

**FIRE PROTECTION AND EMERGENCY SERVICES
IN THE URBAN TRANSITION AREA**

EXECUTIVE LEADERSHIP

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Abstract

Urban growth management legislation in the state of Oregon provides both benefits and challenges to the urban service providers around the state. Areas on the fringes of growing cities present special challenges to the providers of fire and rescue services. Annexation practices, particularly noncontiguous annexations, can make it difficult to provide efficient and effective service to these areas.

This study used a descriptive research methodology to explore the following questions:

1. How are incorporated cities in Oregon currently providing fire protection services to the urban transition areas within their urban growth boundaries?
2. What are the primary issues and how are they addressed in intergovernmental agreements for the provision of these services?

A survey was conducted of fire departments in Oregon to determine annexation practices in their cities, as well as methods used to provide service to newly annexed properties in the urban transition area. In addition, intergovernmental agreements from these cities were studied to identify the common elements and issues addressed.

It was found that many cities in Oregon provide service to outlying areas through intergovernmental agreements, that very few cities frequently approve noncontiguous annexations, and those that do are likely to have consolidated the city fire department and rural district to respond to the problem. Eugene was found to be unusual in its approval of noncontiguous annexations and contracting with rural districts to provide service in those areas.

Recommendations include:

1. Fire service leaders should understand growth management policies and use available plans in fire service planning.
2. Fire chiefs should provide recommendations to city councils and boundary commissions regarding the impact of annexation practices.
3. Municipal fire departments should cooperate with neighboring fire districts to develop solutions and to plan for transition to service by the city.
4. Fire service providers should consider intergovernmental agreements and cooperative planning during the transition from rural to urban service levels.

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Introduction

Areas on the fringes of growing cities present special challenges to the providers of fire and rescue services. Increasingly urbanized areas, where a rural fire protection district once met the residents' needs and the municipal fire department does not yet have full jurisdiction or the resources to provide the service, can be characterized as an urban transition area. The service issues are further complicated by the practice of noncontiguous annexation. This is the case in the urban growth boundary (UGB) of the city of Eugene, Oregon, as well as in some other cities around the state. Oregon is often seen as a leader in growth management legislation. However, some of the state's growth management policies create distinct challenges for the providers of urban services. In order to provide efficient and effective service, fire protection providers must sometimes reach across jurisdictional boundaries and seek cooperative agreements with other fire service agencies.

The National Fire Academy's Executive Leadership course examines the leader's ability to manage, to develop and use influence, to be creative, to understand the organizational culture, and to make good decisions. All of these abilities are important in developing solutions to complex service issues such as the urban transition zone.

This study uses a descriptive research methodology to explore the following questions:

1. How are incorporated cities in Oregon currently providing fire protection service to the urban transition areas within their urban growth boundaries?
2. What are the primary issues and how are they addressed in intergovernmental agreements for the provision of these services?

Background and Significance

Urban Growth Management in Oregon

Oregon has long been considered a leader among the states in growth management legislation and policies. Due to the natural beauty of the state, the extensive wilderness areas, vast forests and valuable agricultural land, there is a deep concern in confining urban development to urban areas and protecting the rural land from urban sprawl. In 1973 the Oregon legislature passed the Oregon Land Use Planning Act, which established the Oregon Land Conservation and Development Commission (LCDC) and required LCDC to adopt a series of statewide planning goals (Department of Land Conservation and Development, 1996). These goals are regulations that have the effect of law. The state requires cities and counties to plan, and these regulations set the standards for such planning.

Two of the statewide planning goals are particularly relevant in this discussion of urban fire service in Oregon. Goal 11, Public Facilities and Services, is “to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development” (Department of Land Conservation and Development, 1996, p. 37). This goal essentially requires cities and counties to develop plans for providing urban services to urban areas and rural services to rural areas. Although this distinction is made for the purpose of keeping the two areas separate, it is inevitable that there will be areas in transition.

Goal 14, Urbanization, is “to provide for an orderly and efficient transition from rural to urban land use” (Department of Land Conservation and Development, 1996, p. 42). This goal requires the establishment of a UGB for each incorporated city in the state. The purpose of the UGB is to identify and separate urbanizable land from rural land.

The area between the city limits and the UGB can be characterized as the urban fringe or the urban transition area. This area is often a mixture of increasingly urban development and rural setting. In most cases, fire protection is provided within the city by a municipal fire department and outside the city limits by a rural fire protection agency. However, this is not always the case, as will be demonstrated in this study.

Annexation Practices

A complicating factor is the manner in which annexations occur. The state of Oregon provides guidance to local governments and county boundary commissions in processing annexations of land to cities (Oregon Revised Statutes, 1997). Each city has its own comprehensive plan which delineates how annexations within its UGB will occur. In at least some jurisdictions, noncontiguous annexations are approved. This is the case with the city of Eugene. Annexations to the city do not necessarily abut current city boundaries, resulting in islands of city territory surrounded by unincorporated territory. These islands are dispersed throughout the area between the primary city limits and the UGB.

Contributing to this pattern of noncontiguous annexation is the requirement that land within the UGB of Eugene must be annexed before it can be developed and city services such as city water can be provided. In other words, if an owner's property is within the UGB but entirely surrounded by unincorporated property, that owner must seek and obtain annexation for the property before building permits are issued for new construction.

Intergovernmental Agreements

Like many cities in Oregon and across the nation, Eugene has entered into intergovernmental agreements with neighboring jurisdictions. Currently Eugene provides service to four rural fire districts,

mainly outside the UGB, and one water district. The water district is entirely within the UGB and consists of unincorporated territory surrounding islands of annexed property. The city also pays two other rural fire districts to provide service to islands of annexed properties that were formerly within those districts. Portions of those districts are outside the UGB, but since there is no annexed property outside the UGB, those portions are not covered in the agreements.

Obviously this service structure is quite complicated. While the entire area within the UGB is expected to eventually be annexed to the city, there is no time line for this to occur. In the meantime, the city is studying ways to provide the most effective and efficient service to its residents in the urban transition area.

Literature Review

The literature reviewed for this study deals with state growth management legislation and its impact on the fire service, annexation and its impact on the provision of services, and intergovernmental agreements for the provision of fire service in annexed areas.

Growth Management Movement

The growth management movement discussed in the previous section is not limited to Oregon. Other states, such as Washington, are pursuing similar legislation and policies. Springer (1994) and Charter (1995) have written of their fire departments' efforts to

understand and implement the policies related to Washington's Growth Management Act (GMA), passed in 1990. Charter states:

This act requires that the state's largest and fastest growing counties, and incorporated areas within that county, develop a comprehensive plan to prepare for the future. The intent of the GMA is to guide and encourage local governments in assessing their goals, evaluating their community assets, writing comprehensive plans, and implementing those plans through regulations and innovative techniques to encompass their future vision (1995, p. 2).

In discussing the increased demands on fire and emergency medical services for Snohomish County (WA), Springer reports, "Incorporated cities will be expected to focus their efforts and provisions of public services to areas within the Urban Growth Areas planning area boundaries" (1994, p. 17). He sees the GMA as bringing about the demise of rural fire protection districts due to the incorporated cities becoming the ultimate provider of city services with the urban growth areas. However, this would be the case only within those urban growth areas, as rural fire districts would continue to serve unincorporated areas outside the urban growth areas.

Annexation Impacts

While there are numerous studies and reports on annexation and its impact on the fire service, nothing was found on the specific issue of noncontiguous annexations and their impact.

Charter (1995) reports some of the challenges presented by the trend of annexation, including requiring local fire departments and fire districts to alter their boundaries thus

affecting local funding sources, reducing revenues of the losing agency and necessitating a negotiated agreement between the parties, and yet requiring the continuation of services that were delivered by the original agency. His recommendations are quite general. He suggests establishing a countywide committee of representatives from all jurisdictions to study and evaluate alternatives for providing fire protection.

Speed (1989) describes a major planning process to provide service to newly annexed, but largely undeveloped, areas of Aurora, Colorado. The resulting plan calls for incremental equipment purchases and response time goals based on the stage of development and population growth of a given area.

Requate (1996) reports a study of the demands presented by annexation of property to the City of Coral Gables, Florida. In this case, voters in four unincorporated neighborhoods chose to annex their property to the city. While the population represented only a 3% increase, the city's geographic area grew by 42%. The fire department was initially mandated to provide fire/rescue services to the new annexed areas with no budget increase. However, in their long range plan, the department determined they would require additional equipment, and personnel strength would be increased by one position.

Intergovernmental Agreements

Intergovernmental agreements are certainly not new or unusual in the United States. Atkins (1997) reports that, as of 1997, all 50 states granted local governments the ability to enter into intergovernmental agreements, and that there were hundreds of thousands of such agreements in existence. The number of states granting this power is significantly

higher than 30 years earlier, when only 32 states did so. She lists the advantages of intergovernmental agreements, stating they:

- Distribute the costs of expensive endeavors
- Provide jurisdictions with local control and direct oversight
- Can address a single purpose
- Permit endless flexibility as to details such as partners, subject, duration, and cost
- Address extraterritorial needs
- Leave intact the authority of each individual jurisdiction (Atkins, 1997, p. 1).

Padden (1991) lists advantages of significance to fire protection. One advantage he names is particularly pertinent to the issue of service in the urban transition area. “A service may be provided uniformly throughout a large area without disrupting existing political boundaries” (p. 12).

Renner (1989) presents one explanation of the widespread use of intergovernmental agreements. She includes the use of both intergovernmental agreements and privatization in the following passage.

Although governments are necessary to provide collective goods and services and reduce the spillover effects, such as pollution, of private industry, there is no requirement that they also deliver, or produce, these goods and services. As long as local governments raise taxes and spend funds to make the services available, they have responded to constituency pressure for services or goods that would not

be produced or would be underproduced in a pure free-market environment (Renner, 1989, p. 1).

In his recommendations on responding to newly annexed areas, Springer (1994) advises that fire departments contract for fire services with existing special purpose districts, immediately after an annexation occurs until the cities are prepared to provide direct service. However, he does not provide specific methods of payment calculation for these contractual arrangements. Others do.

Stravino (1994) acknowledges there is no one correct method of sharing fire service costs. However, he provides examples of methods which are used.

- Fixed formula - designed to include as many of the costs of providing fire services as possible.
- Ratio of calls - proportioned to fire department costs.
- Flat fee/hourly rate - charges levied only when call occurs.
- Annual charges.
- Assessed valuation - proportioned contract area vs. total service area.
- Population - per capita costs (p. 6).

Mastandrea (1995) conducted a survey of metropolitan Chicago fire departments and found that only five different elements were used in establishing contractual fee structures. The five elements were: number of calls, population, equalized assessed valuation, percent of operating budget, and geographical area covered (square miles).

He also studied the degree of satisfaction with the method used. Here he found that the method of establishing contractual costs and its relation between being fair or unfair

produced no consistency or offered any solution. He states, "The issue of fairness appears to go well beyond the elements used in the formula. The working relationship, trust, involvement, communications, and continuous information network departments established with contracting entities appeared to influence the question of fairness" (Mastandrea, 1995, p. 20).

His recommendation is to use the three most common elements (equalized assessed valuation, number of calls, and population) averaged in a formula. It should be noted that all the departments surveyed were providing the service for payment, not paying another jurisdiction for the service.

Procedures

Population

The purpose of this study was to assess the extent of the problem of fire service to the urban fringe, and particularly to islands of noncontiguous annexed territory, in the state of Oregon and to determine what solutions fire protection providers around the state are using. Since the term "urban" implies a certain size of municipality and level of service, this study was limited to cities with a population of at least 10,000. It was believed that smaller cities were more likely to provide a rural level of service, i.e., volunteer fire department or district, since they would likely have fewer urban demands such as large commercial and industrial occupancies, high-rise structures, major life safety hazards, and high density development.

There are currently 40 cities in Oregon with a population of 10,000 or greater (Townsend, 1997). This list was compared with the fire department listings in the Oregon Fire Services Membership Directory (1997). Cities without their own fire department were not included in the survey. Most of these cities appeared to be part of a rural fire protection district. The resulting list of 30 cities with municipal fire departments or the equivalent comprised the study group. This list can be found in Appendix A.

Instrumentation

A survey was conducted in the following manner. A questionnaire was written and mailed to the fire chief of each of these 30 cities. It asked the respondent to describe the area their department serves, to indicate whether the UGB includes unincorporated territory and whether noncontiguous annexations are approved in their city, to describe how fire protection is provided to these areas, to describe the basis for payments for any fire protection contracts, and to include a sample copy of any such contracts. A copy of the questionnaire can be found in Appendix B.

Of the 30 questionnaires sent out, 25 were completed and returned, for a return rate of 83%. In addition, 16 contract copies were included. These contracts were then examined to identify common elements and issues.

Assumptions and Limitations

It was assumed that respondents were knowledgeable and honest in their responses. In fact, several respondents contacted me by telephone to be certain they were providing the desired information and to discuss the various implications of the study. A limitation of the study is that it was confined to the state of Oregon. While fire service managers in other states may find the study useful, they should be aware that growth management legislation varies greatly from state to state and may affect the environment in which these intergovernmental decisions are made.

Results

The results are presented in two parts, one for each of the two research questions.

1. How are incorporated cities in Oregon currently providing fire protection services to the urban transition areas within their urban growth boundaries? The survey was used to answer this question.
2. What are the primary issues and how are they addressed in intergovernmental agreements for the provision of these services? The contracts which the respondents returned were used to answer this question.

Survey Results

Of the 30 questionnaires mailed out, 25 were returned. One completed questionnaire came from a fire protection district which contracts with two of the cities. Therefore, data for 26 cities were received. Not all questions were answered by all respondents. Therefore, the responses did not always total 25.

Question 1 asked for the identity of the agency. The questions being asked were a matter of public record and there was no need to keep the answers confidential.

Question 2 asked if the respondent represented a municipal fire department. Twenty-three responded affirmatively. The only negative responses came from two rural fire protection districts, which, between the two of them, provide protection for three of the cities polled.

Question 3 requested the name and telephone number of the respondent. This was for the purpose of any follow-up questions. The respondents were unanimous in providing this information.

Question 4 asked the respondent to describe the area served by their department. Four departments (16%) cover only the area within the city limits. Eighteen respondents (72%) indicated their department covers the area within the city limits plus some outlying areas through contractual agreement. Two districts (8%) responded, indicating they cover their district plus some incorporated areas by contract. Only one city, Eugene, (4%) both covers some areas outside the city limits and also contracts with other agencies to cover some areas within the city.

Twenty-four respondents (representing 25 cities) answered Question 5 that their city's UGB does contain territory which is outside the city limits. The one respondent who reported no unincorporated territory within the UGB stated that will change in the near future.

Question 6 asked if the city and/or boundary commission approves noncontiguous annexations. Three respondents (12%) answered "yes, frequently," while four (16%) answered, "yes, infrequently." The vast majority, 17 (68%) answered "no." One did not respond to this question.

Question 7 asked how fire protection is provided to the noncontiguous islands. Surprisingly, 12 respondents answered this question, which is more than had indicated they even had noncontiguous islands. Of these 12 responses, two (17%) stated the city protects only city territory and the rural district protects unincorporated territory; five (42%) said the city protects the entire area, including unincorporated territory through contractual agreement; and only one, again Eugene, (8%) has contractual agreements with other agencies to provide protection for these islands. Three agencies indicated the entire UGB was covered by a fire district, whether incorporated or not. One (8%) department stated unincorporated areas were generally unprotected, but individuals could enter into contracts with the city for protection.

There were 19 responses to Question 8, which asked respondents to identify the basis or method of determining payments for fire protection contracts. Six respondents (32%) indicated they used the tax rate of the district applied to the assessed valuation of the area to be covered. Three (16%) said they used call volume to determine the payment amount. Five respondents (26%) use a cost allocation method, with payments based on the percentage of total assessed valuation (AV) of the

area. Four departments (21%) simply negotiate an amount that can be agreed to by both parties, and one department (5%) reported a joint response contract, with no payment involved.

Question 9 asked respondents to enclose a copy of an intergovernmental agreement for fire protection. Sixteen such contracts were received.

Contract Issues

Sixteen contracts were reviewed in this part of the study. They represented 15 of the fire departments or districts which had responded to the survey. One department not only contracts out for service in one area but also provides fire protection through contractual agreements to other areas. Therefore, two contracts were submitted by that department.

Most of the contract components were universal. That is, all contracts had them as a matter of basic required format. These included identity of the parties to the agreement, state empowering legislation, obligations of each of the parties, term, payment amount or calculation method, payment terms, termination and/or renewal procedures, dispute resolution, and, of course, signatures of representatives of both parties.

However, several of these components vary considerably and are of particular interest in this study. These components are displayed in Table 1.

Table 1. Major Components of Intergovernmental Agreements

Provider	Services Covered	First Year	Payment Amount	Calculation Method	Term	Notice to Terminate	Other Elements
1. City	Emergency	1983	Not specified	Cost allocation (AV)	Yr to yr	6 months	
2. City	FS, EMS	1992	\$1,534,098	Cost allocation (AV)	Indefinite	3 years	Station staffing
3. City	FS, FP	1997	\$897,820	Negotiated amount	Yr to yr	6 months (June 30)	
4. City	FS, EMS	1993	\$23,446	Negotiated rate	Yr to yr	60 days	
5. City	FS, EMS	1995	\$103,507	Cost allocation (AV)	5 years	1 year (June 30)	
6. District	FS, EMS, FP	1998	\$108,000	Negotiated amount	3 years	1 yr notice to extend	Joint planning
7. City	FS	1987	Not specified	Cost allocation (CV)	Yr to yr	1 year (June 30)	Distribution of assets
8. Private	FS, EMS, R	1998	\$15,000	Negotiated amount	1 year	60 days	Mutual assistance contract
9. City	FS, EMS, FP, HM	1997	\$838,552	Cost allocation (AV)	5 years		City-to-city service
10. City	FS, FP	1998	\$204,012	Negotiated amount	1 year	6 months (June 30)	
11. District	FS, EMS, FP	1998	\$1,182,704	Negotiated amount	10 years	9 months (June 30)	Joint planning
12. City	FS, EMS, FP	1999	\$183,888	Fixed rate	Yr to yr	30 days (June 30)	District owns equipment
13. City	FS, FP	1996	Not specified	Cost allocation (AV)	Yr to yr	30 days	Also individual contracts
14. City	FS, EMS	1994	Not specified	Cost allocation	3 years	60 days (June 30)	District owns equipment
15. City	FS, EMS, FP	1998	Not specified	District revenue	5 years	2 years (June 30)	
16. District	FS, EMS	1998	\$1,680,979	Negotiated amount	3 years		District may annex City

AV = Based on assessed valuation

CV = Based on call volume

EMS = Emergency medical services

FS = Fire suppression

FP = Fire prevention

HM = Hazardous materials response

R = Rescue

Of the 16 contracts examined, 11 were for the provision of service by a city to a district, three were for service by a district to a city, one was for service by a city to another city, and one was a mutual assistance contract, which provided for both the city and the private company to provide service.

With the exception of one contract which covered “emergency services,” all contracts specified that fire suppression was a service to be provided. Other services included emergency medical services, fire prevention, hazardous materials emergency response, and rescue.

The contracts had been in existence for varying lengths of time, with the oldest one in place since 1983 and the newest one which will go into effect in 1999.

Eleven contracts specified the amount of payment for the services, ranging from \$15,000 to \$1,680,979 for one year, while the other five did not give the amount.

A wide variety of payment calculation methods were employed, including cost allocation based on AV, cost allocation based on call volume, unspecified cost allocation, negotiated amount, negotiated rate, fixed rate, and one contract in which the district’s revenue was paid to the city.

Nine of the contracts had terms ranging from one year to 10 years, with the other seven continuing on a year-to-year basis or indefinitely. All but two contracts allowed for early termination, with required notice ranging from 30 days to three years. Eight of the contracts specified that contracts could be terminated only at the end of a fiscal year (June 30).

Some other elements were included in a few of the contracts, but not with any great frequency. These include mandated station staffing, joint planning processes, distribution of assets at termination of the contract, and the possibility of the district annexing property in the city at termination. In at least one contract, the district would continue to own and purchase fire apparatus and lease it to the city.

Discussion

Survey Results

The survey results reveal a wide variety of service delivery arrangements among the responding cities. The vast majority (72%) reported that their department covers all the area within the city limits plus some outlying areas through contractual agreement. This is not surprising, since municipal departments might be expected to have greater resources to cover urban fringe areas than would the rural districts. The districts which responded are large districts, also with considerable resources, which contract with several cities to provide service. It appears that Eugene is the only city of considerable size (126,325 population) which pays rural districts to provide service to annexed properties in the urban transition area. This may be due to the large number of noncontiguous annexations approved by the city of Eugene and the Lane County Boundary Commission. These islands are dispersed over a large geographic area, which would make emergency response very expensive and inefficient for the city to provide.

Two other respondents indicated their cities frequently approve noncontiguous annexations. However, these cities are quite small (approximately 11,000 population). One of them indicated they had consolidated with the rural fire district in 1998, partly for this very reason. The other city shares an operating budget with the rural district, with each jurisdiction providing 50% of the funds. These cities have all but erased the city limits as boundaries for fire protection.

Since only seven of the respondents indicated their cities approved noncontiguous annexations, it was surprising to find that 12 respondents answered Question 7, which asked how fire protection is provided to noncontiguous islands. This can probably be explained in two ways. First, two respondents indicated that, although such annexations were not being approved now, they had occurred in the past. Therefore, these islands could still exist. And second, some of the respondents may have misunderstood the question and answered it as it applied to contiguous annexations. This was not a problem; it merely resulted in more information than requested.

A wide variety of calculation methods were reported for Question 8. However, the specific answers did not match the actual contracts which were submitted. Not all the respondents sent contracts, but this alone does not account for the differences. When comparing specific questionnaires with the accompanying contracts, there were often discrepancies, probably due to misunderstanding on the part of the respondents. Either they did not understand the response choices, or they did not fully understand the calculation methods specified in their contracts. Since the language in the contracts was clear and unambiguous, it was decided to use that information instead of the responses to Question 8.

Contract Issues

Eleven of the 16 contracts were for the provision of service by a city to unincorporated area within a fire district. This number is not surprising, since this is what most respondents indicated in the survey. Two of the districts providing service to cities are large districts in the increasingly urbanized northeast region of the state near Portland. The other district is adjacent to the city of Eugene and provides service to islands on noncontiguous annexed territory within the UGB. This is seen by the Lane County Boundary Commission and the city of Eugene as a temporary arrangement during the transition from rural to urban development in this area.

The range of services covered, the year the current contract began, and the annual payment amounts are interesting. However, this information is not particularly applicable to other departments. For example, the payment amounts can depend on many variables, including size of the area covered, extent of services provided, tax rates, operating budgets, and political environment.

However, the other components, including calculation method, term of contract, and required notice for early termination, could be very useful to a department considering contracting for service to or from another jurisdiction.

Most contracts in this study use a method which is based on proportionate costs. The single most common calculation method is cost allocation based on AV. With this method the total AV of the area served by the provider is determined. The percentage of that total which is the subject property of the contract is determined. That percentage is then applied to the operating budget of the service provider to determine the service recipient's proportional share.

For example, if the subject area constitutes 20% of the total AV covered by the provider, the jurisdiction of the subject area would be responsible for paying 20% of the operating costs of the provider. It is a logical method, but by no means the only logical or reasonable method. Another contract uses call volume as the basis for payment. The total number of calls for service is divided among the users of the service and each user jurisdiction then pays a proportional amount of the provider's operating budget.

Another frequently used method is to negotiate a payment amount to which both parties can agree. It may be based on some calculation not specified in the contract, but ultimately it is shown as simply a dollar figure to be paid by one agency to another. Yet another system in place in one city was for the fire district to turn over its total revenue receipts to the city, minus \$10,000.

These findings are similar to those of Mastandrea, who reports, “. . .it became evident that there was no consistency to the method used by departments in establishing contractual costs” (1995). The payment methods actually used in these contracts are similar but not identical to the methods found by Stravino and Mastandrea. They list call volume, AV (proportioned contract area vs. total service area), and negotiated annual charge. However, Stravino (1994) also lists a flat fee or hourly charge, paid only for actual calls, while Mastandrea (1995) found some contractual agreements to be based on population or geographical area (square miles). None of these methods are used in the contracts studied.

It is clear there is no single correct calculation method. Each method used makes sense or is at least acceptable to the parties involved.

The terms of the contracts vary greatly, from one year to 10 years. The longer term contracts would seem to indicate a very stable or long-term arrangement, which is not expected to change frequently or significantly, while the shorter term contracts suggest a transitional or temporary arrangement. The year-to-year contracts have the most flexibility; yet some of them have been in place for up to 15 years. The needs of the parties for stability or flexibility, as well as the growth and development patterns in their jurisdictions, are instrumental in determining the term of each contract. The same is also true of the requirement for notice to terminate the agreement. These range from 30 days to three years. Eight of the contracts specify they may be terminated only on June 30, the end of the fiscal year.

It was disappointing to find that none of the contracts specifically addressed service to noncontiguous annexed areas. However, as stated earlier, this may be because this occurrence is relatively rare and because other means (e.g., consolidation) have been used to alleviate the problem.

Recommendations

It is apparent there is no single perfect solution to the challenges presented by increasing urban development around the fringes of incorporated cities. Since each city is faced with its own pattern of development, each one must also find the optimal system of service delivery to these areas. Growth management policies, while they do present challenges, also help to clarify existing and future boundaries, helping providers of urban services to plan for the future.

Recommendations for Eugene and other cities seeking efficient and effective means of providing fire protection in urban transition areas include:

1. Study and understand the growth management policies of the city, county and state. The plans which are in place may prove to be valuable resources for fire service planning.
2. Provide helpful staff recommendations to city councils and boundary commissions regarding the impacts of annexation policies. This may or may not influence their decisions, but they will at least be aware of any service delivery problems for proposed annexations, particularly noncontiguous ones.
3. Work with neighboring fire districts to develop cooperative solutions. Many jurisdictions use intergovernmental agreements or contracts for service, but others have found solutions in consolidation, merger, or automatic aid agreements. In rapidly growing or changing communities, incorporating a cooperative planning process makes good sense.
4. For Eugene and any other cities experiencing numerous noncontiguous annexations, these intergovernmental agreements and the associated cooperative planning process are essential until the city is positioned to directly provide the service to these areas.

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Appendix A

Oregon Cities Included in Survey

1. Albany
2. Ashland
3. Astoria
4. Bend
5. Coos Bay
6. Corvallis
7. Dallas
8. Eugene
9. Forest Grove
10. Gladstone
11. Grants Pass
12. Gresham
13. Hermiston
14. Hillsboro
15. La Grande
16. Lake Oswego
17. McMinnville
18. Medford
19. Milwaukie
20. Newberg
21. Ontario
22. Oregon City
23. Pendleton
24. Portland
25. Redmond
26. Roseburg
27. Salem
28. Springfield
29. Tualatin
30. West Linn

Appendix B

Fire Protection Services to Urban Transition Areas Fire Department Survey

If you require additional space for any of your answers, please attach an additional sheet.

1. Name of your fire protection department or agency _____

2. Is it a municipal fire department or equivalent? (Circle one) Yes No

If not, how would you describe it? (Rural fire protection district, private fire service provider, etc.) _____

3. Name, position and telephone number of person completing this survey form. (I would like to be able to contact you if I need further information or clarification. Thanks.)

4. Describe the area your department serves.
 1. Area within city limits only
 2. Area within city limits plus some outlying areas through contractual agreement
 3. Area within city limits minus some areas which are protected by another agency through contractual agreement
 4. Other (please describe)

5. Is there territory within your city's urban growth boundary which is outside the city limits?
Yes No

6. Do your city and/or county boundary commission approve annexations which are non-contiguous, i.e., not adjacent to current city limits? Such annexations usually result in islands of annexed territory, surrounded by other jurisdictions or unincorporated territory. (Circle most appropriate answer)
 1. Yes, frequently
 - b. Yes, infrequently
 - c. No

7. If you answered yes to No. 6, please indicate how fire protection service is provided to these islands.

1. City fire department protects annexed territory and RFPD protects district territory.
2. City protects the entire area, including unannexed territory, through contractual agreement with a special district (fire district, water district, etc.).
3. Another fire agency (e.g., fire district) protects the annexed areas which are surrounded by another jurisdiction, through contractual agreement.
4. Other arrangement (please explain) _____

8. If your department contracts with other agencies or districts to provide fire protection services, what is the basis of the payment?

1. Tax rate of district applied to assessed valuation of the subject territory.
2. Population of subject territory.
3. Incident call volume of subject territory.
4. Percentage of total territory, applied to total operating costs (e.g., if subject territory is 10% of total area served, payment is 10% of total operating budget).
5. Other method (please describe) _____

9. If your department contracts with other agencies or districts, would you please attach a copy of the intergovernmental agreement. This will be much appreciated if you can do so.