

**ROSS VALLEY FIRE DEPARTMENT  
STAFF REPORT**

For the meeting on June 8, 2022

To: Board of Directors  
From: Jason Weber, Fire Chief  
Subject: Receive Presentation on RVFD Governance & Leadership High-Level Overview of Potential Options.

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**RECOMMENDATION:**

Staff recommends the Board receive a high level overview of governance and leadership options outlined in the request for proposals surrounding future opportunities for RVFD.

**HISTORY & BACKGROUND:**

The Ross Valley Fire Department is a consolidated department protecting lives, property, and the environments of Ross, San Anselmo, Sleepy Hollow, and Fairfax. Ross Valley fire departments trace their history to the early 1900s, with the formation of small volunteer fire departments in the newly formed towns of Ross, San Anselmo, and Fairfax. Built near the wildfire-prone slopes of Mount Tamalpais, these communities were and continue to be acutely aware of the risk of fire.

In 1982, the Fairfax Fire Department and the San Anselmo Fire Department joined forces and became known as the Ross Valley Fire Service. At the time, Sleepy Hollow was receiving fire protection from the Town of San Anselmo through a service contract, and Sleepy Hollow chose not to become a member of the joint powers authority (JPA) while maintaining a non-voting seat on the Board. Then, in 2010, the JPA was expanded to make Sleepy Hollow a full member of the JPA, ending its contract for service with the Town of San Anselmo. With the expansion of the JPA, the name was changed to the Ross Valley Fire Department. And in 2012, Ross Valley Fire Department's Board of Directors voted to consolidate fire services with the Town of Ross, incorporating the Town of Ross Fire Station 18 into the Ross Valley Fire Department. In 2022 the RVFD Member Agencies elected to close Ross Station 18 in 2025, shifting personnel West to other stations. The current aggregate population of the Department's service area is estimated to be 24,785.

**Current Governance:**

The Ross Valley Fire Department is governed by an eight-member board that is comprised of two designees from each of the four participating agencies. The Town Councils of Fairfax, San Anselmo, Ross, and the Board of Directors of the Sleepy Hollow Fire Protection District annually designate two voting members to sit on the RVFD Board. With these internal appointments being the status quo, there are no term limits levied upon any of the board members.

The RVFD Board of Directors oversees policy adoption, adopting an annual budget, and setting fees for services, among other things. Any change in the member agency's cost-sharing percentage, any revision of the adopted budget that increases the annual member's contribution, any change to fire station service levels, or approval of any single expenditure over three percent of the adopted operating budget requires a unanimous vote of the full Board

### **Current Administration**

RVFD receives administrative oversight from an Executive Officer. The Executive position is appointed by the Town managers of Fairfax, San Anselmo, and Ross. The Board of Directors appoints a Fire Chief for operational oversight. The Fire Chief reports to the Board through the Executive Officer. The current Fire Chief is the Marin County Fire Chief, whose services are currently rendered through a memorandum of understanding (MOU) with the Marin County Fire Department (MCFD). The MOU also provides the Department with the services (when necessary) of the Deputy Chief-Operations, Deputy Director of Fire, Fire Marshal, Battalion Chief-Wildfire Protection, Battalion Chief-Training, Battalion Chief-EMS, Administrative Services Manager, Administrative Services Associate, and other MCFD staff as determined necessary by the MCFD. Under this shared services agreement, RVFD pays 30% of the total cost of the Fire Chief's services to the MCFD, as well as varying lesser percentages for the other previously mentioned positions of service.

Other services provided to RVFD by MCFD include providing management and oversight for financial services and administration, managing human resource functions, providing management and general oversight of the Department's community risk reduction programs, providing management and general oversight of the Department's Emergency Medical Services (EMS) program, and providing general coordination of the Department's training program. The current staffing level is 33 Full-Time Equivalent (FTE) employees.

### **LAFCO Influence and Responsibility**

In 1997, the State Legislature convened a special commission to study and make recommendations to address California's rapidly accelerating growth. The Commission on Local Governance for the 21st Century focused energies on ways to empower the already existing Local Agency Formation Commissions ("LAFCO") in California's counties. The Commission's final report, Growth within Bounds, recommended various changes to local land use laws and LAFCO statutes. In addition, the report made several key observations, one of which stated:

Among the most fundamental purposes of LAFCO iterated in GC §56001, §56300, and §56301 are to "encourage orderly growth", provide "... planned, well-ordered, efficient urban development patterns..." and "...advantageously provide for the present and future needs of each county and its communities. [p.98]

These goals became the foundation of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("the CKH Act"), effective January 1, 2001.

An important responsibility of LAFCOs is to determine the sphere of influence of agencies under their jurisdiction. "Sphere of influence" is defined in state law as "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." The law states:

In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the Commission to advantageously provide for the present and future needs of the county and its communities, the Commission shall develop and determine the sphere of influence of each city and each special District...within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.

LAFCOs are directed to, as necessary, review and update agencies' spheres of influence every five (5) years. To prepare and update spheres, the law directs LAFCO to conduct Municipal Service Reviews studies. The goal of the Review, or MSR, is to analyze the community's needs, the adequacy of the service or services provided and those projected to be provided as well as the needs and deficiencies, determine the financial ability to provide the service, and explore possibilities for shared facilities and services. The Commission must prepare a statement of determinations for such factors.

One of the roles of LAFCO under these provisions is to examine the benefits or drawbacks of consolidation or reorganization of service providers. Any change in governance, boundaries, or other items within the scope of LAFCO will need to be reviewed and potentially approved by LAFCO.

### **Independent Fire District vs. Dependent Fire District**

About two-thirds of the state's special districts (35%) are independent districts. Independent districts have their own separate boards of directors elected by the districts' own voters. Independent districts also include districts where the appointed boards of directors serve for fixed terms. The Cemetery Districts are independent districts with this governance structure. Special districts' governing boards can vary with the size and nature of the District. Most districts have five-member governing boards. Other governing boards vary from three to 11 members. The Metropolitan Water District of Southern California, which has 37 board members, is unique.

Dependent Districts (65%) are governed by other existing legislative bodies (either a city council or a county board of supervisors). All County Service Areas, for example, are

dependent districts because their county boards of supervisors govern them. The Yucca Valley Recreation and Park District are governed by the San Bernardino County Board of Supervisors, making it a dependent district. The Oceanside Small Craft Harbor District is another dependent district that the Oceanside City Council runs. A community's registered voters usually choose an independent district's Board of directors. But in some water districts, political power rests with the local landowners. Where the districts' services primarily benefit landowners' land and not people, the courts have upheld the use of these landowner-voter districts. Larger independent districts often have a professional manager to assist the board members, similar to a city manager or a county administrator. The governing boards adopt broad policies that the general managers carry out. Different types of independent special districts include library districts, resource conservation districts, and memorial districts.

These three distinctions about special districts are certainly not mutually exclusive. For example, it is possible to have an independent, multifunction, enterprise special district, such as the Whispering Palms Community Service District in San Diego County. The District is independent because the local voters elect their own Board of directors; it's multifunction because the District provides sewers, street lighting, and road maintenance; and its enterprise because local officials charge their customers for the sewer services. Conversely, County Service Area # 19 in Marin County is a dependent, single function, non-enterprise District. The CSA is dependent because the Marin County Board of Supervisors governs it; it's a single function because it delivers only one service, and its non-enterprise because that sole service is fire protection.

### **Valley Wide Fire Agency Option(s)**

#### **JPA**

A joint powers agency (JPA) consists of two or more public agencies that jointly exercise any power common to both through a Joint Powers Agreement (JPA) or contract. The agreement may set up a governing board composed of representatives of the contracting agencies and defines the JPA's governance and functions. This is the model used to share fire protection responsibilities among the four-member agencies of the RVFD.

#### **Shared Services**

This can be a multitude of sharing options usually accomplished through a memorandum of understanding (MOU). For example, this is the mechanism used with the Marin County Fire Department for "Fire Chief" services. Other local examples include the shared services between Southern Marin Fire District and the City of Mill Valley or the City of San Rafael Fire Department and Marinwood CSD.

#### **Contract for Services**

A Contract for Services is a contract between two or more parties agreeing to the performance of an express task or service. Much like a contract for the sale of goods, a contract for services specifies the service to be performed and sets an agreeable standard of completion for these services. In the case of Fire Protection, an agency could "contract" with another agency to provide said services. Typically, this includes the transfer of employees and administrative and fiscal services. The agency contracting often retains

ownership of facilities and other capital assets. An example of a contract for services was the long-time contract between Sleepy Hollow Fire Protection District and the Town of San Anselmo for fire protection services before full membership in the JPA in 2010. Sleepy Hollow remained an independent agency with fire protection responsibilities contracted with the Town for those services.

#### **Standalone Fire Chief**

This has been the historical model at Ross Valley Fire Department before the MOU with the Marin County Fire Department. The RVFD would hire a Fire Chief to manage the day-to-day functions of the Fire Department, including operations, administration & finance. The Fire Chief is appointed by the RVFD Board of Directors and works with the Executive Officer and Management Committee to lead and manage the Fire Department. Often these positions serve at will and have a contract with the agency outlining compensation and other employment benefits.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with this informational item.

#### **References/Background Information:**

- LAFCO MSR Upper Ross Valley
- Citygate Standards of Coverage Assessment
- MOU Between the County of Marin Fire Department and the Ross Valley Fire Department