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Executive Officer

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August 12, 2009 (Agenda)

August 12, 2009
Agenda Item 8

Contra Costa Local Agency Formation Commission
651 Pine Street, Sixth Floor
Martinez, CA 94553

**Fire and Emergency Medical Services Municipal Service Review and
Sphere of Influence Updates**

Dear Members of the Commission:

In April 2009, the Commission conducted two public hearings on the Fire and Emergency Medical Services (EMS) Municipal Service Review (MSR) report and corresponding sphere of influence (SOI) updates. The report addresses services provided by the following local agencies: cities of El Cerrito, Pinole and Richmond, Contra Costa County Fire Protection District (CCCFPD), Crockett-Carquinez Fire Protection District (CCFPD), East Contra Costa Fire Protection District (ECCFPD), Kensington Fire Protection District (KFPD), Moraga-Orinda Fire District (MOFD), Rodeo-Hercules Fire Protection District (RHFPD), San Ramon Valley Fire Protection District (SRVFPD) and County Service Area (CSA) EM-1. The MSR report is available on the LAFCO website (www.contracostalafco.org).

On April 8, the Commission opened the public hearings on the Fire/EMS MSR and SOI updates, received comments and continued the hearing to a special meeting on April 22, 2009. During the special meeting, the Commission received additional comments, further deliberated and took the following actions:

1. Received the Final Draft MSR report and deferred formal acceptance of the MSR report and approval of the written determinations to a later date;
2. Determined that the MSR project is Categorically Exempt pursuant to §15306, Class 6 of the California Environmental Quality Act (CEQA) Guidelines;
3. Deferred action on all SOI updates; and
4. Formed a Fire Committee composed of Commissioners Allen (Committee Chair), McNair, D. Piepho (Committee Vice Chair), Tatzin (2nd Alternate) and Uilkema (1st Alternate) charged with conducting meetings with interested parties to discuss the various governance structure and SOI options identified in the MSR report.

The Fire Committee held four meetings as follows: May 8 (Organizational meeting), May 20 (Central County), June 8 (East County) and June 25 (West County and regional issues). Committee agendas and meeting minutes are available on the LAFCO website.

The governance structure and SOI options identified in the MSR report were discussed at the committee meetings. Officials and staff from local agencies, labor officials and interested members of the public attended the committee meetings and provided comment. In addition, comment letters were received from the City of Brentwood and the Kensington FPD.

The Fire Committee discussed governance structure and SOI issues relating to Central, East and West County; and tabled discussion regarding regional consolidation options, including 1) consolidating all fire service countywide under ConFire, 2) consolidating all fire service countywide under a newly created independent fire agency, and 3) consolidating all fire service countywide under CALFIRE. The Commission may wish to discuss these regional options.

Based on deliberations and comments received at the committee meetings, the Fire Committee submits the following recommendations.

RECOMMENDATIONS

1. Accept the Fire/EMS MSR report (available on the LAFCO website) and direct staff to release the Final MSR report, (**UNANIMOUS**)
2. Adopt the MSR determinations by resolution attached hereto, (**UNANIMOUS**) and
3. Approve the governance structure and SOI actions as presented in the attached table (“Committee Recommendations”) and corresponding resolutions. (**DEFERRED**)

but later adopted 10/14/09

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachments:

1. Letter dated June 23, 2009 from Robert Taylor, Mayor, City of Brentwood
2. Letter dated July 7, 2009 from Brenda J. Navellier, Administrator, Kensington FPD
3. MSR Determinations Resolution
4. Governance Structure and SOI Table
5. SOI Resolutions
 - a. CCCFPD
 - b. MOFD
 - c. SRVFPD
 - d. ECCFPD
 - e. CSA EM-1

EXHIBIT A
**FIRE AND EMERGENCY MEDICAL SERVICES SUB-REGIONAL
MUNICIPAL SERVICE REVIEW DETERMINATIONS**

I. CITY OF EL CERRITO

Growth and population projections

- 1) Residential population growth in the City of El Cerrito fire service area is projected to be comparable with the nearby cities of Pinole, San Pablo, Moraga, and Orinda, but not as rapid as is projected for the cities of Richmond and Hercules. The Del Norte BART station vicinity is an anticipated growth area. In the long-term, growth is expected to increase the population from 31,474 in 2008 to 33,930 in 2030.
- 2) Commercial growth in the City is projected to be comparable to neighboring Richmond, and faster than the job creation rate in the neighboring cities Moraga, Orinda and Pinole. Commercial growth areas involve transit-oriented development near the BART stations. In the long-term, growth is expected to increase the job base from 5,882 in 2008 to 8,350 in 2030.
- 3) There are no significant development projects or growth plans in the portion of the City's fire service area that is outside its bounds in East Richmond Heights and Kensington.
- 4) Service demand levels are above-average in the City's service area, with 99 incidents annually per 1,000 people compared with the countywide average of 79 incidents per 1,000.
- 5) The City's growth planning efforts primarily involve active capital improvement planning over a five-year planning horizon and updating its General Plan. The City does not levy development impact fees to fund fire facilities.

Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies

- 6) The City operates three staffed fire stations. The station owned by KFPD is in good condition and one City-owned station is in excellent condition. City-owned Station 71 is at capacity and outdated. Replacement of FS 71, along with police headquarters, would cost \$25 million and is presently unfunded. No vehicle or apparatus needs were identified.
- 7) The City plans for long-term capital needs by annually updating a five-year capital improvement plan. The City does not anticipate needing an additional fire station to accommodate growth. However, replacement or expansion of Station 71 would be needed to serve future growth.
- 8) The City needs additional hydrants and fire flow improvements for wildland interface fires, although the associated \$3 million cost is unfunded. Fire flow is adequate in the Kensington area due to recent fire flow improvements.
- 9) The City provides adequate service levels. The City meets response time guidelines the majority of the time, but falls short of meeting guidelines 90 percent of the time. Due to its small size, the City relies on neighboring providers to marshal adequate resources for fire-fighting. However, the City also contributes similar aid to neighboring providers. The City's staffing level of 1.2 sworn staff per 1,000 people is higher than the countywide average of 0.8, and the Bay Area average of 0.9 for urban fire providers. The City's sworn personnel have appropriate certification levels in firefighting and EMS. Training efforts are adequate, training hours per sworn staff member are

- 16) The City of El Cerrito exchanges mutual aid response with the cities of Berkeley, Richmond, Albany, and Oakland, ConFire, East Bay Regional Parks District, and CAL FIRE. The District's Station 65 is shared with the local police and community services district. Through its contract with El Cerrito, the District relies on the City of Richmond dispatch and training facilities.

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

- 17) KFPD demonstrated accountability based on the measures of contested elections, constituent outreach efforts, transparency, and disclosure practices.
- 18) The District demonstrated accountability and transparency by disclosing financial and service related information in response to LAFCO requests.
- 19) Annexation of territory served by KFPD at the EBMUD reservoir is a government structure option.
- 20) Consolidation of KFPD with the Kensington Community Services District (KCSD) is an option. KCSD provides law enforcement, solid waste collection and park services to a boundary area that includes both the KFPD boundary area and the EBMUD reservoir. Consolidation of KFPD with KCSD would streamline local government, and offer the community more options on allocating public safety funds.
- 21) Consolidation among west county fire providers is an option to improve the efficiency of service areas, promote facility-sharing and improve service levels. This option has been entertained in the past, but encountered opposition from the cities of Richmond and El Cerrito. A feasible option is consolidation of RHFPD, Pinole, and adjacent ConFire service areas. Crockett-Carquinez FPD could potentially be included at its existing service levels.

VIII. MORAGA ORINDA FIRE PROTECTION DISTRICT (MOFPD)

Growth and population projections

- 1) Residential population growth in the MOFPD boundary is projected to be relatively low compared with the countywide average. Growth in Moraga is expected to outpace growth in Orinda and neighboring Lafayette, but will be slower than in neighboring Walnut Creek. Residential growth areas include Bollinger Canyon, Palos Colorados, Rancho Laguna, Indian Valley, Orinda Village, and Montanera Gateway. In the long-term, growth is expected to increase the population from 34,854 in 2008 to 37,328 in 2030.
- 2) Commercial growth is projected to be relatively low in MOFPD compared with the countywide average, and significantly higher than in neighboring areas. Job creation in Moraga is expected to outpace Orinda and neighboring Lafayette, and to be comparable with neighboring Walnut Creek. In the long-term, growth is expected to increase the job base from 12,798 in 2008 to 13,922 in 2030.
- 3) Service demand levels are average in the District, with 80 incidents annually per 1,000 people compared with the countywide average of 79 incidents per 1,000.
- 4) MOFPD presently engages in growth planning by collaborating with land use authorities—the cities of Moraga and Orinda—in crafting mitigation measures for new projects and forecasting their financial effects on the District. The District estimated the impacts of station reconfigurations and anticipated development on response times in 2006. MOFPD reported that it is preparing in 2009 a

development impact fee nexus study focused on long-term infrastructure and financing needs. Once implemented, this will represent an improvement, as growth planning has not been comprehensive and development impact fees have not been consistently and uniformly collected in the past.

Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies

- 5) MOFPD operates five staffed fire stations. Three stations are in good to excellent condition. Two are aged and appear to need seismic retrofit; replacement of the two stations would cost \$16 million. Unfunded capital plans include a new \$10 million administration facility and a training center. Due to slow revenue growth and the impact of the 2008 financial collapse on the District's pension liabilities, MOFPD is presently deferring infrastructure spending. MOFPD replaces apparatus on a regular cycle after 10-20 years use.
- 6) In Orinda, there are water mains that need to be upgraded and hydrants in some areas have low pressure and capacity. Local voters have rejected bond ballot measures three times in recent years to improve water pressure for firefighting.
- 7) MOFPD plans for capital needs through its annual budget process and periodic facility needs assessments. Future development in Bollinger Canyon, which is located in a high fire hazard severity zone, would require an additional fire station to provide adequate response times. Other growth-related capital needs have not yet been identified. The District could improve its capital planning for growth by completing and implementing the development impact fee nexus study, which the District reported to be in progress in 2009.
- 8) The MOFPD service areas contain extensive areas in the extremely high fire hazard severity zone (Canyon and western Orinda) and in the high fire hazard severity zone (the remainder of Orinda, Bollinger Canyon and outlying areas in Moraga). To protect these vulnerable areas, the District conducts comprehensive inspections, hydrant testing, and public education campaigns. MOFPD requires sprinklers on new construction and remodels, and requires property owners to manage vegetation. The District's recent fire prevention activities include a wildfire risk assessment and development of a vegetation management program.
- 9) In the urban areas, MOFPD provides adequate service levels. MOFPD meets response time guidelines much of the time, but falls short of meeting guidelines 90 percent of the time. MOFPD's staffing level of 1.9 sworn staff per 1,000 people is substantially higher than the countywide average (0.8), as well as the Bay Area median for urban fire providers (0.9). Unlike most other fire departments, MOFPD provides ambulance transport services directly; however its staffing level is still substantially higher than SRVFPD (also an ambulance provider) with 1.2 sworn staff per 1,000 people and the Bay Area median for fire departments with ambulance service (1.4). Based on staff certification levels, MOFPD staff credentials and skills appear to be adequate. Training hours per sworn staff member are higher than the countywide average.
- 10) Bollinger Canyon, Canyon and other outlying portions of MOFPD lack fire hydrants, and experience longer response times due to distance from fire stations and the hilly topography. Growth potential in these areas is constrained by the countywide urban limit line and development of hydrants would be expensive due to relatively low densities in these areas. MOFPD relies on water tanks on its engines, water tenders and drafting from water tanks to provide fire-fighting service to these areas.

- 11) The District identified service challenges in Orinda area due to decayed roads and lack of street maintenance and access challenges on steep, windy, narrow roads, particularly in the El Toyonal area.

Financial ability of agencies to provide services

- 12) MOFPD has the financial ability to provide adequate services. The District's expenditures per population served (\$566) are higher than other providers in the County (median of \$212). The District reported that the 2008-9 recession has slowed revenue growth and increased future pension obligations, and that the District is adjusting by deferring capital expenditures and negotiating sustainable employee benefits. Otherwise, the District did not identify cost-saving measures to economize on expenses. MOFPD has adequate financial reserves. The District has significant long-term debt, most of which funded pension liabilities, as well as OPEB liability. (like ConFire)
- 13) The District should implement development impact fees to ensure that new development does not have negative impacts on service levels, and is presently planning to do so in 2009.
- 14) MOFPD relies on property taxes for 85 percent of its revenue, and receives an above-average share of property taxes compared with other fire districts in the County. Its share of property taxes is 23 percent in Orinda and 19 percent in Moraga; by comparison, the average fire district share was 12 percent in incorporated areas. The City of Orinda faces financial pressures, in part because voters have repeatedly rejected bond measures intended to fund street and water infrastructure needs. A portion of the MOFPD property tax share is a potential source of funds for the City.
- 15) MOFPD relies on ambulance fees for five percent of its revenues, and its fees are comparable to the countywide and regional average. MOFPD relies on a special tax for five percent of its revenues, and most recently increased the tax rate in FY 08-09.
- 16) Financing opportunities include debt financing approaches, such as bonds, capital leases and private loans.

Status of, and opportunities for, shared facilities

- 17) MOFPD practices facility-sharing and regional collaboration to economize on costs and improve service levels.
- 18) MOFPD relies on ConFire for dispatch and radio facilities. As a ConFire-dispatched agency, the District participates in closest-resource dispatching, and responds to emergencies regardless of boundaries. This most often involves exchanging automatic aid with ConFire's Lafayette and Walnut Creek station areas.
- 19) The District exchanges mutual aid response with the cities of Berkeley and Oakland and CAL FIRE.
- 20) The District relies on advanced training facilities at ConFire and the Livermore-Pleasanton Fire Department. Joint training in EMS and classroom training in structure firefighting and initial hazardous materials response is conducted with surrounding jurisdictions.
- 21) The District did not identify facility sharing opportunities. The District is not participating in a collaboration among other public safety providers in Contra Costa and Alameda counties to develop a fully interoperable communication system.

- 22) There is potential for combining the service areas of its east Orinda fire station with a neighboring ConFire station less than two miles away. MOFPD and ConFire should reevaluate deployment in this area.

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

- 23) MOFPD demonstrated accountability based on the measures of contested elections, constituent outreach efforts, transparency, and disclosure practices.
- 24) The District demonstrated accountability and transparency by disclosing financial and service related information in response to LAFCO requests.
- 25) The District would benefit from benchmarking its costs against comparable service providers to explore cost savings and promote efficiency.
- 26) Detachment of the City of Orinda from MOFPD is a government structure option. Separate Moraga and Orinda fire districts consolidated in 1997. A relatively high share of Orinda property taxes accrues to MOFPD, and Orinda is seeking revenue sources to address unfunded street, drainage and water infrastructure needs. A citizen task force identified the MOFPD property tax revenue as a potential source of funds. Associated government structure options would involve detachment and annexation to ConFire, contract service with ConFire or establishment of an independent fire department.
- 27) Annexation of MOFPD to ConFire is a government structure option. ConFire is situated adjacent to MOFPD, and is the closest provider with access to the urban areas in the District. MOFPD has relatively high service costs, and could potentially benefit from cost savings afforded by efficiencies available to a larger fire department.

IX. RODEO HERCULES FIRE PROTECTION DISTRICT

Growth and population projections

- 1) Residential population growth in the RHFPD boundary is projected to be relatively high compared with neighboring areas, particularly in the City of Hercules. Residential growth areas include the waterfront in both Rodeo and Hercules, and downtown Hercules. In the long-term, growth is expected to increase the population from 32,317 in 2008 to 37,699 in 2030.
- 2) Commercial growth is projected to be particularly rapid in RHFPD with the job creation rate projected to be double the countywide average, and significantly higher than in neighboring areas. Commercial growth areas include the planned transit center and proposed ferry in Hercules, waterfront areas in both Rodeo and Hercules, and the Hilltown area in Hercules. In the long-term, growth is expected to increase the job base from 4,530 in 2008 to 7,954 in 2030.
- 3) Of the RHFPD's 32 square mile boundary area, approximately 14 square miles are submerged in the Bay. Development of bridges in this area is unlikely in the future. Development of a ferry terminal is proposed in Hercules along Bayfront Blvd., and will extend out over the Bay. RHFPD anticipates providing shore-based fire and EMS services to the proposed ferry.
- 4) There are no significant development projects or growth plans in the portion of the RHFPD service area that is outside its bounds in Crockett-Carquinez FPD.



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City Member

October 14, 2009 (Agenda)

Contra Costa Local Agency Formation Commission
651 Pine Street, Sixth Floor
Martinez, CA 94553

Supplemental Report - Fire & Emergency Medical Services Sphere of Influence Updates

Dear Members of the Commission:

On October 7, per the Commission's direction, the Fire Committee met to further discuss governance and sphere of influence (SOI) options, along with sub-regional and regional issues.

The meeting was attended by representatives from the County, cities, fire districts, labor and members of the general public. Informational updates were provided by various cities and districts, including updates from the City of Pinole regarding the West County Task Force on Fire Service (Attachment 1), and from the East Contra Costa Fire Protection District regarding the East County Fire Committee. In addition, the San Ramon Valley Fire Protection District (SRVFPD) submitted a letter (Attachment 2) indicating their position on various governance and SOI options.

Based on deliberations and comments received at the committee meetings, the Fire Committee submits governance structure and SOI recommendations as presented in Attachment 3. The Governance Structure Option numbers shown in Attachment 3 correspond to those presented to the Commission in August 2009. The Committee recommends adopting the SOI updates after concluding that taking such action will not reduce the need or incentive for the fire districts to act on the larger issues discussed in the MSR and by the Commission.

In addition to the recommendations provided in Attachment 3, the Fire Committee submits the following three recommendations:

- ❖ *East County* – Acknowledge the formation and efforts of the East County Fire Committee; request that the Committee provide an update to LAFCO at the January 13, 2010 LAFCO meeting.
- ❖ *West County* - Acknowledge the formation and efforts of the West County Task Force on Fire Service; request that the Task Force provide an update to LAFCO at the January 13, 2010 LAFCO meeting.

- ❖ *Countywide* - Convene a countywide fire workshop within 30-45 days to discuss fire issues. Some of the suggested topics include regional fire consolidation, governance and fiscal issues. The Commission should discuss the format of the workshop (i.e., workshop of the LAFCO Fire Committee or full Commission), timing (e.g., in conjunction with a regular LAFCO meeting), and specific agenda topics. There was also a suggestion at the Fire Committee meeting of possibly using a facilitator.

RECOMMENDATIONS

1. Adopt the Fire Committee's governance and SOI recommendations as presented above and in Attachment 3. **Adopted**
2. Adopt the attached resolutions that correspond to the Fire Committee's SOI recommendations. **Adopted**
3. Adopt the three recommendations regarding the East County Fire Committee, the West County Task Force on Fire Service, and convening a workshop to discuss consolidation and related fire service issues.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachments:

1. Memo dated September 15, 2009 from West County City Managers Regarding Formation of a West County Fire Subcommittee
2. Letter dated October 6, 2009 from Stephen P. Morgan, SRVFPD
3. Table – Fire Committee's Governance Structure and SOI Recommendations
4. SOI Resolutions
 - a. CCCFPD
 - b. MOFD
 - c. SRVFPD
 - d. ECCFPD
 - e. CSA EM-1

FIRE COMMITTEE'S GOVERNANCE AND SPHERE OF INFLUENCE (SOI) RECOMMENDATIONS¹

Governance Structure Option	SOI Action	Recommendations
Central County		
ConFire		
1. Annex areas within ConFire's service areas currently within ECCFPD's bounds (e.g., area southeast of Clayton)	Expand SOI to include area southeast of Clayton	Approve SOI expansion
3. Clean-up	Remove Bogue Ranch from SOI which was previously annexed to SRVFPD (linked with option 11)	Approve SOI clean-up
4. Clean-up	Remove 101 acres in Orinda from SOI which was annexed to MOFD in 1998 (linked with option 7)	Approve SOI clean-up
MOFD		
7. Clean-up	Expand SOI to include 101 acres annexed to MOFD in 1998 ((linked with option 4)	Approve SOI clean-up
10. Encourage agencies to communicate regarding road/water infrastructure challenges and report back to LAFCO within 12 months		Approve (added by Committee)
SRVFPD		
11. Clean-up	Expand SOI to include previously annexed areas (Tassajara Valley/Morgan Territory, Bogue Ranch) (partially linked with option 3)	Approve
12. Align boundary with service call areas (i.e., north Dublin and Crow Canyon areas)	Increase SOI to include north Dublin and Crow Canyon areas	Encourage agencies to work together to achieve service/fiscal balance
East County		
ConFire		
14. Clean-up	Expand SOI to include eastern boundary areas in cities of Antioch and Pittsburg already served by ConFire	Approve
16. Annex Roddy Ranch property currently within ECCFPD's bounds/ service area	Expand SOI to include Roddy Ranch property (linked with option 22)	Approve

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
MORAGA-ORINDA FIRE DISTRICT**

WHEREAS, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

WHEREAS, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

WHEREAS, LAFCO conducted a countywide review of fire and emergency medical service providers, including services provided by the Moraga-Orinda Fire District (MOFD) and adopted written determinations as required by Government Code §56430 on August 12, 2009; and

WHEREAS, the MSR report identified a number of SOI and governance structure options for MOFD; and

WHEREAS, the District's service boundary encompasses approximately 47 square miles, and its SOI and boundary are generally consistent; and

WHEREAS, in updating SOIs for fire service providers, LAFCO should consider the uniqueness of fire service areas as a result of automatic aid, mutual aid and contract service arrangements; and

WHEREAS, MOFD's existing SOI excludes 101 acres in eastern Orinda which were annexed to the District in 1998; and

WHEREAS, it is hereby proposed that MOFD's SOI be expanded to the 101 acres previously annexed to the District; and

WHEREAS, the MSR report identified a number of issues relating to cost-savings, efficiency, infrastructure challenges and revenue allocation among the affected local agencies which need to be addressed; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

WHEREAS, the SOI update was duly considered at public meetings held on April 8, April 22, August 12 and October 14, 2009; and

WHEREAS, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that Contra Costa LAFCO does hereby:

1. Expand the SOI for MOFD as generally depicted on Exhibit A attached hereto.
2. Encourage the District, the City of Orinda and the Town of Moraga to communicate regarding road and water infrastructure challenges and report back to LAFCO within 12 months.
3. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
4. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District bounds encompass residential, commercial, institutional, agricultural and open space uses within the cities of Moraga and Orinda and surrounding unincorporated areas to the east and west of the cities. Present land uses in the incorporated areas are predominantly residential and commercial. The cities both contain significant open space. Land uses in the unincorporated areas are primarily open space. Future land uses within the existing SOI include new residential and open space development in the Rheem valley area (Moraga), residential and commercial development southwest of the Town of Moraga in the Bollinger Canyon area, as well as Orinda Village and Montanera Gateway in Orinda. The SOI expansion areas are located within the City of Orinda and consist of residential areas. The District has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact the District’s services. There is Williamson Act land within the District’s boundaries and SOI.
 - b. *The present and probable need for public facilities and services in the area* – The District provides fire and emergency medical services including paramedic and ambulance transport. MOFD contracts with Contra Costa County Fire Protection District for dispatch and radio services. There is a present and probable need for public facilities and services in the existing SOI and in the SOI expansion area, which was annexed to the District in 1998. Service demand will increase with build-out of the cities. No changes in public facilities or services provided by the District will result from this SOI update.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – the MSR report did not identify any capacity or service adequacy issues that would prevent the District from continuing to serve its boundary area. Adjustment of the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by MOFD.

- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – MOFD was formed in 1997 as an independent special district through the consolidation of the Moraga Fire Protection District and the Orinda Fire Protection District; there has been one boundary change to the District since its formation. The District is funded primarily through property taxes, within limited funding through ambulance fees, fire flow taxes, and miscellaneous revenues. The social and economic communities of interest include the cities of Moraga and Orinda and the unincorporated community of Canyon. Other communities of interest within the District include St. Mary’s College (Moraga), Redwood Regional Park, Robert Sibley Regional Preserve, Charles Lee Tilden Regional Park and Golf Course, and portions of Wildcat Canyon Regional Park and San Pablo and Briones reservoirs. The community of interest within the SOI expansion areas is the City of Orinda. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the areas that are relevant to MOFD.

- e. *Nature, location, extent, functions & classes of services to be provided* – MOFD service boundary encompasses approximately 47 square miles. The District provides fire prevention and suppression, advanced and basic life support for medical emergencies, ambulance transport, rescue, initial hazardous materials response, fire inspection, education and fire-related permit services. The District relies on AMR, a privately-owned ambulance company, for back-up ambulance services. There are five fire stations located within the District; three in Orinda and two in Moraga.

* * * * *

PASSED AND ADOPTED THIS 14TH day of October 2009, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

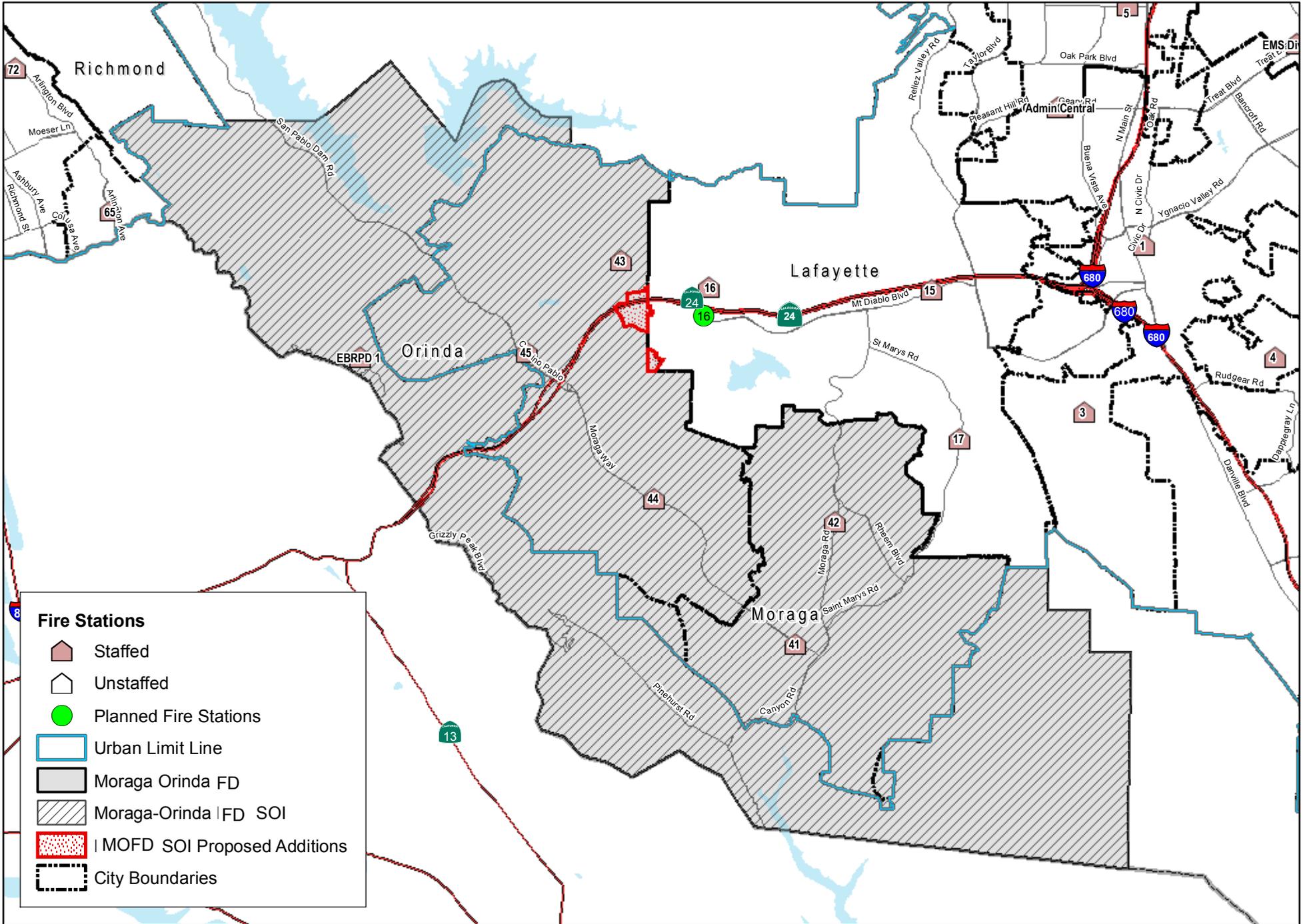
GAYLE B UILKEMA, CHAIR, CONTRA COSTA LAFCO

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: October 14, 2009

Lou Ann Texeira, Executive Officer

Moraga-Orinda Fire District and Sphere of Influence



Fire Stations

- Staffed
- Unstaffed
- Planned Fire Stations
- Urban Limit Line
- Moraga Orinda FD
- Moraga-Orinda FD SOI
- MOFD SOI Proposed Additions
- City Boundaries

Map created 7/28/2009
 by Contra Costa County Community Development, GIS Group
 601 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0195
 37.59-48.456N 122.06-35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

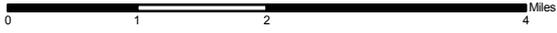


Exhibit 4b-A

