

CONSOLIDATION OF TWO NORTH MONTEREY COUNTY FIRE DISTRICTS



SUMMARY

The 2021-2022 Monterey County Civil Grand Jury (MCCG) investigated a potential consolidation of North County Fire Protection District (NCFPD) and Monterey County Regional Fire District (MCRFD). Consolidation should improve coverage and call response times. It should lead to economies of scale for staffing, equipment, and capital improvements. These changes would utilize tax dollars more efficiently.

The Local Agency Formation Commission of Monterey County (LAFCO) released, on June 22, 2020, the report “Municipal Service Review and Sphere of Influence Study regarding Fire Protection and EMS in unincorporated Monterey County.” The report identified that property tax revenue apportionment inadequately funds fire districts. Most fire district revenue comes from property taxes. The county limits growth in unincorporated areas. This action inhibits an increase of property value for tax purposes. Therefore, property taxes remain inadequate to fund fire districts.

An underfunded district like NCFPD, with its aging facilities, equipment, and the recent threat of firefighter lay-offs and one fire station closure, approaches consolidation at a disadvantage. Residents within the NCFPD voted to approve an annual special

assessment fee in 2021, increasing funding for the fire district. This assessment fee is based upon the usage of the property and does not have a sunset clause.

Recent interviews with stakeholders indicate parties involved are amenable to consolidation if planned thoroughly, all steps are laid out in an orderly fashion, and equity is reached for all personnel involved.

GLOSSARY

AB8	California Assembly Bill 8 (FY1979-1980) - provides the ongoing legal structure for distributing the 1% tax rate allocations initially created by Proposition 13
ACLS	Advance Cardiac Life Support (practiced by Paramedics who can start Intravenous therapy and give Intravenous and Intramuscular medications enroute).
BLS	Basic Life Support (CPR and first aid)
BOS	Monterey County Board of Supervisors
CAO	County Administrative Office
CalPERS	California Public Employees Retirement System, a detailed benefit plan funded by employees' contributions and earnings made on CalPERS investments. Most employees contribute a percentage of their salary, which accrues interest under their individual CalPERS account.
CFD	Castroville Fire District
EMS	Emergency Medical Services
EMT	Emergency Medical Technician who practices BLS
EBSSA	The Essential Service Buildings Seismic Safety Act of 1989 -- retrograde refitting for earthquakes
ISO	Insurance Service Office
LAFCO	Local Agency Formation Commission
MCCGJ	Monterey County Civil Grand Jury
MCRFD	Monterey County Regional Fire District
MLH	Moss Landing Harbor

- NFPA 1710** National Fire Protection Association: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments
- NFPA 1720** National Fire Protection Association: An Update on Volunteer Deployment Standard
- NCFPD** North County Fire Protection District
- Cal OSHA** California Occupational Safety & Health Administration
- Prop 13** California State Proposition (1978) - “People's Initiative to Limit Property Taxation” is an amendment to the Constitution of California, limiting property tax to 1% of assessed property value and restricts property value reassessments until a property is sold
- Prop 218** Proposition 218 bolsters Proposition 13's limitations on property taxes and special taxes by placing new restrictions on the imposition of taxes, assessments, fees, and charges
- SB1207** (2010) Fire Hazard Impacts requiring volunteer firefighters to meet the same Cal OSHA training and safety standards as career firefighters

BACKGROUND

Formation of Special Fire Districts

In the late 19th and early 20th centuries, no real records were kept of wildfires in Monterey County and methods of fighting those fires were basic at best. It was up to residents to fight fires themselves. In 1934, the Salinas chapter of the California State Grange, an agricultural advocacy established in 1873, requested that a fire protection district be formed to serve the area under the 1923 state law authorizing creation of fire districts.

The Salinas Rural Fire Protection District, after several realignments, changed its name in 2009 to MCRFD. In 2011 it completed a merger with the Carmel Valley Fire Protection District, forming a 400 square mile district serving more than 38,000 residents.

NCFPD was founded in 1949 as the Castroville Fire Department (CFD). The CFD established fire protection services for Moss Landing and Elkhorn. In 1981, LAFCO recommended the consolidation of CFD and Area Two (Prunedale) into one agency and as a result, NCFPD was formed in 1982. The district is 122.0 square miles and serves 40,000 residents.

Fire protection and emergency services have evolved over the past 100 years in Monterey County. Many challenges remain. In unincorporated Monterey County, these services are provided by a network of Federal, State and local agencies, as well as by volunteer firefighters and private ambulance providers. In Monterey County, NCFPD and MCRFPD provide fire protection covering 522 square miles of the county's total 3,281 square miles and service to 16% of the county's population of 433,000. The entire county is included in the County Emergency Medical Services (EMS) Agency's jurisdiction.

Automatic Aid/Mutual Aid

Throughout the years, the development of "Auto-Aid" and "Mutual-Aid" fire protection coverage has become seamless in Monterey County, due to fire departments and districts working collaboratively. Automatic aid is assistance dispatched automatically by a contractual agreement between two fire departments, communities, or fire districts. Mutual aid is assistance dispatched, upon request, by the responding fire department at the scene of an emergency. Mutual aid should also be defined by a signed contractual agreement. True automatic aid has several advantages:

- response from the closest station
- avoiding apparatus duplication
- quickly getting to the National Fire Protection Association (NFPA) staffing levels for a structure fire
- sharing specialty services
- increased availability of staff officers for ICS (Incident Command System) at major incidents
- help with Insurance Services Office (ISO) class rating

Property Tax Revenue

Prior to the passage of Proposition 13 (Prop 13) in 1978, local governments were authorized to levy individual property tax rates. The total tax rate for any individual parcel was the sum of separate rates levied by each local taxing jurisdiction serving that property (e.g., county, city, special districts, school districts, community colleges, Office of Education). The statewide combined tax rate in 1977 was 2.6% of full cash assessed value of individual parcels. In 1978, Prop 13 changed the base tax rate for an individual parcel from 2.6% to 1%. State and local governments were prohibited from imposing any new *ad valorem* (based on value) taxes on real property. The State constitutional amendment reduced property tax revenue by \$7 billion within the first year.

The legislature quickly determined that to maintain essential services property tax would not be subject to a redistribution process each year. Assembly Bill 8 established the basic property tax apportionment system. It ensured that in any fiscal year a local government entity would receive property tax revenue equal to what it received in the prior fiscal year. It would also receive its share of tax revenue due to changes in assessed property values within its boundaries.

The State of California enacted property tax allocation formulas over 40 years ago that remain unchanged. The property tax base and factors used to allocate assessed property values are not responding to changing economic conditions. Property tax dollars are distributed by State statutorily prescribed formulas. For every dollar that is redistributed to one local government entity, another such entity must lose a dollar. Local citizens and their elected representatives lack effective fiscal authority to change State allocation of property taxes to reflect 21st Century community priorities.

Changes of property values have a significant effect on property tax revenue. The energy plant in Moss Landing is by far the largest taxpayer in the NCFPD. The reduction in the assessed value of the power plant from \$800,000 to \$400,000 had a significant impact on special district funding to provide rural fire protection services.

Fire Protection Coverage/Insurance

Insurance Services Office (ISO), a for-profit company, creates ratings for fire departments/districts and their surrounding communities. Each district has an ISO Rating. In the ISO rating scale, a lower number is better: 1 is the best possible rating, while 10 means the fire department does not meet the ISO's minimum requirements.

LAFCO

LAFCO was established in 1963. It is an independent regulatory agency with quasi-legislature authority. The State legislature mandates every county in California to have a LAFCO to encourage the orderly formation of local government agencies, preserve agricultural land resources, discourage urban sprawl, and encourage the efficient delivery of local government services. LAFCO coordinates logical and timely changes to local government boundaries. It coordinates annexations and detachment of territory, incorporation of cities, formation of special districts, and consolidation, merger, and dissolution of special districts. LAFCO is also charged with reviewing and approving ways to reorganize, simplify and streamline governmental organizations.

In June of 2020, LAFCO adopted its report, “2020 Municipal Service Review and Sphere of Influence Study: Special Districts Providing Fire Protection and Emergency Medical Services in Unincorporated Monterey County.” The report encouraged all stakeholders in the wider fire/EMS community in Monterey County to expand existing partnerships and dialogues. This was part of an ongoing effort to support and improve services in unincorporated Monterey County.

Seamless Fire Protection Coverage

The agencies and fire districts within Monterey County have a long history of cooperation to coordinate activities. Examples of associations and alliances include:

- Operational Area Fire and Rescue Coordinator for mutual aid
- Monterey County Fire Chiefs Association
- Monterey County Training Officers Association
- Emergency Medical Care Commission

- Dedicated Fire Dispatch (DFD) Committee
- Fire Safety Council
- Monterey County Fire Prevention Officers Association

Mutual aid is an important part of assuring adequate depth of resources for larger emergencies. No single agency can afford to have all the resources necessary for the range of hazards today's fire districts face. The practice has become more common over the last twenty years due to the increase in fire activity and reduction of available volunteers at the local level, after passage of SB1207 in 2010.

Automatic aid is an enhanced form of mutual aid. It provides the response from the closest available resource regardless of jurisdictional boundary of the first responder. There is an expectation that the aid agreement is reciprocal and not lopsided in terms of numbers of responses. Monterey County fire agencies utilize both mutual aid and automatic aid extensively. The cooperation has led to a seamless web of fire protection coverage for the entire County.

Standards

The National Fire Protection Association (NFPA) is a national standards-setting entity that promulgates standards regarding the full range of protection matters. NFPA 1710 relates to staffing for career staffed fire agencies, while NFPA 1720 addresses volunteer fire agencies. NFPA is not a regulatory agency. Application of any standards requires adoption by an agency's governing board.

Another approach is to establish in-house standards based on expected outcomes of an incident. Factors to consider include:

- response time standards based on demographics and expected outcomes
- demographic factors such as residential population density, mobile population, assets at risk, land use, special hazards, incident history and volume of incident
- concentration and distribution for determining number of staff and equipment resources to mitigate the incident, as well as identification of high-volume areas with frequent simultaneous incidents
- equipment kind and type to meet the needs of the response area

- staffing levels to mitigate an incident adequately and safely, be it career, reserve, or volunteer

A common third option is to use Insurance Services Office (ISO) classifications. Their grading is broken down into three major categories: communications/receiving and handing of fire alarms (10%), soundness of fire department/district (50%) and water supply (40%). The grading is compared to adopted organizations' standards and helps determine property fire insurance costs.

Rural water supply ratios are based on developing a water flow where the nearest hydrant is greater than 1,000 feet from the protected structure. In many cases, there is not a hydrant within several miles of the structure and all water must be transported by water tender from a static water source. ISO Class 10 is assigned to all areas greater than five road miles from the nearest fire station or where responding apparatus does not meet the minimum requirements of Class 9 (a brush truck with a permanently mounted 50 gpm @150 psi pump and a 300-gallon tank). If a fire apparatus is in good working order, it will be given credit toward ISO ratings. A homeowner whose property is valued at \$100,000 will save \$433 per year if the fire department/district improves from an ISO of Class 9 to Class 5. ISO ratings are updated every five to eight years.

The 2010 Monterey County General Plan (Safety Element-Emergency Services Section) has established goals for response times for fire, ambulance and emergency services:

- 8 minutes or less, 90% of the time in urban and community areas
- 12 minutes or less, 90% of the time in suburban areas and rural centers
- 45 minutes or less, 90% of the time in rural areas

Service Areas

NCFPD covers 122.9 square miles in North County from the Santa Cruz County line to just short of the Salinas City Limits. It includes Pajaro, Moss Landing, Las Lomas, Castroville, and Prunedale. NCFPD added the Monterey Regional Waste Management

District (MRWMD) and Monterey One Water (M1W) properties into its fire service boundaries in 2017. As of 2020, the district serves 42,000 residents.

Major highways crisscross NCFPD, including US Highway 101, State Route (SR)1 along the coast, SR156 West, and SR183. SR1, in addition to connecting the coastal cities and communities along its path, provides access to beaches, parks, and other attractions along the coast, making it a popular route for tourists. SR156 is one of the major thoroughfares used by residents, commuters, tourists, and commercial trucks to travel from the Monterey Peninsula. It carries more than 32,000 vehicles each weekday, more on warm weather weekends. SR183 is a two-lane road that carries farmworkers and produce from Santa Cruz County, through Castroville to Salinas and points south, connecting SR156, SR1 and US Route 101.

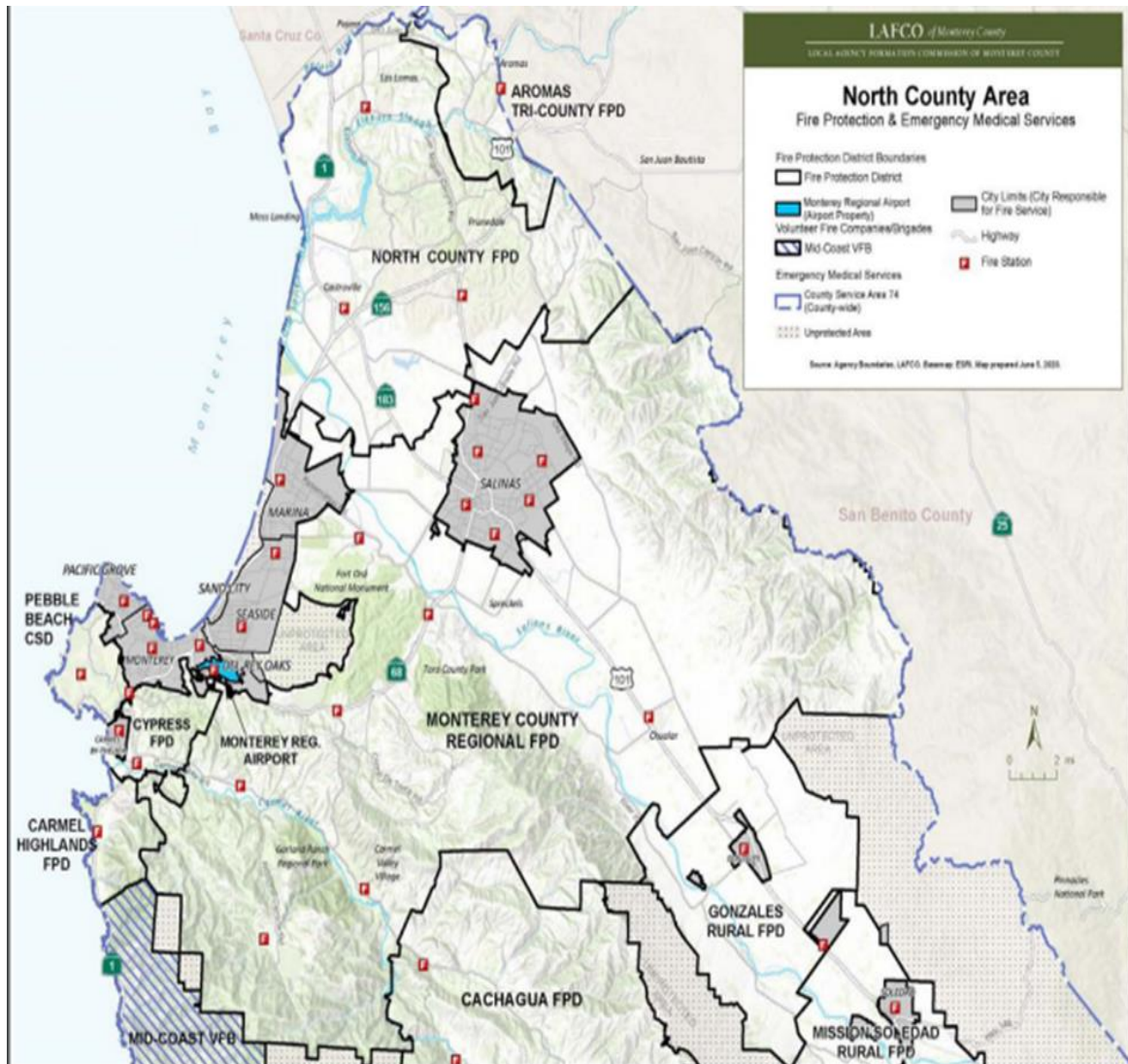
MCRFD covers triple the area of NCFPD. It stretches from the San Benito County Line on the east to Ryan Ranch and Carmel Valley on the west and south to the Gonzales Rural Fire Protection District. The district encompasses a fair number of Cannabis cultivation greenhouses in unincorporated areas that have been rehabilitated, increasing their property value tax.

Two main thoroughfares cross MCRFD. SR68 (Salinas-Monterey Highway) is a designated scenic route that connects the Monterey Peninsula to US Highway 101 and the Salinas Valley. SR68 is the key route for vehicular traffic that facilitates commute travel between Salinas and Monterey for 25,000 to 30,000 vehicles each day, as well as tourism and special event traffic. SR68 also aids freight and agricultural transport between the City of Salinas and River Road, as well as transport of goods and visitors to the Monterey Peninsula.

US Highway 101, the Pacific Coast Highway, runs north-south from Mexico to the Puget Sound and is a major parallel route between Los Angeles and San Francisco. More than 200,000 cars, trucks and farm vehicles use the roadway daily. For MCRFD, 85% of their service calls are medically related but only 35% involve motor vehicles.

Higher tourism and increased use of Monterey County highways bring rising demands for emergency services. Questions of reimbursement for such services strain each rural fire district budget.

NCFPD & MCRFP MAP



METHODOLOGY

- Interviewed fire personnel from various fire districts
- Interviewed other county government agencies and elected officials
- Reviewed LAFCO's 2020 Report, "Municipal Service Review and Sphere of Influence Study regarding Fire Protection and EMS in Unincorporated Monterey County."
- Reviewed various industry webpages, prior MCCGJ reports, and news media reports
- Reviewed fire districts' budgets, procedure manuals and financial statements

DISCUSSION

Consolidation could provide efficiencies of scale, equalization of staff levels and talents, upgraded equipment, funds for rehabilitation and maintenance of aging fire stations, capital improvements, standardization of service costs, and improve coverage and response times. Administrative staff and costs would be reduced in consolidation. The challenge of consolidation lies with the willingness of districts to share resources and revenue.

Stakeholders

Both districts respond to an almost equal number of service calls. However, NCFPD has half the staff and gets approximately 33% less property tax revenue than MCRFD.

NCFPD currently has 37 staff and 10 volunteers, responds to 3,437 calls for service, and has an ISO Public Protection Classification of 4/10. The annual revenue for the year 2020 was \$7 million. In 2021, a Prop 218 special assessment fee was passed, averting closure of one fire station, having its ISO Classification degraded, and permanently losing six firefighter positions. The passage aided in hiring back six firefighters that had been laid off due to failing revenues and the end of the Safer Grant. Grants are not sustainable as there is no guarantee that the district will be awarded those grants. Yet, in the past six years, NCFPD has received ten grants totaling \$3

million. In 2020-2021, NCFPD collected \$190,995 on claims of \$225,066 from insurance companies for response services on roadways.

PRUNEDALE FIRE STATION (NCFPCD)



NCFPD relies on the county-contracted American Medical Response (AMR) for Advanced Life Support and transportation medical calls. NCFPD has three fire stations, built in the 1950s, are not Americans with Disabilities Act (ADA) compliant and in need of Essential Service Buildings Seismic Safety Act of 1989 (EBSSA) upgrades. NCFPD's aging fire apparatus, some 35 years old, need replacement.

As a result of the rehiring of firefighters after the passage of the Special Assessment Fee election in 2021, IAFF Union members are more confident about District finance stability. Paramedic Advanced Life Support (ALS) training remains out of reach in NCFPD, with present budget constraints and other, more demanding issues.

EAST GARRISON FIRE STATION (MCRFD)



MCRFD has 77 staff and 12 volunteers, responds to 3,579 calls for service, and has an ISO Public Protection Classification of 3/10. The 2020 annual revenue was \$18 million.

MCRFD passed a special assessment fee in 2018 to augment fire inspectors needed to evaluate cannabis industries for fire permits. It generates \$350,000 yearly with no sunset date. MCRFD applied for 27 grants over the past 10 years and received \$5 million. Fire apparatus are staffed by paramedics, and MCRFD operates the ambulance service in Carmel Valley as a “grandfathered” service from the consolidation with the Carmel Valley Fire District in 2011, which encountered obstacles that took four years to resolve. Disparities in revenue, resources, and level in medical training of firefighters in NCFPD and MCRFD can present similar obstacles.

Fire District Attributes at a Glance		
Attributes	MCRFPD	NCFPD
District area (estimated square miles)	399.6	122.9
Population (2020 estimated)	38,350	42,000
Total Revenues (FY 2020)	\$ 18,104,876	\$ 7,042,901
Number of Stations	7	3
Square miles per station	57	41
Annual revenue per capita entire district	\$ 463	\$ 159

Liabilities

MCRFD needs \$12 million annually just to keep up with future medical insurance and retirement liabilities with CalPERS. As incorporated cities grow, they annex land adjacent to their city limits. This reduces property tax revenue for unincorporated area fire districts. MCRFD has an up-to-date fire station that serves East Garrison Community Service District (EGCSD), off Reservation Road. As the City of Marina grows, EGCSD is destined to be annexed into the city. Consequently, MCRFD would lose EGCSD property tax revenue.

Savings

Consolidation could reduce administrative costs. Rather than replicate departments within each fire district, there would only be a need for one fire chief, one human resources department, one finance department, one board. Purchasing could be centralized. Resource sharing could also consolidate grant writing, training, insurance reimbursement, and universal adoption of best practices.

CONCLUSION

MCCGJ recommends the North County Fire Protection District and Monterey Regional Fire District hire an outside consultant to do a feasibility study on consolidating the two districts. The study should investigate the current disparities in funding the fire districts, recommend short- and long-term strategic planning, and provide guidance on

reaching consensus. It is important that all stakeholders (fire districts, firefighters unions, LAFCO, the Monterey County Board of Supervisors, and the citizens of both districts) be involved from inception to get a workable agreement. Interviews with stakeholders indicate all parties are amenable to consolidation with thoughtful planning, steps laid out in an orderly fashion, and equity reached for all involved.

FINDINGS

- F1** Property values and tax allocations disproportionately underfund fire districts throughout Monterey County.
- F2** NCFPD tax revenue was drastically reduced when Duke Energy sold the decommissioned Moss Landing Power Plant.
- F3** In 2018, NCFPD annexed Monterey Regional Waste Management and Monterey One Water property with increased risk but no increase in tax revenue.
- F4** In 2020, NCFPD laid off six firefighters and considered closing one fire station due to budget constraints.
- F5** Voters in NCFPD had to enact a special assessment fee in 2021 to avert layoffs and station closures.
- F6** NCFPD fire stations are outdated and fire apparatus needs updating and/or replacement.
- F7** The number of service calls is similar between NCFPD and MCRFD. North County has only half the personnel and is responding with outdated equipment.
- F8** Automatic and mutual aid agreements alone are not sufficient to resolve fire coverage issues in the two districts.
- F9** Distinct differences of EMS services exist between NCFPD (EMTs) and MCRFD (Paramedics).
- F10** Though National Fire Standards recommend four firefighters per engine, NCFPD only staffs two and MCRFD three.
- F11** Consolidation could be supported if all stakeholders are actively involved in the planning process.
- F12** In consolidation, economies of scale (grant-writing, administrative costs, shared revenue, human resources) could benefit both districts.

RECOMMENDATIONS

- R1** NCFPD and MCRFD hire an outside qualified consultant by December 31, 2022, to study the feasibility of consolidating the two districts.

REQUIRED RESPONSE

The following responses are required pursuant to Penal Code §933 and §933.05:
From the following governing bodies within 90 days:

- North County Fire Protection District
Findings: F1-12
Recommendations: R1 by September 30, 2022
- Monterey County Regional Fire District
Findings: F1-12
Recommendations: R1-by September 30, 2022

INVITED RESPONSES

- LAFCO
Findings: F1-12
Recommendations: R1

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

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- (9) Legislative Analyst's Office, "Excess ERAF: A Review of the Calculations Affecting School Funding," 03.6.2020.
- (10) montereyherald.com "Guest Opinion: Funding emergency facing North County Fire District," Grant Leonard, 04.17.2

APPENDICES

APPENDIX A: Distinctions between paramedics and EMTs

APPENDIX B: NCFPD Fire Apparatus Fleet Age

APPENDIX C: Sources of Revenue

APPENDIX A

MEDICAL RESPONSE SERVICES PROVIDED BY FIRE DISTRICTS

MCRFPD Paramedic Advanced Life Support	NCFPD EMT Basic Life Support
Administer medication, insert IV's, resuscitate patients, provide breathing support using tubes and ventilation devices	Stop external bleeding, administer CPR, stabilize patients
Training includes 1,200 to 1,800 hours of classroom, clinical and field internship	Training is 120 to 150 hours
Paramedics take the NREMT and National Registry Paramedic Cognitive exam	EMTs take National Registry of Emergency Medical Technicians (NREMT) exam

APPENDIX B

NCFPD FIRE APPARATUS FLEET AGE

Type of Vehicle	Purchase Year	Purchase Price	Life Span	Replace Year	Replacement Cost as of 2019
Brush Fire Engine	1988	\$ 107,570	20	2008	\$ 575,000
Fire Engine Pumper	1990	\$ 170,000	20	2010	\$ 575,000
Beach Rescue	1998	\$ 26,800	15	2013	\$ 65,000
Utility Pick Up	1998	\$ 25,693	15	2013	\$ 55,000
Command Vehicle	2004	\$ 22,545	10	2014	\$ 70,000
Fire Engine Pumper	1996	\$ 266,059	20	2016	\$ 575,000
Fire Engine Pumper	1996	\$ 170,000	20	2016	\$ 575,000
Command Vehicle	2006	\$ 37,145	10	2016	\$ 70,000
Utility SUV	2001	\$ 50,000	15	2016	\$ 75,000
Command Vehicle	2007	\$ 43,238	10	2017	\$ 70,000
Utility Pick Up	2002	\$ 45,000	15	2017	\$ 55,000
Command Vehicle	2008	\$ 22,545	10	2018	\$ 70,000
Water Tender	1995	\$ 280,511	25	2020	\$ 435,000
Bush Fire Engine	2001	\$ 200,271	20	2021	\$ 438,818
Bush Fire Engine	2001	\$ 200,271	20	2021	\$ 438,818
Fire Engine Pumper	2003	\$ 350,327	20	2023	\$ 575,000
Fire Engine Pumper	2003	\$ 350,327	20	2023	\$ 575,000
Heavy Rescue	2005	\$ 247,034	20	2025	\$ 400,282
Ladder/Pump Truck	2001	\$ 490,310	25	2026	\$ 850,500
Water Tender	2004	\$ 192,629	25	2029	\$ 435,000
Fire Engine Pumper	2010	\$ 435,000	20	2030	\$ 575,000
Total Apparatus Replacement Costs:					\$ 7,553,418

APPENDIX C

SOURCES OF REVENUE

Property Tax	Proposition 13 – 40% goes to special districts, allocation is set by law.
Sales Tax	Proposition 172, 9.13% goes to special districts. Fire districts allocate revenue.
Special Assessments	NCFPD voters approved an assessment in 2020 for NCFPD only, \$98/residential parcel.
Cannabis Tax	\$0.18/sq ft on cultivation, \$0.10/sq ft on nurseries, \$1.00/sq ft on manufacturing and retailers for MCRFD only
Grants	Beneficial for one-time purchases and improvements. Underutilized due to lack of resources to provide follow up administration.
Bonds	Can only be used for facility improvements and must receive approval by 2/3 of voters.
Insurance Reimbursement	Outsourced agency bills insurance for medical reimbursement.