

# *EAST CONTRA COSTA* FIRE PROTECTION DISTRICT

Hugh Henderson  
Fire Chief



SERVING THE COMMUNITIES OF:  
*Bethel Island*      *Discovery Bay*  
*Brentwood*        *Knightsen*  
*Byron*              *Morgan Territory*  
                                 *Oakley*

Senator Steven M. Glazer  
1350 Treat Blvd #240  
Walnut Creek, CA 94597

September 14, 2016

Dear Senator Glazer

On behalf of the East Contra Costa Fire Protection District (District), I write seeking your assistance.

To put it simply: the District lacks sufficient funds to provide fire and emergency response to the communities it was created to serve, and has few options for raising revenues under current law. For that reason, the District requests you to sponsor legislation during the next legislative session to facilitate re-allocation of property taxes to correct a historical bias against post-Prop. 13 agencies and agencies that operated entirely differently 30 years ago than they do today.

### **Proposition 13 and A.B. 8 are problems for East County.**

As you may know, the District's Board of Directors adopted a Resolution (attached) expressing support for development and enactment of a State legislative proposal to facilitate re-allocation of property tax revenues to account for changes in communities and their populations since the passage of Proposition 13 in 1978, and the associated property tax revenue allocation system adopted by the State legislature over the following two years.

**Since 1978, the population of the area served by the District has grown by more than 1000%, from approximately 10,000 to over 110,000.** The development associated with this population growth has turned our previously rural area into a combination of rural, exurban, suburban and urban areas. Furthermore, the District is a "post-Proposition 13 agency," formed in 2002 by the consolidation of three volunteer fire districts into a single District, which has since transitioned into an entirely professional service responsible for fire and medical emergency response, fire suppression and fire prevention.

The District's jurisdiction covers 249 square miles and 695 miles of public roads. The area includes two cities (Brentwood and Oakley) and diverse unincorporated areas of Contra Costa County. The service area includes state and regional park-land, a significant portion of the San Joaquin-Sacramento River Delta, active freight railroad tracks and state highways 160 and 4, as well as Vasco Road, a very busy arterial connecting Brentwood and Livermore.

**The District currently receives a 7.5% property tax allocation, or 7.5 cents of every ad valorem property tax dollar collected within its boundaries.** This amounts to 4.5 cents per dollar *less* than the average for all fire districts across Contra Costa County. For Fiscal Year 2015-2016, this discrepancy translated into the District receiving \$7 million *less* than the

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average fire district in the County to perform its fire and emergency response and fire prevention services.

**Insufficient Funds = Insufficient Fire Protection.**

At its current property tax allocation level, the District has funding to operate only 3 fire stations, meaning District firefighters can cover less than 25% of the total road miles in the District within the recommended travel time (4 minutes) for fire response in urban areas.<sup>1</sup> The District cannot provide adequate fire and emergency response or fire prevention services to its residents, or to protect public or private property, without additional funding to open more stations and employ more staff.

A recently-completed study of District performance and capacity found: "The District will need nine District-staffed fire stations plus the CAL FIRE Sunshine station agreement [to meet the nationally recognized] goal of a 4-minute travel time for urban population density areas and 8-minute travel time for suburban and rural population densities."<sup>2</sup>

The report went on to conclude: "The District's *travel time* response time for five engines to serious fires, known as the Effective Response Force (ERF or First Alarm), ranges from 19:21 to 21:27 minutes/seconds and far exceeds an urban area coverage goal of 8 minutes, and even exceeds recommendations for rural areas. The District does not have an adequate multiple-unit response to serious fires anywhere in the District."<sup>3</sup>

**Without property tax reallocation, there is no clear path to acquire the funding needed to meet the common-sense national standards for fire and medical emergency response.**

Since its creation, the District has engaged in numerous efforts to increase funding available for fire and emergency response services in hopes of approaching national standards. These efforts have done little to ameliorate the District's long-term structural deficit or the District's acute financial crisis. A mix of new State and local funds, including property tax re-allocation, is needed.

**East Contra Costa Fire Protection District is not alone.**

On August 25, Chief Michael Schwartz from the North Tahoe Fire Protection District spoke before the Little Hoover Commission. His August 8 written testimony cites to problems much like East Contra Costa Fire's, only property taxes in our area fell 40% between Fiscal Years 2008-9 and 2012-13.

Chief Schwartz stated:

The majority of the NTFPD's operating revenue (~80%) comes from property taxes. However, in accordance with Proposition 13, property taxes in CA are capped at a 2 percent growth per year unless the property is sold or has been

<sup>1</sup> *Deployment Performance and Headquarters Staffing Adequacy Study* presented by Citygate Associates, Inc., June 20, 2016.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, emphasis in original.

previously devalued under Proposition 8. Since many of the homes sold during the recession were sold for less than their previous tax value, the property tax revenue received by the district was subsequently lowered. Between FY 2008/09 to FY 2012/13, property taxes decreased approximately 6 percent. The economy has begun to slowly recover and modest increases have been realized.

In general, A.B. 8 provides a share of the total collected property taxes to each local government that provides services. These proportionate shares of property taxes were determined during the mid-1970s, a time when rural fire districts were often volunteer or part time paid and required lower tax rates, these tax rates are now their historical percentages.

Countless local agencies – including many fire districts – would make the same statements as Chief Schwartz.

**East Contra Costa Fire Protection District seeks your help.**

East Contra Costa Fire Protection District Board of Directors Resolution No. 2016-21, attached, encourages State action – which you could lead – to alter property tax revenue allocations as part of a long-term solution to the District's structural deficit and acute financial crisis. Alternatively, we invite a legislative change to modify the requirements for facilitating local governments' voluntary re-allocation of ad valorem property taxes, thereby empowering the District to address its critical funding shortage directly with neighboring agencies.

The District is aware of no bills awaiting the Governor's signature that address this sort of tax re-allocation, despite the drastic need in this community – and many others – for distribution of property taxes based on communities' *current* characteristics, rather than data from nearly 30 years ago. We respectfully encourage you to examine this problem on behalf of the East Contra Costa Fire Protection District, and others like it, as well as the public we strive to serve every day.

If representatives of the District can be of any assistance to you in responding to our call for help, or if you would like to meet regarding the concerns and potential solutions we've raised, please contact Fire Chief Hugh Henderson at 925-240-2131 or [hhenderson@eccfpd.org](mailto:hhenderson@eccfpd.org), or me at [jbryant@ci.brentwood.ca.us](mailto:jbryant@ci.brentwood.ca.us).

Very truly yours,

  
Joel Bryant  
President, Board of Directors

cc. Board of Directors, East Contra Costa Fire Protection District  
Fire Chief Hugh Henderson, East Contra Costa Fire Protection District  
Gus Vina, City Manager, City of Brentwood  
Bryan Montgomery, City Manager, City of Oakley  
David Twa, County Administrator, Contra Costa County

Enclosure