

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO
SAN DIEGO COUNTY FIRE PROTECTION DISTRICT
REGULAR MEETING
MEETING AGENDA
TUESDAY, APRIL 6, 2021, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

A. REGULAR SESSION – Regular Meeting was called to order at 9:00 a.m.

PRESENT: Directors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the San Diego County Fire Protection District attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

B. Non-Agenda Public Communication: No Speakers

C. Discussion Items

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Agenda Items

- | Agenda # | Subject |
|-----------------|---|
| 1. | SAN DIEGO COUNTY FIRE PROTECTION DISTRICT - APPOINTMENT OF SAN DIEGO COUNTY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS AND AUTHORIZATION TO ENTER INTO AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND SAN DIEGO COUNTY FIRE PROTECTION DISTRICT (RELATES TO BOARD OF SUPERVISORS AGENDA NO. 1) |
| 2. | NOTICED PUBLIC HEARING: ANNUAL FIRE MITIGATION FEE PROGRAM RESOLUTIONS AUTHORIZING CONTINUED PARTICIPATION AND ADOPTION OF A CAPITAL IMPROVEMENT PLAN |

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1. **SUBJECT: SAN DIEGO COUNTY FIRE PROTECTION DISTRICT - APPOINTMENT OF SAN DIEGO COUNTY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS AND AUTHORIZATION TO ENTER INTO AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND SAN DIEGO COUNTY FIRE PROTECTION DISTRICT (DISTRICTS: ALL)**

OVERVIEW

On July 7, 2020 (1), the County of San Diego Board of Supervisors (Board of Supervisors) initiated proceedings with the San Diego Local Agency Formation Commission (LAFCO) to form the San Diego County Fire Protection District (SDCFPD). Previously, the San Diego County Fire Authority (Fire Authority) provided fire services through County Service Area No. 135 (CSA 135). On December 7, 2020, LAFCO finalized the formation of the SDCFPD, transferring fire protection and emergency medical service powers from CSA 135 to the new SDCFPD.

Prior to any action by SDCFPD, the Board of Supervisors must select a Board of Directors for the newly-formed district. Consistent with the July 7, 2020 (1) action to form of a dependent fire protection district, the Board of Supervisors may appoint itself to serve as the Board of Directors. Alternatively, the Board of Supervisors may elect or appoint an independent board.

Though SDCFPD is a separate legal entity from the County, it may function operationally within the organizational and financial structure of the County. Under this structure, an agreement memorializing the terms of the relationship between the County and SDCFPD is required. Until a comprehensive agreement is finalized, SDCFPD requires County support, including use of County officers and employees, to ensure the continuity of services (Attachment A).

Today's proposed action is for the Board to appoint itself as the SDCFPD Board of Directors. If this action is taken, further proposed actions would authorize the County's Chief Administrative Officer and SDCFPD's Executive Director or designee to enter into an agreement outlining the organizational and financial structure between the two entities and adoption of a joint resolution to ensure the continuance of services within the SDCFPD jurisdictional area.

Acting as the Board of Directors of the San Diego County Fire Protection District:

1. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5) because they involve organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.
2. If the Board of Supervisors adopts Recommendation 2, adopt a joint resolution with the County entitled: **JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS AUTHORIZING THE USE OF COUNTY RESOURCES TO ENSURE CONTINUANCE OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES** (Attachment A, on file with the Clerk of the Board).

3. If the Board of Supervisors adopts Recommendation 2, authorize the Executive Director or designee to take all actions necessary to enter into and implement an agreement formalizing an organizational and financial structure with the County, and amend as needed.

FISCAL IMPACT STATEMENT

There is no fiscal impact associated with the requested action. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 1)

ACTION:

ON MOTION of Director Anderson, seconded by Director Fletcher, the Board of Directors of the San Diego County Fire Protection District took action as recommended, on Consent, adopting Resolution No. 21-047 entitled: **JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS AUTHORIZING THE USE OF COUNTY RESOURCES TO ENSURE CONTINUANCE OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES.**

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

2. **SUBJECT: NOTICED PUBLIC HEARING:
ANNUAL FIRE MITIGATION FEE PROGRAM
RESOLUTIONS AUTHORIZING CONTINUED
PARTICIPATION AND ADOPTION OF A CAPITAL
IMPROVEMENT PLAN (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego created a Fire Mitigation Fee (FMF) Program following the adoption of an ordinance by the County Board of Supervisors on December 11, 1985 (11). The purpose of the FMF Program is to collect and allocate funds to fire agencies in the unincorporated area of San Diego County so they may provide long-term capital facilities and equipment to serve new development.

To participate in the FMF Program, fire agencies must adopt two resolutions on an annual basis: (1) authorizing participation in the FMF Program and identifying the percentage of the maximum fee ceiling for collection, and (2) adopting a plan for the future use of FMF revenue.

The actions in today's request fulfill these requirements and will allow for the continued use of mitigation fees to fund expenditures related to new development within the boundaries of the San Diego County Fire Protection District.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15378(b)(4) because they involve government fiscal activities without any commitment to any specific project that may result in a potentially significant physical impact on the environment, and CEQA Guidelines Section 15378(b)(5) because the proposed actions involve organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.
2. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT TO PARTICIPATE IN THE COUNTY OF SAN DIEGO FIRE MITIGATION FEE PROGRAM FOR FISCAL YEAR 2021-22 (Attachment A, on file with the Clerk of the Board).
3. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT TO ADOPT A CAPITAL IMPROVEMENT PLAN FOR THE USE OF FIRE MITIGATION FEE REVENUE (Attachment B, on file with the Clerk of the Board).

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan. If approved, the San Diego County Fire Protection District (District) will remain in the County's Fire Mitigation Fee (FMF) Program. The District will continue to use funds collected and distributed by the County through the FMF Program to purchase equipment and facilities to serve new development within the boundaries of the District. The FMF generates approximately \$200,000 in revenue annually. There will be no change in net General Fund cost and no additional staff years will be required.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Director Anderson, seconded by Director Fletcher, the Board of Directors of the San Diego County Fire Protection District closed the Hearing and took action as recommended, on Consent, adopting the following:

Resolution No. 21-048 entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT TO PARTICIPATE IN THE COUNTY OF SAN DIEGO FIRE MITIGATION FEE PROGRAM FOR FISCAL YEAR 2021-22.

Resolution No. 21-049 entitled: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT TO ADOPT A CAPITAL IMPROVEMENT PLAN FOR THE USE OF FIRE MITIGATION FEE REVENUE.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

There being no further business, the Board of Directors of the San Diego County Fire Protection District adjourned at 11:13 p.m.

ANDREW POTTER
Clerk of the Board of Directors of the
San Diego County Fire Protection District

Notes By: Caro

NOTE: This Statement of Proceedings sets forth all actions taken by the San Diego County Fire Protection District on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.