

Resolution No. _____

Meeting Date: _____

RESOLUTION OF APPLICATION TO AMEND THE SPHERE OF INFLUENCE OF THE FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE SUBAREA OF COUNTY SERVICE AREA NO. 135 AND EXPAND THE AREA WITHIN CSA 135 WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY SERVICES ARE EXERCISED PER AUTHORIZATION BY THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION (LAFCO), INTO THE TERRITORY KNOWN AS UNINCORPORATED SERVICE ISLANDS NOS. 2, 3, AND 4

WHEREAS, the Board of Supervisors of the County of San Diego desires that, pursuant to the provisions of the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code to request the San Diego LAFCO to amend the sphere of influence and expand the latent powers area (fire protection and emergency medical services) of CSA No. 135 to include the territory of unincorporated service islands nos. 2, 3, and 4 depicted in Exhibit A; and

WHEREAS, the latent powers of CSA No. 135 to provide fire protection and emergency medical service have been exercised since 2008, as authorized by LAFCO, for a geographically limited area within the boundaries of the CSA ("latent powers subarea"); and

WHEREAS the Board of Supervisors desires that the latent powers subarea of CSA No. 135 for fire protection and emergency medical services be expanded to include the territory of unincorporated service islands nos. 2, 3 and 4; and

WHEREAS the Board of Supervisors has prepared a Plan for Services attached as Exhibit "C" and scheduled and conducted a public hearing on this Resolution of Application pursuant to Government Code Section 56824.12(a-c); and

WHEREAS the respective SB 239 thresholds for triggering LAFCO review for any associated fire protection contract(s) have not been met because the responsibility for providing services within unincorporated services island Nos. 2, 3, and 4 does not represent more than 25 percent of the area within the jurisdictional boundaries of any public agency affected by any contract or agreement, and said fire protection contract(s) will not change the employment status of more than 25 percent of the employees of any public agency affected by the contract(s) or agreement(s); and

WHEREAS, the reasons for the proposed sphere of influence and latent powers area expansion are as follows:

1. Ensure fire protection and emergency medical service for the territory of the unincorporated service islands nos. 2, 3 and 4;

WHEREAS, the boundaries of the affected territories are depicted in Exhibit "A"; and

WHEREAS, the plan for services prepared pursuant to Government Code Section 56824.10 to 56824.14 for the affected territory is set forth in the LAFCO application attached as Exhibit "B"; and

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WHEREAS, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the proposed sphere of influence amendment and expansion of the fire protection and emergency medical services latent powers area of CSA No. 135 are categorically exempt from CEQA review because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, all other legal requirements associated with the adoption of this Resolution have been met;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT, pursuant to Government Code sections 56428 and 25210.2, subdivision (g), application is hereby made to the Local Agency Formation Commission to:

1. Expand the sphere of influence and latent power area for fire protection and emergency medical services within CSA No. 135 subarea to include the unincorporated service islands nos. 2, 3 and 4.

IT IS FURTHER RESOLVED THAT:

1. The above recitals are true and correct.
2. The Deputy Chief Administrative Officer of the Public Safety Group, or designee, is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission (LAFCO); and
3. The Deputy Chief Administrative Officer of the Public Safety Group, 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 _____

Shiri Hoffman
Senior Deputy County Counsel