

October 11, 2022

STATEMENT OF PROCEEDINGS

The Minutes of the

***SAN DIEGO COUNTY FIRE PROTECTION
DISTRICT
REGULAR MEETING***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO
SAN DIEGO COUNTY FIRE PROTECTION DISTRICT
REGULAR MEETING
MEETING AGENDA
TUESDAY, OCTOBER 11, 2022, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

- A. REGULAR SESSION – Regular Meeting was called to order at 9:02 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.

- B. Non-Agenda Public Communication: No Speakers

- C. Approval of the Statement of Proceedings/Minutes for the meeting of June 28, 2022.

ACTION:

ON MOTION of Director Fletcher, seconded by Director Anderson, the Board of Directors of the San Diego County Fire Protection District approved the Statement of Proceedings/Minutes for the meetings of June 28, 2022.

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

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. | DISSOLUTION OF THE BORREGO SPRINGS FIRE PROTECTION DISTRICT AND CONCURRENT ANNEXATION OF TERRITORY AND TRANSFER OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES TO THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT |
| 2. | FIRE INSPECTION REPORTING FOR FISCAL YEAR 2021-2022 |

1. SUBJECT: DISSOLUTION OF THE BORREGO SPRINGS FIRE PROTECTION DISTRICT AND CONCURRENT ANNEXATION OF TERRITORY AND TRANSFER OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES TO THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT (DISTRICT: 5)

OVERVIEW

On August 25, 2022, the Board of Directors of the Borrego Springs Fire Protection District (BSFPD) took action to adopt a resolution (Attachment A, on file with the Clerk of the Board) to initiate proceedings with the San Diego Local Agency Formation Commission (San Diego LAFCO) for dissolution of the BSFPD and concurrent annexation of the territory within the BSFPD's boundaries into the San Diego County Fire Protection District (SDCFPD).

The BSFPD was established in 1961 and includes a service area of more than 300 square miles. With an aging population, reduced access to medical services, and a surge of population in the winter months, joining the SDCFPD will provide an immediate and equitable improvement to the level of service in Borrego Springs. According to LAFCO, Borrego Springs is considered a disadvantaged unincorporated community.

Today's request seeks approval to support the dissolution of the BSFPD and concurrent annexation of territory, including the transfer of responsibility for fire protection and emergency medical services from the BSFPD to the SDCFPD as successor agency.

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

1. Find that adoption of the proposed resolution in support of the dissolution of the Borrego Springs Fire Protection District and concurrent annexation of territory and responsibility for fire protection and emergency medical services to the San Diego County Fire Protection District is not a project subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 because it does not have the potential to result in a direct physical change in the environment or a reasonably foreseeable indirect physical change to the environment. Alternatively, if the proposed action is subject to CEQA, it is exempt from additional analysis pursuant to CEQA Guidelines Section 15061(b)(2) and Section 15320 because it involves a reorganization of local governmental agencies where the changes do not alter the geographical area in which existing powers are exercised. In addition, the proposed action is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3) 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.
2. Adopt the Resolution entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT IN SUPPORT OF BORREGO SPRINGS FIRE PROTECTION DISTRICT'S RESOLUTION OF APPLICATION FOR DISSOLUTION AND CONCURRENT ANNEXATION OF TERRITORY TO THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT (Attachment B, on file with the Clerk of the Board).

3. Authorize the Executive Director and any designees to take all actions necessary to transfer responsibility for fire protection and emergency medical services from the Borrego Springs Fire Protection District to the San Diego County Fire Protection District.
4. Authorize the Auditor and Controller, Department of Purchasing and Contracting, Department of General Services and other County departments, to take all actions necessary to complete the dissolution of BSFPD and integration of BSFPD into SDCFPD.
5. Direct the Clerk of the Board to provide a certified copy of the Resolution to the San Diego County Local Agency Formation Commission.

EQUITY IMPACT STATEMENT

The San Diego County Fire Protection District (SDCFPD) is committed to assuring that equity is considered in policy development, distribution of fire protection resources, and the provision of emergency medical services in all areas where the County has jurisdictional influence and/or authority. More than 80 percent of the San Diego County Fire Protection District's (SDCFPD) jurisdictional area qualifies as a disadvantaged unincorporated community, based on a San Diego Local Agency Formation Commission (LAFCO) report on the funding, administration, and performance of the former County Service Area No. 135 (now SDCFPD). At the June 9, 2022, regular meeting of the Borrego Springs Fire Protection District (BSFPD), a motion to evaluate future options for providing fire protection and emergency medical services and consideration of dissolving Borrego Springs Fire Protection District was unanimously approved by the Board of Directors of the BSFPD. Following the initiation of additional community engagement, the Board of Directors of the BSFPD voted (3-2) on August 25, 2022, to adopt a resolution in support of the dissolution of BSFPD and concurrent annexation and transfer of fire protection and emergency medical services to the SDCFPD.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed actions to support the dissolution of the Borrego Springs Fire Protection District (BSFPD) and concurrent annexation of territory, including the transfer of responsibility for fire protection and emergency medical services from the BSFPD to the San Diego County Fire Protection District (SDCFPD) as successor agency will contribute to the sustainability goal of protecting the health and wellbeing of everyone in the region, with a focus on collaborating with community partners and advocating for environmental justice for communities that have been disproportionately impacted. As described in the Equity Impact Statement, not only is the majority of the of the unincorporated area in San Diego County designated as a High or Very High Fire Hazard Severity Zone, much of the San Diego County Fire Protection District's jurisdictional area qualifies as a disadvantaged unincorporated community. Dissolving the current BSFPD, and concurrently annexing and transferring of fire protection and emergency medical services to the SDCFPD will support the community of Borrego by providing immediate access to the County's long-term investment in providing equitable fire protection and emergency medical services.

FISCAL IMPACT

There is no fiscal impact associated with today's Board action. If the San Diego Local Agency Formation Commission approves the proposed dissolution, concurrent annexation, and transfer of services, the San Diego County Fire Protection District will receive revenue from property taxes, ambulance transport fees, Special Benefit Fees, Community Facility District (CFD), and mitigation fees from the Borrego Springs Fire Protection District (BSFPD) in order to provide fire and emergency medical services. County staff will return to the Board of Supervisors to seek approval of the property tax exchange, and a Board of Equalization action would occur in late 2023 to change the allocation for Fiscal Year 2024-25.

There will be future fiscal impacts for the proposed BSFPD dissolution and annexation by the SDCFPD beginning in Fiscal Year 2023-24. This request would result in an estimated cost of approximately \$7.2 million in combined ongoing costs (\$2.2 million) to provide an equitable level of fire protection and emergency medical services and one-time costs (of up to \$5.0 million) associated with lifetime pension costs and loan repayment. Ongoing costs will increase by an estimated 5% annually. Financial impacts will be related to addressing staffing needs in the Cooperative Fire Services Agreement with CAL FIRE, the transfer of BSFPD firefighters to CAL FIRE, the replacement of a clerical position and facility improvements. Funding for the costs will need to be identified through available General Purpose Revenue, General Fund fund balance, or other available resources; the San Diego County Fire Protection District will monitor its budget and return to the Board to adjust the budget as necessary and/or incorporate future budgets as funding becomes available. Staff will return to the Board for consideration and approval of any other future fiscal impacts that may result from the recommendations. Upon return by staff, funding for future costs will need to be identified by the department and will proceed once identified. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Director Desmond, seconded by Director Vargas, the Board of Directors of the San Diego County Fire Protection District took action as recommended, on Consent, adopting Resolution No. 22-147, entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT IN SUPPORT OF BORREGO SPRINGS FIRE PROTECTION DISTRICT'S RESOLUTION OF APPLICATION FOR DISSOLUTION AND CONCURRENT ANNEXATION OF TERRITORY TO THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT.

AYES: Vargas, Anderson, Fletcher, Desmond

NOT PRESENT: Lawson-Remer

**2. SUBJECT: FIRE INSPECTION REPORTING FOR FISCAL YEAR 2021-2022
(DISTRICTS: 1, 2, AND 5)**

OVERVIEW

San Diego County Fire (County Fire) operates a robust pre-fire inspection program to promote safety and well-being for residents in the San Diego County Fire Protection District (SDCFPD). County Fire also conducts inspections within other jurisdictions, by written agreement. The inspection program is mandated under California Health and Safety Code Sections 13146.2 and 13146.4, which require the fire agency of record in a service area to annually inspect any building used as a school, hotel, motel, lodging house, apartment building, and residential care building for compliance with fire and safety regulations. In addition, the local agency is required to report its findings annually to its governing board. In Fiscal Year 2021-22, San Diego County Fire completed 100% of mandated inspections, comprising 189 specific sites.

Today's request is for the Board of Directors to adopt a resolution acknowledging receipt of the report of the Fiscal Year 2021-22 mandated fire inspections.

RECOMMENDATION(S)

EXECUTIVE DIRECTOR

Adopt a resolution entitled: A RESOLUTION OF SAN DIEGO COUNTY BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT TO ACCEPT THE REPORT OF THE COMPLETION OF THE FISCAL YEAR 2021-2022 FIRE INSPECTIONS.

EQUITY IMPACT STATEMENT

The San Diego County Fire Protection District recognizes the systematic impacts that inequitable policies may create for residents of the County of San Diego. More than 80% of the SDCFPD's jurisdictional area qualifies as a disadvantaged unincorporated community, based on a San Diego Local Agency Formation Commission (LAFCO) report on the funding, administration, and performance of the former County Service Area No. 135 (now SDCFPD). In addition, one aspect of fire prevention is ensuring fire and safety codes are complied with, including facilities housing the most vulnerable. By performing these fire inspections, we are ensuring equitable safety for residents of our county.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to adopt a resolution acknowledging receipt of the report of the Fiscal Year 2021-22 mandated fire inspections contribute to the County of San Diego's Sustainability Goals to protect the health and wellbeing of citizens. These actions will impact the sustainability of health and wellbeing by correcting potentially hazardous conditions and imposing safety measures in schools, apartment complexes, group care facilities, residential care facilities, commercial spaces, office complexes, jails, law enforcement stations, transient housing units, and daycare facilities. San Diego County Fire continues to engage with communities by working with property owners and managers during these inspections to build, enhance, and maintain resiliency.

FISCAL IMPACT

There is no fiscal impact associated with today's request to adopt a resolution acknowledging receipt of the annual report of the Fiscal Year 2021-22 mandated fire inspections. There will be no change in net General Fund cost and there will be no additional staff years. The actual inspections do not cost property owners and are funded with the general fund.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Director Desmond, seconded by Director Vargas, the Board of Directors of the San Diego County Fire Protection District took action as recommended, on Consent, adopting Resolution No. 22-148, entitled: A RESOLUTION OF SAN DIEGO COUNTY BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT TO ACCEPT THE REPORT OF THE COMPLETION OF THE FISCAL YEAR 2021-2022 FIRE INSPECTIONS.

AYES: Vargas, Anderson, Fletcher, Desmond

NOT PRESENT: Lawson-Remer

There being no further business, the Board of Directors of the San Diego County Fire Protection District adjourned at 5:14 p.m.

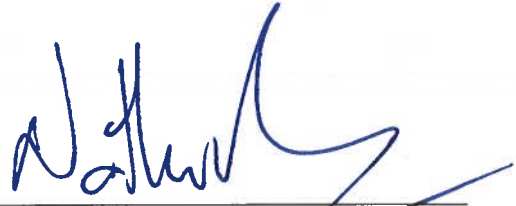
ANDREW POTTER

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

Notes By: Perez

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.

Approved by the Board of Directors, on Tuesday, December 13, 2022.



NATHAN FLETCHER

Chair

Attest:



ANDREW POTTER

Clerk of the Board