



PLANNING DIVISION  
COMMUNITY DEVELOPMENT SERVICES

**COUNTY OF HUMBOLDT**

3015 H STREET

EUREKA, CALIF. 95501-4484 PHONE (707) 445-7541

DATE Friday, January 18, 2008  
TO: Humboldt County Fire Safe Council  
FROM: Cybelle Immitt, Planner  
SUBJECT: Agenda and Staff Reports for FSC Meeting of January 23, 2008

**AGENDA**

**Humboldt County Fire Safe Council Meeting**

**Wednesday, January 23, 2008 Time: 1 to 4:00 P.M.**

**Location: USFS Six Rivers National Forest, 1330 Bayshore Way, Eureka**

<b>SUBJECT</b>	<b>TIME</b>
1. <b>Call to Order and Introductions</b>	<b>(1:00 - 1:05 PM)</b>
2. <b>Approval of Minutes from September 19, 2007 FSC Meeting (See Attachment 2-1)</b>	<b>(1:05 - 1:10 PM)</b>
<b>Public Comments/Announcements/Correspondence</b>	
3. a. Welcome to Joe O'Hara in his official capacity as a FSC member	<b>(1:10 - 1:15 PM)</b>
b. Flyer- Sustainability for your fire prevention efforts	
4. <b>Formalize FSC annual meeting schedule (FSC action requested)</b>	<b>(1:15 - 1:20 PM)</b>
5. <b>Nomination of new appointee representing CAL FIRE (FSC action requested)</b>	<b>(1:20 - 1:30 PM)</b>
6. <b>County Payments Reauthorization and use of T3 funding Progress Report</b>	<b>(1:30 - 1:45 PM)</b>
7. <b>Hazard Mitigation Plan Progress Report</b>	<b>(1:45 - 2:00 PM)</b>
<b>Committee Progress Reports &amp; Discussion of Next Steps:</b>	
8. 1. Fuel Modification/Biomass Utilization (FSC action requested)	
2. Revenue Source for Fire Protection (FSC action requested)	
3. Level of Service Standard (FSC action requested)	<b>(2:00 - 3:40 PM)</b>
4. Improve Emergency Dispatch Services	
5. Safety Element of GPU (fire)	
9. <b>Selection of new FSC Officers and committee members for the year 2008</b>	<b>(3:40 - 3:55 PM)</b>
10. <b>Set Next Meeting Date and Time and Adjourn</b>	<b>(3:55 - 4:00 PM)</b>
<i>(A break will be had as needed)</i>	

## AGENDA ITEM 3

**SUBJECT: Public Comments/Announcements/Correspondence**

### **Recommendation**

Receive comments, announcements and/or correspondence

### **Discussion**

- Joe O'Hara was appointed by the Humboldt County Board of Supervisors as the newest member of the Humboldt County Fire Safe Council (FSC) on December 11, 2008. Welcome Joe!!!!
- Joe submitted an interesting flyer called "Sustainability for your fire prevention efforts". Please review attached.

### **Attachments**

Attachment 3-1: Flyer – Sustainability for Your Prevention Efforts!

## AGENDA ITEM 4

**SUBJECT: Formalize FSC annual meeting schedule**

### **Recommendation**

- Review draft schedule, revise as necessary and approve
- Direct staff to post approved schedule on the website

### **Discussion**

At the last FSC meeting staff was directed to draft a 2008 FSC meeting schedule. Review the proposed schedule below:

- **FSC Quarterly Business Meetings** (all meetings will run between 1:00 and 4:00 PM):  
January 23, 2008  
April 7, 2008  
July 7, 2008  
October 6, 2008  
**Locations TBS**
- **Satellite meetings/site visits:**  
One meeting of this kind can be planned between each regularly scheduled business meeting. These should be coordinated with local FSCs and the Humboldt County Fire Chiefs' Association (Fire Chiefs) and focus on establishing a stronger cooperative effort among all parties. Meetings can be proposed and planned at the preceding business meeting.

## AGENDA ITEM 5

**SUBJECT: Nomination of new appointee representing CAL FIRE**

### **Recommendation**

- Accept the recommendation from CAL FIRE to replace their current representative on the FSC, Kevin O'Neil, with Hugh Scanlon.
- Direct staff to prepare an agenda item staff report for the Board of Supervisor to appoint Hugh Scanlon as the new representative for CAL FIRE on the FSC.

### **Discussion**

Due to changing duties and workloads within CAL FIRE, the Humboldt – Del Norte Unit Chief has requested that Hugh Scanlon replace Kevin O'Neil as the CAL FIRE representative on the FSC.

As Chair, Kevin has made significant contributions to the FSC and the development of the Humboldt County Master Fire Protection Plan over that last several years and will be missed. Thanks Kevin for your dedication to the efforts of the FSC!

Welcome aboard Hugh!

## AGENDA ITEM 6

**SUBJECT: County Payments Reauthorization and use of Title III funding Progress Report**

### **Recommendation**

Receive a progress report and discuss options

### **Discussion**

Long-term reauthorization of the Secure Rural Schools and Community Self Determination Act is still uncertain.

Humboldt County did receive a one year emergency installment of this funding and Staff can request an allocation from the BOS to support further implementation of the MFPP. Staff has been working on sorting out progress on past Title III project allocations in order to determine the need for additional funding and types of projects needed. Will Harling, Glen Ziemer and Cybelle Immitt agreed to collaborate on a draft staff report requesting these allocations but have not yet had a chance to meet. This group will schedule a working session in February/March and report back during the April FSC business meeting.

## AGENDA ITEM 7

**SUBJECT:** Hazard Mitigation Plan Progress Report

### **Recommendation**

Receive a report on progress with the development of the Humboldt Operational Area Hazard Mitigation Plan.

### **Discussion**

Public comments have been received and incorporated, the Plan has been completed, it has been sent to OES and FEMA for preliminary review, the Plan has been adopted by the BOS and some partner agencies. We are currently waiting for FEMA's review at which time we will make any requested changes and resubmit for final FEMA approval. Timing is still uncertain.

## AGENDA ITEM 8

**SUBJECT:** FSC Committee Progress Reports

### **Recommendation**

- **Receive Committee progress reports, discuss next steps for these groups & take action where requested:**
  - 1. Fuel Modification/Biomass Utilization**
    - **Action** – Provide guidance and direct Committee to proceed with submitting state clearinghouse concept paper.
  - 2. Revenue Source for Fire Protection**
    - **Action** – Direct Committee to formally present fire protection benefit assessment guide draft to Fire Chiefs for feedback and confirmation that it will be a useful tool.
  - 3. Level of Service Standard**
    - **Action** – Comment on, approve identification criteria and direct Committee to present sample of current level of service identification GIS tool to the Fire Chiefs.
  - 4. Improve Emergency Dispatch Services**
    - **Action** – Direct Committee to review and modify if necessary comments on the communications study and submit them to the County Administrative Officer on behalf of the FSC.
  - 5. Safety Element of GPU (fire)**

### **Discussion**

**Humboldt County Fire Safe Council Committee Projects Update**

## 1. FUEL MODIFICATION/BIOMASS UTILIZATION

(Lucy Salazar, Tim Jones, Will Harling)

### **Excerpt from Associated Master Fire Protection Plan Implementation Measure:**

Successful implementation of a self-sustaining biomass utilization program will require the following steps: establishment of an industry/agency working group (including resource and air quality management agencies as well as environmental interests); compilation of all local and regional biomass utilization studies; identification of additional local biomass utilization resources and assets as well as of potential local, state and federal funding sources and programs; development of recommendations by the industry/agency working group to stimulate biomass utilization and fire hazard and risk reduction.

### **Progress:**

- **Biomass -Lucy, Tim, Joe and Cybelle** participated in a Biomass Workshop and will share what they learned. Presentations from the workshop can be found at the following website: [http://groups.ucanr.org/WoodyBiomass/Eureka%5F2007%5FWorkshop/Eureka\\_Workshop\\_Agenda.htm](http://groups.ucanr.org/WoodyBiomass/Eureka%5F2007%5FWorkshop/Eureka_Workshop_Agenda.htm)
- **Countywide fuels reduction project progress** - Jared Hammatt of BLM will provide a 15 min. update on gathering information on the progress of hazard mitigation projects throughout the county
- **State Grants Clearinghouse Concept paper** – On December 19, 2007 the following folks got together for brainstorming meeting on this topic: Tim Jones, Lucy Salazar, Jared Hammatt, Andrew Whitney, Cybelle Immitt. It was decided to prepare a project concept paper on behalf of the Humboldt County Fire Safe Council and submit it to the State Grants Clearinghouse with the County of Humboldt as the fiscal sponsor. The proposal will focus on countywide coordination of fuels reduction and the implementation of demonstration projects. The 2006 proposal text will be used as a starting point. Starter notes were made in a copy of that text based on our discussion as the beginnings of a draft 2008 proposal.

Progress on the development of the concept paper will be discussed during this meeting.

### **Considerations:**

- Is the committee's proposed project on track with the will of the rest of the Council?
  - Should this be one or two proposals?
  - Do we want to design it so that acres treated can be generated?
  - Need to gather letters of commitment from participating local FSCs, CAL FIRE, maybe HSU and maybe from demonstration project land owners.
- **Any additional progress will be presented verbally at the meeting**

### **Action Items:**

- a. Contingent upon FSC direction submit Clearinghouse concept paper and letters of commitment from partners on February 15, 2008.
- b. Look into inviting State Parks when fuels reduction project inventory is complete.
- c. Request T3 funding to support fuels reduction efforts in some way.

## **2. DEVELOP A RELIABLE REVENUE SOURCE FOR FIRE PROTECTION**

*(Dave White, Glenn Ziemer, and possibly a consultant)*

### **Excerpt from Associated Master Fire Protection Plan Implementation Measure:**

Implementation of this measure would result in the identification and institution of reliable revenue generating structures, such as an appropriate assessment and funding implementation strategy to fund fire protection and emergency services, fire prevention, and training.

**Progress:** Dave White and Glenn Ziemer put together a draft how-to guide that can be used by an already existing Fire Protection District to increase its assessment to generate more revenue to support services, the demand for which is exceeding the revenue currently available for providing it. This will be run by the Humboldt County Fire Chiefs' Association. The long term plan is putting something together for districts that need to expand their service boundaries or for fire departments that want to become districts.

### **Action Items:**

- Dave White and Glenn Ziemer will meet and work on adding costs associated with the steps that need to be taken.
- Also add something to the guide about expanding district boundaries and creating a district where one does not currently exist.
- Add a positives and negatives matrix for taking something like this on. This guide will have valuable information to get someone started but they will still need to get assistance from someone who has done this before.
- Glenn, Will and Cybelle need to meet about making a request to the BOS for additional allocations of Title III funding to support MFPP Implementation.

**Any additional progress will be presented verbally at the meeting**

## **3. LEVEL OF SERVICE STANDARD** *(Dave White, Kevin O'Neil, Glenn Ziemer, Bob Harris, CDF support staff & Cybelle Immitt)*

### **Excerpt from Associated Master Fire Protection Plan Implementation Measure:**

Develop level-of-service standards for the provision of all fire protection services (fire, EMS, HazMat, rescue) in the County, and make such standards public so that landowners and residents understand what is and is not available to them.

**Progress:** This committee did meet. The criteria by which current levels of service can be measured have been put together and will be run by the Humboldt County Fire Chief's Association. The next step will be to gather all of the necessary data and link it up to a web-based GIS system that can be used to determine what the level of service is in any given area (maybe by zones and at some point by parcel number).

Hugh will present a sample of what he put together based on the criteria and discuss how it can tie into the recently released web-GIS through the county website.

The committee drafted the following set of criteria:

## Current LOS Identification Criteria (Draft)

### Drop down lists

#### ISO Rating

- 0 - ISO 10, no FD
- 1 - ISO 10, FD goodwill
- 2 - ISO <=10, FD 20 min
- 3 - ISO <= 8
- 4 - ISO <= 5

#### Structure Fire

- 0 - No service
- 1 - FD goodwill service only
- 2 - in District engines only
- 3 - In District engines and truck

#### Response Time (Turnout)

- 0 - < 1 min
- 1 - < 3 min.
- 2 - > 3 min (avg. 5)

**Response time = Turnout + Distance**  
Per MFPP modeling

#### Severity Hazard Rating

- Very High
- High
- Moderate
- Not rated

#### EMS service

- 0 - Ambulance only
- 1 - Ambulance + First Responder (BLS)
- 2 - Ambulance + Engine Paramedic (ALS)

#### Rescue / Extrication (responding to at scene)

- 0 - No Fire Department
- 1 - In Response Area
- 2 - In Response Area, Fire Department has advance rescue

#### Wildland Responsibility

- SRA - CDF
- SRA - Forest Service
- LRA - Arcata Fire
- LRA - Humboldt FD #1
- LRA - Samoa
- LRA - Loleta
- LRA - Ferndale
- LRA - Fortuna
- LRA - Rio Dell
- LRA - Scotia
- LRA - City
- SRA in District boundary

#### Training

- None
- Monthly
- Bi-weekly
- Weekly

#### HazMat / Confined Space Response

- 0- No Fire Department, Regional Team only
- 1 - FD Awareness Training
- 2 - FD Operations Training

#### Water supplies

- 0 - No firefighting water
- 1 - Water tender, other
- 2 - Hydrant system

#### Staffing

- 0 - No FD
- 1 - < 5 personnel
- 2 - < 15 personnel
- 3 - < 50 personnel
- 4 - >= 50 personnel or > 25% paid

**Action Items:**

- Present the sample of the GIS based model to the HCFCFA and proceed according to feedback received.

**4. IMPROVE EMERGENCY DISPATCH SERVICES**

*(Dan Larkin, Kevin O'Neil, and Dave White)*

**Excerpt from Associated Master Fire Protection Plan Implementation Measure:**

Improve communication and coordination between local fire departments, state agencies, federal agencies, and other allied agencies during fires and other emergencies.

**Progress:** The delaine for submitting comment has been extended to January 23, 2008. Dan Larkin forwarded to document to FSC members for review. Dave White forwarded a draft set of comments for FSC input. **See attachment 8-1 Communications Committee Report.**

**Action Items:**

- If deemed necessary submit FSC comments on communications study
- CALL FIRE will send in a comment letter on the communications study and copy the members of the HCFSC.

**5. MFPP POLICY RECOMMENDATION INTEGRATION INTO THE GPU**

*(Kevin O'Neil, Glenn Ziemer, and Cybelle)*

Cybelle facilitated the process of integrating HCFSC policy recommendations related to fire into the applicable sections of the GPU with specific guidance from Kevin and Glenn. Tom Hofweber was the primary author of the chapter.

**Progress:**

This chapter has been posted to the web for several months and a revised version has not yet been drafted for the next draft of the General Plan Update. Any feedback from the FSC is still welcome. <http://county-internet/planning/gp/gpdemo/GPU-TOC-Demo3.htm#ch21>

Another chapter of possible FSC interest is the Infrastructure and Community Services Element and Technical Study—use web link to review the report and Element <http://co.humboldt.ca.us/planning/gp/gpdemo/GPU-TOC-Demo3.htm#ch7>

**Action Items:**

Provide feedback on Safety Element and Infrastructure and Community Services Element and Technical Study as needed.

## AGENDA ITEM 9

**SUBJECT: Selection of new FSC Officers and committee members for the year 2008**

### **Recommendation**

- Nominate and appoint an officer for the following roles on the FSC:
  - Chair
  - Vice-Chair
  - Secretary
- Establish membership, a coordinator and next meeting dates for each MFPP implementation program Committee.
- Confirm accuracy of FSC contact list

### **Discussion**

**Officers** - It is a new year and we have had many changes in the membership of the FSC. It is time to revisit the roles of the membership. This can be done formally or informally. It will be at the discretion of the Council how this will proceed.

**Committees** - As the FSC transitions from planning to implementation some adjustments in functionality need to be made. In order to support successful progress for each of the chosen implementation areas it will be made clear which members are part of each committee and who will coordinate their activities. Committee meeting dates will be set ahead of time to ensure that progress is made between FSC business meetings. A contact list is attached to facilitate better direct communication between the FSC members. Let's make sure the list is correct. Below is a list of committees and their membership as they stand now:

1. **Fuel Modification/Biomass Utilization** - Lucy Salazar, Tim Jones, Will Harling
2. **Develop a Reliable Revenue Source for Fire Protection** - Dave White, Glenn Ziemer, and possibly a consultant
3. **Level of Service Standard** - Dave White, Kevin O'Neil, Glenn Ziemer, Bob Harris, CDF support staff & Cybelle Immitt
4. **Improve Emergency Dispatch Services** - Dan Larkin, Kevin O'Neil, and Dave White
5. **MFPP Policy Recommendation Integration into the GPU** - Kevin O'Neil, Glenn Ziemer, and Cybelle

### **Attachment**

Attachment 9-1: Contact list for FSC Members

## AGENDA ITEM 10

**Set Next Meeting Date and Time and Adjourn**

**Attachment 2-1**  
**September 19, 2007 FSC Meeting Minutes**  
**DRAFT Meeting Summary (Action Minutes) DRAFT**  
**Humboldt County Fire Safe Council**  
**September 19, 2007**

A Humboldt County Fire Safe Council (HCFSC) meeting was held September 19, 2007, from 1:00 P.M. to 4:00 P.M., at the Humboldt County Agriculture Center on 5630 South Broadway Blvd in Eureka. The FSC was appointed by the Humboldt County Board of Supervisors to guide preparation and implementation of the County Master Fire Protection Plan (Fire Plan).

**Fire Safe Council Members Attending:**

Manny Mello, Northwest Insurance  
Dave White, Retired Arcata Fire Department Chief and Humboldt County Fire Chiefs Association Representative  
Lucy Salazar, USFS, Six Rivers National Forest, Fuels Management Specialist & Air Coordinator  
Debra Lake, Fruitland Volunteer Fire Department, Board Chair  
Bob Harris, Fire Chief, Miranda Fire Protection District  
Kevin O'Neil, Cal. Dept. of Forestry and Fire Protection (CALFIRE) Division Chief  
Ian Sigman, Honeydew Volunteer Fire Company Chief and Lower Mattole Fire Safe Council  
Glenn Ziemer, Humboldt Fire District #1, Fire Chief

**Fire Safe Council Members Absent:**

Duane Sherman, Hoopa Volunteer Fire Department, Fire Chief  
Will Harling, Orleans/Somes Bar Fire Safe Council and Orleans Fire & Rescue  
Dan Larkin, Humboldt County Office of Emergency Services  
Tim Jones, BLM Fire Management Officer

**Public and Agency Representatives Attending:**

Cybelle Immitt, Humboldt County Planning  
Yvonne Everett, Humboldt State University  
Yana Valachovic, UC Davis, Forestry Extension  
John Miller, Humboldt County Planning  
Joe O'Hara, Willow Creek Fire Safe Council  
Pat O'Hara, Willow Creek Fire Safe Council

**Agenda Item 1: Call to Order and Introductions**

The meeting was called to order at 1:05 P.M. by the Fire Safe Council Chair, Kevin O'Neil.

**Agenda Item 2. Approval of Minutes from 06/04/07 FSC Meeting**

**Discussion** – Chairman O’Neil asked if anyone had any corrections or additions in regards to the action minutes. Lucy pointed out a few spelling corrections.

**Action** - On a motion from Dave White and seconded by Debra Lake the Council unanimously approved the minutes as amended.

### **Agenda Item 3. Public Comments/Announcements**

- a) Bob Harris was welcomed as the newest member of the FSC
- b) Staff received on application for the one remaining open spot on the FSC and was directed to prepare the Board of Supervisors agenda item staff report requesting that Joe O’Hara, President of the Willow Creek FSC be appointed to the Humboldt County FSC. The staff report was prepared, submitted and the BOS appointed Joe O’Hara to the FSC on December 11, 2007.
- c) There was some discussion about FSC meeting locations. It was decided that the Humboldt County FSC will have quarterly Business meetings in the central location of the Humboldt Bay Area. Additionally, special meetings/site visits will be scheduled through the county as appropriate in coordination with local FSCs and the Humboldt County Fire Chiefs’ Association. These will be scheduled as needed.
  - a. Staff was directed to prepare a tentative calendar of meetings for approval at the next meeting. Motion made by Glenn Ziemer and seconded by Ian Sigman and unanimously passed.

### **Agenda Item 4. County Payments Reauthorization**

There will be some new Title III Special County Projects funding available soon and the FSC would like to ask the BOS for some of it to fund Master Fire Protection Plan Implementation. The funding would be useful for administrative support for the Humboldt County FSC, local FSCs and fire departments and to support a few end-to-end projects. There was a desire to avoid funding parts of larger products and ending up with half-baked implementation.

**Next Steps:** Glenn Ziemer and Will Harling volunteered to help Cybelle sort this out. Areas of serious need will be identified. A staff report requesting funding from BOS will need to be drafted.

### **Agenda Item 5. Hazard Mitigation Plan Progress Report**

Cybelle presented the information outline in the agenda staff report.

**Next Steps:** Public comment will be received and incorporated, Plan will be completed, Plan will be sent to OES and FEMA for preliminary review, Plan will go to BOS and partner agencies for adoption and then to FEMA for approval. Timing is uncertain. FSC should send any comments that they have on the Plan to Cybelle.

## **Agenda Item 6. Presentation on Biomass Demonstration Project**

Lucy Salazar presented information about a Biomass demonstration project she participated in. A summary is included below:

### **Economic Evaluation of Roll-Off Containers Used to Collect Woody Biomass**

#### **Background**

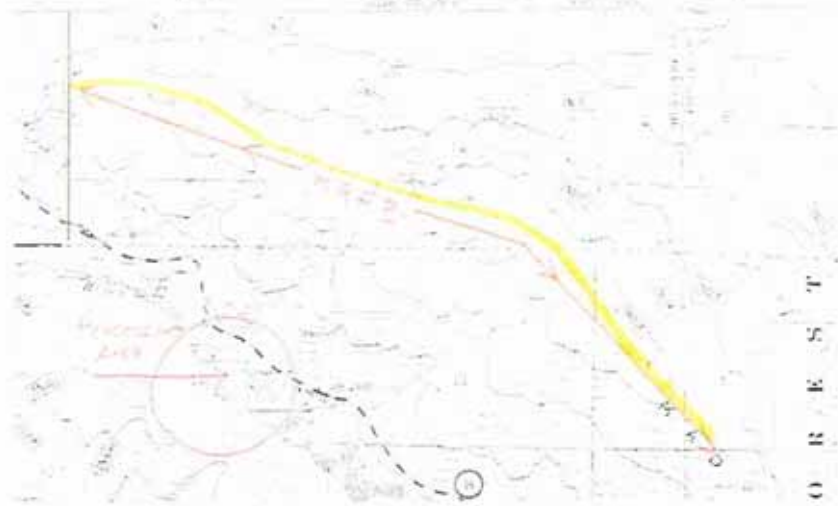
Forest roads are generally built for hauling logs using logging trucks, and a typical chip van has limited access in some forest roads due to sharp curves, steep grades, and low ground clearance issues. In this demonstration we are examining an alternative method to remove hand-piled woody biomass resulting from shaded fuel break treatments. In particular "roll-off" containers will be tested to carry woody biomass for a short distance (less than 10 miles) to a centralized processing site. "Roll-off" refers to a straight frame truck configuration in which containers are "rolled" onto and off of the straight frame truck (commonly referred to as a "hook truck") by means of a truck-mounted hydraulic hook. A previous study indicated that a roll-off trucking system would significantly improve both accessibility to more forest residues and economic efficiency of the forest residue recovering process (Rawlings, 2004). Our project was designed to broaden our knowledge for a wide range of applications of this technology.

#### **Objectives**

The overall objective of this project is to quantify the operational performance and costs of removing hand-piled slash using a roll-off truck with containers (40 yd<sup>3</sup>) in mountainous conditions in northern California. A two-week trial will be conducted on the Six Rivers National Forest to address the following specific questions:

- ✓ How much does it cost (\$/hour) to run the system (roll-offs and a loader)?
- ✓ What are potential productivities (ft<sup>3</sup>/hour or ton/hour) in a wide range of slash characteristics (size and amount) and road conditions (distance, grade, and speed)?
- ✓ What is the economic maximum hauling distance?
- ✓ What is the optimal number of containers to best match with a roll-off truck, which results in the lowest cost?
- ✓ What would it take to develop a profitable woody biomass harvesting and transportation business that utilizes roll-off containers?

## Demonstration Area Map



## **Agenda Item 7. Committee Progress Reports & Discussion of Next Steps**

### **2. Fuel Modification/Biomass Utilization** (*Lucy Salazar, Tim Jones, Will Harling*)

This group did not meet. There is a RC&D Biomass coordinator coming on (Humboldt, Del Norte and Trinity Counties). A woody biomass grant request for proposals has gone out and proposals are due in November

#### **Next Steps:**

- a. Consider submitting biomass proposal
- b. Receive a report from BLM rep checking in on project progress/inventory
- c. Kevin will look into inviting State Parks when inventory is complete; maybe two meetings out.

### **3. Revenue Sources for Fire Protection:** (*Dave White, Glenn Ziemer, and possibly a consultant*)

Dave and Glen put together a draft how-to-guide for FSC review. See guide below:

## **Fire Protection Benefit Assessments**

- Is your Fire Department a governmental agency (Fire District, part of a Community Services District, Resort Improvement District, etc.)? If not, you must become a governmental agency in order to levy a tax or assessment.
- If you are a governmental agency, there are several options available to you:
  1. **Mellos Roos Act:**  
A form of Special Tax used for facilities or infrastructure improvements. See attachment.
  2. **Special Tax:**  
A special tax is a tax levied by the agency for some special purpose. A Fire District may levy a special tax for fire protection. A special tax is voted on by secret ballot at an election of the registered voters of the District. It takes a 2/3 majority to pass. Any registered voter may vote; the voter does not have to be a property owner. A variety of formulas may be used to determine a special tax, although it can not be based on property value. Special Taxes are subject to Propositions 13 and 218, as well as the “Gann” appropriations limit formula.
  3. **Benefit Assessment:**  
A benefit assessment is the most common type of Fire District funding measure. A benefit assessment provides a special benefit to property, not persons. A benefit assessment is voted on by the property owners within the area where the assessment will be levied. Non property owners, such as renters cannot vote on the benefit assessment. A benefit assessment will pass if the number of “weighted” affirmative votes exceeds the number of “weighted” negative votes (simple majority). The benefit assessment election is usually done with a mail in ballot and ballots can be delivered to the Public Hearing. Ballots are weighted by the amount of benefit that the particular piece of property receives. The ballots are

not “one ballot, one vote”. The ballots cast in a benefit assessment election are public record and must be retained by the agency.

Because assessments are not defined as taxes, they are not subject to Proposition 13 limitations including the 1% tax limitation. However, Article XIID of the California Constitution provides specific requirements and procedures. Because it is not considered a tax, a benefit assessment is not subject to the “Gann” appropriations limit formula.

The basic thought behind benefit assessments is to link the cost of public services and improvements to those properties (and in turn, the landowners) which receive a specific benefit from those services and improvements. Publicly owned parcels are not exempt from assessments unless clear and convincing evidence demonstrates that the parcels receive no special benefit.

Benefit Assessments:

- Can be used to pay the costs of providing specific fire, flood, water, sewer, park capital improvements, and other community services.
- Fall under the regulations imposed by Proposition 218 in 1996.
- Are based on assessing those properties that directly benefit from the services, based on the amount of benefit they receive.
- Can include an annual cost of living increase in the assessment rate, or it can remain at a fixed rate.
- To implement a benefit assessment, an agency is required to give written notice to all affected property owners, conduct an assessment ballot vote and conduct a public hearing at which time the balloting is closed and the ballots are tabulated.
- Some benefit assessments will continue as long as services are provided. Other assessments may “sunset” after a specific time period, depending on how the ballot was worded.
- A majority vote (50% +1) of the assessment amount of the affected property owners is required for passage.
- A local agency can issue tax exempt bonds (usually for equipment of facilities) financed by the annual assessment proceeds. The principal and interest obligations on these bonds are repaid each year through the collection of special assessments on the property tax bill. Most of these bonds have a 20 to 30 year maturity. The bonds are sold competitively or through negotiated sale and may have a fixed or variable rate.

### **Establishing a Benefit Assessment:**

#### **1. Determine the need:**

- The agency must determine the level of service they want to provide, what it will take to provide the desired level of service (facilities, equipment, staffing, etc.) and the cost to of providing this level of service.
- If the agency is an existing governmental entity, then it must be determined how much additional revenues will be needed. The new assessment will be in addition to any 1% general property taxes and existing special taxes or benefit

assessments that the agency currently collects. A current benefit assessment or special tax can only be raised by a new vote. The 1% general property tax can not be raised.

- If a new agency is going to be formed, the assessment may be the sole source of funding for the agency. Agencies formed after the passage of Proposition 13 are not eligible to receive any of the 1% general property tax.
- The agency would be well advised to conduct a survey of those that will be voting on the assessment. The survey process should clearly identify the public's support for the improvement of fire protection and at what dollar level of assessment the public will no longer support the measure. Additional items to survey could be a "sunset clause" and an inflation factor. The survey should measure the chances for success and provide a viable ballot measure with minimal negative political exposure.
- Form a committee, which includes citizens, that will help put together an assessment that will meet the needs of the fire district and also be something that the public is willing to accept.

## **2. Provide an Engineering Report:**

An engineering report that will identify the benefit and associated costs conferred on each type of property is required by law. This report must be completed by a licensed civil engineer.

- The report should outline:
  - The proposed area of the assessment
  - Identify what will be accomplished
  - Estimate costs
  - Identify the benefit formula that will be used to determine each property type's share of the costs
  - Specify the annual cost to each type of property

In addition, the engineering report should address the threshold of support at various rates and determine support from various property types. It is a good idea to have legal counsel review the report.

The boundaries of a benefit assessment area may coincide exactly with those of the district that is implementing the assessment, or they may only cover a part of the district. Particular benefit zones may be designated within any individual assessment based on variations in the nature, location, and extent of the benefits. Another example would be a new development within the district and the developer implements the benefit assessment prior to the property being subdivided. Only this new subdivision would be subject to the assessment.

The engineering report should identify what the district is planning on doing with the assessment; increasing staffing, building a new fire station, replacing fire apparatus etc. It should also estimate the annual costs to reach the identified goals.

There are different formulas that can be used to determine each property's share of the assessment. The most common method in Humboldt County is to use property use, i.e.: vacant, single family residential, multi-family residential,

commercial, industrial etc. Other formulas have been used that base the assessment share on the required fire flow for the improvements on the property. The engineering report must identify the formula to be used for the assessment and proportionate costs to each benefit classification. The report should explain why the formula is appropriate. A determination of the amount of revenue each property type will contribute should be included in the report.

### **3. Creating the Ballot Measure and balloting process:**

In order to implement or raise a benefit assessment, Section 13D of the California Constitution requires that the legislative body of the agency must conduct a public hearing and a ballot of the property owners. The assessment ballot enables the property owner to express support for, or opposition to, (protest) the assessment. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment.

All property owners must be mailed a detailed notice of a public hearing and a ballot seeking the property owner's vote no less than 45 days prior to the hearing. The ballots are weighted according to the proportional financial obligation of the affected property. If approved, the agency authorizes the creation (usually by ordinance) of the assessment.

Information on the ballot **must** include: the parcel number, the owner of record, the basis upon which the amount of the assessment was calculated (units of benefit), the annual amount chargeable to the owner's particular parcel, the duration of the assessment, and the reason for the assessment. The ballot should also clearly indicate the date, time and place of the public hearing and a summary of the assessment ballot procedures including what it takes for the ballot to pass. There should also be a "notice of Public Hearing" with the ballot. This notice should include: The date, time and location of the public hearing, what the public hearing is for, the total amount of the assessment, how the assessment amount will be calculated, what will be done with the proceeds of the assessment, and how the balloting process works. There cannot be any campaign ("vote yes") materials with the ballot.

The base deadline for the Benefit Assessment process is the public hearing date. The ballots must be mailed at least 45 days prior to the scheduled date of the public hearing. Enactment of the assessment will occur after the public hearing and tabulation of the ballots using the process for enacting an ordinance. When setting the date of the public hearing an important thing to consider is when the county needs the benefit assessment information to go on the property tax bills (August). Other things to consider are things that may impact how people will vote such as: holiday seasons, tax bill due dates, vacation times, other tax measures being voted on, etc.

The ballots must be weighted proportionally to the amount of benefit each parcel will receive. A common method of determining benefit is through property use.

The County Assessor's Office normally assigns a property use code to all parcels within the county. These use codes can be used to identify property uses and assign the number of "units of benefit" each individual parcel. The number of units of benefit is the number of votes that each individual parcel will have. For example; if a vacant piece of land receives one unit of benefit (as determined in the Engineering report), the owner will have one vote for that particular parcel. If a commercial piece of improved property receives 10 units of benefit, that property owner will have 10 votes for that particular parcel. If the property owner owns five commercial properties, each with 10 units of benefit, that property owner will have a total of 50 votes, so property owners that own multiple parcels will have a larger number of votes.

Who tabulates the ballots is up to the agency. At one time the County would do it for costs, but in more recent times they have been reluctant to do so, especially for larger agencies. The ballot counting for Arcata's 2006 Benefit Assessment was done by the League of Women Voters. It is recommended that the agency not count the ballots themselves.

After the voting process, the ballots should be retained by the agency, although the time to retain the ballots is not spelled out.

#### **4. Selling the Measure**

Part of the initial planning for a benefit assessment measure should be a plan for selling the measure to the voters. California law forbids using agency funds, staffing or materials to "campaign" for a ballot measure. Examples include using agency on-duty paid staffing, using agency copying equipment for campaign flyers etc. There is a lot of grey area in this and it would be a good idea to consult legal counsel about what can and can't be done when working to implement a benefit assessment.

The agency can put together information materials and sponsor information meetings to explain why the agency needs additional funding, what is proposed to be done with the funds, and how the assessment process works. Make sure that the meetings are for providing information and answering questions, not campaigning for the measure. Again, consult legal counsel.

The benefit assessment balloting process is confusing to many people because it is not a secret ballot, one person, one vote process, so explaining to the voters how the process works is very important.

If an advisory committee was set up early in the process, often times this can be rolled into a campaign committee. Involving interested community members is very beneficial to passing a benefit assessment. The campaign committee can put together a "grass roots" campaign, i.e.: vote yes signs around town, door to door campaigning, letters to the editor, flyers, etc. They may also hire a public relations firm to assist to some degree in the campaign.

Timing of the campaign is also important. Since there is at least a 45 day window from the time the ballots are mailed to the time the balloting is closed, the campaign must last for at least this amount of time. Most successful campaigns start a few weeks before the ballots are mailed and continue up until the time of the public hearing.

## **5. Enacting the Benefit Assessment**

Once the benefit assessment has been approved by the voters, it clears the legal way for its enactment. This is the time to develop your agency's resolutions and ordinance. It's also the time to enact a strong public relations effort to inform your community about the recent vote and what it will mean to them in concrete terms. When an ordinance is enacted by the governing body there is usually a timeline for enactment with waiting or protest periods, often 30 days. When planning the process, keep in mind the county deadlines for having materials to the Auditor's office if the billing is going to be on the County's November tax bills.

Because many properties (i.e.: government) are exempt from County property tax, they may not receive a tax bill. The county will not mail assessment bills to these properties, or at least will charge for doing it. The agency may mail out its own assessment bills. Check with the County Tax Collector's Office for further information.

If county assigned Use Codes are used as a basis for the assessment, these records are usually obtained for the Engineering Report. The Assessor's records were not originally intended for use in a benefit assessment so there may be some inaccuracies that will need to be corrected. Additionally, the Use Code records are often out of date. The only way make these records are accurate as possible is to visually check individual parcels to see that their use codes are correct. Depending on the number of parcels involved, this can be very time consuming.

Implementing benefit assessment can be a lengthy and time consuming process. The cost of the project can vary depending on how much volunteer assistance is obtained. The results of a benefit assessment, if successful, can greatly assist a fire department in obtaining the resources it needs to provide an adequate level of service to its constituents.

### **Benefit Assessment Implementation Summary:**

- Determine the need
- Set up an advisory committee
- Conduct an Engineering Survey and Report
- Determine a date for the Public Hearing
- Put together ballot process
- Form campaign committee
- Mail ballots
- Hold the Public Hearing
- Tabulate ballots
- Enact the assessment

### Attachments

- Attachment 1: California Constitution Section 13C – Special Taxes
- Attachment 2: California Constitution Section 13 D – Benefit Assessments
- Attachment 3: California Government Code Section 50078 – Fire Suppression Assessments
- Attachment 4: Understanding Proposition 218 and Prop 218 FAQs
- Attachment 5: Mello-Roos Act
- Attachment 6: Sample Survey
- Attachment 7: Sample Engineering reports
- Attachment 8: Sample Notice of Public Hearing
- Attachment 9: Sample Ballots
- Attachment 10: Sample Resolutions and Ordinances
- Attachment 11: Sample Property Use Code listing

### **Next Steps:**

- a. Dave White and Glenn will meet and work on adding costs a district to take each step
- b. Also add something to the guide about expanding district boundaries and creating a district where one does not currently exist.
- c. Add a positives and negatives matrix for taking something like this on. This guide will have valuable information to get someone started but they will still need to get assistance from someone who has done this before.

### **4. Level of Service Standard:** *(Dave White, Kevin O'Neil, Glenn Ziemer, Bob Harris, CDF support staff & Cybelle Immitt)*

Hugh may end up being unable to carry this out due to time and technical resources. We should talk to someone at HSU or CSU about techniques.

### **Next Steps:**

- a. Contact HSU and CSU Fire Information Center for guidance
- b. Create sample to present to FSC and to the Fire Chiefs.

### **5. Improve Emergency Dispatch Services** *(Dan Larkin, Kevin O'Neil, and Dave White)*

This item was not discussed.

### **Next Steps:**

- a. CALL FIRE will send in a comment letter on the communications study and copy the members of the HCFSC.

### **6. Safety Element of GPU** *(Kevin O'Neil, Glenn Ziemer, and Cybelle)*

It is still not too late for FSC members to comments. An updated draft is being prepared per public comment. The review most current draft use the following web address:

<http://county-internet/planning/gp/gpdemo/GPU-TOC-Demo3.htm#ch21>

**Next Steps:** send any comments to Cybelle and they will be forwarded appropriately.

**Agenda Item 8. Presentation on FSCs from Dr. Yvonne Everett of HSU**

The members of the FSC received a presentation from Dr. Yvonne Everett. The presentation provided an overview of the results of a survey of FSCs.

**Agenda Item 10. Set Next Meeting and Adjourn:**

- Next meeting - Monday, December 10, 2007 from 1-4:00 location TBA. **This meeting date was subsequently changed to January 23, 2008.**
- The Chairperson adjourned the meeting at 3:10 P.M.

Attachment 3-1  
Flyer – Sustainability for Your Prevention Efforts!

Governing for What Matters

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Coming in April 2008

## Sustainability for Your Fire Prevention Efforts!

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- How to find logical partners you may have overlooked
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Make your community safe and build support at the same time!

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# Attachment 8-1 Communications Committee Report

January 3, 2008

Review of Fire Service Communications Capabilities and Ganner Report

## **Recommendations:**

- The County needs to form a Communications Committee that includes all disciplines (Law, Fire, EMS, Public Works, Schools) to provide coordination and future planning of county wide communication systems. Solutions should be completely interoperable among all disciplines.
- Reduce the number of PSAP / Dispatch centers, possibly through co-location (several dispatch centers at one location) while recognizing the different needs of the various disciplines. Maintain several separate dispatch locations for redundancy ( i.e.: 1 north, 1 central, 1 south).
- Establish common technology and operational standards countywide that are interoperable with each other as well as state, federal and private agencies.
  - Meet with phone and radio system technical representatives to better understand phone and radio system capabilities and limitations.
    - 911 and reverse 911 structure and capabilities.
    - Better assessment of current capabilities, systems including repeater sites.
    - Solutions for communications between VHF and UHF (Schools and EMS). Single radio for VHF/UHF communications?
    - Procure additional frequency allocations created by narrow banding and identify revenue sources to fund procurement of these additional frequencies.
- Identify short term solutions and upgrades that will lead to longer term improvements for a county-wide communications system(s) that meets current and future needs as well as provides for interoperability will all local, county, state, federal and private agencies.
- Do not go to trunked system. Numerous public safety agencies have tried trunked systems and have gone back to individual systems. Maintain redundant individual systems with possible consolidation of some systems.
- Consolidate repeater vaults through contracts.
- Implement coordination of multi-discipline tactical frequencies.
- Remain on VHF high frequency band.

## **Comments on the Ganner Report:**

- Inaccurate assessment of current capabilities.
- Plan did not identify any short term solutions that lead to longer term solutions
- High cost to install and maintain recommended system. Plan should also recommend a phased in, lower cost solution(s).
- The recommended trunked system has limitations for public safety use:
  - High initial and operating costs.
  - Single failure at control point can take down entire system.

- Current equipment not compatible.
- Potential to overload system during major county-wide disaster.
- Issues with interoperability with non-trunked systems.
- Other agencies have tried trunked systems and gone back to conventional systems.
  
- Good report recommendations:
  - Formation of a Multi-discipline Communications Committee
  - Reduce number of PSAPs.
  - Use common standards and technology
  - Improve repeater sites

**Attachment 9-1  
Contact list for FSC Members**

<b>HUMBOLDT COUNTY FIRE SAFE COUNCIL MEMBERS (2008)</b>						
<b>Name</b>	<b>Title</b>	<b>Affiliation</b>	<b>Rep</b>	<b>Address</b>	<b>Phone</b>	<b>Email</b>
<b>Bob Harris</b>	Fire Chief	Miranda Fire Department	Miranda CSD	P.O. Box 257 Miranda, CA	(707) 943-3100	<a href="mailto:harris911@att.net">harris911@att.net</a>
<b>Daniel Larkin</b>	Emergency Services Coordinator	Humboldt County Office of Emergency Services (OES)	OES	Humboldt Co. Sheriff's Dept. OES, 826 Forth St. Eureka, CA 95501	(707) 268-2502	<a href="mailto:DLarkin@co.humboldt.ca.us">DLarkin@co.humboldt.ca.us</a>
<b>Dave White</b>	Fire Chief	Arcata Fire Protection District	Chiefs	631 Ninth St., Arcata, CA 95521	(707) 822-5404 cell 499-0461	<a href="mailto:davewhite@sbcglobal.net">davewhite@sbcglobal.net</a>
<b>Debra Lake</b>	Postmaster	Board Chair of Fruitland Volunteer Fire Department	Local Fire Department	360 Whitlow Rd., Myers Flat, CA 95554	(707) 943-3402 764-3772	<a href="mailto:lake_95554@yahoo.com">lake_95554@yahoo.com</a>
<b>Duane Sherman</b>	Fire Chief	Hoopa VFD	Hoopa	P.O. Box 1321 Hoopa, CA 95546	(530) 625-1118 (wrk) 625-4041 (hm)	<a href="mailto:Hupachair@hotmail.com">Hupachair@hotmail.com</a>
<b>Glenn Ziemer</b>	Assistant Fire Chief	Humboldt District #1	Local Fire Department	3455 Harris St., Eureka, CA 95503	(707) 445-4900	<a href="mailto:gziemer@hfd1.org">gziemer@hfd1.org</a>
<b>Hugh Scanlon</b>	Battalion Chief	CAL FIRE	CAL FIRE (pending FSC and BOS approval)	CDF, 118 Fortuna Blvd, Fortuna, CA 95540	(707) 726-1206	<a href="mailto:Hugh.scanlon@fire.ca.gov">Hugh.scanlon@fire.ca.gov</a>
<b>Ian Sigman</b>	Business Owner/Farmer & Honeydew Fire Chief	Lower Mattole Fire Safe Council	Local Fire Department	42354 Mattole Rd., Petrolia, CA 95558	(707) 629-3445	<a href="mailto:iansigman@hotmail.com">iansigman@hotmail.com</a>

**HUMBOLDT COUNTY FIRE SAFE COUNCIL MEMBERS (2008)**

<b>Name</b>	<b>Title</b>	<b>Affiliation</b>	<b>Rep</b>	<b>Address</b>	<b>Phone</b>	<b>Email</b>
<b>Joe O'Hara</b>	President	Willow Creek FSC	Local FSC		<b>(530) 629-3438</b>	<a href="mailto:rcape@fs.fed.us">rcape@fs.fed.us</a>
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<b>Tim Jones</b>	Fire Management Officer	Arcata Field Office, Bureau of Land Management (BLM)	BLM	Arcata Field Office, BLM 1696 Heindon Rd., Arcata, CA 95521	<b>(707) 825-2306 cell 498-7263</b>	<a href="mailto:Timothy_Jones@ca.blm.gov">Timothy_Jones@ca.blm.gov</a>
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<b>FSC Staff (CDS Director Designee)</b>						
<b>Cybelle Immitt</b>	Planner	Humboldt County Community Development Services	County of Humboldt	3015 H St. Eureka, CA 95501	<b>(707) 268-3736</b>	<a href="mailto:cimmitt@co.humboldt.ca.us">cimmitt@co.humboldt.ca.us</a>