



**Local Agency  
Formation Commission  
of Santa Clara County**

777 North First Street  
Suite 410  
San Jose, CA 95112

**SantaClaraLAFCO.org**

**Commissioners**

Rich Constantine  
Susan Ellenberg  
Sergio Jimenez  
Yoriko Kishimoto  
Linda J. LeZotte  
Mike Wasserman  
Susan Vicklund Wilson

**Alternate Commissioners**

Helen Chapman  
Cindy Chavez  
Matt Mahan  
Russ Melton  
Terry Trumbull

**Executive Officer**  
Neelima Palacherla

**COUNTYWIDE FIRE SERVICE REVIEW TECHNICAL ADVISORY COMMITTEE**

**SPECIAL MEETING AGENDA  
August 1, 2022 • 10:00 AM**

**Technical Advisory Committee (TAC) Members:**

Yoriko Kishimoto, LAFCO Commissioner • Susan Vicklund Wilson, LAFCO Commissioner  
James Lindsay, Saratoga City Manager • Ed Shikada, Palo Alto City Manager • Christina Turner, Morgan Hill City Manager  
Chief Suwana Kerdkaew, Santa Clara County Central Fire Protection District  
Chief Ruben Torres, City of Santa Clara Fire Dept. • Chief Jim Wyatt, City of Gilroy Fire Dept.

**\*\*\* BY VIRTUAL TELECONFERENCE ONLY \*\*\***

Pursuant to Government Code section 54953(e), this meeting will be held by teleconference only due to the COVID-19 state of emergency. No physical location will be available for this meeting. However, members of the public will be able to access and participate in the meeting as noted below.

**PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS**

**PUBLIC ACCESS**

Members of the public may access and watch a live stream of the meeting on Zoom at <https://sccgov-org.zoom.us/j/98071311248>. Alternately, the public may listen in to the meeting by dialing **(669) 219-2599** and entering **Meeting ID 98071311248#** when prompted.

**WRITTEN PUBLIC COMMENTS** may be submitted by email to [LAFCO@ceo.sccgov.org](mailto:LAFCO@ceo.sccgov.org). Written comments will be distributed to the Commission as quickly as possible. Please note that documents may take up to 24 hours to be posted on the LAFCO website.

**SPOKEN PUBLIC COMMENTS** will be accepted through the teleconference meeting. To address the Commission, click on the link <https://sccgov-org.zoom.us/j/98071311248> to access the Zoom-based meeting.

1. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
2. When the Chairperson calls for the item on which you wish to speak, click on “raise hand” icon. The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
3. When called, please limit your remarks to the time limit allotted (3 minutes).

---

## NOTICE TO THE PUBLIC

---

1. Pursuant to Government Code §84308, no LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party, or his/her agent; or any participant or his /or her agent, while a LAFCO proceeding is pending, and for three months following the date a final decision is rendered by LAFCO. Prior to rendering a decision on a LAFCO proceeding, any LAFCO commissioner who received a contribution of more than \$250 within the preceding 12 months from a party or participant shall disclose that fact on the record of the proceeding. If a commissioner receives a contribution which would otherwise require disqualification returns the contribution within 30 days of knowing about the contribution and the proceeding, the commissioner shall be permitted to participate in the proceeding. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 within the preceding 12 months by the party, or his or her agent, to a LAFCO commissioner. For forms, visit the LAFCO website at [www.santaclaralafco.org](http://www.santaclaralafco.org). No party, or his or her agent and no participant, or his or her agent, shall make a contribution of more than \$250 to any LAFCO commissioner during the proceeding or for 3 months following the date a final decision is rendered by LAFCO.
2. Pursuant to Government Code Sections 56100.1, 56300, 56700.1, 57009 and 81000 et seq., any person or combination of persons who directly or indirectly contribute(s) a total of \$1,000 or more or expend(s) a total of \$1,000 or more in support of or in opposition to specified LAFCO proposals or proceedings, which generally include proposed reorganizations or changes of organization, may be required to comply with the disclosure requirements of the Political Reform Act (See also, Section 84250 et seq.). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. More information on the scope of the required disclosures is available at the web site of the FPPC: [www.fppc.ca.gov](http://www.fppc.ca.gov). Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).
3. Pursuant to Government Code §56300(c), LAFCO adopted lobbying disclosure requirements which require that any person or entity lobbying the Commission or Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. In addition to submitting a declaration, any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them. Additionally, every applicant shall file a declaration under penalty of perjury listing all lobbyists that they have hired to influence the action taken by LAFCO on their application. For forms, visit the LAFCO website at [www.santaclaralafco.org](http://www.santaclaralafco.org).
4. Any disclosable public records related to an open session item on the agenda and distributed to all or a majority of the Commissioners less than 72 hours prior to that meeting are available for public inspection at the LAFCO Office, 777 North First Street, Suite 410, San Jose, California, during normal business hours. (Government Code §54957.5.)
5. In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the LAFCO Clerk 24 hours prior to the meeting at (408) 993-4705.

**1. ROLL CALL**

**2. PUBLIC COMMENTS**

This portion of the meeting provides an opportunity for members of the public to address the Committee on matters not on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No action may be taken on off- agenda items unless authorized by law. Speakers are limited to THREE minutes. All statements that require a response will be referred to staff for reply in writing.

**3. TAC RESOLUTION 2022-01 ALLOWING FOR VIDEO AND TELECONFERENCE MEETINGS DURING COVID-19 STATE OF EMERGENCY UNDER GC §54953(E)**

- **Recommended Action:** Adopt TAC Resolution No. 2022-01 allowing for video and teleconferencing meetings during COVID-19 State of Emergency under GC §54953(e).

**4. NEW CONSULTANT TEAM INTRODUCTION**

**5. OVERVIEW OF SERVICE REVIEW KEY STEPS AND REVISED TIMELINE**

**6. OVERVIEW OF DATA COLLECTION PROCESS**

**7. DISCUSSION ON SERVICE REVIEW DETERMINATIONS AND EVALUATION CRITERIA**

**8. SET DATE & TOPICS FOR NEXT TAC MEETING**

**9. ADJOURN**



**TAC RESOLUTION NO. 2022-01**

**RESOLUTION ALLOWING FOR VIDEO AND  
TELECONFERENCE MEETINGS DURING THE  
COVID-19 STATE OF EMERGENCY UNDER GOVERNMENT CODE § 54953(e)**

**WHEREAS**, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency for COVID-19; and

**WHEREAS**, Government Code § 54953(e) allows the Countywide Fire Service Review Technical Advisory Committee (TAC) to continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote social distancing are no longer recommended; and

**WHEREAS**, on September 21, 2021, the Santa Clara County Health Officer recommended that public bodies continue to meet remotely to enhance safety at public meetings; and

**WHEREAS**, in light of this recommendation, the TAC desires for itself and for all other legislative bodies that are subject to the Brown Act to continue to meet via video and/or teleconference; and

**WHEREAS**, pursuant to Government Code § 54953(e), the TAC will review the findings required to be made every 30 days or thereafter and shall not meet without making those continued findings.

**NOW THEREFORE**, the TAC does hereby resolve and finds on behalf of itself and all other legislative bodies: (1) a state of emergency has been proclaimed by the Governor; (2) the state of emergency continues to directly impact the ability of the Commission's legislative bodies to meet safely in person; and (3) local officials continue to recommend measures to promote social distancing.

**PASSED AND ADOPTED** by the Countywide Fire Service Review Technical Advisory Committee on August 1, 2022 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Yoriko Kishimoto, Chairperson  
Technical Advisory Committee

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Emmanuel Abello, LAFCO Clerk

\_\_\_\_\_  
Malathy Subramanian, LAFCO Counsel



# Key Steps & Timeline

LAFCO resumes service review with new consultant	June 2022
Consultant collects data from service providers	August - September
Service providers validate agency profiles compiled by consultant	September - October
Consultant prepares findings, and Draft Service Review Report	October - December
LAFCO releases Draft Report for public review and comment	January 2023
Community workshops on Draft Report	January - February
LAFCO public hearing on Draft Report	Early April
LAFCO releases Revised Draft Report for public review/ comment	Late April
LAFCO public hearing to adopt Final Report	Early June
Publication of Adopted Final Report	June 2023





**Santa Clara LAFCO  
Countywide Fire Service Review 2022  
Service Review Determinations and Evaluation Criteria**

This Municipal Service Review will refer to and utilize current industry best practices, along with relevant national standards promulgated by a wide variety of associations and organizations that develop consensus standards for the fire service, EMS, communications, and other related services. These may include the *National Fire Protection Association (NFPA)*, *Center for Public Safety Excellence (CPSE)*, *Commission on Accreditation of Ambulance Services (CAAS)*, and other organizations. In addition, this work will be completed in compliance with applicable California Government Code section, local LAFCO policies, and the latest available LAFCO Municipal Service Review Guidelines prepared by the Governor’s Office of Planning and Research (OPR).

**Growth and population projections for the affected area**

- The amount and percent of population growth projected by the Association of Bay Area Governments between 2020 and 2040.
- The type and extent of any significant planned or proposed development.

**The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.**

- Pursuant to GC 56033.5, a DUC in Santa Clara County is a community with an annual median household income that is less than 80% of the statewide annual median household income (i.e., less than \$60,188 per U.S. Census Bureau, 2015-2019 Five-Year American Community Survey) and where there reside twelve or more registered voters.

**Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies (including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of Influence)**

- Services provided by each agency and organization including but not limited to:
  - Fire suppression
  - Emergency Medical response
  - Fire prevention and public education
  - Wild Land Urban Interface hazard mitigation
  - Technical Rescue
  - Hazardous Materials Response
  - Emergency preparedness
- The age and condition of existing stations as rated by department management and/or onsite evaluations utilizing NFPA 1500.
- The age of current line apparatus in relation to the agency’s apparatus replacement schedule and NFPA Standard 1901.
- The number and distribution of stations and apparatus in the service area.

- The ability to meet existing demand based on facility, apparatus, and staffing capacity.
- The ability to meet projected population growth and service demand.
- The extent to which the fire department meets locally established response performance standards for structure fire calls and County-established standards for EMS calls, as well as NFPA Standards 1710 and 1720 for career and volunteer fire departments.
- The extent of mutual/automatic aid received and provided.
- Most recent established ISO rating for communities within the service area.
- The extent to which career, volunteer, and part-time staffing levels meet comparable state, regional, and national staffing levels.
- Present and probable need for public facility improvements and/or additional public facilities.
- Present and probable need for replacement and/or enhancement of apparatus and equipment.
- Level of services in disadvantaged and unincorporated areas in comparison to other neighboring communities.

#### **Financial ability of agency to provide services**

- Budget: The degree of stability in department expenditures and budgets between 2019–20 and 2021–22. Departments considered stable are those that experienced a reduction of not greater than 5% in expenditures between the three years.
- The adequacy of the level of financing and any financing challenges or constraints as reported by the agency, including credit rating by a nationally recognized agency.
- The degree to which the agency is investing in capital as compared to depreciation of capital assets during FYs 19, 20, and 21.
- Capital planning: Whether or not the agency has an up-to-date capital improvement plan with estimated timing and anticipated financing sources for each project.
- Apparatus replacement: Whether or not the agency has an apparatus replacement fund where annual contributions are made to provide for replacement purchase.
- Capital reserves: the capital reserve fund balance as of June 30, 2021, and 2022 and the anticipated capital funding needs based on identified infrastructure needs and estimated costs.
- Reserves: Does the agency have a policy that identifies their reserve policies including but not limited to unrestricted and operating costs.

#### **Status of and opportunities for shared facilities**

- Potential station consolidation: Where proximity of stations and call capacity of apparatus between stations within a single jurisdiction or within adjoining jurisdictions appear to support an evaluation of consolidation
- Training: Whether the agency has a training facility and/or training program to potentially accommodate the training of other departments; identification of natural training partners.

- Apparatus maintenance: potential for a universal shared facility, service and repair criteria, and personnel.
- Communications: The compatibility of an agency's radio band/frequency with other departments in the county.
- The degree of existing cost minimization efforts through facility, personnel, and equipment sharing.
- The potential for facility, personnel, and equipment sharing as reported by the agency.

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

- Agency's efforts to meet State laws designed to ensure transparency and accountability consisting of:
  - Availability and ease of access of information to the public;
  - Compilation and maintenance of an agency website that meets all document and agenda reporting requirements;
  - Staff and governing board member ethics training and economic interest reporting, as required;
  - Compliance with financial document compilation, adoption, and reporting requirements;
  - Adherence to open meeting requirements; and
  - Efforts beyond legal mandates to achieve certification for organizational transparency (i.e., SDLF Certification).
- Identify options and feasibility for potential governance alternatives or other cooperative and/or resource sharing opportunities, based on analysis of service efficiencies, cost-effectiveness, and viability.