



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

6a

AGENDA REPORT
 Public Hearing

October 5, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 Robert Barry, Chief Policy Analyst
 Ed Sprague, Staff Consultant on Fire Services

SUBJECT: **Proposed “San Diego County Fire Protection District Reorganization” |
 Divestiture of Fire Protection and Emergency Medical Functions for County
 Service Area No. 135 with Concurrent Formation of San Diego County Fire
 Protection District and Conforming Sphere of Influence Actions (RO20-14 et al.)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a reorganization proposal filed by resolution of the County of San Diego to transition fire protection and emergency medical services provided by the County Fire Authority into a new dependent special district. The proposal involves the concurrent divestiture of fire protection and emergency medical service powers for County Service Area (CSA) No. 135 and formation of the San Diego County Fire Protection District (FPD) as the designated successor agency. The proposal’s primary purpose is to provide a more effective governance model for the County Fire Authority to organize, fund, and deliver fire protection emergency medical services while retaining CSA No. 135’s other function involving regional communications. The affected territory is entirely unincorporated and comprises all of CSA No. 135’s existing fire protection and emergency medical service area, covering approximately 1.6 million acres and an estimated resident population of 50,476. No expansions of the existing fire protection and emergency medical service area are proposed. No changes are proposed to County Fire Authority’s contract with CAL FIRE. Staff recommends approval subject to conditions along

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with conforming sphere of influence actions. It is also recommended protest proceedings be delegated to the Executive Officer.

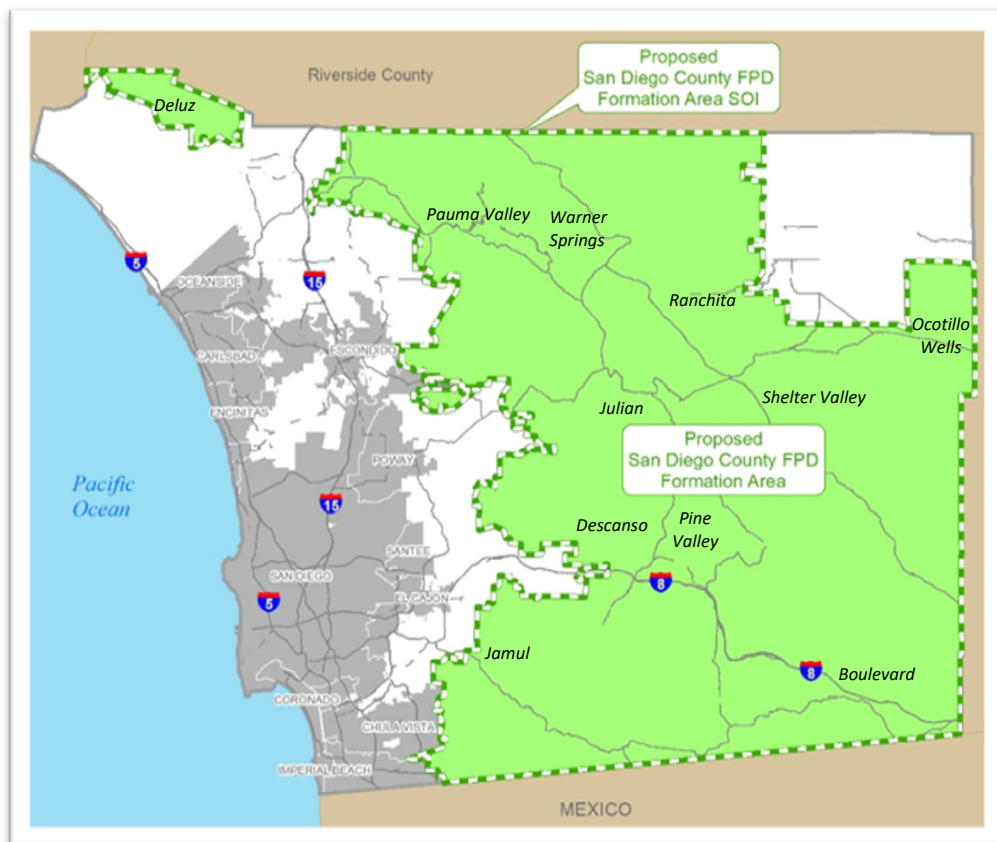
BACKGROUND

Applicant Request

San Diego LAFCO has received a resolution of application from the County of San Diego Board of Supervisors requesting initiation of proceedings for a reorganization involving (a) divestiture of CSA No. 135's existing fire protection and emergency medical service functions with concurrent (b) formation of the San Diego County FPD as successor agency. The affected territory totals 1,597 million acres and comprises all of CSA No. 135's existing fire protection and emergency medical service area. The affected territory is entirely unincorporated and inhabited with 24,474 of registered voters, therefore Commission approval for the proposed reorganization would be subject to protest proceedings for affected landowners and registered voters. Application materials are provided as Attachment Four.

Affected Territory

The following map shows the approximate location of the affected territory in context to the greater San Diego County. An expanded map of the affected territory relative to the proposed boundary changes involving CSA No. 135 is provide as Attachment One.



Subject Agencies

The proposed reorganization before San Diego LAFCO involves one existing subject agency: CSA No. 135. A summary of the subject agency in terms of municipal service functions, resident population, and financial standing follows.

- CSA No. 135 is a dependent special district of the County of San Diego encompassing 2.4 million acres or 3,739.8 square miles and includes all unincorporated lands as well as 10 of the 18 cities in San Diego County.¹ CSA No. 135 was formed in 1994 to provide public safety radio communications through a funding agreement with a third-party (Regional Communication Systems) and involves operating an 800-megahertz system. Administration of this municipal function is provided by County Sheriff. A second municipal service function involving fire protection and emergency medical was activated in 2008 and operates within an internal unincorporated zone that covers two-thirds of the CSA No. 135 jurisdictional boundary. Administration of this municipal function is provided by County Fire Authority. The current estimated resident population within CSA No. 135 is 1,074,319. The current estimated resident population within the fire protection and emergency medical service area (zone) is 50,476. The County's net position on governmental activities has increased over the last five audited fiscal years by more than two-fifths – or 42.7% – from \$4.341 to \$6.197 billion less pension and benefit obligations.

Affected Local Agencies

The affected territory covers most of the existing unincorporated territory within San Diego County and includes the jurisdictional boundaries and/or spheres of 31 local agencies directly subject to San Diego LAFCO's planning and regulatory responsibilities.² These agencies are considered "affected agencies" relative to the proposed reorganization and are listed below.³

- CSA No. 69 (Heartland Paramedics)
- CSA No. 81 (Fallbrook Local Parks)
- CSA No. 122 (Otay Mesa East)
- Padre Dam Municipal Water District
- Rainbow Municipal Water District
- San Luis Rey Water District
- Canebrake County Water District
- Cuyamaca Water District
- Otay Water District
- San Diego County Sanitation District

¹ San Diego County cities within CSA No. 135 are Carlsbad, Del Mar, Encinitas, Imperial Beach, Lemon Grove, Poway, San Marcos, Solana Beach, Santee, and Vista.

² LAFCO included all local governmental agencies in noticing and staff report distribution for the proposed reorganization and formation of the San Diego County FPD. This distribution included all cities, special districts, school districts, and other local public agencies and organizations.

³ State law defines "affected local agency" as any entity that contains, or would contain, or whose sphere contains or would contain, any territory for which a change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

- Descanso Community Services District
- Jacumba Community Services District
- Julian Community Services District
- Majestic Pines Community Services District
- Fallbrook Healthcare District
- Grossmont Healthcare District
- Palomar Health District
- South Bay Irrigation District
- Vista Irrigation District
- North County Cemetery District
- Ramona Cemetery District
- Valley Center Cemetery District
- Fallbrook Public Utility District
- Lake Cuyamaca Recreation and Park District
- Mission Resource Conservation District
- Resource Conservation District of Greater San Diego County
- Upper San Luis Rey Resource Conservation District
- San Diego County Water Authority
- North County Transit District
- Metropolitan Water District of Southern California

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications – the proposed reorganization to divest CSA No. 135 of its fire protection and emergency medical function and concurrently form the San Diego County FPD as successor agency. The Commission may also consider applying conditions so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion on proposal purpose, development opportunities, and Commission focus follows.

Proposal Purpose

The primary purpose of the proposed reorganization before San Diego LAFCO is to provide a more effective governance model for the County of San Diego via the County Fire Authority to organize, fund, and deliver fire protection and emergency medical services within the affected territory under State law. Governance would continue to be provided by the County Board of Supervisors. The specific benefits for the proposed reorganization as provided in the County’s adopted resolution of application follows:

1. Formalizes County Fire Authority's authorized service area by transitioning from an activated latent power zone imbedded within CSA No. 135 to a clean and stand-alone jurisdictional boundary.

2. Improves governance connectivity by providing the County Fire Authority a more traditional and applicable principal act that syncs with its continued evolution from organizer and funder to organizer, funder, and deliverer of fire protection and emergency medical services.
3. Responds to voters and their approval to amend the County Charter to make the County Fire Authority and its services a committed County of San Diego function.
4. Empowers the County Fire Authority with the ability to directly annex incorporated lands and, in doing so, respond to potential interest among landowners, registered voters and local elected officials.

Current and Potential Development

The entire affected territory is unincorporated and all land uses are subject to existing County of San Diego General Plan and zoning designations. No new development or changes to land use or zoning are proposed as part of the reorganization.

Commission Focus

Three central and sequential policy items underlie San Diego LAFCO's consideration of the proposed reorganization. These policy items take the form of determinations and orient the Commission to consider the interrelated merits of the proposed (a) timing of the reorganization, (b) conforming sphere of influence actions, and (c) whether modifications or approval terms are appropriate. The Commission must also consider other relevant statutes in and outside LAFCO law as detailed.

ANALYSIS

San Diego LAFCO's analysis of the proposed reorganization is divided into two distinct subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section and headlined by analyzing the merits of the proposed reorganization and conforming sphere of influence actions. The second subsection considers other germane statutory issues required for LAFCO proposal consideration, highlighted by evaluation of applicable provisions under the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 | Reorganization Timing

The timing of the proposed reorganization to divest CSA No. 135's existing fire protection and emergency medical service functions with a concurrent formation of the San Diego County FPD as successor agency appears appropriate. This conclusion draws from the analysis of the prescribed review factors required for consideration under statute along with the proposal's conformance with locally adopted Commission policies. Most of the prescribed review

factors and applicable local policies focus on the effects of the proposed reorganization in terms of the service and financial capacities of the agency to be formed – the San Diego County FPD. A summary of key conclusions generated in the review of these factors and applicable local policies follow with a complete analysis provided as Appendix A.

- Service Needs

The proposed divestiture of CSA No. 135's existing fire protection and emergency medical service functions and concurrent formation of the San Diego County FPD as the successor agency is intended to sustain and enhance service levels within the affected territory. The affected territory spans nearly three-fifths – or 59% – of all unincorporated lands in San Diego County and covers over one dozen distinct communities with an estimated population of 50,476. Notable unincorporated communities within the affected territory include Descanso, Jamul, Julian, Ocotillo Wells, Pine Valley, Pauma Valley, Ranchita, Shelter Valley, and Warner Springs. Provision of organized fire protection and emergency medical services is needed now and into the future to safeguard both life and property within the affected territory as well as to help manage the wildland interface affecting all of San Diego County. Additional details follow.

- CSA No. 135 has been successful in fulfilling its role to organize and fund fire protection and emergency medical services in the unincorporated area through the County Fire Authority following LAFCO's approval of a latent power activation in 2008. This includes completing the County's Hybrid Plan for regionalization of fire protection and emergency medical services within the unincorporated territory and serving as successor to 18 merged fire agencies and/or companies through multiple reorganizations approved by LAFCO. The cumulative effect of these earlier reorganizations is the County Fire Authority assuming first-responder status for three-fifths of the unincorporated area.
- The role of the County Fire Authority has also substantively expanded beyond initial formation expectations and is now a formal commitment under the County of San Diego Charter as a result of a voter-approved amendment in November 2019. The transition into an FPD would affirmatively respond to Charter amendment and sync the County Fire Authority's evolution to direct service provider under a more traditional governance model.
- San Diego County FPD would assume all fire protection and emergency medical service responsibilities and associated commitments from CSA No. 135 upon reorganization and this includes an existing service agreement with CAL FIRE. This contract currently staffs the County Fire Authority with 141 fulltime equivalent personnel and divided between 120 sworn and 21 non-sworn positions; amounts that have more than doubled in-step with the Authority's expansion since its creation in 2008.

- Overall onsite incidents within CSA No. 135's fire protection and emergency medical service zone have averaged 14.3 daily over the previous five-year report period. Demands have increased overall by 33% with net raises in all five divisions collectively covering the fire protection and emergency medical zone and its approximate 1.6 million acres and 50,476 residents.
- Service Capacities and Levels

The County of San Diego has included an appropriately detailed plan of service for the proposed formation of the San Diego County FPD as part of their reorganization application. LAFCO also recently completed a comprehensive municipal service review on CSA No. 135 and its active service functions. This includes recommendations for the County to proceed with a reorganization consistent with subsequently filed proposal. Additional details drawn from these documents follow.

 - Fire protection and emergency medical services within the affected territory will continue to be directly provided by CAL FIRE employees under contract with the County and the management of the County Fire Authority. No changes to existing service capacities and levels will result from the reorganization.⁴
 - San Diego County FPD will continue Advanced Life Support (ALS) service for all sixteen stations owned by the County. Staffing is 24-hour coverage, seven days per week, 365 days per year. San Diego County FPD will ensure a Battalion Chief is on duty 24 hours per day.
 - The County Fire Authority has responded exclusively to 78% of all onsite incidents within CSA No. 135's fire protection and emergency medical service zone during the previous five-year period. This response rate has risen by 7.8% during that time and substantiates the County Fire Authority has been successful in planning and syncing resources to meet demands in the District.
 - The portion of onsite arrivals in CSA No. 135's fire protection and emergency medical service zone exclusively provided by outside agencies decreased during the previous five-year period by nearly two-fifths or (37.1%). This latter development further substantiates County Fire Authority's ability to keep pace with demands without overreliance on outside automatic aid agreements.
- Service Funding and Costs

The County of San Diego has financial resources and related administrative controls to continue the provision of fire protection and emergency medical service functions within the affected territory following reorganization and formation of the San Diego County FPD without significant impacts. This statement draws on both the

⁴ The FPD's plan for service also includes winter funding to maintain an expanded-scope basic life support fire engine at select CAL FIRE stations year-round. Paramedic service will be provided within the FPD with full time, year-round staffed paramedic fire engines.

aforementioned municipal service review as well as the application materials with additional details following.

- Services will continue to be financed using existing funding sources from the County Fire Authority (CSA No. 135) including property tax revenues, County general purpose revenues, and special taxes revenue. The General Fund finished the previous five-year period with a balance of \$2.307 billion and sufficient to cover 7.4 months of normal County operating expenses.
- All current CSA No. 135 revenue streams for fire protection and emergency medical services will be transferred to the newly formed San Diego County FPD. The County has also agreed to provide future Annual Tax Increments or ATI.
- The County projects total expenses and revenues for the proposed San Diego County FPD as \$52.6 million. This amount includes \$1.6 million in annual property tax revenues, \$15.2 million of fund balance uses, and an annual allocation of \$29.7 million in County general funds. This proposed budget for the FPD represents a 5.2% increase over 2020 budgeted funds for the County Fire Authority.

CONCLUSION | MERITS OF REORGANIZATION TIMING

The timing of the proposed reorganization involving divestiture of fire protection and emergency medical functions for CSA No. 135 and formation of the San Diego County FPD as successor agency is sufficiently warranted. Justification is marked by the preceding analysis and includes appropriately responding to voters amending the County Charter to commit to fire protection and emergency medical services. Additional analysis supporting the conclusion is provided in Appendix A.

Item No. 2 | Conforming Sphere of Influence Actions

The proposed reorganization necessitates San Diego LAFCO consider two concurrent conforming sphere of influence actions. The first action involves an amendment to the adopted CSA No. 135 sphere of influence to remove the fire protection and emergency medical service-specific sphere designation. The second action involves the adoption of a sphere of influence to compliment the formation of the San Diego County FPD. Consideration of the concurrent sphere actions are premised on the Commission's statutory responsibility to designate spheres to demark the affected agencies' appropriate future service areas relative to community needs and – among other features – to conform with proposed boundary changes as warranted. To this end, staff believes eliminating CSA No. 135's fire protection and emergency medical service-specific sphere is appropriate and would memorialize the Commission's determination that the CSA is no longer an appropriate provider of these services now or in the future. Staff relatedly believes establishing a sphere for San Diego County FPD to be coterminous with the jurisdictional boundary inherited from

CSA No. 135 (i.e. the fire protection and emergency medical service zone) is appropriate and would formalize a Commission policy determination that the FPD is the current and future service provider for the lands going forward. Staff also believes it would be prudent to defer consideration of adding any non-jurisdictional lands to the FPD sphere to a future municipal service review on fire protection services in San Diego County.

**CONCLUSION |
MERITS OF CONFORMING SPHERE OF INFLUENCE ACTIONS**

Proceeding with conforming actions to amend CSA No. 135's sphere of influence and remove the fire protection and emergency medical service-specific designation and concurrently adopt a coterminous sphere of influence to compliment the formation of the San Diego County FPD are sufficiently warranted. Justification is marked by the preceding analysis and support the Commission's previous determinations to form an FPD as the appropriate and exclusive fire protection and emergency medical service provider in the affected territory. Additional analysis supporting the conclusion is provided in Appendix B.

Item No. 3 | Modifications and Terms

Staff believes no modifications to the proposed reorganization territory merit consideration by San Diego LAFCO at this time. This includes concluding that potential additions to the San Diego FPD jurisdictional boundary to capture remaining unserved unincorporated lands should be deferred in step with completing a future municipal service review and – among other considerations – mitigates the need for additional environmental review. Staff is recommending approval with standard terms under Government Code Section 57302.

**CONCLUSION |
MODIFICATIONS AND TERMS**

No modifications to the proposed reorganization appear merited as detailed. Standard approval terms are recommended under Government Code Section 57302 for the proposed reorganization.

Other Statutory Considerations

Exchange of Property Tax Revenues

San Diego LAFCO is responsible under statute to determine the amount of property tax revenue to be formally exchanged between CSA No. 135 and San Diego County FPD should the Commission proceed to approve the reorganization.⁵ Staff believes an exchange of existing property tax revenues is appropriate given – and among other factors – the intended

⁵ Reference to California Government Code Section 56810(a)(2).

function of the San Diego County FPD to recover its costs through dedicated local property tax revenues. As applicant, the County has consented to an exchange or rededication of property taxes to the San Diego County FPD as successor agency in its resolution of application. The County Auditor has identified a total of \$1.3 million in current annual property tax revenues currently allocated by the County to CSA No. 135 for fire protection and emergency medical services. Accordingly, staff believes it would be appropriate that all existing property tax revenues currently apportioned to CSA No. 135 for fire protection and emergency medical services be transferred to the San Diego County FPD as successor agency.

Environmental Review

CEQA requires San Diego LAFCO to assess whether environmental impacts would result from activities approved under the Commission's statutory authority. Accordingly, San Diego LAFCO is responsible for making two distinct determinations as lead agency under CEQA with respect to this proposal. This involves addressing the (a) proposed reorganization and (b) conforming sphere of influence actions. The Executive Officer has determined both actions are considered projects under CEQA but are exempt from further environmental review based on the following findings.

- The proposed reorganization involves divestiture of fire protection and emergency medical service functions for CSA No. 135 and concurrent formation of the San Diego County FPD within the same affected territory. Staff believes, accordingly, the reorganization proposal is categorically exempt from environmental review under provisions of State CEQA Guidelines Section 15320(Changes in Organization of Local Agencies) because it would not change the geographic area where previously existing fire protection and emergency medical service powers are exercised.
- The Commission's sphere of influence actions to accommodate the reorganization as recommended in the preceding section qualifies for exemption under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given it can be seen with certainty that spheres are planning policies and their adoption or subsequent amendment does not authorize any new uses or services or have the potential for causing a significant effect on the environment.

Protest Proceedings

Approval of the proposed reorganization by San Diego LAFCO would require protest proceedings under Government Code Section 57000. As allowed under State law and further contemplated under local policy, it is recommended the Commission delegate these proceedings to the Executive Officer and hold a noticed hearing to accept written protest filed by registered voters and/or landowners within the affected territory. The following thresholds would apply in valuing protests and determining next steps:

- Should less than 25% of (a) registered voters and/or (b) landowners holding less than 25% of the assessed value of land within the affected territory file written protests the reorganization will be ordered without an election.

- Should 25% to 50% of (a) registered voters and/or (b) landowners holding 25% to 50% of the assessed value of land within the affected territory file written protests the reorganization will be ordered subject to an election at a future date.
- Should more than 50% of (a) registered voters and/or (b) landowners holding 50% or more of the assessed value of land within the affected territory file written protests the change of organization will be terminated.

Should the Commission proceed with an approval, staff has tentatively scheduled a protest hearing on the reorganization on Friday, November 6, 2020 with the details as to time and place to be determined so as to comply with any physical distancing requirements applicable per state and local orders regarding COVID-19. Notice for the protest hearing would be provided to landowners and registered voters in a manner provided under statute no less than 21-days in advance.⁶ Further – and importantly should this apply – all protest forms would need to be signed on or after the date the protest hearing is noticed; signatures dated ahead of the noticing are invalid under statute.

RECOMMENDATION

Staff recommends San Diego LAFCO approve the proposed reorganization without modifications and divest fire protection and emergency medical service functions for CSA No. 135 and concurrently form the San Diego County FPD as the successor agency; the latter including the conveyance of all related powers, assets, and liabilities. The recommendation also includes conforming sphere of influence actions as described and is consistent with Alternative One in the proceeding section. It is relatedly recommended the Commission consider the merits of scheduling a countywide municipal service review on fire protection and emergency medical services in a future workplan and do so to serve as an update to LAFCO's fire studies (“Macro” and “Micro”) conducted in the early 2000s.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO and can be accomplished with a single-motion:

Alternative One (recommended):

- (a) Adopt the attached draft resolution conditionally approving the reorganization proposal without modification and with conforming sphere of influence actions.
- (b) Direct the Executive Officer to include an option as part of a future workplan to prepare countywide municipal service review on fire protection services.

⁶ Official protest forms for both landowners and voters are available on the LAFCO website with additional instructions.

Alternative Two:

Continue consideration to a future meeting and provide direction to staff concerning additional information, as needed.

Alternative Three:

Disapprove the reorganization proposal with direction to staff to return at the next regular meeting with a conforming resolution for adoption.

PROCEDURES FOR CONSIDERATION

This item has been placed on San Diego LAFCO's agenda for action as part of a noticed public hearing. The following procedures are recommended in the consideration of this item:

- 1) Receive verbal presentation from staff unless waived.
- 2) Initial questions or clarifications from the Commission.
- 3) Open the hearing and invite comments in the following order:
 - representatives from the County of San Diego
 - other interested parties and the general public
- 4) Discuss item and consider the staff recommendation.

On behalf of the Executive Officer,



Robert Barry, AICP
Chief Policy Analyst

Appendices:

- A) Analysis of Proposal Review Factors
- B) Analysis of Sphere of Influence Determinations

Attachments:

- 1) Vicinity Map of the Affected Territory
- 2) Draft Resolution of Approval
- 3) Memorandum: Context and Potential Next Steps
- 4) Application Materials

APPENDIX A

PROPOSAL REVIEW FACTORS Government Code Section 56668

- a) **Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, during the next 10 years.**
-

The estimated population within the approximate 1.6 million acre affected territory is 50,476 with a resident density of approximately one person per 32 acres. The affected territory is entirely unincorporated and subject to the County of San Diego General Plan and associated zoning assignments. No changes to land use or zoning assignments are associated with the proposed reorganization. Total assessed valuation for the affected territory is estimated by the County Auditor as \$6.1 billion, which provides an approximate per capita assessed valuation as \$120,738. The topography of the affected territory ranges from rolling foothills to mountains to deserts from west to east over the approximate 1.6 million acres, with elevations from 200 to over 6,000 feet above sea-level in the mountains. The affected territory covers several watersheds and drainage basins with rivers and creeks flowing west to the Pacific Ocean from the Laguna and Palomar Mountain ranges. The affected territory includes several unincorporated communities and is in proximity to populated incorporated cities on the west. The total annual rate of new fulltime population growth in the affected territory over the last five years has been 0.82%. This rate of growth is one-tenth lower than the corresponding amount for all of San Diego County and reflects the affected territory's generally rural and slower-growth oriented communities. Significant growth is not anticipated within or adjacent to the affected territory over the next 10 years.

- b) **The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**
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The County of San Diego is one of 27 original counties established in 1850. A five-member Board of Supervisors oversees the County and its direct provision of multiple municipal services within the unincorporated area and this includes community planning, law enforcement, parks and recreation, and public works. The County also provides other municipal services through several dependent special districts – including CSAs – and marked by fire protection and wastewater. This proposal affects fire protection and emergency medical service and is the focus of the succeeding analysis.

- **Fire Protection and Emergency Medical Service to Affected Territory**

The proposed divestiture of CSA No. 135's fire protection and emergency medical service functions and concurrent formation of the San Diego County FPD as the successor agency is intended to sustain and improve service levels in the affected territory. The proposed change in governance authority from a service-specific subzone of a larger CSA to a stand-alone FPD will also help to strengthen the existing service relationships with surrounding and adjacent fire agencies – including special districts and cities. Additional details follow.

- CSA No. 135 has been successful in fulfilling its role to organize and fund fire protection and emergency medical services in the unincorporated area through the County Fire Authority following LAFCO's approval of a latent power activation in 2008. This includes completing the County's Hybrid Plan for regionalization of fire protection and emergency medical services within the unincorporated territory and serving as successor to 18 merged fire agencies and/or companies and in doing so becoming first responder for approximately 70% of the unincorporated area.
- The role of the County Fire Authority has measurably expanded beyond initial formation expectations and is now a formal commitment under the County of San Diego Charter following a recent voter approved amendment. The proposed FPD would continue to provide fire protection and emergency medical service through the existing service agreement with CAL FIRE. This contract currently staffs the County Fire Authority with 141 fulltime equivalent personnel and divided between 120 sworn and 21 non-sworn positions; amounts that have more than doubled in-step with the Authority's expansion.
- Overall onsite incidents within CSA No. 135's fire protection and emergency medical service zone have averaged 14.3 daily over the previous five-year report period. Demands have increased overall by 33% during this period with net raises in all five divisions that collectively cover the fire protection and emergency medical service zone and its 1.597 million acres.
- Fire protection and emergency medical services will be directly provided by CAL FIRE employees under contract with the County and supplemented as needed by County reserve firefighters.⁷ The FPD's plan for service also includes winter funding to maintain an expanded-scope basic life support fire engine at select CAL FIRE stations year-round. Paramedic service will be provided within the FPD with full time, year-round staffed paramedic fire engines.
- The County FPD will continue ALS service for sixteen County owned stations. Staffing is 24-hour coverage, seven days per week, 365 days per year. SDCFPD will ensure a Battalion Chief is on duty 24 hours per day.

⁷ Reserve firefighters are used to supplement existing staffing levels across the seventeen County owned and six contract fire stations. On average, five reserve firefighters are on-duty each day and increase the existing staffing on the engine assigned by one member.

- The County Fire Authority has responded exclusively to 78% of all onsite incidents within CSA No. 135's fire protection and emergency medical service zone during the previous five-year period. This response rate has risen by 7.8% during that time and substantiates the County Fire Authority has been successful in planning and syncing resources to meet demands in the District.
- The portion of onsite arrivals in CSA No. 135's fire protection and emergency medical service zone exclusively provided by outside agencies decreased during the previous five-year period by nearly two-fifths or (37.1%). This latter development further substantiates County Fire Authority's ability to keep pace with demands without overreliance on outside automatic aid agreements.

c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

Approving the reorganization proposal to form the San Diego County FPD would strengthen existing economic and social ties between the County of San Diego and the affected territory established with the activation of CSA No. 135's fire protection and emergency medical service function in 2008. These ties underlie public safety within the affected territory and the ability of the County and its Board of Supervisors to effectuate and support fire-wise development.

d) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies/priorities set forth in G.C. Section 56377.

Approving the proposed reorganization and formation of the San Diego County FPD would affirmatively respond to the present and planned uses within the affected territory and associated need for effective fire protection and emergency medical services. Approval conforms to an earlier LAFCO recommendation and identified benefits therein to transition fire protection and emergency medical service responsibilities in the majority of the unincorporated area to a stand-alone FPD within its own jurisdictional boundary while continuing to be governed by the County of San Diego and its economies of resources. The affected territory includes "open-space" as defined under LAFCO law; however, no new growth or development is associated with the proposed reorganization, therefore, no conflicts exists therein under G.C. Section 56377.

e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory does contain "prime agricultural land" as defined under LAFCO law. However, no new growth or development is associated with the proposed reorganization, therefore, the proposal is not expected to have any effect on maintaining the physical and economic integrity of agricultural lands.

f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment, the creation of islands or corridors of unincorporated territory, and other similar matters.

LAFCO is in receipt of a draft map and geographic description of the affected territory that details metes and bounds consistent with the standard of the State Board of Equalization. Approval would be conditioned on a final map and description conforming to the referenced standards and address any modifications required by the Commission. Approval for the reorganization of the affected territory would not create any new service islands or corridors of unincorporated territory.

g) A regional transportation plan adopted pursuant to Section 65080.

No new growth or development is associated with the proposed reorganization; therefore, the proposal is not expected to have any effect on regional transportation plans.⁸

h) Consistency with the city or county general and specific plans.

The affected territory is entirely unincorporated and subject to the land use designations of the County of San Diego General Plan. No new development, growth, or changes to existing land use or zoning designations are associated with the reorganization.

i) The sphere of influence of any local agency affected by the proposal.

The proposed reorganization involves conforming sphere of influence actions for the subject agencies and detailed in the accompanying agenda report.

j) The comments of any affected local agency or other public agency.

Staff provided notice of the reorganization proposal to all subject and affected agencies as required under LAFCO law. No written comments were received ahead of preparing this agenda report for distribution on September 25, 2020.

⁸ A notice of the proposed reorganization provided to the San Diego Association of Governments or SANDAG did not generate any comments, and as such no conflicts have been identified with respect to its regional transportation plan, San Diego Forward.

k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The County of San Diego has prepared a detailed plan of service that identifies financial resources and related administrative controls to continue the provision of fire protection and emergency medical functions within the affected territory following reorganization. Additional details follow.

- Services will continue to be financed using existing funding sources from the Fire Authority (CSA No. 135) including property tax revenues, County General Purpose Revenues, and special taxes revenue.
- The General Fund finished the previous five-year period with a balance of \$2.307 billion and sufficient to cover 7.4 months of normal County operating expenses.
- All current and future CSA No. 135 fire protection and emergency medical revenues will be transferred to the newly formed FPD.
- The County projects total expenses and revenues for the proposed FPD for the base year at \$52.6 million. Key revenue sources include \$1.6 million in annual property tax revenues, \$15.2 million in fund balance uses, and an annual allocation of \$29.7 million from the County General Fund.

l) Timely availability of adequate water supplies for projected needs as specified in G.C. Section 65352.5.

The proposed reorganization does not involve new development or growth that would require the evaluation of adequate water supplies. The proposal, accordingly, will not have an effect on the timely availability of water supplies.

m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

The proposed reorganization would not impact any local agencies in accommodating their regional housing needs. All potential units tied to the lands within the affected territory are already assigned to the County of San Diego by the region's council of governments, SANDAG.

n) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The affected territory contains 20,474 registered voters and qualifies as “inhabited” as defined by LAFCO law (containing 11 registered voters or greater). Notice of the proposal and associated public hearing scheduled on October 5th has been published in local newspapers with no comments received by the date of the agenda report.

o) Any information relating to existing land use designations.

Please see above analysis for (h).

p) The extent to which the proposal will promote environmental justice.

As used in this review factor, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed reorganization does not include locating new public facilities and therefore approval is not anticipated to directly influence the promotion of environmental justice within the affected territory.

q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information is relevant to the affected territory.

The County of San Diego General contains a hazard mitigation plan for potential fire, flooding and earthquakes. Portions of the approximate 1.6 million acre affected territory lies within “very high” fire hazard zones. It is also mapped within a State Responsibility Area with respect to wildland fire protection. Following the proposed reorganization, the San Diego County FPD would be formed to assume all existing fire protection and EMS service functions and responsibilities within the affected territory.

APPENDIX B

STATEMENT OF SPHERE OF INFLUENCE DETERMINATIONS Government Code Section 56425

(1) The present and planned land uses, including agricultural and open-space lands.

The affected territory is entirely unincorporated and includes all of CSA No. 135's existing fire protection and emergency medical service area, covering approximately 1.597 million acres and identified as the County Fire Authority. The affected territory is subject to the land use designations of the County General Plan with implementing zoning assignments. The affected territory contains agricultural and open-space lands. No new development or growth is proposed in association with the subject reorganization to divest CSA No. 135's activated fire protection and emergency medical service and form the San Diego County FPD as the successor agency. All present and planned land uses, including agricultural and open-space lands, would not be affected by the proposed reorganization and sphere of influence actions as detailed in the agenda report.

(2) The present and probable need for public facilities and services in the area.

The affected territory contains over 50,000 residents and the proposed formation of the San Diego County FPD addresses the present and probable needs for fire protection and emergency medical services over the approximate 1.6 million acre service area. The establishment of a coterminous sphere of influence for the San Diego County FPD would be consistent with the existing coterminous service-specific sphere for the fire protection and emergency medical service zone of CSA No. 135.

(3) The present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.

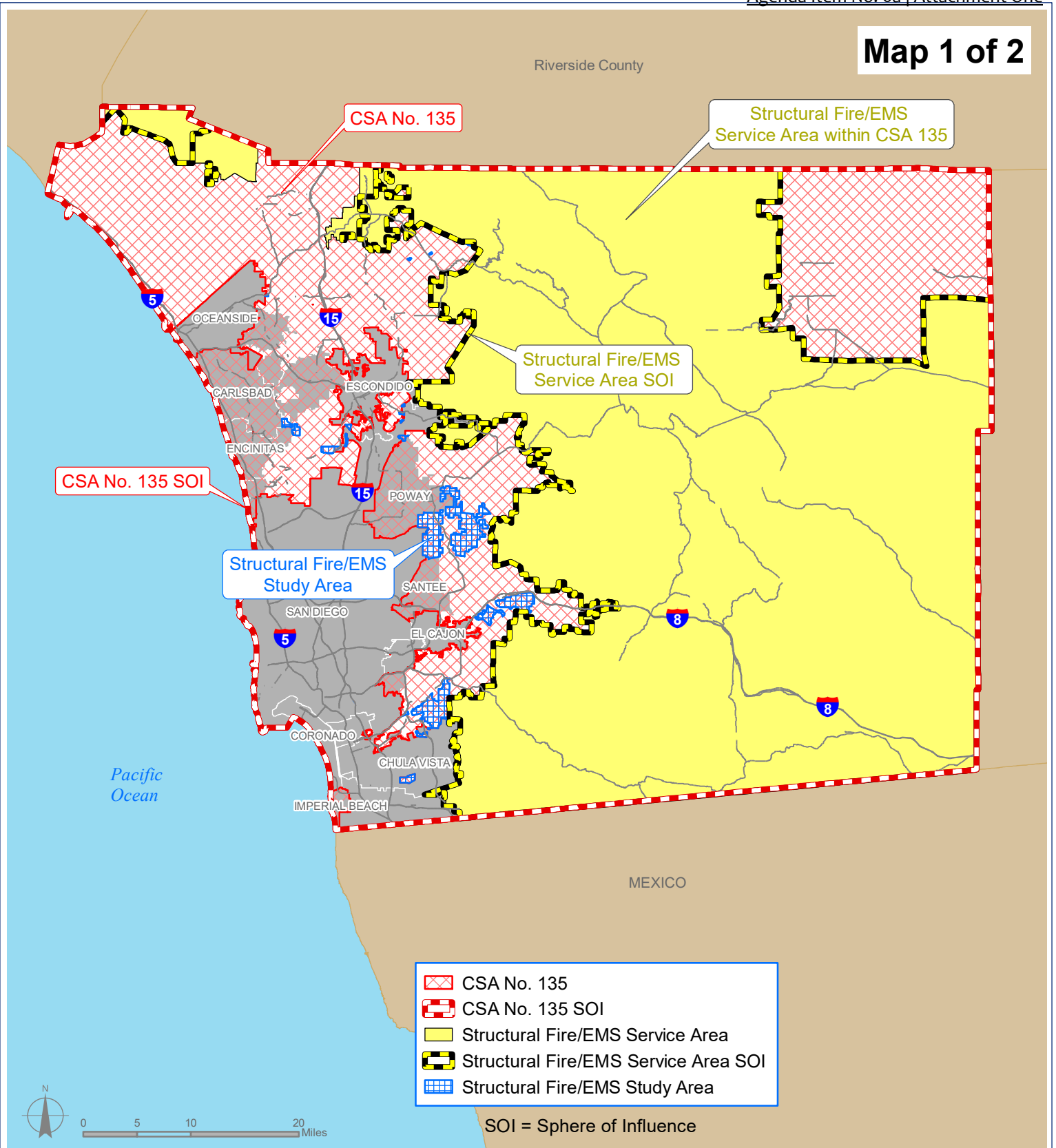
A detailed evaluation of the County Fire Authority and its present service capacities within the affected territory was recently completed by San Diego LAFCO as part of a municipal service review on CSA No. 135. The municipal service review and its assessment of the capacity, demand, and performance of County Fire Authority is incorporated herein.

(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The County of San Diego has established social and economic ties within the affected territory as the primary municipal service provider and headlined by community planning, roads, and public safety. Establishing a coterminous sphere of influence in conjunction with the formation of the San Diego County FPD expands these ties and is consistent with voters recently amending the County Charter to include fire protection as a service commitment.

(5) The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The affected territory and existing coterminous service-specific sphere of influence contains census tracts qualifying as a disadvantaged unincorporated community (DUC) under State statute or LAFCO policy. The sphere of influence actions serve to maintain and improve the delivery of fire protection and emergency medical services to all of the affected territory and benefits all DUC and non-DUC residents.



RO20-14 San Diego County Fire Protection District Reorganization" | Proposed Formation of the San Diego County Fire Protection District with Concurrent Divestiture of Fire Protection and Emergency Medical Services from County Service Area No. 135



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

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Created by Dieu Ngu -- 7/23/2020

Riverside County

Proposed San Diego County FPD Formation Area SOI

Proposed San Diego County FPD Formation Area

Proposed SDC FPD Formation Area
Proposed SDC FPD Formation Area SOI

SOI = Sphere of Influence



Pacific Ocean

MEXICO

RO20-14 San Diego County Fire Protection District Reorganization" | Proposed Formation of the San Diego County Fire Protection District with Concurrent Divestiture of Fire Protection and Emergency Medical Services from County Service Area No. 135



San Diego County Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

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Created by Dieu Ngu -- 8/26/2020

RESOLUTION OF THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION

**APPROVING A COMBINED REORGANIZATION AND
ASSOCIATED SPHERE OF INFLUENCE AMENDMENTS**

**TO CONCURRENTLY DIVEST COUNTY SERVICE AREA NO. 135 OF FIRE PROTECTION AND
EMERGENCY MEDICAL SERVICE FUNCTIONS AND FORM THE SAN DIEGO COUNTY FIRE PROTECTION
DISTRICT WITH CONFORMING SPHERE OF INFLUENCE AMENDMENTS
(RO20-14 ET AL.)**

WHEREAS, County Service Area No. 135 (CSA No. 135) is a dependent special district overseen by the San Diego County (County) Board of Supervisors that provides fire protection, emergency medical, and regional communication services; and

WHEREAS, on July 20, 2020, the County, acting on behalf of CSA No. 135, filed a resolution of application with the San Diego County Local Agency Formation Commission (Commission) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH); and

WHEREAS, the County's application requests the formation of the San Diego County Fire Protection District (County FPD) and the transfer of fire protection and emergency medical services from CSA No. 135 to the County FPD; and

WHEREAS, the affected territory is contained entirely within the unincorporated portions of the County and, therefore, the reorganization involves only one subject agency; and

WHEREAS, the County's application is processed by the Commission as a reorganization proposal and is referred to as the "San Diego County Fire Protection District Reorganization"; and

WHEREAS, under CKH, the Commission is responsible for determining the amount of property tax revenue to be exchanged between CSA No. 135 and the County FPD, and the County consented to the exchange in its resolution of application; and

WHEREAS, the Commission's Executive Officer has reviewed the San Diego County Fire Protection District Reorganization proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer's report and recommendations on the San Diego County Fire Protection District Reorganization proposal and need for concurrent sphere of influence amendments have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public hearing along with reviewing the necessary concurrent sphere of influence amendments for consistency under Government Code Section 56375.5 on October 5, 2020.

NOW, THEREFORE, BE IT RESOLVED, the Commission hereby finds, determines, and orders the following:

1. The hearing was held on the date set therefore, and due notice of said hearing was given in the manner required by law.

2. At the hearing, the Commission called for, heard, and considered all interested parties and public comments and read and considered the Executive Officer's report.
3. The Commission serves as lead agency under the California Environmental Quality Act (CEQA) in considering two distinct "projects" associated with the San Diego County Fire Protection District Reorganization proposal and as detailed in the Executive Officer's report: (a) reorganization and (b) the conforming sphere of influence amendments. The Commission's findings follow.
 - a) The reorganization qualifies as a project under CEQA, but is exempt from further review under State CEQA Section 15320. This exemption appropriately applies given it can be seen with a certainty the proposal will not have an adverse effect on the environment given the underlying action is to transfer the performance of services from one agency to another within the same affected territory.
 - b) The sphere of influence amendments qualify as a project under CEQA, but are exempt from further review under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres of influence are planning policies and any amendments do not make any changes to the environment or authorize any new uses or services.
4. The Commission conditionally APPROVES the proposed San Diego County Fire Protection District Reorganization proposal identified as RO20-14 et al. without modification or amendment.
 - a. The following conditions must be satisfied within one calendar year – or October 5, 2021 – unless prior written request for an extension is received and approved by the Commission.
 - i. Completion of the 30-day reconsideration period provided under Government Code Section 56895.
 - ii. Receipt and confirmation by the County of San Diego Assessor's Office of the completeness of maps and geographic descriptions of the affected territory showing the (a) divestment of fire protection and emergency medical service functions from CSA No. 135, (b) formation of the County FPD, and (c) activation of fire protection and emergency medical service functions within the County FPD.
 - b. The following conditions apply upon and after the effective date, as defined in No. 11 below, to the San Diego County Fire Protection District Reorganization:
 - i. Successor Agency. The County FPD shall be the successor to CSA No. 135 for purposes of providing fire protection and emergency medical services to the affected territory, and succeeding to all of the rights, duties, and obligations with respect to enforcement, performance, or payment of any outstanding bonds, including revenue bonds, or other contracts and obligations within the territory previously included within CSA No. 135.

- ii. Tax Revenues. Upon the effective date, all property tax revenues and voter-approved special tax or special assessment revenues (if any), currently allocated to CSA No. 135 for fire protection and emergency medical services shall be transferred to the County FPD as authorized by the Commission and the County Board of Supervisors.
5. The Commission conditionally APPROVES the following sphere of influence amendment and establishment.
 - a) CSA No. 135's sphere of influence is amended to divest it of the authority to provide fire protection and emergency medical services to the territory shown in Exhibit A-1.
 - b) The County FPD's sphere of influence is established to provide fire protection and emergency medical services to the territory shown in Exhibit A-2.
6. The Commission conditions the approved sphere of influence amendment and establishment as described on the recordation of the associated San Diego County Fire Protection District Reorganization identified as RO20-14 et al.
7. The written statements of the Commission addressing the mandatory factors required for consideration any time spheres of influence are adopted, amended, or updated under Government Code Section 56425 are provided as Exhibit B.
8. The population in the affected territory is approximately 50,476 and, thus, the affected territory is inhabited as defined in Government Code Section 56046.
9. The Commission delegates to the Executive Officer performing all conducting authority proceeding requirements under Government Code Section 57000.
10. All subject agencies utilize the regular assessment roll of the County of San Diego.
11. The effective date of the San Diego County Fire Protection District Reorganization proposal shall be the date of recordation of the Certificate of Completion.
12. As allowed under Government Code 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

PASSED AND ADOPTED by the San Diego County Local Agency Formation Commission on October 5, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

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EXHIBIT A
MAP OF THE AFFECTED TERRITORY

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EXHIBIT B
GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY

-Placeholder-

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San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

MEMORANDUM

October 5, 2020

TO: Commissioners

FROM: Ed Sprague, Staff Consultant on Fire Services

SUBJECT: **Agenda Item No. 6a |**
Additional Discussion on Proposed San Diego County FPD Reorganization

This memorandum provides additional discussion regarding the Commission’s consideration of the proposed “San Diego County FPD Reorganization” as part of a scheduled hearing set for October 5, 2020. This includes providing context to key events leading to the proposed reorganization before the Commission as well as summarizing key merits therein. This also includes discussing potential next steps in further addressing fire protection and emergency medical services within San Diego County post the formation of the San Diego County FPD.

How We Got Here

The agenda item you see before you today represents a significant milestone in the decades-long effort to improve the fire and emergency medical capability in our unincorporated areas, and by extension, the entire county. The concern has been on the mind of residents and elected officials as far back as March 1973, when a study by the then “County Fire Protection Committee” recommended that the County “increase its fire protection role”. As a result, the County enhanced its contract with the then California Division of Forestry and Fire Protection to provide limited year-round protection to unincorporated areas.

The following is a brief summary of the actions over the intervening years:

- After many changes in policy during the next twenty-five years, the County established a committee in February 1999 to study fire service levels and needs come up with recommendations.

<p>Administration Keene Simonds, Executive Officer County Operations Center 9335 Hazard Way, Suite 200 San Diego, California 92123 T 858.614.7755 F 858.614.7766 www.sdlafco.org</p>	<p>Jim Desmond County of San Diego</p> <p>Chair Dianne Jacob County of San Diego</p> <p>Greg Cox, Alternate County of San Diego</p>	<p>Mary Casillas Salas City of Chula Vista</p> <p>Bill Wells City of El Cajon</p> <p>Paul McNamara, Alternate City of Escondido</p>	<p>Mark Kersey City of San Diego</p> <p>Chris Cate, Alternate City of San Diego</p>	<p>Jo MacKenzie Vista Irrigation</p> <p>Barry Willis Alpine Fire Protection</p> <p>Erin Lump, Alternate Rincon del Diablo MWD</p>	<p>Vice Chair Andy Vanderlaan General Public</p> <p>Harry Mathis, Alternate General Public</p>
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- In June 1997, LAFCO staff began studying the issue and issued a report on “Funding Fire Protection Services” in February 1999. This was followed by a 2003 update of this report, a comprehensive Municipal Services Review in 2005, a “Macro Report” in 2005, a “Micro Report” in 2007 and a comprehensive Standards of Coverage report completed in 2010.
- In November 2004, San Diego County voters approved Proposition C and it’s advisory vote on whether the County of San Diego should consolidate fire protection services in the unincorporated area. The measure passed with 81% of voters in favor.
- In November 2008, LAFCO approves a proposal from CSA No. 135 to activate its latent power to provide fire protection and emergency medical services. Approval is designed as the first of three phases in empowering the recently created County Fire Authority to assume service responsibilities for most of the unincorporated area following extensive studying by LAFCO and the County. This is followed by a series of consolidations of rural volunteer fire protection districts with CSA No. 135.
- In November 2018, San Diego County voters approve an amendment to the County of San Diego Charter establishing the County Fire Authority as an organizational unit.
- This was all done with a backdrop of multiple devastating fires in the county including, but not limited to, the Cedar Fire in October 2003 burning 280,000 acres, killing 15 and destroying 2800 structures. The Cedar Fire was followed by the Witch Fire in 2017 consuming 290,000 acres, killing 7 and destroying 1650 structures.

As you can see, a tremendous amount of leadership and work has gone into the proposal you see before you today.

The Proposal

Of the 58 counties in the State of California, over 40 have some form of county fire department. The majority of these fire departments are special districts and cover every major metropolitan area in the State, with the exception of San Diego County.

Supporting the proposal to form the San Diego County FPD provides many benefits to the county and its residents:

- Supports the mandate of the voters demonstrated by their overwhelming approval of Proposition C in 2004 supporting the consolidation of fire protection and again in 2018 amending the County Charter to establish the Fire Authority as an organization unit of the County.

- Allows CSA No. 135 to concentrate on its primary mission – supporting the regional 800-Megahertz communication system.
- Allows the County Fire Chief direct access to County leadership in order to advocate for the fire protection and emergency medical needs of the citizens.
- Allows for greater transparency and accountability, as the finance and administrative functions of the fire department will be completely contained within the FPD - allowing for a clearer view of the financial and operational commitment to the residents.

The Future

The agenda item in front of you today represents one more step, albeit a large step, but not the final step.

Going forward, approval of the proposal will provide the county with a FPD that will have the appropriate organizational structure that can support the future needs of the entire county. The formation of the San Diego County FPD will allow existing city and independent fire protection districts in the county an option to annex to the district if the need arises.

As an example, one of the largest and well-known districts is the Consolidated Fire Protection District of Los Angeles County – better known as Los Angeles County Fire Department. This modern, progressive, and highly regarded department not only covers all unincorporated areas within the County, but 58 incorporated cities as well.

Lastly, approval of this milestone proposal sets the stage to revisit the Macro (2005) and Micro (2007) reports and look at challenges and opportunities over the next 20 years for further fire service coordination/enhancement.

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Resolution No. 20-088
Meeting Date: 07/07/2020 (01)

**RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN DIEGO TO INITIATE PROCEEDINGS WITH
THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
(LAFCO) TO DIVEST STRUCTURAL FIRE AND EMERGENCY
MEDICAL SERVICES LATENT POWERS FROM COUNTY SERVICE
AREA (CSA) NO. 135**

WHEREAS, the San Diego County Board of Supervisors of County Service Area No. 135 (CSA 135) desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Gov. Code Sec 56000, et seq., for divestiture of fire and emergency medical services in territories within CSA No. 135's sphere of influence from CSA No. 135 to the Dependent Fire Protection District - San Diego County Fire Protection District (SDCFPD); and

WHEREAS, pursuant to Section 56654(b) of Chapter 1 of Part 3 of Division 3 of Title 5 of the Government Code, the divestiture of the power to provide particular functions or classes of services within all or part of the jurisdictional boundaries of a special district can only be initiated by the legislative body of that special district; and

WHEREAS, the proposed change of organization is consistent with the spheres of influence for the subject agencies and includes the following jurisdictional change: Divestiture of Structural Fire and Emergency Medical Services Latent Powers in CSA No. 135 and concurrently form a new dependent fire protection district (San Diego County Fire Protection District) to serve as successor agency, leaving CSA No. 135 with only public safety radio communications powers; and

WHEREAS, the reason for the proposed change of organization is to better meet current and future demands for fire protection and emergency medical services for the unincorporated area of San Diego County; and

WHEREAS, the boundaries of the affected territory are depicted in Exhibit A and are described as identical to the boundaries of the latent powers of CSA 135; and

WHEREAS, a plan for service prepared pursuant to Government Code Section 56824.12 is provided as Exhibit B; and

WHEREAS, the San Diego County Board of Supervisors has determined that pursuant to CEQA Guidelines Section 15320 the proposed actions involve a reorganization of local governmental agencies where the changes do not alter the geographical area in which existing powers are exercised; and

WHEREAS, the San Diego County Board of Supervisors has determined that pursuant to and CEQA Guidelines Sections 15378(b)(4) and (5) the proposed actions involve government fiscal activities which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment and involve organization or administrative activities of governments that will not result in direct or indirect physical changes

Resolution No. 20-088
Meeting Date: 07/07/2020 (01)

in the environment; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have been met;
and

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT this Resolution of Divestiture is hereby approved and adopted by the San Diego County Board of Supervisors.

IT IS FURTHER RESOLVED THAT:

1. San Diego LAFCO is hereby requested to take proceedings for the proposed change of organization that includes the territory as described in Exhibit A; and
2. The above recitals are true and correct; and
3. The Clerk of the Board of Supervisors, or designee, shall mail a certified copy of this Resolution to the Executive Officer of San Diego LAFCO within 30 days of the date of adoption; and
4. The Director, County Fire Authority, or designee, is hereby authorized and directed to prepare the necessary LAFCO Application documents, conduct investigations, and take any action necessary to process the application.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By **Suedy Alfaro**
Senior Deputy County Counsel

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 07th day of July 2020, by the following vote:

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond
- - -

STATE OF CALIFORNIA)
County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors

By: 
Grace Caro, Deputy



Resolution No. 20-088
Meeting Date: 07/07/2020 (01)

Resolution No. 20-089
Meeting Date: 07/07/2020 (01)

**RESOLUTION OF APPLICATION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN DIEGO TO INITIATE PROCEEDINGS WITH
THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
(LAFCO) TO FORM A DEPENDENT FIRE PROTECTION DISTRICT
(SAN DIEGO COUNTY FIRE PROTECTION DISTRICT) FOR
STRUCTURAL FIRE AND EMERGENCY MEDICAL SERVICES IN
UNINCORPORATED SAN DIEGO COUNTY**

WHEREAS, the San Diego County Board of Supervisors of County Service Area No. 135 (CSA 135) desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Gov. Code Sec 56000, et seq., for the formation of Dependent Fire Protection District - San Diego County Fire Protection District (SDCFPD); and

WHEREAS, pursuant to Section 56654(b) of Chapter 1 of Part 3 of Division 3 of Title 5 of the Government Code, the formation of the power to provide particular functions or classes of services within all or part of the jurisdictional boundaries of a special district can only be initiated by the legislative body of that special district; and

WHEREAS, the proposed reorganization is consistent with the spheres of influence for the subject agencies and includes the following jurisdictional change: Divestiture of Structural Fire and Emergency Medical Services Latent Powers in CSA No. 135 and concurrently form a new dependent fire protection district (San Diego County Fire Protection District) to serve as successor agency, leaving CSA No. 135 with only public safety radio communications powers; and

WHEREAS, the reason for the proposed reorganization is to better meet current and future demands for fire protection and emergency medical services for the unincorporated area of San Diego; and

WHEREAS, the boundaries of the affected territory are depicted in Exhibit A and are described as identical to the boundaries of the latent powers of CSA 135 are requesting removal from structural fire and emergency medical services and concurrent formation of a dependent fire protection district, to be named the "San Diego County Fire Protection District"; and

WHEREAS, a plan for service prepared pursuant to Government Code Section 56824.12 is provided as Exhibit B; and

WHEREAS, the San Diego County Board of Supervisors has determined that pursuant to CEQA Guidelines Section 15378(b)(4), the proposed reorganization involves government fiscal activities which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and that pursuant to Section 15378(b)(5), the proposed reorganization involves organization or administrative activities of governments that will not result in direct or indirect physical changes in the environment; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have been met;
and

Resolution No. 20-089

Meeting Date: 07/07/2020 (01)

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT this Resolution of Divestiture is hereby approved and adopted by the San Diego County Board of Supervisors.

IT IS FURTHER RESOLVED THAT:

- 1. San Diego LAFCO is hereby requested to take proceedings for the proposed reorganization that includes the territory as described in Exhibit A; and**
- 2. The above recitals are true and correct; and**
- 3. The Director, County Fire Authority, or designee, is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the LAFCO; and**
- 4. The Director, County Fire Authority, or designee, is hereby authorized and directed to prepare the necessary LAFCO Application documents, conduct investigations, and take any action necessary to process the application.**

**APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL**

**By Suedy Alfaro
Senior Deputy County Counsel**

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 07th day of July 2020, by the following vote:

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond
- - -

STATE OF CALIFORNIA)
County of San Diego)SS

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors

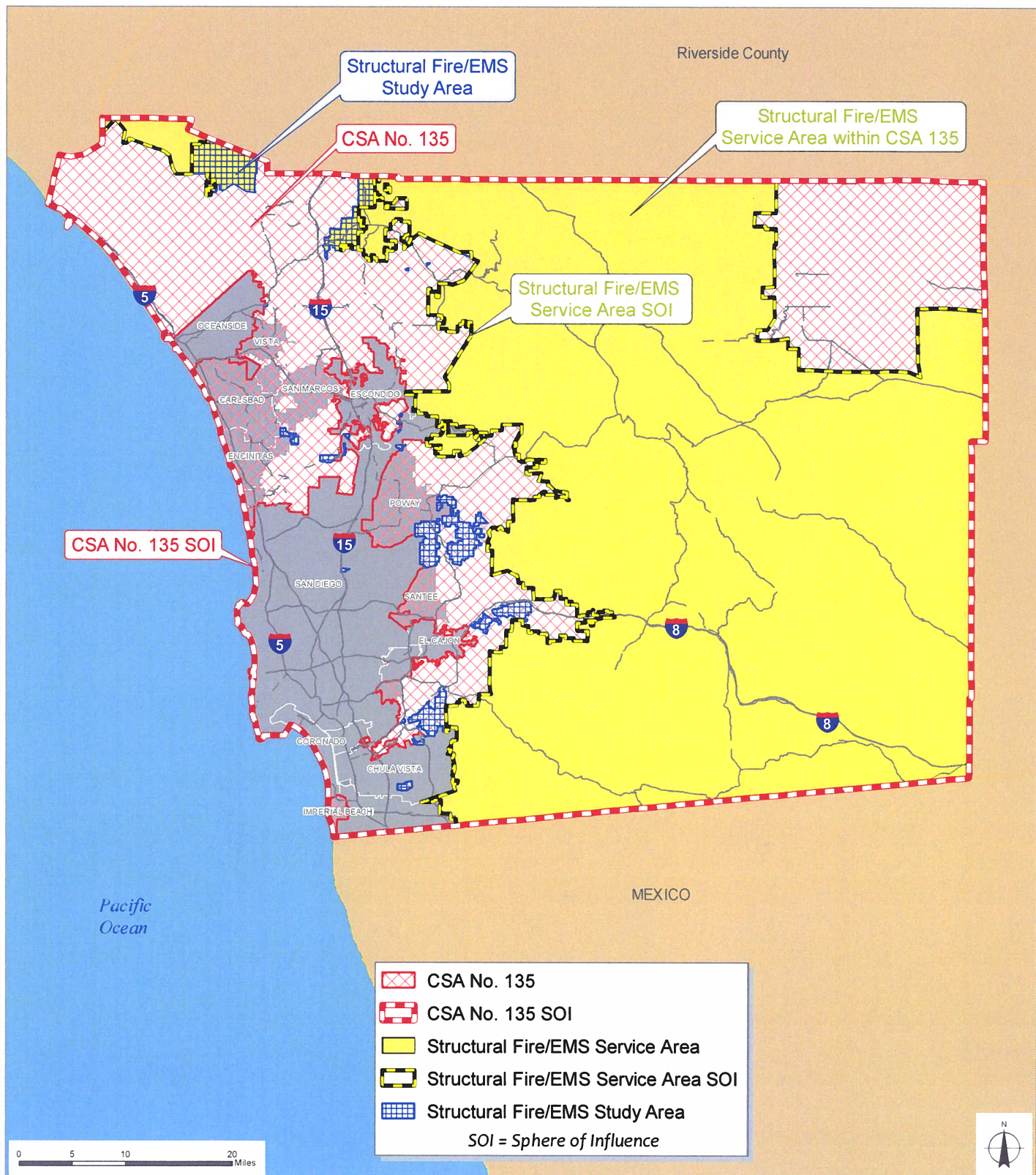
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


Grace Caro
Grace Caro, Deputy



Resolution No. 20-089
Meeting Date: 07/07/2020 (01)

CSA No. 135 (Regional Communications/Fire Protection and EMS)



-  CSA No. 135
 -  CSA No. 135 SOI
 -  Structural Fire/EMS Service Area
 -  Structural Fire/EMS Service Area SOI
 -  Structural Fire/EMS Study Area
- SOI = Sphere of Influence



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

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Created by Dieu Ngu - 2/12/2020

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SOI Adopted: 10 / 3 / 1994
 SOI Affirmed: 5 / 7 / 2007
 SOI Reaffirmed: 8 / 6 / 2007

Structural Fire / EMS Service Area
 SOI Adopted: 10 / 6 / 2008
 SOI Affirmed/Amended: 12 / 5 / 2011
 SOI Amended: 8 / 3 / 2015



Plan for Service

Pursuant to Government Code Sections 56653 and 56824.12, this plan describes services to be provided by the San Diego County Fire Protection District (SDCFPD) territory upon formation.

(1) An enumeration and description of the services to be provided:

Fire Protection and Emergency Medical Services: Upon formation of SDCFPD, these services will be provided by CAL FIRE employees under contract with the County of San Diego and County Reserve firefighters. SDCFPD will also provide winter funding to maintain an expanded scope basic life support fire engine at select CAL FIRE fire stations year-round. Paramedic service will be provided within the territory of the SDCFPD with full time, year-round staffed paramedic fire engines.

Fire Prevention Services: These services are currently provided by the County of San Diego and will continue after SDCFPD formation.

(2) The level and range of services to be provided:

SDCFPD will continue Advanced Life Support (ALS) service for sixteen stations. Staffing is 24-hour coverage, seven days per week, 365 days per year. SDCFPD will ensure a Battalion Chief is on duty 24 hours per day.

(3) An indication of when services can be feasibly extended to the reorganization territory:

Fire Protection and Emergency Medical Services: These services within the affected territory are provided by the latent powers activation within CSA 135. Upon formation of SDCFPD, these services will be provided by CAL FIRE employees under contract with the County of San Diego, and County Reserve firefighters. No additional services are anticipated.

Fire Prevention Services: These services are currently provided by the County of San Diego and will continue after SDCFPD formation.

(4) An indication of any improvements or upgrades of facilities that the reorganized agency will make or require:

No significant improvements will be made or required as a result of the reorganization.

(5) Information with respect to how services will be financed:

The services will be financed using CSA No. 135 Latent Powers Subarea existing funding (Property Tax Revenue, County General Purpose Revenue, and Special Taxes Revenue). This funding will be transferred to the newly formed FPD. It is anticipated that the funding will continue to be budgeted within the same categories of services after the reorganization is complete.

(6) The total estimated cost to provide the new or different function or class of services within the special district's jurisdictional boundaries:

Tables 1 below provide the five-year budget projections for San Diego County Fire Protection District.

Table 1.

Description	Department Projection				
	2020-21	2021-22	2022-23	2023-24	2024-25
Salaries & Benefits	3,336,186	3,336,186	3,336,186	3,336,186	3,336,186
Services and Supplies	48,197,100	48,197,100	48,197,100	48,197,100	48,197,100
Other Charges	450,000	450,000	450,000	450,000	450,000
Capital Assets Equipment	294,000	294,000	294,000	294,000	294,000
Expenditure Transfer and Reimbursements	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)
Operating Transfers Out	338,693	338,693	338,693	338,693	338,693
Total Expense	52,590,979	52,590,979	52,590,979	52,590,979	52,590,979
Budget by Program	Department Projection				
	2020-21	2021-22	2022-23	2023-24	2024-25
San Diego County Fire Authority	47,977,874	47,977,874	47,977,874	47,977,874	47,977,874
County Service Area 135- Fire Protection/EMS	4,613,105	4,613,105	4,613,105	4,613,105	4,613,105
Total Expense	52,590,979	52,590,979	52,590,979	52,590,979	52,590,979
Budget by Program	Department Projection				
	2020-21	2021-22	2022-23	2023-24	2024-25
Taxes Current Property	1,608,490	1,608,490	1,608,490	1,608,490	1,608,490
Revenue from Use of Money & Property	-	-	-	-	-
Intergovernmental Revenues	-	-	-	-	-
Charges for Current Services	5,470,731	5,470,731	5,470,731	5,470,731	5,470,731
Miscellaneous Revenues	300,392	300,392	300,392	300,392	300,392
Other Financing Sources					

	262,455	262,455	262,455	262,455	262,455
Fund Balance Component Decreases	73,966	73,966	73,966	73,966	73,966
Use of Fund Balance	15,178,789	15,178,789	15,178,789	15,178,789	15,178,789
General Purpose Revenue Allocation	29,696,156	29,696,156	29,696,156	29,696,156	29,696,156
Total Revenue	52,590,979	52,590,979	52,590,979	52,590,979	52,590,979

(7) An identification of existing providers, if any, of the new or different function or class of services proposed to be provided and the potential fiscal impact to the customers of those existing providers:

Fire protection and emergency medical services are currently provided within CSA 135 by CAL FIRE employees under contract with the County of San Diego and County Reserve firefighters. There is no anticipated fiscal impact to the customers of these existing providers.

(8) A written summary of whether the new or different function or class of services will involve the activation or divestiture of the power to provide a particular service or services, service function or functions, or class of service or services:

The proposed formation of the dependent fire protection district is proposed in the following resolutions:

RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO INITIATE PROCEEDINGS WITH THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO DIVEST STRUCTURAL FIRE AND EMERGENCY MEDICAL SERVICES LATENT POWERS FROM COUNTY SERVICE AREA (CSA) NO. 135

RESOLUTION OF APPLICATION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO INITIATE PROCEEDINGS WITH THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO FORM A DEPENDENT FIRE PROTECTION DISTRICT (SAN DIEGO COUNTY FIRE PROTECTION DISTRICT) FOR STRUCTURAL FIRE AND EMERGENCY MEDICAL SERVICES IN UNINCORPORATED SAN DIEGO COUNTY

(9) A plan for financing the establishment of the new or different function or class of services within the special district’s jurisdictional boundaries:

See items (5) and (6) above. Financing will be provided through property tax assessment revenue allocated through the County’s annual budgeting process.

(10) Alternatives for the establishment of the new or different functions or class of services within the special district’s’ jurisdictional boundaries:

An alternative to the proposal could be for CSA 135 to retain the latent powers and continue to provide fire protection and emergency medical services.