



COUNTY OF SAN DIEGO  
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CLERK OF THE BOARD  
OF SUPERVISORS

# COUNTY OF SAN DIEGO

## BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

### AGENDA ITEM

**DATE:** February 2, 2016

**TO:** Board of Supervisors

**SUBJECT:** NOTICED PUBLIC HEARING - IMPROVING FIRE AND LIFE SAFETY SERVICES IN UNINCORPORATED SAN DIEGO COUNTY; EXTENDING STRUCTURAL FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES TO UNINCORPORATED SERVICE ISLANDS NOS. 2, 3 AND 4 (DISTRICTS: ALL)

#### Overview

On June 25, 2008 (1), the Board of Supervisors (Board) adopted The Hybrid Plan and authorized the plan's multi-step implementation to improve fire protection and emergency medical services in the unincorporated area. Local Agency Formation Commission (LAFCO) approval allowed the County to initiate the first step of the Hybrid Plan and begin the reorganization and consolidation of fire protection within 1.56 million acres of the unincorporated area. However, a small number of islands were left out of the fire agency reorganization project where there is not an agency responsible for emergency services. Today's action would facilitate the extension of structural fire protection and emergency medical services to the unserved islands.

This is a request to authorize an application to LAFCO to amend the sphere of influence of County Service Area (CSA) 135 and expand the latent powers area within CSA 135 to include the territory of the unincorporated service islands nos. 2, 3, and 4.

#### Recommendation(s)

##### **SUPERVISOR JACOB AND SUPERVISOR COX**

1. Find that the proposed action is exempt from California Environmental Quality Act (CEQA) review under Section 15061(b)(3) of the CEQA Guidelines for the reasons stated in the Notice of Exemption dated February 2, 2016 on file at the Clerk of the Board.
2. Adopt the attached resolution entitled "Resolution of Application to Amend the Sphere of Influence of the Fire Protection and Emergency Medical Services 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".

**SUBJECT:** NOTICED PUBLIC HEARING - IMPROVING FIRE AND LIFE SAFETY SERVICES IN UNINCORPORATED SAN DIEGO COUNTY; EXTENDING STRUCTURAL FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES TO UNINCORPORATED SERVICE ISLANDS NOS. 2, 3 AND 4 (DISTRICTS: ALL)

**Fiscal Impact**

The fiscal impact is unknown at this time. Upon approval of the Local Agency Formation Commission (LAFCO) application, the terms and conditions associated with the expansion of latent powers in the subarea of County Service Area (CSA) 135 may result in a fiscal impact. The San Diego County Fire Authority will return to the Board to appropriate funds as necessary. There will be no change in net General Fund cost and no additional staff years.

**Business Impact Statement**

N/A

**Advisory Board Statement**

N/A

**Background**

The Hybrid Plan has effectively improved fire and emergency medical services in the unincorporated County through reorganization and the activation of latent powers for structural fire protection and emergency medical services within an unincorporated section of County Service Area (CSA) 135. However, the plan did not include a small number of unserved island areas outside of the jurisdictional boundaries of existing fire protection agencies which remain without emergency services. County unincorporated service islands nos. 2, 3, and 4 were not included in The Hybrid Plan and the latent powers area of CSA 135 because a volunteer operation or overlying local agency that provides emergency services was not present.

The mixture of development characteristics in these unserved island areas has resulted in structural fires, medical emergencies, traffic accidents, and rescue incidents to which surrounding jurisdictions have responded without regard to reimbursement or reciprocal response. Residential development within these unserved islands does not generate sufficient revenue to support a discrete fire protection operation, and insufficient revenue prevents these areas from annexing into neighboring districts and/or cities.

Therefore, this action recommends the adoption of a resolution of application to LAFCO (Attachment A) to amend the sphere of influence of CSA 135 and expand the latent powers area within CSA 135 to provide structural fire protection and emergency medical services to unincorporated service islands no. 2, 3 and 4. The County, through the San Diego County Fire Authority and its CAL FIRE partners would assume the primary role as service provider to these areas, along with the participation of current automatic/mutual aid agreements.

**Environmental Statement**

Pursuant to the Notice of Exemption filed February 2, 2016, 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 California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen

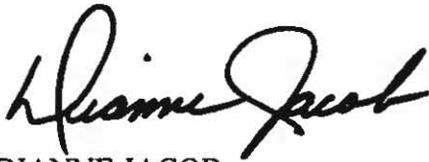
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with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**Linkage to the County of San Diego Strategic Plan**

Today's proposed action supports the Safe Communities Initiative of the County of San Diego's 2015-2020 Strategic Plan by improving emergency preparedness for and response to both natural and man-made disasters.

Respectfully submitted,



DIANNE JACOB  
Supervisor, 2nd District



GREG COX  
Supervisor, 1st District

**ATTACHMENT(S)**

Attachment A

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

**SUBJECT:** NOTICED PUBLIC HEARING - IMPROVING FIRE AND LIFE SAFETY SERVICES IN UNINCORPORATED SAN DIEGO COUNTY; EXTENDING STRUCTURAL FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES TO UNINCORPORATED SERVICE ISLANDS NOS. 2, 3 AND 4 (DISTRICTS: ALL)

**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**        Yes      No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
   Yes      No

**PREVIOUS RELEVANT BOARD ACTIONS:**  
June 25, 2008 (1), Improving Fire and Life Safety Services in Unincorporated San Diego County

**BOARD POLICIES APPLICABLE:**  
N/A

**BOARD POLICY STATEMENTS:**  
N/A

**MANDATORY COMPLIANCE:**  
N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**  
N/A

**ORIGINATING DEPARTMENT:** Supervisor Jacob and Supervisor Cox

**OTHER CONCURRENCES(S):**   N/A

**CONTACT PERSON(S):**

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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

Resolution No. \_\_\_\_\_

Meeting Date: \_\_\_\_\_

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