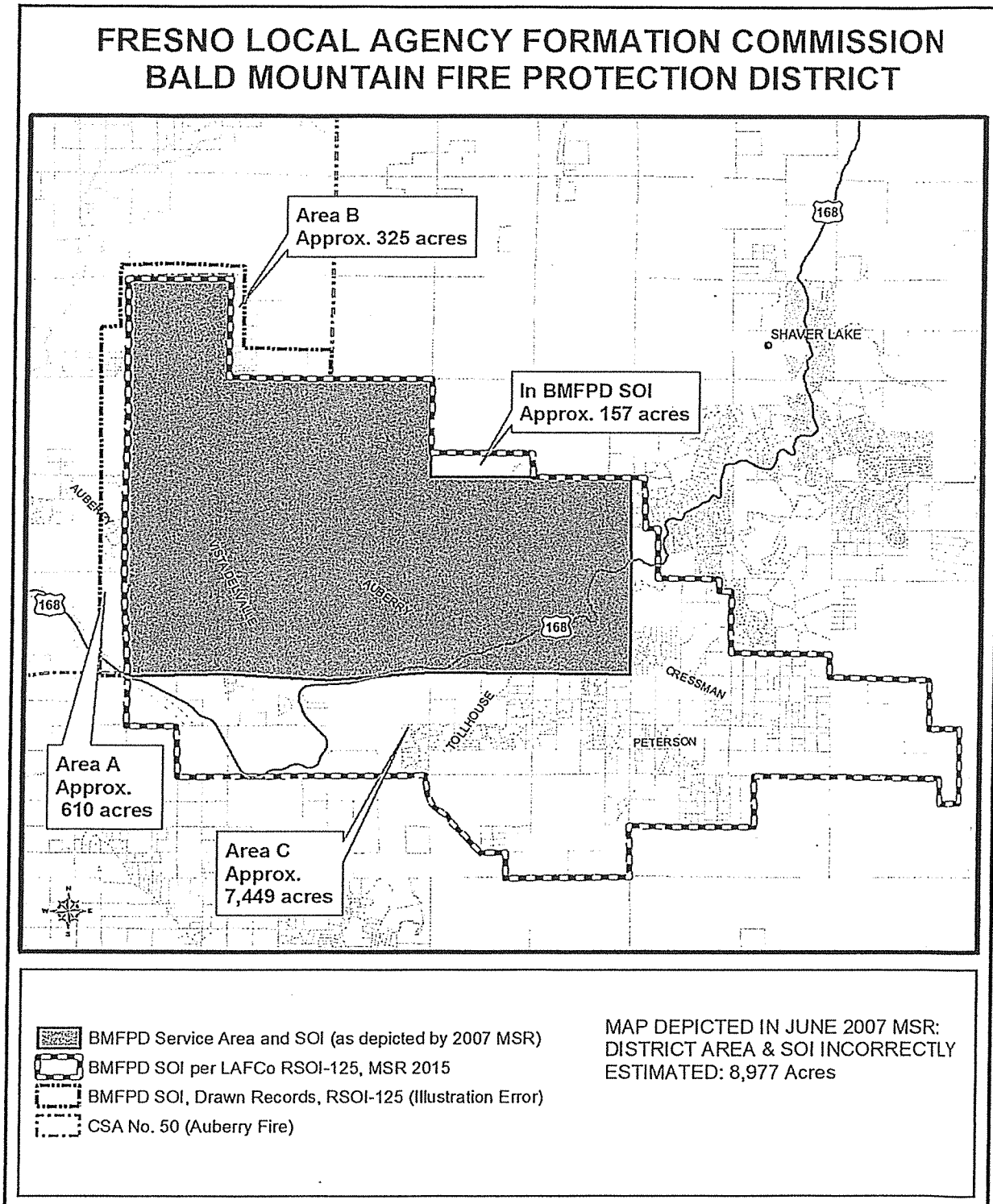


Figure 2- Boundary Discrepancies to Be Corrected



## COOPERATIVE AGREEMENTS

The District maintains cooperative agreements with the Auberry, Shaver Lake and Pine Ridge Volunteer Fire Departments (Fresno County Fire Protection District Company 68), CAL FIRE, and the United States Forest Service. The District participates in the enforcement of fire protection codes within Fresno County.<sup>11</sup> Fresno County Fire Protection District's fire protection coverage is allocated into several areas of responsibility within the region to implement state statute. These areas of responsibility are identified on Figures 3 and 3a, by agencies' names and areas of coverage within the greater Fresno County area.

Figure 3 – County of Fresno Fire Protection Agencies

<i>Name of District or Area</i>	<i>Service Provider</i>
1. Fresno County Fire Protection District	Fresno County Fire Protection District
2. Orange Cove Fire Protection District	Orange Cove Fire Protection District
3. Fig Garden Fire Protection District	City of Fresno Fire Department
4. North Central Fire Protection District	City of Fresno Fire Department
5. State Responsibility Area	CAL FIRE
6. Federal Responsibility Area	U.S. Forest Service, National Park Service or Bureau of Land Management

Figure 3a – County of Fresno Volunteer Fire Protection Agencies

<i>Volunteer Fire Agencies</i>	<i>Service Provider</i>
1. County Service Area (CSA) No. 31	Shaver Lake Volunteer Fire Department
2. County Service Area (CSA) No. 50	Auberry Volunteer Fire Department
3. Bald Mountain Fire Protection District	Bald Mountain Volunteer Fire Department
4. Laton Community Service District	Laton Volunteer Fire Department
5. Riverdale Community Service District	Riverdale Volunteer Fire Department

State of California adopts new building codes every three years that include revisions to the fire codes as part of the California Building Code Standards updates. Per Health and Safety Code Sec. 13146, fire districts and departments shall enforce within their jurisdiction the building standards and other regulations of the State Fire Marshal. The authority to make regulatory adjustments to policy in compliance with state statute rests completely on the governing body of the District.

<sup>11</sup> Alan Weaver, Fresno County Board Briefing Report- Enforcement of Fire Protection Codes within Fresno County, <http://www.co.fresno.ca.us/WorkArea//DownloadAsset.aspx?id=56251>.

## 1. Growth and Population Projections for the affected area

County of Fresno is the land use authority for District territories. Lands within the District are designated by the Fresno County General Plan as “Resource Conservation,” “Timberland Preserve,” incidental “Rural Residential,” “Rural Commercial,” and “Agriculture.” The District is identified within the Fresno County Sierra-North Regional Plan Area.<sup>12</sup>

The District’s service area boundary is primarily situated within U.S. Census Tract 64.02 in the unincorporated portions of eastern Fresno County.<sup>13</sup> The District boundaries and the census tract boundaries do not necessarily align. Given that the District is located in mountainous topography, gaging a precise population for the District’s service area is challenging, however LAFCo staff compared population estimates between the U.S. Census and the Fire District Insurance Service Office data to provide an estimated population served.

A review of the U.S. Census American Community Survey (ACS) five-year estimate reports for 2009-2013 indicates that Census Tract 64.02 included a population of approximately 3,297 people.<sup>14</sup> Fire Districts throughout the State utilize a different means of data to estimate population size rather than the U.S. Census. The District utilizes the Insurance Service Office (ISO) data to estimate its population service. The ISO data for the District indicates that the area hosts approximately 4,500 residents. Although there is a difference between the two population data sources, LAFCo has determined there may be deficiencies in census data to accurately assess population estimates, as a result LAFCo considers the District’s ISO data to provide an appropriate estimate for the population served by the District.

Population projections for the District are anticipated to be slower in this region in comparison with other portions of Fresno County. Using the County’s 20-year planning population projections from its General Plan Housing Element, the annual growth rate for the Sierra Nevada region is 0.76%, which is lower than the countywide annual growth rate of 1.65%.<sup>15</sup> The District informed staff that the agency does not foresee the need to revise its current SOI boundary to account for projected changes to population or growth in the District.

## 2. Location and characteristics of any disadvantaged unincorporated communities

For any SOI updates of a special district that provides public facilities or services related to sewer, municipal and industrial water, or structural fire protection, the Cortese-Knox-

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<sup>12</sup> Fresno County General Plan, Planning Areas, Web: [http://www2.co.fresno.ca.us/4510/4360/General Plan/GP Final policy doc/pdf maps/fres%20policy%201%20Planning%20Areas.pdf](http://www2.co.fresno.ca.us/4510/4360/General%20Plan/GP%20Final%20policy%20doc/pdf%20maps/fres%20policy%201%20Planning%20Areas.pdf) Accessed: April 1, 2015.

<sup>13</sup> USA.com, Information for Census Tract and Block Group, Web: <http://www.usa.com/CA0190064023.html>.

<sup>14</sup> BMFPD, Communications with District Representatives via email.

<sup>15</sup> County of Fresno Housing Element, page 7-9.



Hertzberg Local Government Reorganization Act of 2000 (CKH) requires LAFcos to consider and prepare written determinations regarding the present and planned capacity of public facilities and adequacy of public services, and infrastructure needs or deficiencies for any disadvantaged unincorporated community within of contiguous to the SOI of a city or special district.

Government Code sec. 56033.5 defines a DUC as i) all or a portion of a “disadvantaged community” as defined by Section 79505.5 of the Water Code, and as ii) “inhabited territory (12 or more registered voters), as defined by section 56046, or as determined by commission policy. Further, on January 9, 2013, Fresno LAFCo exercised its powers and adopted policy which refined the DUC definition to include having at least 15 dwelling units at a density not less than one unit per acre. Commission policy defines Legacy Communities as a geographically isolated community that meets the DUC criteria, is at least 50 years old, and is beyond the adopted SOI of any city. When approving any new or updated SOI for a city of special district, the city or special district shall be required to identify any legacy community within one mile of the existing of proposed SOI.<sup>16</sup>

CKH and Commission policy require LAFCo to deny annexations to a city of any territory greater than 10 acres if there exists a DUC contiguous to the proposed annexation or within 300 feet from the proposal,<sup>17</sup> *unless* an application to annex the DUC has been filed with the Executive Officer, or Commission finds based on written evidence that majority of the registered voters within the affected territory are opposed to annexation.

This section to the report uses County of Fresno Geographic Information System (GIS) parcel mapping data and US Census information to quantify the economic composition of all the census block groups within the vicinity of the District’s boundaries. Geographic Information System (GIS) files were derived from the US Census Bureau's American Community Survey (ACS) compiled for the five-year period of 2006-2010 to identify the demographic composition for the various census geographies within the District boundaries. Although the ACS provides annual and three-year estimates, the five-year reports between years 2006-2010 provide more precise data and mapping information for analyzing small populations. The five-year reports are the most reliable form of information generated by the US Census.<sup>18</sup> California’s statewide MHI reported for years 2006 through 2010 was \$60,883, the DUC threshold is any geographic unit with a MHI that is less than \$48,706. For the purpose of identifying DUCs pursuant to Commission Policy, the ACS five-year estimates for census block groups within District’s Service Area and SOI boundaries were utilized to provide the economic data backgrounds for this section of the MSR.

The District’s nearest communities to its service area are: Sierra Cedars, Prather, Huntington, Big Sandy, Pine Ridge, Tollhouse, Auberry and New Auberry.

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<sup>16</sup> Policies, Standards, and Procedures, Fresno Local Agency Formation Commission, Policy 106 – DUCs.

<sup>17</sup> Fresno LAFCo, Policies, Standards, and Procedures – Policy 106 (05).

<sup>18</sup> US Census Bureau, [http://www.census.gov/acs/www/guidance\\_for\\_data\\_users/estimates/](http://www.census.gov/acs/www/guidance_for_data_users/estimates/).

The District is located in the unincorporated areas of Fresno County, primarily within US Census Tract 64.02-block group 3; portions of Tract 64.02-block group 2; portions of Tract 64.02-block group 6, and portions of Tract 64.05-block group 2. A review of the U.S. Census ACS five-year reports between years 2006-2010 indicates that MHIs within the District service area had a higher reported income than compared to the statewide MHI level. Figure four, provides a synopsis of the tract and block groups within the District’s boundaries as well as reported MHI.

Figure 4 - US Census ACS 5-year Reports by Tract & Block Group, MHI Reports

Census Tract and Block Group Information	Years 2006 through 2010, MHI Reported
Tract 64.02-block group 2	\$59,127
Tract 64.02-block group 3	\$63,393
Tract 64.02-block group 4	\$42,024
Tract 64.02-block group 6	\$82,500
Tract 64.05-block group 2	\$71,250

Of the total five block groups identified within the District service area, only census tract 64.02 –block group 4 reports a MHI that meets one characteristic of the DUC definition per Commission Policy, a MHI that is less than \$48,706. This area is considered a Disadvantaged Community based on the reported MHI level.<sup>19</sup> The area consists of approximately 41 properties located over approximately 1,266 acres on the east portion of the District. Approximately 1,110 of these acres are within the District service area and currently benefit from the District services. Further, the potential DUC area is within the SOI of Sierra Cedars Community Service District and west of the SOI and Service area of CSA No. 31 (Shaver Lake). Staff identified 23 properties along Solitude Lane, Woodland Road, and north of Tollhouse road which amount to approximately 156 acres of territory categorized as a Disadvantaged Community per the California Water Code. This area does not meet the DUC definition adopted by Fresno LAFCo: properties identified within this section of census tract 64.02 –block group four, generally range between four to six acres in size at a density greater than one unit per acre.

Based on available census data for tracts and block groups, and Fresno County GIS mapping information for properties located within and adjacent to the District boundaries, there is no evidence of DUCs within or contiguous to the District’s SOI pursuant to Fresno LAFCo Policy-106.

**3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs and deficiencies**

The District serves the rural foothill and mountain region between Auberry and Shaver Lake. Construction activities in the District service area are generally considered

<sup>19</sup> Definition per Water Code Section 79505.5, “Disadvantaged Community.”

ongoing given the District's remote mountainous topography. County of Fresno is the land use authority for territories located within the District service area. It is essential for the District to maintain up to date information from Fresno County building department regarding proposed construction within the District service area. The District informed staff that the Department has the ability to review plans for new subdivisions submitted by Fresno County for proposed developments in the District boundaries, via contract with the Fresno County Fire. Prior to the issuance of any development permit or building permit, Fresno County Building Department requires the applicants to provide evidence of plan check approval and payment of District fees prior to issuing a building permit within the District's boundaries.<sup>20</sup> Inspections for new construction within the District service area is contracted to Fresno County Fire Protection District. The District indicates that there is opportunity to support additional growth consistent with Fresno County's land use element.

The District is composed of approximately 14 volunteers with several of them tasked with multiple responsibilities. Given that the District experiences change in seasonal demands, hot summers and snow in the winters, the Department volunteer members adjust to accommodate the District's needs. The District's departmental positions include but are not limited to fire engineer/drivers, firefighters, mechanics, clerical and administrative assistants. Department officers include a Captain, Fire Chief, Assistant Chief, and a Training Officer. The Department generally has three to five volunteers available for emergency responses at any given time. Volunteers that are scheduled on off duty are not typically on-call, with the exception of critical emergencies. District volunteers average 25 to 30 hours of service per month depending on seasonal demands. Volunteers' continue their education through participation in and hosting of multi-agency fire protection and prevention training activities.

The District serves an area of approximately 9,045 acres (14 square miles) with an Insurance Service Office (ISO) figure of 4,500 residents on all insurance policies.<sup>21</sup>

The District owns one fire station located on 41967 Auberry Road, Auberry, CA 93602. The District participates in mutual aid and response agreements with the California Division of Forestry and Fresno County EMS. According to District information the most recent ISO rating assessment identified the department's emergency response time at an average of two to 12 minutes within the District's service area.

The department operates and drives to and from incidents using emergency response vehicles. The fire department owns and houses the following fire apparatuses at the District headquarters:

- 1997 Ford F-350 type 4, Medical and Fast Attack
- 1996 Chevrolet ¾ ton Command Truck
- 2012 Freightliner type 2 Engine, 500 Gallons rated at 1,250 GPM

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<sup>20</sup> Fire Protection District Approval, Web: <http://www.co.fresno.ca.us/ViewDocument.aspx?id=57037> Accessed: April 1, 2015.

<sup>21</sup> LAFCo is aware that ISO Populations estimates differ from U.S. Census Population Data.

- 2007 Kenworth Water Tender Type 2, 2000 Gallons

The District receives its water supply from storage tanks located throughout the District service area. The District's tanks are filled from the local groundwater supply. The District has hydrant connections to fill fire trucks within rural residential subdivisions. The District reports that water supplies area also obtained from Pine Ridge Elementary School and ponds within the District service area. The District appears to have adequate water sources available to provide services.

#### 4. Financial ability of agencies to provide services

The District's primary funding source is generated from property tax assessments collected from properties within the District boundaries. A secondary source of revenue, effective as of January 1, 2014, the County of Fresno building department requires that prior to the issuance of any development permit or building permit, applicants shall provide evidence of plan check approval and payment of Fire District fees prior to the County issuing a building permit within the District's boundaries.<sup>22</sup> Chapter 15.64 of the Fresno County Ordinance establishes the Fire District Development Impact Mitigation Fees. The purpose of County Ordinance- Chapter 15.64 is to implement the Fresno County general plan policy providing for the adoption of development impact mitigation fees and for the collection of said fees at the time of the issuance of building permits or other permits.<sup>23</sup>

A conversation with the Fresno County Public Works and Planning Division indicates that since January 2014, there has been limited development proposals within the District's boundary that would require the District's review/approval prior to obtaining a building permit, therefore it is possible that the District has not benefited from this secondary source of revenue.<sup>24</sup> Additionally, as indicated before the District contracts inspections for new construction with Fresno County Fire Protection District. The County Public Works and Planning Division informed LAFCo staff that if and when development proposals are made within the District boundaries, the County will seek District's approval prior to issuing a Fresno County building permit.

The District receives a portion of the general property tax levied within its boundaries. According to the State Controller's Report Fiscal Year 2011-12 Annual Report, the District received \$99,082 in revenue for that year. Additional revenues were obtained through interest income (\$3,062), Rent/Concession/Royalties (\$1,353), State Assessments (\$1,390), and Other Revenue incomes (\$2,739). The District's total revenue for FY 2011-12 was \$107,626 obtained from property taxes and assessments.<sup>25</sup> The District has annual debt of \$5,563 in debt service/interest expense and approximately

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<sup>22</sup> Fire Protection District Approval, Web: <http://www.co.fresno.ca.us/ViewDocument.aspx?id=57037> Accessed: April 1, 2015.

<sup>23</sup> County of Fresno Ordinance Chapter 15.64.

<sup>24</sup> Conversation with Jeff Janes, Fresno County Public Works and Planning Division.

<sup>25</sup> California State Controller's Office, Special Districts Annual Report, Web: [http://www.sco.ca.gov/Files-ARD-Local/LocRep/1112\\_special\\_districts.pdf](http://www.sco.ca.gov/Files-ARD-Local/LocRep/1112_special_districts.pdf) Accessed: February 15, 2015.

\$22,349 in other expenditures. The combined debt and expenditure figures amount to a total of \$27,912.

More recently, the District provided a summary of its balance sheet standard as of October 10, 2014. The balance sheet standard shows the District with a total checking/savings account of \$100,101. Total District assets are estimated at \$557,004, while total other current liabilities are \$18,356. The District has a long term liabilities figure of \$103,604. As of October 2014, the combined total liabilities for the District totals to approximately \$121,961.<sup>26</sup> Based on the information provided from District's balance sheet it appears that the District adequately monitors its financial resources which enables the District to continue providing services to its continuance.

#### 5. Status of, and opportunities for shared facilities

The District owns the fire station and participates with mutual cooperative agreements with other emergency agencies such as CAL FIRE for dispatching, Fresno County Fire Protection District, Fresno County EMS, and mutual aid agreements with CSA No. 50 (Auberry Fire) and CSA No. 31 (Shaver Lake Fire).

The 2007 MSR prepared for the District suggested that there may be opportunities for the District to share facilities or personnel members with the neighboring CSA No. 50 (Auberry), CSA No. 31 (Shaver Lake), Sierra Cedars CSD, or the Pine Ridge Fire Protection Departments (Fresno County Fire Protection District Company 68). Figure five, District Services Provided by Agencies lists the neighboring Districts and the types of services each respective District provides within its boundaries. As indicated on Figure five, the seven Districts listed on the table all provide fire protection services within the Bald Mountain Fire Protection District geographical region.

As recommended on the 2007 MSR for the District, there are opportunities for developing shared facilities amongst the Districts for fire prevention, suppression and emergency response. It is appropriate to encourage the exploration of opportunities to share district facilities amongst the neighboring districts that provide the same type of services to improve operational efficiencies of service deliveries. Figure Six- Local Agencies within the Vicinity of Bald Mountain Fire Protection District illustrates the local agencies within the vicinity of the District that could present opportunities for shared facilities as indicated by Figure 5.

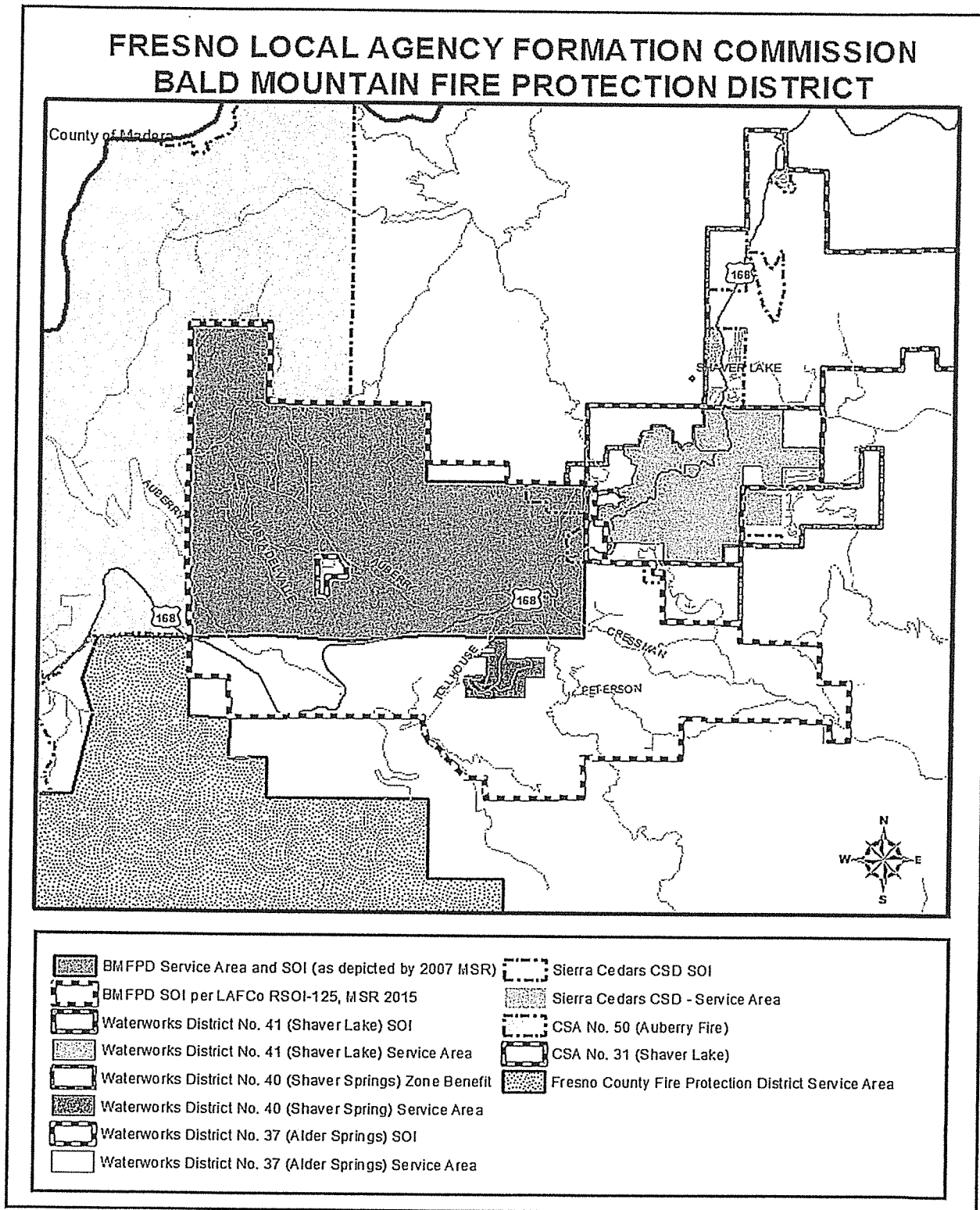
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<sup>26</sup> Bald Mountain Fire Protection District, Balance Sheet Standards.

Figure 5- District Services Provided by Agencies

	Fire Protection	Emergency Service	Water Service	Sewer	Parks	Snow Removal	Road Maintenance	Community Rental Building	Building Permits/ Inspections	Recreation	Emergency Dispatch
Bald Mountain, FPD	X										
CSA No. 50 (Auberry Fire)	X	X									
CSA No. 31 (Shaver Lake)	X	X	X	X	X	X	X	X		X	
Fresno County Fire Protection District	X	X							X		X
Waterworks District No. 41 (Shaver Lake)	X		X	X							
Waterworks District No. 40 (Shaver Springs)	X		X	X							
Waterworks District No. 37 (Alder Springs)	X		X								

Figure 6 -Local Agencies within the Vicinity of BMFPD



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

Health and Safety Code, Section 13800 *et seq.*, (Fire Protection District Law of 1987) enables the formation of fire protection districts. The District is an independent special district with a five-member board of directors that are elected to four-year terms or until their successor qualifies and takes office.<sup>27</sup> Register voters within the District boundaries select representatives to serve on the board which is an essential component of local accountability.

Board members serve on a volunteer basis, no compensation is given for attending District meetings. Two board member seats are set to expire in November of odd years, while no more than three terms shall expire at one time in one cycle. The District has indicated that at this time all five District board seats are filled, two are set to expire late 2015, while the remaining three seats are set to expire 2017. The District Fire Chief manages department daily operations with assistance of support staff members.

The board of directors creates District policy by adopting resolutions or ordinances through duly-noticed public meetings. The District provides opportunity for the public to address the board of directors at the meetings with a period for public comments on every agenda. District board meetings are held at the department fire station on the last Thursday of the month at 2:00 p.m. Public notice is provided by posting of an agenda outside of the District office ten days before each meeting. Department meetings are held on the first and third Wednesdays of the month from 7:00 p.m. to 10:00 p.m. There is no public notice provided for District department meetings. Scheduled District meetings and department meetings are held at the District headquarters at 41967 Auberry Road, Auberry, CA 93602.

**7. Any other matter related to effective or efficient service deliveries, as required by Commission policy.**

Other Districts that overlay the Bald Mountain Fire Protection District include:

- The West Fresno Red Scale Protective District provides pest control services;
- Sierra Resource Conservation District;
- The Fresno County Library District provides library services;
- Fresno Metropolitan Flood Control District provides flood control services;
- County Service Area No. 35, Zone H provides private road maintenance services on 28 acres for three parcels along Vista del Valle Road and an unknown street near Bald Mountain; and
- The Clovis Cemetery District provides for the internment of human remains.

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<sup>27</sup> Health & Safety Code 13843. (a) The term of office of each member of a district board is four years or until his or her successor qualifies and takes office, except as provided in subdivision (b).



Figure six, identifies Districts near Bald Mountain Fire Protection District boundaries that provide municipal services and/ or fire protection:

- Fresno County Fire Protection District;
- Sierra Cedars Community Service District provides water, snow removal, and road maintenance;
- County Service Area No. 31 (Shaver Lake) provides recreation and fire;
- Waterworks District No. 37 (Alder Springs) provides water and fire protection services;
- Waterworks District No. 40 (Shaver Springs) is located immediately south of the District and provides water, sewer and fire protection;
- Waterworks District No. 41 (Shaver Lake) is immediately east of the District and provides water, sewer, and fire protection;
- County Service Area No. 50 (Auberry Fire Department) provides fire services;

## 2. MSR DETERMINATIONS

This portion of the report addresses the factors specified in the governing statute in Government Code section 56430 for written determinations with respect to conducting the Municipal Service Review.

### **Growth and Population Projections for the Affected Area.**

- This MSR used the correct SOI identified in RSOI-125 and clarifies the mapping discrepancy that occurred in the District's 2007 MSR report.
- County of Fresno is the land use authority for District territories.
- Population projections for the District are anticipated to be slower in this region in comparison with other portions of Fresno County.
- The District informed LAFCo staff that the agency does not foresee the need to revise its current SOI boundary to account for projected changes to population or growth in the District.

### **The Location and Characteristics of any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence.**

- Based on available census data for tracts and block groups, and Fresno County GIS mapping information for properties located within and adjacent to the District boundaries, there is no evidence of DUCs within or contiguous to the District's SOI pursuant to Fresno LAFCo Policy-106.

### **Present and Planned Capacity of Public Facilities and Infrastructure Needs or Deficiencies.**

- The District owns one fire station located on 41967 Auberry Road, Auberry, CA 93602.
- The District participates in mutual aid and response agreements with the California Division of Forestry and Fresno County EMS.
- According to District information the most recent ISO rating assessment identified the department's emergency response time at an average of two to 12 minutes within the District's service area.
- The District is composed of approximately 14 volunteers with several of them tasked with multiple responsibilities. Given that the District experiences change in seasonal demands, hot summers and snow in the winters, the Department volunteer members adjust to accommodate the District's needs.

- The Department generally has three to five volunteers available for emergency responses. Volunteers that are off duty are not typically on-call, with the exception of critical emergencies. District volunteers average 25 to 30 hours of service per month depending on seasonal demands. Volunteers' continue their education through participation in and hosting of multi-agency fire protection and prevention training activities.
- The department operates and drives to and from incidents using emergency response vehicles.
- The District appears to have adequate water sources available to continue providing its services.

#### **Financial Ability of Agency to Provide Services.**

- The District's primary funding source is generated from property tax assessments collected from properties within the District boundaries.
- As of January 1, 2014, the County of Fresno building department requires that prior to the issuance of any development permit or building permit, applicants shall provide evidence of plan check approval and payment of Fire District fees prior to the County issuing a building permit within the District's boundaries. This can be a secondary source of revenue for the District.
- The District receives a portion of the general property tax levied within its boundaries. According to the State Controller's Report Fiscal Year 2011-12 Annual Report, the District received \$99,082 in revenue for that year.
- Based on the information provided from District's balance sheet it appears that the District adequately monitors its financial resources which enables the District to continue providing its services.

#### **Status of, and Opportunities for, Shared Facilities.**

- The District owns the fire station and participates with mutual cooperative agreements with other emergency agencies such as CAL FIRE for dispatching, Fresno County Fire Protection District, Fresno County EMS, and mutual aid agreements with CSA No. 50 (Auberry Fire) and CSA No. 31 (Shaver Lake Fire).
- There may be opportunities for the District to share facilities or personnel members with the neighboring CSA No. 50 (Auberry), CSA No. 31 (Shaver Lake), Sierra Cedars CSD, or the Pine Ridge Fire Protection Departments (Fresno County Fire Protection District Company 68).

**Accountability for Community Service Needs, Including Government Structure and Operational Efficiencies.**

- The District is an independent special district with a five-member board of directors that are elected (or appointed in lieu of election) to four-year terms or until their successor qualifies and takes office. Register voters within the District boundaries select representatives to serve on the board which is an essential component of local accountability.
- Board members serve on a volunteer basis, no compensation is given for attending District meetings. Two board member seats are set to expire in November of odd years, while no more than three terms shall expire at one time in one cycle.
- The District provides opportunity for the public to address the board of directors at the meetings with a period for public comments on every agenda.
- The board of directors creates District policy by adopting resolutions or ordinances through duly-noticed public meetings.
- The District provides opportunity for the public to address the board of directors at the meetings with a period for public comments on every agenda. District board meetings are held at the department fire station on the last Thursday of the month at 2:00 p.m.
- Public notice is provided by posting of an agenda outside of the District office ten days before each meeting.
- Scheduled District meetings and department meetings are held at the District headquarters at 41967 Auberry Road, Auberry, CA 93602.

**Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy.**

- None.

### 3. SPHERE OF INFLUENCE REVIEW AND UPDATE

Government Code Section 56076 defines sphere of Influence as “a plan for the probable physical boundaries and service area of a local agency, as determined by the commission.”

As indicated in Chapter 1 of this MSR, Commission records indicates that the District’s service area amounts to approximately 9,045 acres and the District’s SOI covers approximately 16,651 acres (Figure 1).<sup>28</sup>

Observation of the Commission records indicates that a misinterpretation of information occurred at some time between the processing of application RSOI-125 and the recordation of FD-03-1 (Creation of CSA No. 50). This MSR presents the correct District SOI in Figure 1.

Area C - This portion of the SOI amount to approximately 7,745 acres, largely located southeast of the District’s service area.<sup>29</sup> Conversations with the District indicate that this area could be served by the District at some point in the future, however an annexation application and tax rate would need to be negotiated in order to include (annex) these lands into the District. The District informed LAFCo that exploration of a Prop. 218 election could be considered in order to annex territories in Area C in the future, as shown on Figure two. A Prop. 218 election would give tax payers the right to vote on local taxes, and require taxpayers’ approval of property related assessments and fees. It is recommended that Area C be retained within the District’s SOI. Further, LAFCo staff will work with the District in order to develop a vision for District growth within the area identified as Area C of the SOI prior to the next scheduled MSR Update for the District.

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

- County of Fresno is the land use authority for territories within the District’s fire protection boundaries. The County’s general plan designates land uses for territories within the District’s boundaries as “Resource Conservation,” “Timberland Preserve,” incidental “Rural Residential,” “Rural Commercial,” and “Agriculture;” the District is identified within the Fresno County Sierra-North Regional Plan Area.
- The District informed LAFCo that the agency does not foresee the need to revise its current SOI boundary to account for projected changes to population or growth within the District as anticipated by the County of Fresno’s General Plan.

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

- The District provides adequate level of services within its existing service area. Low to moderate growth rates are anticipated to occur within the District’s SOI.

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<sup>28</sup> Rick Ballantyne, Bald Mountain Fire Protection District MSR, June 13, 2007 Staff Report to Fresno LAFCo

<sup>29</sup> Ibid.

Growth within the District's SOI is anticipated to be within the capacity of the District ability to extend its services. The District's SOI covers approximately 16,640 acres which includes the service area, as shown on Figures 1. The District informed LAFCo that its current facilities are adequate to continue service deliveries.

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

- The District is composed of approximately 14 volunteers with several of them tasked with multiple responsibilities. Given that the District experiences change in seasonal demands, hot summers and snow in the winters, the Department volunteer members adjust to accommodate the District's needs. At the time of preparation of this MSR, the District informed LAFCo that its current facilities, equipment, and services deliveries adequately serve its constituency. The Department generally has three to five volunteers available for emergency responses. Volunteers that are off duty are not typically on-call, with the exception of critical emergencies. District volunteers average 25 to 30 hours of service per month depending on seasonal demands. Volunteers' continue their education through participation in and hosting of multi-agency fire protection and prevention training activities.

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

- The purpose of the District is to serve as a non-profit volunteer fire department for community education, prevention, and suppression of fires and provide emergency medical assistance, including the investigation of fire and prosecution of arson. The District responds to emergency 911 calls or other calls related to fire suppression or medical emergencies. The District serves the rural foothill and mountain region between Auberry and Shaver Lake. The District participates in mutual aid and response agreements with the California Division of Forestry and Fresno County EMS. Given that the District is located in the remote mountainous topography of Eastern Fresno County – Sierra Nevada, there does not appear to be any social or economic communities of interest in the area relevant to the District. As shown on Figure six, there are approximately seven local agencies within the vicinity of the District that also provide fire protection services within the area.

**For a City of special district that provides public facilities or services related to sewer, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

- Based on available census data for tracts and block groups, and Fresno County GIS mapping information for properties located within and adjacent to the District boundaries, there is no evidence of DUCs within or contiguous to the District's SOI pursuant to Fresno LAFCo Policy-106.

#### 4. RECOMMENDATIONS

In consideration of information gathered and evaluated during the Municipal Service Review it is recommended the Commission:

1. Receive this report and any public testimony regarding the proposed Municipal Service Review and proposed Sphere of Influence Update.
2. Find that the Municipal Service Review is exempt from the California Environmental Quality Act pursuant to section 15306 (Information Collection).
3. Approve the recommended Municipal Service Review determinations, together with any changes deemed appropriate.
4. Adopt a resolution updating the Sphere of Influence as shown in Figure 1.
5. Recommend that the District develop a plan for eventual expansion of its service area identified as Area C (Figure 2) prior to the next scheduled MSR update (2020). Such a plan will serve as a fiscal and operational estimate for expansion of the District services, how these services will integrate with other fire agencies and special districts, and can provide the public with information about Prop. 218 election that will be a necessary part of the District's planning.
6. Recommend that the District continue to explore opportunities for service delivery efficiencies such as mutual aid agreements for shared facilities with neighboring agencies including but not limited to the Sierra Cedars Community Service District, CSA No. 31 (Shaver Lake), and/or CSA No. 50 (Auberry Fire) and with other agencies such as the U. S. Forest Service and CAL FIRE.

## 5. ACKNOWLEDGEMENTS & REFERENCES

This Municipal Service Review was prepared by Fresno LAFCO staff. The Bald Mountain Fire Protection District provided substantial information included in this evaluation of the agency's municipal services. Supportive documentation was made available through the effective partnership between the District and LAFCo. Staff extends its appreciation to District Board President Gloria Sprague, Board of Director Members Clint Nichols, Advisory Chief-Don Ashbrook, Joseph K. Odermatt, Joseph B. Wierick, District Fire Chief Cam Dannahoo, and District Staff Representative, Deborah Bell, for their assistance and active participation in the development of this Municipal Service Review.

Available Documentation - These documents are available in the LAFCO office. A significant amount of effort has been invested in bringing the District's Municipal Service Review and Sphere of Influence Update to this point. Documents which have been reviewed in preparing this report include but are not limited to the following information:

- Multiple Communications with the Bald Mountain Fire Protection District
- Municipal Service Review and Sphere of Influence Update for the Bald Mountain Fire Protection District, June 13, 2007 report to Fresno LAFCO and the accompanying LAFCO staff report.
- LAFCo Records for Revision of Sphere of Influence, RSOI-55<sup>30</sup> – November 16, 1983, the Commission approved the Bald Mountain Fire Protection and Mid-Valley Fire Protection District Spheres of Influence Revision.
- LAFCo Records for Revision of Sphere of Influence, RSOI-84 – On December 19, 1990, the Commission approved the District's SOI revision request to annex approximately 10,240 acres (16 square miles) to the southeast of the District service area to include the Cressman-Shaver Springs and the Alder Springs area.
- LAFCo Records for Revision of Sphere of Influence, RSOI-125– On October 16, 2002, the Commission adopted a resolution to detach approximately 31,144 acres (48.6 square miles) or approximately 80% of the District's western SOI boundary.
- LAFCo Records for Formation of District, FD-03-01- CSA No. 50 (Auberry Fire)- On April 30, 2003, after request to form a CSA to serve Auberry and Prather citizenry the Commission formed CSA No. 50 (Auberry Fire) by adopting Resolution No. FD-03-01.
- LAFCo Records for Formation of District, FD-03-01- CSA No. 50 (Auberry Fire), Legal Description of CSA No. 50 was recorded by the Fresno County Recorders on February 13, 2004 (Document #20040034813).
- County of Fresno General Plan, Housing Element
- United States Census Bureau's, American Community Survey (ACS) compiled for the five-year period of 2006-2010
- State of California Controller's Report Fiscal Year 2011-12 Annual Report Bald Mountain Fire Protection District Summary of its balance sheet standard as of October 10, 2014

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<sup>30</sup> "RSOI" is a LAFCo designator for an application requesting Revision to Sphere of Influence.



- Bald Mountain Fire Protection District Policy Statement Private Water Sources
- Bald Mountain Volunteer Fire Department Constitution
- Bald Mountain Volunteer Fire Department, By-Laws
- Bald Mountain Fire Protection District, Information & Policy Manual
- Fire District Development Impact Mitigation Fees – Fresno County Ordinance, Section 15.60.01
- Fresno County Wild Land Fire Evacuation Care and Shelter Plan – September 4, 2002

RESOLUTION NO. MSR-15-2

FRESNO LOCAL AGENCY FORMATION COMMISSION  
FRESNO COUNTY, CALIFORNIA

In the Matter of

LAFCo Determination

RESOLUTION MAKING DETERMINATIONS )  
AND ADOPTING MUNICIPAL SERVICE )  
REVIEW AND MAKING DETERMINATIONS )  
AND UPDATING SPHERE OF INFLUENCE )  
FOR THE BALD MT. FIRE PROTECTION )  
DISTRICT )

MADE DETERMINATIONS AND ADOPTED )  
MUNICIPAL SERVICE REVIEW AND )  
MADE DETERMINATIONS AND )  
UPDATED SPHERE OF INFLUENCE FOR )  
THE BALD MT. FIRE PROTECTION )  
DISTRICT )

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**WHEREAS**, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56425 et. seq.) the Fresno Local Agency Formation Commission is required to review and update, as necessary, Spheres of Influence of local agencies not less than once every five years; and

**WHEREAS**, Government Code Section 56430 directs the Commission to conduct a review of municipal services not later than the time it considers an action to establish or update a Sphere of Influence (SOI); and

**WHEREAS**, the Executive Officer prepared a Municipal Service Review (MSR) and Sphere of Influence Update for the Bald Mt. Fire Protection District; and

**WHEREAS**, notice of this Commission's hearing of said request was duly given in a publication of general circulation as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and State law, and at the time and in the form and manner provided by law; and

**WHEREAS**, the Commission has heard, discussed and considered all relevant evidence, including but not limited to the Executive Officer's *Municipal Service Review and Sphere of Influence Update Report*, environmental documentation, applicable land use plans and all testimony, correspondence and exhibits received during the public hearing process, all of which are included herein by reference.

**NOW, THEREFORE, BE IT RESOLVED** that the Local Agency Formation Commission of the County of Fresno does **HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER** as follows:

**Section #1.** Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that prior to adopting the written determinations, the Municipal Service Review and Sphere of Influence determinations under consideration are Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15306, "Information Collection" and Section 15061(b)(3), "General Rule Exemption."

**Section #2.** This Commission finds that the Municipal Service Review and Sphere of Influence Update prepared for the District are complete and satisfactory.

**Section #3.** This Commission finds that the written determinations within the Municipal Service Review and Sphere of Influence Update satisfy State Law.

**Section #4.** Pursuant to Government Code Sections 56425 and 56430, this Commission makes the required determinations for the Municipal Service Review and District Sphere of Influence, adopts the Municipal Service Review prepared for the District, and updates the Sphere of Influence for said District as shown on Exhibit 1.

**Section #5.** The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882 and to file, as appropriate, in the Office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this Proposal, as required by State law.

\* \* \* \* \*

ADOPTED THIS 3<sup>RD</sup> DAY OF JUNE, 2015, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PEREA, SANTOYO, PACHECO, PARRA, SILVA

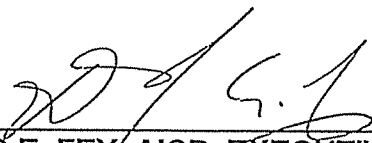
NOES: NONE

ABSENT: NONE

STATE OF CALIFORNIA)  
COUNTY OF FRESNO )

CERTIFICATION

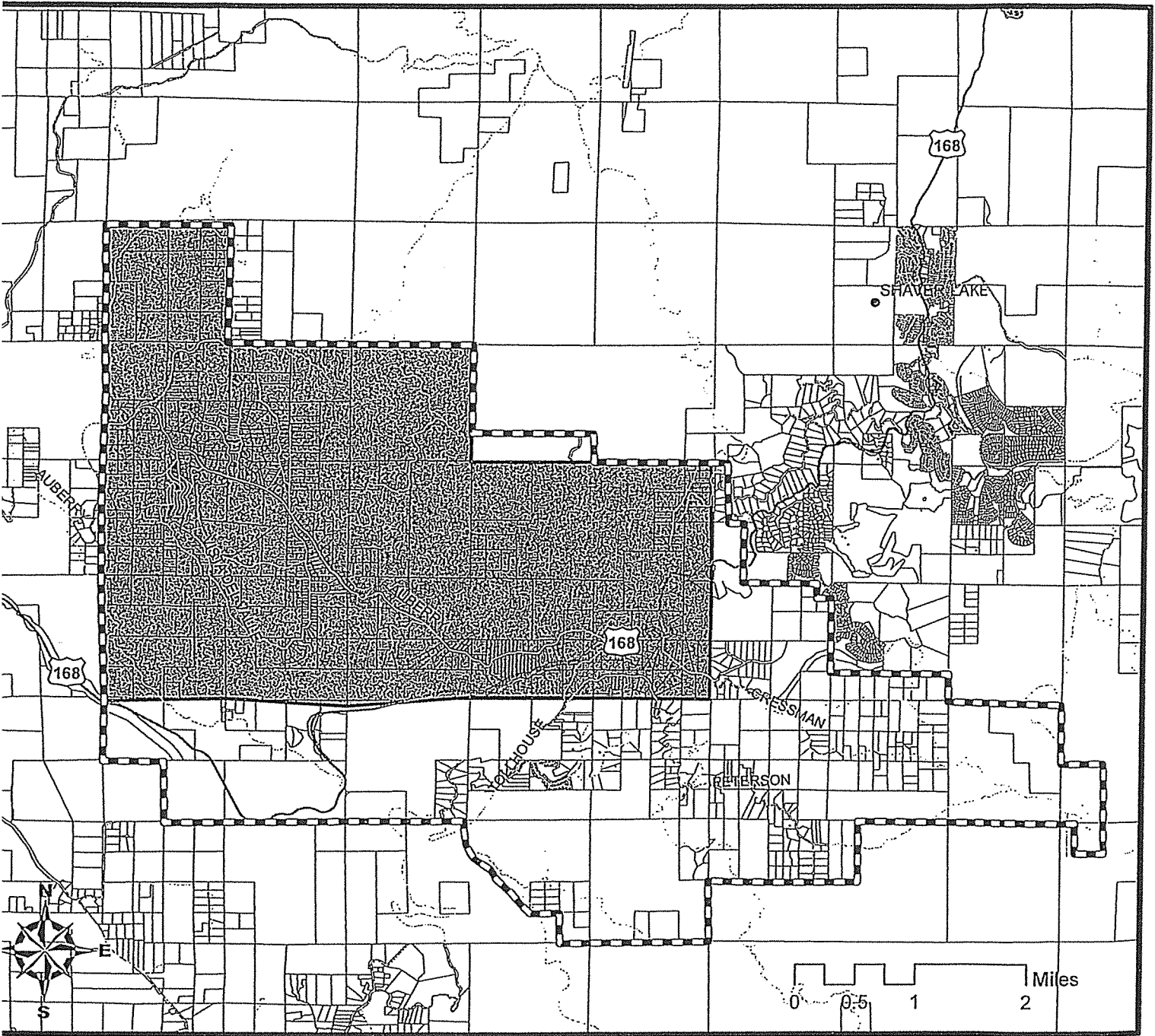
I, David E. Fey, Executive Officer the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 3<sup>rd</sup> day of June, 2015.




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DAVID E. FEY, AICP, EXECUTIVE OFFICER  
FRESNO LOCAL AGENCY FORMATION COMMISSION

# EXHIBIT 1

## FRESNO LOCAL AGENCY FORMATION COMMISSION BALD MOUNTAIN FIRE PROTECTION DISTRICT



 BMFPD Service Area and SOI (as depicted by 2007 MSR)

 BMFPD SOI per LAFCo RSOI-125, MSR 2015

District Formed: 1961  
SOI Adopted: 5/28/1975

SOI Updated: 6/3/2015

BOUNDARIES PER LAFCo RECORDS:  
DISTRICT AREA: 9,045 Acres  
SOI AREA: 16,651 Acres