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**LOCAL AGENCY FORMATION COMMISSION**

**Transcript  
LAFCO MEETING**

**May 7, 2007**

***AD HOC REPORTING  
110 West C Street, Suite 807  
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(619) 236-9325***

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1                   SAN DIEGO, CALIFORNIA - MONDAY, MAY 7, 2007

2                   --oOo--

3                   CHAIRMAN VANDERLAAN: Good morning. Can you hear  
4 me out there? Can you hear me now? Oh, thank you. Good  
5 morning. It is just about straight up nine o'clock. I'd  
6 like to welcome you all to our regular LAFCO meeting for May  
7 7th. It's nice to see so many people here for a short  
8 agenda. Thank you for that. So with that, I will gavel us  
9 in to open our meeting. Roll call, please.

10                  COMMISSION SECRETARY: Commissioner Vanderlaan.

11                  CHAIRMAN VANDERLAAN: Present.

12                  COMMISSION SECRETARY: Commissioner Horn.

13                  COMMISSIONER HORN: Here.

14                  COMMISSION SECRETARY: Commissioner Pocklington is  
15 absent. Commissioner Jacob.

16                  COMMISSIONER JACOB: Here.

17                  COMMISSION SECRETARY: Commissioner Atkins is  
18 absent. Commissioner Morrison is absent. Commissioner  
19 Rexford.

20                  COMMISSIONER REXFORD: Here.

21                  COMMISSION SECRETARY: Commissioner Menshek.

22                  COMMISSIONER MENSHEK: Here.

23                  COMMISSION SECRETARY: Alternate Commissioner  
24 Mathis is absent.

25                  COMMISSION SECRETARY: Alternate Commissioner

1 Ingalls.

2 ALTERNATE COMMISSIONER INGALLS: Here.

3 COMMISSION SECRETARY: Alternate Commissioner  
4 Lewis.

5 ALTERNATE COMMISSIONER LEWIS: Here.

6 COMMISSION SECRETARY: Alternate Commissioner John  
7 Ingalls will vote in place of Commissioner Bud Pocklington  
8 who is absent. Alternate Commissioner Lewis will vote in  
9 place of Commissioner Morrison who is absent. There is a  
10 quorum.

11 CHAIRMAN VANDERLAAN: Thank you.

12 Number two on our agenda is approval of the  
13 minutes of the meeting held on April the second, 2007.

14 COMMISSIONER HORN: Move approval.

15 COMMISSIONER MENSHEK: Second.

16 CHAIRMAN VANDERLAAN: Motion and a second. Any  
17 discussion? Hearing or seeing none, those in favor, signify  
18 by "aye."

19 (Multiple responses.)

20 CHAIRMAN VANDERLAAN: Opposed?

21 (No audible responses.)

22 CHAIRMAN VANDERLAAN: Motion carries.

23 Item three, executive officer's recommended agenda  
24 revisions. Mr. Ott.

25 EXECUTIVE OFFICER OTT: Yes, good morning,

1 Mr. Chairman and members of the Commission. I have several  
2 revisions. I would like to ask the Commission to consider  
3 waiving the staff presentations on items six, seven, eight  
4 and ten. Ten is a public hearing, you do need to open and  
5 close that, but we could waive the hearing presentation on  
6 that item. There will be a brief presentation on item nine,  
7 the legislative report. That concludes the revisions this  
8 morning.

9 CHAIRMAN VANDERLAAN: Okay, thank you. Are there  
10 any objections to Mr. Ott's proposal?

11 COMMISSIONER REXFORD: No. So moved.

12 CHAIRMAN VANDERLAAN: So moved, okay.

13 COMMISSIONER HORN: Second.

14 CHAIRMAN VANDERLAAN: Second.

15 MALE VOICE: Do you need a motion?

16 COMMISSIONER REXFORD: Need a second? I think we  
17 do.

18 CHAIRMAN VANDERLAAN: Okay. There's --

19 COMMISSIONER REXFORD: Do we need a motion?

20 CHAIRMAN VANDERLAAN: Do we need a motion? Well,  
21 we're accepting the consent items, correct?

22 EXECUTIVE OFFICER OTT: You need to have a motion  
23 to accept and approve the consent items, which also have  
24 some ratification elements. There will be a need to open  
25 the hearing on item ten, however.

1           CHAIRMAN VANDERLAAN: So, we have a motion for the  
2 consent items and a second. Any discussion?

3           (No audible responses.)

4           CHAIRMAN VANDERLAAN: Hearing or seeing none,  
5 those in favor, signify by "aye".

6           (Multiple responses.)

7           CHAIRMAN VANDERLAAN: Opposed?

8           (No audible responses.)

9           CHAIRMAN VANDERLAAN: Motion carries.

10          Item four, Commissioner, Executive Officer  
11 announcements. Are there any announcements for us this  
12 morning?

13          (No audible responses.)

14          CHAIRMAN VANDERLAAN: Seeing none.

15          Item number five, opportunity for public comment  
16 for members of the audience to speak on items that are not  
17 on our Commission Agenda for today. Is there anyone who  
18 would like to speak to the Commission?

19          (No audible responses.)

20          CHAIRMAN VANDERLAAN: No? Seeing no one  
21 approaching, we'll move on to -- we've already covered  
22 consent items six, seven and eight. You said on nine we had  
23 a brief report?

24          EXECUTIVE OFFICER OTT: That is correct.  
25 Mr. Chairman, that is the legislative report. Our

1 legislative director, Harry Ehrlich, will provide some brief  
2 remarks about Senate Bill 806 plus some other activities.  
3 Harry?

4  
5 MR. EHRLICH: Thank you. Mr. Chairman, members of  
6 the Commission. I wanted to just update you that I attended  
7 the CALAFCo Legislative Committee Meeting on Friday, at  
8 which a variety of bills were discussed that are pending  
9 with some amendments. They're not final; those will be  
10 considered by the CALAFCo board the end of this week.

11 On one bill, though, to update you on relative to  
12 today's meeting, SB-806, by Senator Hollingsworth, which is  
13 a bill that's supported by this Commission, that bill was  
14 continued by the author on April 9th for consideration, and,  
15 based on pending action by San Diego LAFCO to observe and  
16 understand, you know, what potential action this Commission  
17 may take on the issue of consolidation and establishment of  
18 a fire agency, as you will recall, and the members of the  
19 audience would recall, that bill would basically reallocate  
20 one percent of the property tax within San Diego County to  
21 the state back to a regional agency if it's formed for the  
22 consolidation of fire services. SB 806 would note remove  
23 funding from schools. Just to make sure that's clear.

24 On other bills, again, there's a variety of them  
25 that will be starting to go through the hearing process, and

1 we'll be tracking those and if you have any questions, we'd  
2 be more than prepared to answer those. Thank you.

3 CHAIRMAN VANDERLAAN: Thank you, Harry. Are there  
4 any questions for Harry on the Legislative Report?

5 (No audible responses.)

6 CHAIRMAN VANDERLAAN: Any comments?

7 (No audible responses.)

8 CHAIRMAN VANDERLAAN: No. Hearing or seeing none.  
9 Thank you, Harry.

10 We will now open the public hearing for items 10A  
11 and 10B. Do we have any speaker slips, Mr. Ott?

12 EXECUTIVE OFFICER OTT: We have no speaker slips,  
13 Mr. Chairman.

14 CHAIRMAN VANDERLAAN: Okay. Discussion by  
15 Commissioners, comments?

16 Anyone in the audience like to speak on item 10A  
17 or 10B?

18 (No audible responses.)

19 CHAIRMAN VANDERLAAN: Okay. Seeing none. We'll  
20 open and close the public hearing, then.

21 COMMISSIONER HORN: Move approval.

22 COMMISSIONER JACOB: Second.

23 CHAIRMAN VANDERLAAN: Motion for approval and a  
24 second. Any discussion by the Commission?

25 (No audible responses.)



1 CHAIRMAN VANDERLAAN: Seeing none, those in favor,  
2 signify by "aye".

3 (Multiple responses.)

4 CHAIRMAN VANDERLAAN: Okay. It's a unanimous  
5 vote. We'll now open the public hearing on items 11A and  
6 11B. Mr. Ott, do we have a staff report?

7 EXECUTIVE OFFICER OTT: We do, Mr. Chairman, and  
8 there will be a PowerPoint on this item as well. Before we  
9 proceed with that, however, I would like to make a few  
10 initial remarks before I turn things over to our staff. I'd  
11 like to just cut to the bottom line on this particular item  
12 and to explain the recommendation and a few observations  
13 about the process that we've undertaken for the past several  
14 years.

15 Again, this item 11A and 11B is involving a sphere  
16 of influence review as well as action on a reorganization of  
17 the structural fire protection agencies in the  
18 unincorporated area of the county. It's been our conclusion  
19 -- the staff's conclusion -- that a reorganization of these  
20 agencies is necessary; however, what we need to obtain from  
21 the Commission today is guidance and direction in terms of  
22 how that reorganization would be structured.

23 Number one, go or no go, should this be approved,  
24 either today or at a subsequent meeting?

25 Number two, what kind of boundaries would we be

1 discussing and establishing for a regionalized fire agency?

2           And then number three, governance. What type of  
3 organization should be the body decision-making for a  
4 regional fire agency?

5           This topic has been discussed for about ten years  
6 by the Commission and today represents a convergence of two  
7 distinct LAFCO processes. The first process we initiated  
8 ten years ago involved education and research. And today  
9 that path is intersecting with one of action, and we're  
10 recommending to the Commission that action be taken today.  
11 However, as I mentioned, there are really three special  
12 types of decisions to be made today. It really is not that  
13 complicated in terms of the actions that are before the  
14 Commission.

15           There are a lot of technical and legal and  
16 administrative processes which would ensue after the  
17 Commission makes the important decisions on governance,  
18 boundaries, and whether in fact this reorganization should  
19 be approved. And I'm asking the Commission to delegate  
20 those responsibilities to the Executive Officer to handle  
21 ministerially. Those activities are spelled out in the  
22 report that is before you.

23           I'm also asking that your Commission establish a  
24 working group or a subcommittee of commissioners to help  
25 with the policy-oriented implementation tasks. We've

1 concluded that if action is not taken some time soon, that  
2 events can very well overtake us in terms of natural or man-  
3 made events -- man-made being legislative. The legislature  
4 in Sacramento is watching us very closely. It's conceivable  
5 that if we do not take action, that the state legislature at  
6 some point in the future could do that on our behalf. And  
7 that is something that I think would be cause for alarm in  
8 terms of local control and local input. So that's something  
9 to consider as we are going through this action-oriented  
10 path today.

11           Before I turn things over to our staff, a few  
12 acknowledgements. We've provided an opportunity for the  
13 public, through our outreach efforts. We had three  
14 extensive workshops in the community: in Ramona, Pine  
15 Valley, and then downtown San Diego. Over nine hours of  
16 testimony has been captured from those workshops, and that  
17 testimony is before the Commission in the very large bound  
18 document that you have before you, word-for-word. And we  
19 don't ordinarily go to those lengths in terms of capturing  
20 testimony; however, realizing that not all commissioners  
21 would be able to make it to these outreach workshop  
22 proceedings, we hired a court reporter to take down the  
23 notes from those meetings so that your Commission going into  
24 this hearing would know exactly what the public and the  
25 affected agencies have been saying with respect to

1 reorganization. So that's before you today, as well as it  
2 is posted on our website for the public to be able to  
3 review.

4 We would like to thank all of the individuals in  
5 the back country that we met with, either one-on-one or  
6 collectively. Their voices have been heard, and they've  
7 made their points very clear in terms of the importance that  
8 the volunteer activities that are handled by the residents  
9 in the back country are providing in terms of community  
10 interests, and cumis of public safety as well.

11 I'd also like to acknowledge the San Diego County  
12 Fire Chiefs' and the special districts component, the Fire  
13 Districts' Associations, who have been actively involved in  
14 this process, beyond the two-year mark that this has been  
15 initiated, but they have been players and at the table with  
16 the Commission and the staff.

17 And then lastly, our staff, Shirley Anderson, John  
18 Traylor and John Goss, who all collectively played  
19 instrumental roles with this reorganization project.

20 That concludes my initial remarks. After the  
21 staff makes their presentation, I'll make a few comments  
22 about the recommendations and then we will turn it over to  
23 public testimony. Shirley Anderson will be providing a  
24 PowerPoint presentation and we will be beginning with that  
25 momentarily here. Shirley?

1 MS. ANDERSON: Good morning, Mr. Chairman and  
2 members of the Commission. Jackie, are we ready to go  
3 then? Okay. The reorganization that you're here to review  
4 this morning has actually been many years in the making.  
5 Even though the reorganization was initiated in '05, in 1996  
6 it has its roots in a survey that was put together by a Fire  
7 Chiefs Special District Subcommittee of LAFCO's Special  
8 District Committee. That was, what, 11 years ago? As I  
9 recall, it was quite a comprehensive survey, and the outcome  
10 of it was that it was universally felt that the funding  
11 mechanisms for fire districts was somewhat complicated, not  
12 clearly understood, and very weak in the way that it funded  
13 fire districts.

14 So we put together the initial report from LAFCO,  
15 the funding fire districts. The outcome of that report was  
16 the development of LAFCO's Task Force on Structural Fire  
17 Protection and Emergency Medical Services. The original  
18 charter for the Task Force was indeed to look at  
19 efficiencies, ways to gain efficiencies for the special  
20 districts, including consolidation and that's where  
21 consolidation first became the focus of LAFCO research.

22 The reorganization that we're looking at today  
23 actually started in February of '05 with a complementary  
24 action by the Board of Supervisors, who initiated a  
25 formation of a Regional Fire Protection District and the

1 actions of this Commission, which initiated a dissolution of  
2 literally every special district in the unincorporated area  
3 that provided structural fire protection or emergency  
4 medical services, or the removal of that service from multi-  
5 power districts. That, as I say, was initiated in February.

6 In August of '05, something called the SSP -- the  
7 substantially similar proposal -- was put forward, according  
8 to LAFCO procedures, by the San Diego Fire Chiefs' and  
9 District Fire Chiefs' Associations. The SSP basically split  
10 reorganization of structural fire protection agencies into  
11 two phases: Phase I, which is the reorganization that's  
12 before you today -- selected agencies that were in most  
13 critical need and put them forward.

14 In December of 2005, the Macro Report was released  
15 and approved by the Commission. The Macro Report delivered  
16 seven different service levels in a broad evaluation --  
17 seven different models. The Commission selected three of  
18 those models, asked the staff to put together what's called  
19 the Micro Report, which is before you. The Micro Report was  
20 released in January for a 60-day public review period. We  
21 held multiple workshops in the unincorporated area to gather  
22 public comment. Deadline for that comment was in April and  
23 we're here today at the hearing.

24 Phase I involved -- the original proposal involved  
25 17 agencies. Today we'll go over three components of the

1 reorganization of Phase I, that would be governance --  
2 excuse me -- that would be boundaries, which is basically  
3 the composition of Phase I, what agencies would be included  
4 in reorganization. The second issue that we'll cover is  
5 funding, the revenues -- projected revenues and projected  
6 costs for funding a regional fire protection agency and  
7 process.

8           So the agencies that were originally proposed --  
9 this came forward as a document in the formation of the  
10 Regional Fire Protection District. We have seven Fire  
11 Protection Districts: Borrego Springs, Deer Springs, East  
12 County, Julian-Cuyamaca, Pine Valley, San Diego Rural and  
13 Valley Center. In addition, there are six county service  
14 areas: 107 (Elfin Forest), 109 (Mount Laguna), 110 (Palomar  
15 Mountain), 111 (Boulevard), 112 (Campo), and 113 (San  
16 Pasqual). Those agencies were to be dissolved and their  
17 powers transferred to a regional agency.

18           In addition, four municipal water districts, which  
19 are districts with multiple powers, not only do they have  
20 what's termed the latent power for water -- portable water  
21 service -- they do fire protection, and Ramona also does  
22 waste water services. The original proposal requested that  
23 the latent power for structural fire protection be removed  
24 from these agencies. During the Micro Report research  
25 period, it was determined that state law does not give the

1 authority to LAFCO to remove a latent power. So these four  
2 agencies are not a subject of consideration today -- of  
3 consideration today -- and the Commission, as one of its  
4 first actions, should formally amend the proposal to remove  
5 the municipal water districts from the reorganization  
6 process.

7 As part of ongoing research -- ongoing process in  
8 Phase II, the municipal water districts are voluntarily able  
9 to come forward, and the Commission should note that any of  
10 the municipal water districts that want to participate in  
11 this Phase I certainly should do so on a voluntary basis.

12 In addition to the municipal water districts being  
13 excluded from the original proposal, certain fire protection  
14 districts have asked to either be excluded or to be delayed  
15 until Phase II. Those are the Borrego Springs Fire  
16 Protection District, Deer Springs, Julian and Valley Center.

17 Certain CSAs have also asked to be placed in Phase II of  
18 the reorganization; that would be 107 (Elfin Forest), 110  
19 (Palomar Mountain), and 113 (San Pasqual). So, it reduces  
20 the number of agencies are actively being -- actively  
21 participating willingly in the reorganization to six.

22 A criteria that the Commission should consider in  
23 determining whether or not the agencies that have asked to  
24 be excluded or deferred into Phase II is displayed on your  
25 screen. All of the agencies that are asking exclusion or



1 deferment have strong community support that's demonstrated  
2 by voter-approved assessments. We'll see when we get to  
3 funding that these particular agencies have strong voter-  
4 approved benefit assessment revenue. Borrego, Julian-  
5 Cuyamaca and CSA 107 are geographically isolated from the  
6 rest of the Phase I agency, and we'll show you a map in a  
7 moment.

8           CSA 107 is actively pursuing -- has been actively  
9 pursuing alternative reorganization. They are, as I've  
10 said, geographically isolated, and they're working with  
11 surrounding geographically close agencies to pursue a  
12 different form of organization.

13           All of the agencies meet the minimum service level  
14 that was put forward in the SSP, and several of them have  
15 advanced life support, which is the maximum level of service  
16 that the Micro Report analyzes. The little half circle  
17 there under Elfin Forest is not a mistake. That's because  
18 there's the service area of half of the district receives  
19 advanced life support.

20           Here's a map of Phase I. All of the yellow area  
21 is Phase I. The dark area, the darker brighter yellow  
22 represents special districts. The lighter yellow is  
23 approximately 950,000 acres that's also included in Phase  
24 I. There are six strictly volunteer agencies within that  
25 unserved area. We term it "unserved" even though there are

1 very active fire protection volunteers in that area. They  
2 are not public agencies, so the unfortunate term that gets  
3 applied to them is that it's "unserved."

4           The 950,000 acres is predominately Forest Service  
5 land, BLM, state forest, U.S. Wild- -- Game & Wildlife and  
6 State Game & Wildlife. However, there's a lot of  
7 recreation. There are many private land holdings within  
8 that public land, and there is no dedicated structural fire  
9 protection, or probably, more important, emergency medical  
10 service for recreational uses.

11           Here are the special districts that are within  
12 Phase I. Here's an illustration of the districts that are  
13 requesting either to be excluded or deferred, so you can see  
14 how they're arranged around the Phase I. The ones that are  
15 geographically isolated, Borrego Springs, Julian-Cuyamaca,  
16 and CSA 107, are -- the geographic isolation is for  
17 different reasons. CSA 107 obviously is removed from the  
18 rest of Phase I. Borrego Springs is in the far reaches of  
19 the county. And Julian-Cuyamaca is isolated by access.  
20 It's because this is not a topo map, it's hard to realize  
21 that a lot of this is mountainous areas and the geographic  
22 isolation is augmented by that.

23           There is one other issue, and that is tribal  
24 reservation lands. We've received several letters from  
25 different tribes requesting that their reservation land,

1 which is currently inside of special districts -- special  
2 fire protection districts -- be removed from the process.  
3 Also, if the complete boundary of Phase I, as proposed, is  
4 approved, it would incorporate many additional tribal  
5 reservation lands. Most of the reservations have their own  
6 tribal fire departments. Some of them contract with outside  
7 vendors. They're not able or -- excuse me -- if they were  
8 included within a Phase I fire protection district, the  
9 tribal lands are not taxable, they would not contribute  
10 income to a fire protection district, although they do  
11 participate in mutual aid and that would continue if they  
12 were excluded from the boundaries of the district.

13           The second issue that we'll look at is funding  
14 options. It involves both costs and revenues. The revenues  
15 for the proposed fire protection district as displayed in  
16 the Micro Report work for all 17 agencies. The property tax  
17 revenue and the voter-approved assessment would be the  
18 column underneath Phase I. As you can see, the voter-  
19 approved assessment at 8.22 million far exceeds the property  
20 tax revenue. Whereas if you go to the adjusted Phase I,  
21 which represents numbers with -- for the smaller amount of  
22 agencies that would be involved if all the agencies that are  
23 requesting exclusion are approved, you see that the voter-  
24 approved assessment and the property tax revenue are  
25 approximately equal. That's because, as I previously

1 stated, the agencies with the really strong voter-approved  
2 assessment are the ones asking exclusion.

3           Also included in the estimate of resources, and  
4 this is for '05/'06, which is the last fiscal year in which  
5 complete records are available to us, or were available to  
6 us at the point that the Micro Report was being put  
7 together, the Fire County Enhancement Fund of approximately  
8 \$8.5 million is added to the amount of resources that were  
9 available in '05/'06. The County Fire Enhancement Program  
10 is a county-funded program that has provided grants, bought  
11 equipment, and probably most importantly, subsidized Amador  
12 contracts and Schedule A contracts within Phase I. The  
13 money -- the revenue is county discretionary revenue. It is  
14 not what the Micro Report terms sustainable revenue as far  
15 as a regional agency is concerned, but because it was a  
16 resource in the community in '05/'06, it is added to the  
17 resources that are available within Phase I.

18           So the total Phase I figure as presented in the  
19 Micro Report was 22.6 million. The adjusted Phase I cost,  
20 which again, is an adjusted set of numbers that excludes all  
21 the agencies that are requesting exclusion, is reduced to  
22 about 11 million. There are any number of variations  
23 between these two numbers. These represent the two  
24 extremes: one including all agencies, one excluding all  
25 agencies that are requesting exclusion.

1           The estimate of costs again is divided into what  
2 was presented in the Micro Report, Phase I -- that's a lot  
3 of numbers on your screen, and if you want to look in your  
4 transmittal report on page 7, the same thing is represented  
5 there -- and the adjusted Phase I, which is the bottom rows  
6 of numbers. When the Micro Report was authorized, the  
7 Commission asked us to look at three levels of services:  
8 the three on-duty, basic life support; three on-duty at  
9 advanced life support; and four on-duty at advanced support.

10           The first row across there, where it says "local  
11 career," represent numbers that it would take to deliver  
12 these different levels of services by local resources, local  
13 districts, on a fully paid staffing level. The second row,  
14 "local career volunteer," are numbers for providing these  
15 services through local districts with a combination  
16 career/volunteer staff. The third row is delivering these  
17 levels of services by contract with CAL FIRE using totally  
18 career forces. And the last row is CAL FIRE delivery --  
19 delivered service with a combination of career/volunteer.

20           Subsequent to the Micro Report being released,  
21 there was an MOU signed with CAL FIRE that would add  
22 approximately two and a half million to the cost of the  
23 career/volunteer numbers.

24           The rows across the bottom represent the same  
25 service level, same delivery categories as the Phase I, only

1 again, they're adjusted downwards. You'll see the highest  
2 in blue, the lowest in red, of costs for delivering these  
3 different models. And, again, same service models come out  
4 as the lowest and the highest. The lowest is local  
5 career/volunteer delivery. And the highest is a CAL FIRE  
6 all career.

7 COMMISSIONER JACOB: Mr. Chairman, before we leave  
8 that chart, if I could ask a question. On the local  
9 career/volunteer, does that mean one paid and one -- and two  
10 volunteers per station?

11 MS. ANDERSON: John?

12 MR. TRAYLOR: That would be correct.

13 COMMISSIONER JACOB: And are reserves considered  
14 at all as a part of this equation?

15 MR. TRAYLOR: The projections are based on using  
16 the volunteers or reserves that are currently deployed in  
17 those volunteer agencies, so if they were reserves, that  
18 counted for those personnel. If they were volunteers, it  
19 counted for those personnel.

20 COMMISSIONER JACOB: But the bottom line is under  
21 local career-volunteer, it's one full pay -- full-time paid  
22 personnel plus either a combination of two reserves or a  
23 reserve and volunteer -- two volunteers, is that what I'm  
24 hearing?

25 MR. TRAYLOR: That is correct.

1           COMMISSIONER JACOB: Thank you.

2           MS. ANDERSON: In trying to project the amount of  
3 additional revenue that would be needed to fund a truly  
4 regional system, as an illustration, we're taking -- excuse  
5 me -- Model 5a, which, I'll go back, is the 44.89 million,  
6 the local career-volunteer, that's Model 5a, it's the lowest  
7 minimum cost level. In Phase I and adjusted Phase I, we've  
8 done it both ways here, the fiscal year '05/'06 cost, minus  
9 the resources that were available and the resources  
10 available in those years, included the Fire Enhancement  
11 Program Funds, so additional funding at the Model 5a level,  
12 which is three on-duty, basic life support, career-  
13 volunteer, for the adjusted Phase I, is 17.3 million. That  
14 varies across the service levels, depending upon which  
15 service level would be selected. This is merely an  
16 illustration of the minimum service level.

17           So the next category would be governance options.  
18 There were four levels -- four different options for  
19 governance that were reviewed. A regional fire protection  
20 district is the district -- is the form of governance that  
21 was proposed in the resolution from the Board of  
22 Supervisors; next, the county of San Diego as successor to  
23 the dissolved agencies; CSA number 135, also successor to  
24 the dissolved agencies, as a form of latent power, would be  
25 within a specific zone of CSA 135; and, of course, the

1 status quo system.

2 A -- regional fire protection district -- would  
3 require an automatic election. This is not optional. It  
4 does not require a certain amount of protest. It is  
5 absolutely mandatory. If a regional fire protection  
6 district were approved by the Commission, it would require  
7 an election.

8 A fire protection district could have an 11-member  
9 board of directors. This is as put forward in the original  
10 resolution of application by the Board of Supervisors. The  
11 11-member board could be elected, could be appointed,  
12 because the resolution became -- came from the Board of  
13 Supervisors, the Board of Supervisors could appoint  
14 themselves.

15 All service issues of the regional fire protection  
16 district would be determined by the directors of the new  
17 district. Volunteer agencies would be autonomous  
18 organizations within the regional fire protection district,  
19 and that is because the authority that LAFCO has to dissolve  
20 or consolidate or otherwise affect or reorganization within  
21 special districts does not extend to volunteer districts,  
22 which are private entities. Volunteers would work  
23 autonomously within a system just as they do now.

24 Formation of a regional fire protection district  
25 would not create new revenue. No revenue would be



1 forthcoming for the mere fact that a regional fire  
2 protection district was formed. Property tax and special  
3 assessment revenue would be inherited from the former  
4 districts within Phase I. Use of voter-approved assessment  
5 revenue would be restricted to zones where it is collected.  
6 This is a requirement of 288 -- 218, excuse me -- Prop 218  
7 and other statutes and state law. It's a common practice.  
8 We could look, for instance, to the Rural Fire Protection  
9 District, which has many zones where special assessments are  
10 collected and that money must be expended only for services  
11 within those zones.

12 Additional revenue is required within a regional  
13 fire protection district to implement the minimum Micro  
14 Report service level 5a, and that was the one that you  
15 reviewed a couple screens back.

16 Characteristics of a county program would require  
17 all districts to be dissolved, just as in a regional fire  
18 protection district and the county would be named successor  
19 for providing fire protection to the dissolved -- to the  
20 territory of the dissolved districts and 950,000 acres of  
21 unserved area. An election, when naming the county's  
22 successor would not be required. However, it's very  
23 possible that an election would be held because constituents  
24 -- registered voters within the dissolved agencies have  
25 protest rights. And we'll go over that at the end of -- the

1 end of the presentation on process.

2 Service issues under this circumstance would be  
3 decided by the County Board of Supervisors. Again,  
4 volunteers, because they are private agencies, would be  
5 autonomous. Transfer of responsibility to the county in and  
6 of itself would not create new revenue. Property tax and  
7 assessment revenue from the dissolved districts would  
8 transfer to the county. Generally speaking, property tax  
9 would be held in the county general fund, but like a  
10 regional fire protection district, voter-approved special  
11 assessment tax would be required to be held in special zones  
12 where it was collected and expended for services only within  
13 those zones. Again, more money would have to be found. It  
14 requires additional funding to deliver even the minimum --  
15 that 5a -- across this entire regional system.

16 CSA 135 is a county service area that delivers --  
17 is the regional communication CSA. It covers most of the  
18 county, even the cities. It has a cooperative agreement  
19 with Imperial County. It would be possible to -- for LAFCO  
20 -- to authorize CSA 135 to provide structural fire  
21 protection and emergency medical services within a special  
22 zone of 135. The zone would have a boundary that replicates  
23 the boundary of Phase I as it is approved by the  
24 Commission. So if Phase I is diminished from its proposed  
25 17 agencies to include fewer than 17 agencies, the boundary

1 of the latent power zone would replicate whatever boundary  
2 the Commission approved for Phase I.

3 Services within CSA 135, in this latent power  
4 zone, again, would be decided by the supervisors. The CSA  
5 135 and the county successor are very similar. Property --  
6 the one outstanding difference is that property tax and  
7 special assessment revenue would be retained in CSA  
8 accounts. Property tax would not be deposited in the county  
9 general fund, but separate accounting would have to be  
10 maintained for property tax that would be transferred from  
11 dissolved agencies to CSA 135. Again, authorizing CSA 135  
12 to provide structural fire protection and emergency medical  
13 services would not in and of itself create new revenue.  
14 However, the CSA 135 and county successor agency, both being  
15 county agencies, the responsibility for funding both of  
16 these agencies would be by the Board of Supervisors.

17 Here's a map of what CSA 135 looks like. It's all  
18 this tomato color -- I don't know what else to call it --  
19 the tomato color, okay? It's CSA 135. The yellow lines  
20 illustrate where the latent power zone in this mapping is  
21 excluding all the agencies that have asked to be excluded.  
22 Borrego, you can see, is -- doesn't have a yellow line over  
23 it. The other ones are a little more difficult to identify  
24 without names.

25 The characteristics of the status quo, it would

1 continue the current system of multiple agencies, unequally  
2 funded agencies. There is a de facto consolidation that has  
3 been introduced by the County Fire Enhancement Program. The  
4 County Fire Enhancement Program has placed several agencies  
5 under CAL FIRE contract so that consolidation in -- is  
6 basically taking place as more and more agencies come under  
7 the central administration of CAL FIRE. Again, to implement  
8 increased service levels universally across Phase I area and  
9 to include services within that 950,000 acres, additional  
10 revenues would have to be dedicated to a status quo system.

11 That brings us to process. One of the things that  
12 happen during the LAFCO process is the transfer of revenues.

13 This is required by Revenue and Tax Code 99 and Government  
14 Code. The transfer of revenues is guided by the thought  
15 that transfer of revenue should be balanced with a transfer  
16 of service responsibility. This is easiest to see,  
17 probably, in the incorporation effort. When property tax  
18 revenues are transferred from the county to a newly formed  
19 city, all property taxes do not go to the new city because  
20 the county maintains services even after incorporation. So  
21 the property tax that is transferred to a new city is  
22 balanced by the cost of the services that the county is  
23 giving up and the new city would assume.

24 So this philosophy of a balance transfer would  
25 transfer all the revenue from the dissolved Phase I agencies

1 to a new structural fire protection and emergency medical  
2 service provider and the same transfer should guide the  
3 transfer of the County Fire Enhancement Program funds  
4 because the Fire Enhancement Programs are providing services  
5 -- fire services in this area which would be assumed by the  
6 new agency.

7           Reorganization could be conditionally approved  
8 even through there is no funding -- sustainable funding --  
9 additional sustainable funding available today.  
10 Reorganization could be conditionally approved and  
11 conditioned upon county concurrence of either option of the  
12 county as successor agency or the CSA 135 as a latent power  
13 delivery system for emergency medical and structural fire  
14 protection systems and also the completion of discretionary  
15 administrative requirements of reorganization. There are a  
16 lot of things that have to happen that require some  
17 decisions first, such as a metes and bounds legal  
18 description has to be prepared for Phase I. The Commission  
19 would need to make a decision first on what the boundary is  
20 before a metes and bounds legal description could be  
21 prepared. The tax negotiation has to go forward. All of  
22 this sort of goes around in a circle. The Commission must  
23 make decisions first. It would come back as ministerial  
24 actions at the conclusion of the Commission's conditional  
25 approval.

1           So we go back to our original little chart here of  
2 how we're moving through the process. We're here today at  
3 the May 7th hearing. If a regional fire protection district  
4 were approved by the Commission, there is an automatic  
5 election. If either of the other two options were approved,  
6 the county as successor agency, or CSA 135 as successor  
7 agency, there is a possible election based on the protest  
8 rights of registered voters or land owners within the  
9 districts that would be dissolved. Either voters or land  
10 owners, because this was a LAFCO-initiated reorganization to  
11 dissolve the districts, ten percent of protest from voters  
12 or land owners within any district would mandate an election  
13 that would be held across all of the districts.

14           If the ten percent came from a -- if the protest  
15 came from a district that has fewer than 300 registered  
16 voters -- and you have a list of the registered voters there  
17 in your transmittal report -- there are districts with fewer  
18 than 300 registered voters, it rises to 25 percent.  
19 Practically speaking, in some cases, this means that you  
20 need 25 signatures. It's very possible that a protest  
21 election would be held.

22           So that concludes the presentation on process,  
23 funding, and governance. Consultant John Traylor will tell  
24 you about the outreach program that we conducted, and then  
25 consultant John Goss will tell you about the importance of

1 volunteers that the Micro Report has concluded.

2 MR. TRAYLOR: Thank you, Shirley. Good morning  
3 commissioners. I just wanted to follow up on some direction  
4 that this Commission gave the study team when they first  
5 directed us to do the Micro Report and that was to engage  
6 the agencies that were directly involved in reorganization  
7 -- namely the Phase I reorganizations.

8 So prior to the release of the Micro Report, the  
9 LAFCO staff dedicated a lot of time and effort -- quality  
10 time -- to meet with each of the agencies that were  
11 identified as Phase I organizations. We developed good  
12 dialogue, and I'll have to say that, based on those  
13 interactions with those specific communities, the chief and  
14 in a lot of cases, the board of directors from those  
15 organizations, we developed some strategies of how to  
16 commingle, if you will, the volunteer organizations with  
17 paid personnel.

18 And I want to specifically thank three individual  
19 fire chiefs who helped shape the concept of 5a, that's the  
20 career-volunteer organizations. And that is, I'd like to  
21 thank Chief Dennis Sherman, Chief Kevin Dublar, and Chief  
22 Lucia from Mount Palomar. These are organizations and chief  
23 officers who have a very viable volunteer program and it was  
24 emphasized that the value of the volunteers should not be  
25 overlooked and that we should retain at all cost the

1 contribution of those volunteer organizations in those areas  
2 that have viable volunteer programs.

3           So, prior to the release of the Micro Report, on  
4 the screen, you'll see the organizations and communities  
5 that the LAFCO staff engaged in tremendous dialogue with.  
6 As Mike and Shirley both spoke about, the staff did have  
7 outreach in the form of public hearings. We met in Pine  
8 Valley, Ramona, and the downtown County Administration  
9 Center here in March of this year. In addition to that, my  
10 colleague here, John Goss, met with the City/County Managers  
11 Association and did some outreach there as far as the  
12 reorganization is concerned. And then following our public  
13 workshops for those communities that didn't feel like they  
14 had a chance to engage the LAFCO staff, we did some  
15 additional presentations. We went back out to Borrego  
16 Springs, to engage with the fire chief and their  
17 commissioners; Julian-Cuyamaca, San Dieguito Planning  
18 District. And in each of the cases along the way, we  
19 invited public testimony, written comments, and you have  
20 before you in your packet, those submitted comments and  
21 written letters to the Commission. And I will say this is -  
22 - that was a very humbling experience for the staff here to  
23 go out and see the tremendous effort that the volunteer  
24 programs are doing out there. We certainly want to enhance  
25 that operation and sustain it as a good day-to-day



1 operation.

2           You will see on the previous screen here -- I  
3 can't go back I guess -- one of the problems with the  
4 volunteer organizations in the "unserved area" is that in  
5 some cases, they're not long-term sustainable. Warner  
6 Springs is a good example of that. When we had our meeting  
7 scheduled with Warner Springs, within two days of that  
8 meeting, they dissolved. So, as we went forward here, we  
9 did present issues and options for the Commission in the  
10 Micro Report to sustain those volunteer programs. And I'll  
11 turn it over to my colleague, John Goss.

12           MR. GOSS: Thank you. Mr. Chairman, members of  
13 the Commission. Mine is going to be a low-tech  
14 presentation. It's not a PowerPoint presentation. I'm just  
15 going to talk at you. I was asked to talk about the role  
16 and the value of the volunteers, which obviously has been a  
17 recurring theme throughout all the hearings that we've had.

18           John and I visited, except for Warner Springs, we  
19 visited and talked to all the representatives of every  
20 proposed Phase I agency, and it was clear everywhere we went  
21 that volunteers were the lifeblood of these agencies. The  
22 current level of fire service provided in the rural areas of  
23 the county would be virtually nonexistent without volunteer  
24 firefighters. And it was stated in the report, LAFCO  
25 believes that a regional agency should be oriented towards

1 helping volunteers in their efforts to provide better  
2 service, rather than demanding volunteer operations to  
3 narrowly support the regional agency's goals.

4           So who are the volunteers? I was mentioning,  
5 Andy, before the meeting, there's probably at least 600 that  
6 I can identify between volunteer firefighters, those that  
7 volunteer in other fashion and those policy makers, either  
8 elected or volunteers on the 501(c)(3)s. There are  
9 volunteer firefighters that live in the community being  
10 served. There are also volunteers or cadet firefighters  
11 that come long distances to support some of the volunteer  
12 companies and the CSAs. There are community people who  
13 volunteer as mechanics, as trainers of the firefighters, as  
14 PIOs, as ham radio operators, as policy board members, as  
15 fundraisers.

16           The departments that rely most heavily on  
17 volunteers typically have four or five volunteer  
18 firefighters who live in the community who are then  
19 supplemented by reserves. The reserves are particularly  
20 important since many of the local volunteers leave the  
21 community for their jobs during the workweek.

22           Now there are some departments like Julian and  
23 Sunshine Summit, which is a volunteer agency, that use only  
24 community volunteers. However, many of the other volunteer  
25 departments and CSAs would be unable to provide the service

1 they now provide without the reserves.

2           Now, what is the value of the volunteers? In one  
3 sense, their value can't be properly stated since there  
4 would be no fire or emergency medical service throughout  
5 wide swaths of the county without them. In the extent of a  
6 proposed regional agency, looking at the least expensive  
7 option, number five, with combined career/volunteer fire  
8 companies, it is estimated the value of the volunteers is,  
9 according to the report, is \$14 million. So maintaining a  
10 robust, viable volunteer program is absolutely critical to  
11 any of the service and governance options that you are  
12 considering today.

13           Now, what are the challenges or issues in  
14 maintaining a viable volunteer program in a new regional  
15 entity? There's always going to be some major challenges  
16 and issues whenever you make a change, even if that change  
17 is for the better. One is training. Probably the greatest  
18 attraction to being a volunteer that we heard over and over  
19 again was the ability to obtain training. One of the  
20 problems for the mostly volunteer departments, however, is  
21 that their volunteer resource must leave the community to  
22 obtain the training. Sometimes that is done on the  
23 volunteer's own time. Other times it's during duty time.  
24 By having at least one qualified career firefighter at those  
25 volunteer stations, much of the basic training can be

1 accomplished at the station, keeping the volunteer resource  
2 in the community. And by the way, it's unfortunate that the  
3 CAL FIRE contract with its union was changed during the  
4 course of the study to preclude the use of only one career  
5 firefighter per shift, which is the basis for part of the  
6 program presented to you.

7 Another issue is training standards. While there  
8 is an effort by the rural departments to train volunteers,  
9 and while the county pays for two CAL FIRE captains to  
10 provide training to some of the agencies, there is not a  
11 consistent standard for training in the rural areas. The  
12 problem can be addressed by a coordinated training program  
13 through a regional agency. Also, the regional agency can  
14 coordinate with the local community colleges to ensure that  
15 there is a useful coordinated curriculum for the reserves  
16 who serve as volunteers.

17 Another issue, screening and outreach. Critical  
18 to any volunteer program is screening and outreach, the  
19 quality and effectiveness of which varies among the  
20 volunteer agencies. The Micro Report recommends creation of  
21 a volunteer coordinator in the regional agency, which will  
22 have the capability of providing a -- I believe -- a  
23 consistent screening and outreach program.

24 Another issue is that of expense of being a  
25 volunteer firefighter. In many rural agencies, the volun-

1 teer must pay for the uniforms, turnout gear, station dues,  
2 training, and on top of that, the reserves also must buy gas  
3 to drive to and from the station, which in some cases is  
4 long distances. To help remove the economic barrier to  
5 being a volunteer, consideration should be given to pay them  
6 a stipend, as is the case in actually three of the Phase I  
7 agencies already. And it is also noted that in the proposed  
8 expansion, the California -- excuse me -- the County's Fire  
9 Enhancement Program, that there is funding for volunteer  
10 stipends.

11 Another challenge is that many of the volunteers  
12 must travel significant distances to serve as volunteers.  
13 While the stipend proposal would help relieve some of the  
14 financial impact of this travel, the regional agency can  
15 also better coordinate station assignments and this would, I  
16 think, help lessen the impact of some of the travel expense.

17 Turnover among volunteers is a current problem and  
18 will feature a problem for the regional agency as well, I  
19 think. However, coordinated programs for screening,  
20 outreach, placement, training, plus stipends, could help  
21 better control turnover if a regional agency is created.  
22 One of the themes that we heard in a lot of our public  
23 hearings is whether or not volunteers will leave if their  
24 role is diminished. Will they leave if it's diminished?  
25 Probably. However, it is not as likely that their role will

1 be diminished and that they will leave where there is only  
2 one firefighter per shift, as proposed in some of the  
3 stations, since there will obviously be seats to fill and  
4 initial response. For reserves this is not as much of an  
5 issue since they are volunteering for the training and  
6 experience regardless of the number of career firefighters.  
7 But once you get two, and especially three career  
8 firefighters per shift, there may be an issue of diminished  
9 volunteer role.

10 So, in summary, the report proposes to encourage  
11 volunteers. It's included in a longer report that I have in  
12 the attachment 2 to the overall report, but the report  
13 proposes to encourage volunteers as part of a regional  
14 agency through having a volunteer coordinator and other  
15 staff that provides centralized screening and outreach  
16 training, uniform training standards, placement to mitigate  
17 some travel expense, expense reimbursement or stipends.

18 Secondly, the volunteer committees at each station  
19 should be created to help support the volunteer program,  
20 especially fundraising, which will still continue to be a  
21 need, creation of a volunteer manual like the one in  
22 Riverside to provide guidelines and rules for coordinating  
23 volunteer activities. And finally, having four to five  
24 volunteer advisory committees to work with staff and also  
25 devise the policymaking body. So, while LAFCO cannot

1 mandate some of these proposals, like the volunteer manual,  
2 some of these proposals can serve as a road map for a  
3 successful volunteer program. And with that, I'd like to  
4 turn it over to Mike.

5 EXECUTIVE OFFICER OTT: Thank you, John. Thank  
6 you, Shirley and consultant Traylor. We have a number of  
7 speaker slips before us, Mr. Chairman. The amount of time  
8 that we've given to the speakers are as follows: for  
9 groups, seven minutes; and for individuals, three minutes.  
10 And we will strictly adhere to those time estimates. If  
11 there are any questions from the commissioners before we  
12 proceed with public testimony, now would be the time to ask  
13 the question(s).

14 CHAIRMAN VANDERLAAN: Yes, Commissioner Rexford  
15 first.

16 COMMISSIONER REXFORD: Yeah, I noticed some of  
17 these fire departments do not want to be in the Phase I.  
18 Could you tell me the plus and minus of being in Phase I as  
19 opposed to Phase II?

20 EXECUTIVE OFFICER OTT: Well, the difference  
21 between Phase I and Phase II, initially at least, was that  
22 the Phase II agencies are the better funded agencies that  
23 would not profit as much, or at all, from being included in  
24 this reorganization. The Phase I agencies that have  
25 requested exclusion feel that they share more commonality

1 with those types of characteristics, that they have special  
2 assessments in some cases that outweigh the property tax  
3 base of the district. Also, they may be geographically  
4 isolated from the proposed centralized regional agency that  
5 would manage the system. And there were a host of other  
6 factors that we portrayed on that affinity index that  
7 Shirley had on the PowerPoint.

8           The fiscal ramifications we've also gone over.  
9 While there would be less revenue available for a regional  
10 agency, there would also be lower costs. I think we  
11 estimated the original cost gap to be \$22 million with all  
12 of the Phase I agencies included in the reorganization.  
13 That would drop down to about \$17 million. We think  
14 reorganization is still doable, obviously, more the better  
15 in terms of including agencies. There would be still about  
16 a million and a half acres of territory that would be  
17 included in a reorganized system of fire delivery and EMS,  
18 even with the exclusion of seven agencies. We're talking  
19 about a considerable amount of territory.

20           CHAIRMAN VANDERLAAN: Does that answer your  
21 question?

22           COMMISSIONER REXFORD: Yeah, I have a follow up  
23 question. All this is based on us getting some money from  
24 the state or getting that bill to pass, correct? Because  
25 right now, as we're looking at this, we don't have the funds



1 to do this.

2 EXECUTIVE OFFICER OTT: Well, not really. We have  
3 what is probably a creative or unusual recommendation in the  
4 report that's before you. As we were writing the Report, we  
5 were also having dialogue with the Senate Local Government  
6 Committee and Senator Hollingsworth's office and Supervisor  
7 Jacob, who helped sponsor the bill that you're referring to,  
8 and the legislature was considering all those variables as  
9 we were writing this report. So there was a moving target  
10 here. We shifted the orientation of the recommendation to a  
11 great degree, pointing towards the County of San Diego,  
12 which in our opinion, if this legislative solution for  
13 bringing more money into the arena were not to move this  
14 year, or even next year, that we feel that the best chance  
15 to reorganize agencies would be with a county-managed or  
16 indirectly managed entity that would have access -- not  
17 obligation, but access -- to county general fund monies.

18 And one of the recommendations -- and the  
19 recommendations are on pages 20 to, I believe, 23, of your  
20 transmittal report that's dated May 7<sup>th</sup> -- one of the  
21 recommendations would be to direct me to work with our  
22 commissioners, particularly Supervisors Jacob and Horn, as  
23 well as a working group of commissioners, to gain access to  
24 County money that would be able to be transferred to a  
25 reorganized system. So, that's -- the long answer to your

1 question is what we are the opportunities to still  
2 reorganize by using county monies to help with this regional  
3 system.

4 COMMISSIONER REXFORD: Okay. If I may, one more  
5 follow-up.

6 CHAIRMAN VANDERLAAN: Okay. Go ahead,  
7 Commissioner Rexford.

8 COMMISSIONER REXFORD: Is that -- I heard a report  
9 this morning is that it would go under the county planning.  
10 I don't know if that would be a good place to have it. It  
11 should go under something to do with county fire, but, I  
12 mean, that's the details to iron out later. But I'm not  
13 sure that the firefighters would want to go under the county  
14 planning. I think they'd want to be under something to do  
15 with fire. That's all.

16 EXECUTIVE OFFICER OTT: I'm sure that we'll hear  
17 from them. Commissioner Menshek?

18 COMMISSIONER MENSHEK: Yeah, just a logistical  
19 request. If we could take a quick five-minute break prior  
20 to public testimony. We've got our entire cadre of fire  
21 service leaders here. I'm sure there's a phone call or two  
22 that needs to be returned in the middle of fire season.

23 CHAIRMAN VANDERLAAN: I see. Okay. Are there any  
24 other comments or -- by the Commission before we take a  
25 five-minute break and entertain public testimony?

1           COMMISSIONER HORN: If I just make one comment.  
2 Reference was made to the volunteer departments in Warner  
3 Springs. I have five of the seven volunteer departments in  
4 my district. Sunshine Summit incorporated Warner Springs,  
5 that's reopened to the CDF stations year-round, so it's --  
6 those volunteers were not lost, they're covered by Sunshine  
7 Summit. I know it's a long ways away from here, but there  
8 are two CDF stations: one at Warner Springs and one on the  
9 other side. So I just wanted to point that out.

10           CHAIRMAN VANDERLAAN: We do -- when we come back,  
11 we have 16 speaker slips. I don't know whether how many of  
12 those are group presentations, but if they were the three-  
13 minute type, that would be almost an hour of testimony. So  
14 we certainly want to hear from everyone. We encourage you  
15 as you go to the break to take care of whatever business  
16 needs to be done, but also to think about concise and clear  
17 presentations. We'll be back in five minutes. We stand  
18 adjourned. Thank you.

19           (Recess from 10:10 a.m., until 10:15 a.m.)

20           CHAIRMAN VANDERLAAN: Okay. We'll reconvene the  
21 meeting. We're now at the point where we'll be receiving  
22 public testimony. We have, as I said, at the break, we had  
23 16 slips. I think we have more than that now, so please be  
24 concise with your presentation. We do want to hear  
25 everyone. And if someone that precedes you has said what

1 you were going to say, if you can just kind of go, ditto,  
2 and not redo all that, that would be very helpful. So, with  
3 that said, are there any other comments, Mr. Ott, before we  
4 begin?

5 EXECUTIVE OFFICER OTT: No, Mr. Chairman.

6 CHAIRMAN VANDERLAAN: Okay. And right up front,  
7 I'll let you know if I mess up your name, I apologize. You  
8 can help me with that. So our first speaker will be David  
9 Ott. Dennis Sherman will be next. If you could kind of get  
10 in the queue over there. Please identify yourself, name and  
11 address please.

12 DAVID OTT: Yes, thank you, Mr. Chairman. Thank  
13 you, Commission. My name is David Ott, President of the San  
14 Diego County Fire Chiefs Association, here to speak before  
15 you today. Throughout the public hearing today you will  
16 hear many different views on this item before you.

17 It is important to realize why we are here today.  
18 We are here because the fragmented, inconsistent,  
19 uncoordinated fire service delivery system that serves, or  
20 in some instances does not serve, areas within the  
21 unincorporated area of San Diego County. We are here  
22 because there are areas within the unincorporated area that  
23 receive substandard fire services. We are here because  
24 citizens who live in or travel through these areas are at  
25 risk. We are here because these areas that receive the

1 substandard fire services put the whole San Diego County  
2 region at risk. We are here today to hopefully take the  
3 next step in improving fire service delivery in these  
4 underserved and unserved areas of San Diego County and to  
5 make the San Diego County region a safer place for our  
6 citizens and for our communities than it was during the  
7 wildfires of 2003, and a safer place than it is today.

8           As President of the San Diego County Fire Chiefs  
9 Association, I have been authorized to inform you on the  
10 position of the Association today. The San Diego County  
11 Fire Chiefs Association and the San Diego County Fire  
12 Districts Associations authored what has been called the  
13 substantially similar proposal, also known as the SSP. The  
14 LAFCO Micro Report before you today is based on this SSP.  
15 The San Diego County Fire Chiefs Association strongly  
16 supports the LAFCO Micro Report before you today, and  
17 specifically supports Model a -- 6a -- excuse me, of the  
18 Micro Report, with a fire protection district governance  
19 model. The Association urges the Board to adopt the ten  
20 recommendations made by LAFCO and, of course, all this is  
21 contingent on an adequate and sustainable funding source.  
22 Thank you.

23           CHAIRMAN VANDERLAAN: Thank you, Chief Ott.  
24 Dennis Sherman, and the next would be Kevin Dublar.

25           MR. SHERMAN: Good morning. My name is Dennis

1 Sherman and I represent the Zone 8 Fire Chiefs in the East  
2 County. And because this needs to be a very short  
3 presentation, you have some additional information before  
4 you there with -- the one with the map on the front --  
5 there's some more information there for you. Okay. We  
6 passed it. Can you back up one? I'm sorry. These are the  
7 departments that have come forward to be part of this  
8 program, the program that we proposed. They're not required  
9 to, they're all part of Zone 8. They're not required to do  
10 that, but they've come forward because they want to do the  
11 right thing.

12           There are three departments in Zone 8 that are not  
13 at this time participating, and I'll hit those very quickly.  
14 The first one is at Borrego, and Borrego is because they're  
15 a fully paid department and they're not really needing any  
16 enhancement at this time. The second one that's not  
17 participating that I would really like to see participate is  
18 Pine Valley. And because they're going through some  
19 internal struggles at this moment, I think we're just going  
20 to have to wait and let the dust clear before we go any  
21 further with that one. And last but not least is Sunshine  
22 Summit. Sunshine Summit -- they've elected to kind of hold  
23 back and see what happens with this because, if it goes, you  
24 know, they would like to be part of it. And they're more  
25 than welcome to join us, you know, when the time comes. We

1 want this to be a voluntary thing, not something that  
2 they're forced to do, something where they can step up and  
3 do what's right.

4           The departments who are participating, as you see  
5 up there, we have Boulevard, Campo, Intermountain, Julian-  
6 Cuyamaca, Mount Laguna, Montezuma Valley, Ocotillo Wells,  
7 Palomar Mountain, San Pasqual, and Shelter Valley. Now,  
8 that's ten departments that represent a lot of area, really  
9 a lot of area. So, boy, need to look at that.

10           Back in 1975, the fire service was discontinued in  
11 the East County, and these are the departments that stepped  
12 up to provide service, and to the best of their ability,  
13 with little or no support, have been providing service to  
14 their communities for the past 30 years. Thirty years,  
15 that's a long time. Of course, then, here comes the Cedar  
16 Fire. And I know that everybody's been working on this for  
17 a long time, but the Cedar Fire was kind of a kick in the  
18 tush, and that did prompt the need for fire service  
19 enhancement in the East County. And the County stepped up  
20 with an eight and a half million dollar enhancement  
21 program. Thank you so much, County. I mean, really,  
22 really, thank you. We needed that. And this program was  
23 administered by DPLU.

24           Now, funding is exactly what the East County  
25 agencies need; however, after following the DPLU program for

1 about two years, the Zone 8 fire chiefs have decided that we  
2 feel that this program is going down the wrong path. Zone 8  
3 is together and willing to stay together as an entity to  
4 develop a solution to meet the service goals expressed in  
5 the LAFCO Micro Report. We can do that. Our solution will  
6 encompass governance, training, equipment, staffing and  
7 support issues. Right now, we're in the process of  
8 evaluating whether a JPA or a CSA is the best thing for us  
9 and, quite honestly, we're going to need the help of LAFCO  
10 and the County to help us in areas like that. But we do  
11 want to come forward as an entity.

12           And as far as training, we're proposing an ongoing  
13 fire academy -- an ongoing fire academy that will provide  
14 uniform training across the whole zone, as well as in-house  
15 training to bring all personnel up to standards. Now,  
16 equipment maintenance and acquisition will still be  
17 coordinated by the County of San Diego, just as it is now,  
18 but most importantly, most importantly, our proposal is to  
19 provide 7/24 staffing by developing a reserve program  
20 supported by stipends.

21           You know, it's real interesting. We had -- Julian  
22 was offered a contract with the CDF, and CDF offered to put  
23 three people to staff one engine seven days a week, 24 hours  
24 a day. The cost of that program was going to be \$1,014,000  
25 per year. Whoa, we said. Then I got to figuring, you know,



1 if we had even a generous stipend, we could -- we could  
2 staff every one of our 11 stations with three people for  
3 about \$1.2 million. Wow, that's exciting, at least we think  
4 it is.

5 CHAIRMAN VANDERLAAN: Chief, if you can bring  
6 your presentation to a conclusion, please.

7 MR. SHERMAN: I'm sorry?

8 CHAIRMAN VANDERLAAN: If you can bring your  
9 presentation to a conclusion, please.

10 MR. SHERMAN: Yes, we're there now.

11 CHAIRMAN VANDERLAAN: Thank you.

12 MR. SHERMAN: Support shall be derived through the  
13 county enhancement funds and managed through county OES,  
14 through John Rejourk (ph) and Herman Reddick -- I'm sorry, I  
15 was told I had seven minutes.

16 CHAIRMAN VANDERLAAN: Did we give seven minutes or  
17 was it only three?

18 MR. SHERMAN: Yes, because I'm representing the  
19 County Fire Chiefs.

20 CHAIRMAN VANDERLAAN: Okay.

21 MR. SHERMAN: Okay?

22 CHAIRMAN VANDERLAAN: Thank you, I stand  
23 corrected.

24 MR. SHERMAN: I'm sorry.

25 CHAIRMAN VANDERLAAN: Reset the timer, please.

1 MR. SHERMAN: Anyway, support shall be derived  
2 through county enhancement funds and managed through county  
3 OES, that's John Rejourk and Herman Reddick, hopefully. We  
4 had a long relationship with Herman Reddick through OES, and  
5 he just did a fantastic job. We truly enjoyed working with  
6 him. He was cooperative. He helped us in any way that he  
7 could. He supported us a hundred percent. And we'd like to  
8 see him in that box.

9 We've had a break in trust with DPLU, and that  
10 management team and through them, we don't feel that we can  
11 continue to develop this program. The Zone 8 chiefs feel  
12 that now is the time to change direction. Now is the time  
13 for the County, for LAFCO and Zone 8 to come together, to  
14 develop a nucleus to build upon. And no matter what the  
15 future brings, this program will in fact -- will enhance the  
16 East County fire service. It will do it. So we ask LAFCO  
17 and the County to embrace this program, to do what's best  
18 for the County, for the participating departments, and most  
19 importantly, for the citizens of our communities. Thank you  
20 for listening. Now we'd like you to consider the  
21 possibilities. Any questions?

22 CHAIRMAN VANDERLAAN: Thank you, Chief. Yes, I'm  
23 sure there'll be questions.

24 COMMISSIONER MENSHEK: Mr. Chair?

25 CHAIRMAN VANDERLAAN: Commissioner?

1           COMMISSIONER MENSHEK: Just real quick. Point of  
2 clarification. Chief Sherman, you just stated you're  
3 representing County Fire Chiefs?

4           MR. SHERMAN: Yes, Zone 8 Fire Chiefs.

5           CHAIRMAN VANDERLAAN: Zone 8 Fire Chiefs.

6           COMMISSIONER MENSHEK: Okay, clarification. Thank  
7 you.

8           CHAIRMAN VANDERLAAN: Are there any other  
9 questions from Commissioners?

10          COMMISSIONER REXFORD: Yes.

11          CHAIRMAN VANDERLAAN: Commissioner Rexford?

12          COMMISSIONER REXFORD: You were saying that we  
13 should take this into consideration. Are you supporting the  
14 report or no?

15          MR. SHERMAN: I'm not supporting nor opposing.  
16 What I'm supporting -- what we need to do is -- thank you  
17 John Traylor and John Goss for saying what they said about  
18 the volunteers. This is so incredibly important that we do  
19 utilize the volunteers. Possibly our program is maybe a  
20 touch upside-down, because what we're going to need to do  
21 going in this direction is possibly have some paid people  
22 that support the volunteer departments, rather than have the  
23 volunteers support the paid departments. This can be done  
24 through a CSA or a fire protection district, or any of those  
25 -- any of those would work. This is, I think, an

1 alternative.

2 COMMISSIONER REXFORD: Okay.

3 CHAIRMAN VANDERLAAN: Thank you. Any other  
4 questions for -- thank you, Chief Sherman.

5 MR. SHERMAN: Thank you.

6 CHAIRMAN VANDERLAAN: All right. Kevin Dublar,  
7 and the next will be -- speaker will be Frank Twohy.

8 MR. DUBLAR: Yes, my name is Kevin Dublar, 2026  
9 Whispering Pines in Julian. First I'd like to thank the  
10 staff of LAFCO: Shirley, John and John. They actually came  
11 out to our department and actually looked at things,  
12 actually asked questions. They were very well prepared,  
13 and, Mr. Ott, you've got a real good team there. So I did  
14 want to thank them.

15 I think we have a problem here today because we  
16 have identified no sustainable income. And this Commission  
17 has said throughout this process that the Commission's  
18 consistent assertion that it would be inappropriate to  
19 create a regional fire protection agency for multiple under-  
20 funded agencies and extensive under-funded territory without  
21 securing additional ongoing revenue. We don't have that  
22 yet. I think we would be premature in taking any action  
23 today that would consolidate organizations in the East  
24 County that are working. And they are working. They may  
25 not be working as well as they could be, but they are doing

1 it.

2           We in Julian-Cuyamaca would like to be out of the  
3 Phase I because I feel we have a district that does work and  
4 we have funding that's sufficient to fund for the operations  
5 that we do. We run an ALS ambulance with paid personnel, so  
6 we do have two people on duty all day. We wish to continue  
7 in that vein rather than being sucked into the vortex of  
8 some unknown entity here and finding out that it's not going  
9 to work, or it's not going to work as it was planned to  
10 work. And then there we sit with nothing once again, like  
11 we were in the mid 70s when the County got out of the fire  
12 agency. We've worked very hard over 30 years to get the  
13 equipment that we've got, to get the stations, and to get  
14 the volunteers.

15           Seventy-five percent of the firefighters in this  
16 country are volunteers. A hundred percent of our  
17 firefighters are volunteers and a hundred percent of them  
18 live in our district. And that's very important to us. We  
19 may have to change that and go to reserves in order to fill  
20 all the seats, but for right now, we've got a very  
21 community-oriented fire department.

22           The impetus for this whole thing was the Cedar  
23 Fire. There isn't a district here, there isn't a chief here  
24 whose district got hit harder than Julian-Cuyamaca. We had  
25 650 to 700 homes destroyed. That's one out of four. The

1 reason I don't know the exact number, they did it by  
2 planning groups rather than fire districts. But that was  
3 one out of four existing homes in Julian was destroyed by  
4 the Cedar Fire. You would think our community would be up  
5 in arms and revolting about the poor fire service. But  
6 instead, they're passing new benefit fees in order to  
7 finance a new station for the district. And it passed with  
8 almost 74 percent.

9           So we still have the support of the community.  
10 They saw what we did during the Cedar Fire. They saw that  
11 we put 25 people out on the Cedar Fire. And I think we  
12 would have trouble doing that if we had three paid people  
13 and relied on volunteers to back them up, because the  
14 volunteers are very quick to leave when they don't have a  
15 chance to participate in the emergency operations of a fire  
16 department. So we are asking either to leave us out of this  
17 Phase I and let's see how things work, and we'd jump in  
18 gladly into Phase II if things are working. But we want to  
19 protect the fire service that we have for our community and  
20 that our community has worked hard for and funded over the  
21 past 30 years. And we would like to remain as a separate  
22 entity. Thank you.

23           CHAIRMAN VANDERLAAN: Thank you. Are there any  
24 questions for Chief Dublar? Thank you very much. Frank  
25 Twohy. The next speaker would be Gilbert -- I'm sorry --

1 Turrentine.

2 MR. TWOHY: My name is Frank Twohy. I'm -- I  
3 reside in Elfin Forest at 20018 Fortuna del Este. As you  
4 know, our community is actively involved in the public  
5 outreach process and have come down by the busload. I  
6 elected today to allow you not to have that pleasure, and so  
7 there are only a few of us here. So my remarks will be  
8 somewhat brief.

9 As a resident of the Elfin Forest/Harmony Grove  
10 community, and Chief of the Elfin Forest/Harmony Grove Fire  
11 Department, I encourage the Commission to vote in favor of  
12 moving CSA 107 Elfin Forest into Phase II of the  
13 reorganization of structural fire protection and emergency  
14 medical services in the unincorporated San Diego County. I  
15 was one of the fire chiefs on the subcommittee that helped  
16 developed the SSP, and as early as two years ago, the SSP  
17 subcommittee recognized that CSA 107 Elfin Forest is an  
18 island surrounded by cities and paid fire districts. It is  
19 also the only combination department west of Interstate 15  
20 located entirely west of Interstate 15.

21 Our community is growing rapidly. The County has  
22 recently approved two new residential projects in the CSA  
23 which will add 900 new homes. If the proposed University  
24 Heights project is approved, it could add as many as several  
25 hundred additional homes. Our department trains to the

1 adopted North Zone Training Manual, adheres to zone  
2 operational policies, and participates in zone projects,  
3 such as the North Zone Mapping, the Televideo Conferencing  
4 System, and is dispatched by the North Zone JPA Dispatch  
5 Center located in Rancho Santa Fe.

6           If the Elfin Forest/Harmony Grove Fire Department  
7 is moved into Phase II, the department can continue to  
8 investigate the cooperative resources sharings, the Rancho  
9 Santa Fe, Solana Beach and Del Mar. These discussions have  
10 been ongoing for over the last year. Now, the discussions  
11 have centered on equalizing service levels between agencies  
12 and the CSA 107. And again, the key is funding.

13           It is critical that any funding secured for Phase  
14 I be also provided to the CSA 107 so that we can match this  
15 level of service. The sad fact is that no funding or under-  
16 funding is a major contributor to the fire and ES problem we  
17 are facing today. I applaud the County's funding help  
18 through the Fire Enhancement Program and support LAFCO  
19 staff's recommendation. The contracts for structural fire  
20 protection and emergency medical services should be awarded  
21 through a process that allows local agencies and volunteer  
22 companies to submit competitive bids for providing enhanced  
23 services and increased coverage with local resources.

24           Lastly, I feel that the County's Fire Enhancement  
25 Plan, as laudable and as well-meaning as it is, should be



1 transferred from DPLU to another existing County agency as  
2 it has a very public perception of conflict of interest.  
3 Thank you.

4 CHAIRMAN VANDERLAAN: Thank you. Gil Turrentine.  
5 The next speaker will be Laurel Nicholson.

6 MR. TURRENTINE: Good after, Mr. Chairman and the  
7 Board. My name is Gil Turrentine, Chief of San Pasqual  
8 Volunteer Fire Department. We also request to be removed  
9 from Phase I. Our reasons are, we're at the far west end of  
10 the back country. We're bordered by Ramona, San Diego  
11 City. We have ALS service available from San Diego; ALS are  
12 available from Ramona. We also have a BSL -- BLS contract  
13 with Pacific Ambulance. We run automatic aid with those  
14 agencies around us. It would not benefit us at all to go to  
15 a paid fire department, the way you're proposing with three  
16 CDF.

17 We've had several examples here in the last month  
18 where Borrego had a large trash fire, for lack of a better  
19 terminology, but it was quite large, and the volunteers sent  
20 24 people to that fire and numerous pieces of equipment. We  
21 were down there for three days. Didn't cost the County a  
22 dime. We just had a fire yesterday with San Diego City. We  
23 have an automatic aid with them. We sent two pieces of  
24 equipment, seven people and a chief to that fire, and still  
25 kept our station manned. You can't do that with an Amador

1 program or a schedule-A program. You only have three people  
2 in the station; if they leave, who covers the station while  
3 they're gone? It won't work. Thank you very much.

4 CHAIRMAN VANDERLAAN: Thank you, Chief Turrentine.  
5 Laurel Nicholson. The next speaker will be Peter Orner.

6 DR. ORNER: Can we go in the reverse order?

7 CHAIRMAN VANDERLAAN: Well, certainly.

8 DR. ORNER: I only have a little to say.

9 CHAIRMAN VANDERLAAN: Yeah, please. Just identify  
10 yourself.

11 DR. ORNER: I [unintelligible] for an  
12 organization.

13 CHAIRMAN VANDERLAAN: Okay.

14 DR. ORNER: Dr. Peter Orner. I'm the President of  
15 the Board of Directors of the Deer Springs Fire Protection  
16 District. We have ALS 24/7. Deer Springs Fire Protection  
17 District is far above Level 5a standards. We have about  
18 7,000 registered voters, as opposed to 300 in the back  
19 country, let's say. We are 100 percent career firefighters.

20 We respectfully wish to be removed from Phase I. I have no  
21 more to say. I'm going to yield the remainder of our time  
22 to Director Laurel Nicholson, who will present the official  
23 Deer Springs Fire Protection District Board of Directors  
24 stance.

25 CHAIRMAN VANDERLAAN: Thank you, doctor.

1 MS. NICHOLSON: Hi. I'm Laurel Nicholson, again,  
2 Board of Directors, Deer Springs Fire District. And we  
3 cannot stress how strongly enough that we wish to be removed  
4 from Phase I, for three important reasons. And these  
5 reasons are going to mirror the letter that we sent to you,  
6 but the first one is that we believe the continuous  
7 improvement will be eliminated or slow under the  
8 reorganization. We have worked very hard to continually  
9 improve our district. We are proud of our level of  
10 staffing. As Peter said, on any given day, 24/7 our  
11 district has three firefighters at each of our two stations:  
12 one who is ALS and two who are EMT, defib, Combi-Tube  
13 qualified. And at our Amador-Miller Station, we have three  
14 firefighters: one who is EMT, defib, Combi-Tube qualified.

15 We have one of the few districts in San Diego  
16 County who has an active fire safe council and also a CERT,  
17 the Community Emergency Response Team. We think that the  
18 Phase I reorganization will have significant disadvantages  
19 to us. We have serious doubts that additional funds will be  
20 given to our district to improve our district once the  
21 organization -- reorganization would take place. And our  
22 concern is that other districts, with lesser resources,  
23 would be required to improve their operation until they are  
24 at the same level as the Deer Springs Fire District, which  
25 means that that would have to happen before any more money

1 would be allocated to our district.

2           The second important point is the loss of local  
3 control. We are concerned that the responsibility -- that  
4 the Board's responsibility to its residents and property  
5 owners would be diluted or seriously diminished if it is  
6 dissolved. And by eliminating our local fire protection  
7 district, the communities no longer have local  
8 representation to address the particular needs of our  
9 district.

10           Also, that we're already under contract with CAL  
11 FIRE, which provides central control for all of North County  
12 in the event of a wildfire. And we already have various  
13 mutual aid agreements that work to our advantage should  
14 there be a large fire. And once again, let me stress that,  
15 based on all of this, that being part of Phase I presents,  
16 we believe, a significant step backward.

17           The third area is funding. While most requests  
18 for tax increases in 2005 were defeated by voters, our  
19 district overwhelmingly passed a \$1.4 million special tax  
20 assessment. We also feel that if we were part of Phase I,  
21 that money could not be used for the other areas, so it  
22 wouldn't be of any advantage to them. We also think it  
23 would be an accounting and operations nightmare to keep  
24 track of each district's special assessment and how that  
25 money would be allocated back to each assessment area. And

1 there are many voters in our area who have a healthy  
2 skepticism that that tax assessment would remain a permanent  
3 part of the County's revenues instead of being allocated  
4 back to the Deer Springs Fire Protection District.

5 We greatly appreciate, though, that the County,  
6 through its Fire Enhancement Program did contribute money  
7 for staffing, and we hope that that will continue its  
8 support. However, at the same time, we also firmly believe  
9 that we have the income or can generate the income to  
10 operate independently.

11 In summary, when we first heard about the  
12 consolidation, I think a lot of people said, yeah, that's a  
13 good idea because we heard about the cost savings and the  
14 efficiencies. But when we first heard about it, nobody  
15 really mentioned the significant income shortfall. So when  
16 we looked at it more closely, we don't really feel that the  
17 reorganization has lived up to the potential for our  
18 district that it could afford us. Therefore, we want to be  
19 removed from Phase I. So thank you very much.

20 CHAIRMAN VANDERLAAN: Thank you. Next speaker,  
21 Paula de Sousa, and then followed by Alan Black.

22 COMMISSIONER MENSHEK: Just a quick comment,  
23 Mr. Chair.

24 CHAIRMAN VANDERLAAN: Yes.

25 COMMISSIONER MENSHEK: Sorry. This Commission has

1 been on record from the inception of this program that any  
2 consolidation would not result in an increased savings.  
3 It's going to cost more money no matter what we do. Thank  
4 you.

5 MS. DE SOUSA: Good morning. My name's Paula de  
6 Sousa. I'm a partner with Best Best & Krieger and I'm here  
7 on behalf of the Deer Springs Fire Protection District. My  
8 comments are aimed at explaining why their request for  
9 removal from Phase I is justified and actually mandated by  
10 the Cortese-Knox-Hertzberg Act of 2000.

11 When the legislature adopted the Act in 2000, it  
12 codified a shift in the legislature's attitude and policy  
13 regarding limited and single-purpose districts, and it  
14 recognized that such agencies serve a vital role in the  
15 provision of services in rural, urban and suburban areas and  
16 communities within the State of California. The legislature  
17 further codified its policy that, regardless of the type of  
18 entity, either large or small, whether single purpose,  
19 limited purpose or multi-purpose, the entity that can best  
20 provide the services should have the responsibility of  
21 providing those services. And for the reasons stated in the  
22 previous presentation, and as stated in the District's  
23 letter of April 11th, the Deer Springs Fire Protection  
24 District respectfully believes that it is the entity that  
25 can best provide these services in its territory.

1           Additionally, when the formation of a new  
2 governmental agency is proposed, the 2000 Act requires that  
3 the Commission make a determination as to whether existing  
4 agencies can feasibly provide the needed services in a more  
5 -- more efficient and accountable matter. Given that there  
6 are questions regarding the financing issues and funding for  
7 the new proposed regional entity, there's little evidence  
8 that the proposed regional agency can provide -- feasibly  
9 provide fire protection and EMS services in a more efficient  
10 and accountable manner than Deer Springs can currently  
11 provide. And as stated in a previous presentation, Deer  
12 Springs is already meeting and exceeding standards and is  
13 actively working to provide even better services.

14           And so for those reasons, the Deer Springs Fire  
15 Protection District respectfully requests to be removed from  
16 Phase I.

17           CHAIRMAN VANDERLAAN: Thank you. Alan Black.  
18 Next speaker will be Tom Gardner.

19           MR. BLACK: Good morning. My name is Alan Black.  
20 I'm with CAL FIRE. I am the local Administrative Division  
21 Chief in the unit, and there were some points on the report  
22 that we just wanted to clarify as it related to CAL FIRE.

23           One of the points in the Report stated that CAL  
24 FIRE, whenever we absorb a new contract, displace employees  
25 from that contract. We wanted to go on record to let you

1 know that any professional firefighters or any qualified  
2 firefighters that work for the department are offered jobs  
3 with us, and it's not a matter of we tried, but in fact, we  
4 do absorb those individuals into our organization. And that  
5 is by policy.

6           It was mentioned problems with the three-year  
7 contract. We were pretty insistent that we wanted a minimum  
8 of a three-year contract because we were blanketing in  
9 employees from these various departments. And doing that,  
10 we didn't want to be in a situation of bringing an employee  
11 on, have that employee work for us for, say, one year, and  
12 then if that contract went away, we're in a position, we  
13 absorbed that employee and have to put that displaced  
14 employee somewhere in our state system that could be  
15 significantly outside of San Diego County. By having a  
16 three-year contract, that puts stability for the employees,  
17 CDF, and for the local community.

18           Cost comparisons. Some of the cost comparisons  
19 have been brought forward, we feel are not fully reflective  
20 of the information that we brought forward. The numbers  
21 that we carried forward when requested was contract numbers  
22 that we had with existing departments. Those contract  
23 numbers reflected a top dollar amount that we would charge  
24 if we were to enter into one of those specific contracts on  
25 that date. It's not a median number, it's a top dollar with



1 the employee, the benefits, the cover behind, full-service  
2 contract, top. It's not a matter of coming into it and then  
3 getting a higher number. That's the top amount we can  
4 contract -- we can charge under the contract when bringing  
5 it forward.

6 Another comment was made about CDF working with  
7 volunteers could be problematic. It's my opinion that -- in  
8 our opinion that anytime there's change, it's going to be  
9 problematic, whoever is involved in that, whether we're  
10 there, another entity from the county's there, or even in  
11 the consolidations that were talked about here today. Those  
12 have issues as they go forward. I would like to mention  
13 that CDF currently, state-wide, works with 213 volunteer  
14 fire companies and 240 Schedule A operations. We think  
15 we're well-versed in that.

16 Lastly, we would like to bring to your attention  
17 and remind you of the infrastructure we have in the back  
18 country that we think is already existing, already  
19 available, and is easily integrated into a County system  
20 that would facilitate, I think, a faster ramp-up if you  
21 choose to do that. Thank you very much.

22 CHAIRMAN VANDERLAAN: Thank you. Tom Gardner,  
23 then Jeff Carle.

24 COMMISSIONER REXFORD: I have --

25 CHAIRMAN VANDERLAAN: I'm sorry, did you have a

1 question? Excuse me.

2 COMMISSIONER REXFORD: I have a question on that.  
3 Is he supporting it or not? I didn't quite --

4 CHAIRMAN VANDERLAAN: Chief, do you have a  
5 response to that?

6 MR. BLACK: I apologize. We are in support.

7 COMMISSIONER REXFORD: You are supporting it.

8 MR. GARDNER: Good morning, my name is Tom  
9 Gardner, past president of CDF firefighters, speak again  
10 before members of Board of Supervisors, chair and members  
11 LAFCO. Many of the fire chiefs here, we've had this  
12 comment, and you have a decision that I'm glad I don't have  
13 to make.

14 This is an ongoing problem; it's been here well  
15 before the Cedar Fire. For many, many years, we've had  
16 problems with fire protection in rural areas. San Diego  
17 County is changing. The rural areas are getting more  
18 populated and there is a need for a greater level of  
19 service. Areas like Mount Laguna, Julian, Elfin Forest,  
20 that have true hundred percent staff, they are to be  
21 commended. It takes a lot, I mean, to get up in the middle  
22 of the morning, three or four nights in a row, then get up  
23 and do your regular job. That is a lot to do that.

24 The comments are some concerns about when CDF  
25 comes in or a paid department comes in and the volunteer

1 departments disappear, well that's generally true. When  
2 you're going to a paid staff, it means your call volume,  
3 your needs, your responses, your need for fire protection  
4 has increased and you need additional staff for insurance  
5 and ISO ratings. If you were to put an Albertson's and an  
6 AMC 16 theater in Julian, to build the facility and get the  
7 tax base, they were going to have to have -- they would have  
8 to have a water supply and a large paid fire department to  
9 provide the protection.

10 So many times, as the communities are growing,  
11 they do require a more professional and paid staff. And I  
12 apologize for the remark "professional", because volunteers  
13 are the same. They do require a paid staff to be there 24/7  
14 so that they can count for the ISO rating. And it does come  
15 to a fact that at 3:00 in the morning, for GI bleed (sic),  
16 the volunteer will roll over and say, the paid staff can  
17 handle that. But when they do get the car over the side on  
18 the Rincon Grade and there's people trapped, we do need the  
19 volunteers to go. We do need the volunteers to be part of  
20 this whole picture.

21 What came out of Blue Ribbon and what came out of  
22 the Cedar Fire was a command of control, a lot of issues  
23 with the County over who's in charge, who's doing what.  
24 That does have to be there, and all departments are going to  
25 have to accept that there really needs to be one boss, and

1 it needs to be an organizational structure, and that's the  
2 hard part. That's where the rub is with a lot of  
3 departments. I do believe that we do need to move forward  
4 on this. LAFCO needs to move forward on it. I do believe  
5 that the DPLU, although DPLU is part of the County and it is  
6 -- they're working for the -- under the direction of the  
7 County -- it can be moved under OES, that's for the Board of  
8 Supervisors. It could be moved under any part of the  
9 County. But they have put a proposal for some additional  
10 funding for some additional protection that puts us a long  
11 way towards getting there.

12 I don't know if the LAFCO can take part of that  
13 and move forward. And this may be a three or a five-year  
14 project before we try and fund out and go a hundred percent  
15 and allow the volunteer community that has come up here and  
16 offered to provide continuing protection, to allow them to  
17 continue to do so, also to try and give them some additional  
18 funding because they do it out there in the rural areas.

19 We do support it. A majority of the paid  
20 firefighters in those departments are represented by CDF  
21 firefighters, and we are here to support the citizens.  
22 Thank you.

23 CHAIRMAN VANDERLAAN: Thank you.

24 MR. GARDNER: Questions?

25 CHAIRMAN VANDERLAAN: Any questions? Jeff Carle

1 and then Mary Schoepfer, something like that. Sorry, Mary.

2 MR. CARLE: Chairman and the commissioners. Thank  
3 you very much for this opportunity. My name is Jeff Carle.

4 I'm a Deputy Chief of Operations for the San Diego Fire  
5 Department, and on behalf of Fire Chief Tracy Jarmon (ph)  
6 and the City of San Diego, I'm here to speak in favor of the  
7 LAFCO Report.

8 We support this report as long as there is  
9 adequate and sustainable funding, because it's the only way  
10 to move past the concerns you've heard reported today about  
11 the loss of volunteers or incorporating their unimaginable  
12 efforts in taking care of their communities. We need to do  
13 that. We're also substantially concerned about the  
14 governance issue and I really encourage you to create a fire  
15 protection district that takes care of fire issues, that  
16 keeps this from becoming a recurrent football and concern.

17 The issue of funding is one that faces all of us,  
18 without doubt. But in my 28 years with the San Diego Fire  
19 Department, my five years with the Encinitas Fire Depart-  
20 ment, and my five years as a volunteer and part-paid  
21 firefighters in the City of Poway now, I can tell you that  
22 this has been a subject of discussion for all of that period  
23 of time. It's time for the County to step up and move  
24 forward, and we would support you in this report.

25 Thank you.

1           CHAIRMAN VANDERLAAN: Thank you. Eric Anderson  
2 will be our speaker after Mary.

3           MS. SCHOEPFER: Good morning. I'm Mary Schoepfer.  
4 I'm from Boulevard Fire -- no, I'm not from Boulevard Fire  
5 anymore, I'm retired from Boulevard Fire. I am now a  
6 resident -- stop laughing Diane. I spent seven years  
7 learning fire, and I learned it the hard way in the school  
8 of hard knocks. I learned a lot from these guys back here.  
9 I learned what it takes to be a small, under-funded fire  
10 department that is scrounging to get volunteers out there,  
11 to get reserves out there, to get equipment.

12           The plan is good. It needs a little tweaking.  
13 CSA 135 will probably work, and probably with the help of  
14 Dennis and Kevin, work for you all, it will work to help  
15 everybody. My department is the kind of department that  
16 really needs the help because when you get somebody like me  
17 that goes in and was green, what do you do? It's a big  
18 question. We need the help. One thirty-five, CSA 135,  
19 probably will work. When our CSA 111 has worked for us. So  
20 try it. Let's see if it will work. Thank you.

21           CHAIRMAN VANDERLAAN: Thank you. Eric Anderson  
22 and then Darrell Jobes.

23           MR. ANDERSON: Good morning, Chairman Vanderlaan.  
24 Eric Anderson, Elfin Forest, 20245 Elfin Forest Road.  
25 First, I would like to compliment Executive Director Ott and

1 his staff for doing and taking on a big project and doing a  
2 great job of hearing us out. Elfin Forest responded and  
3 came out and gave them an earful or two.

4           So the first thing is remove Elfin Forest from  
5 Phase I, and I think that's in the recommendation 4b. LAFCO  
6 has the ability to give direction to the Board of  
7 Supervisors and folks here to remove those special  
8 districts, to protect those special districts, the ones that  
9 are doing a good job, the ones that do have a plan, the ones  
10 that are funded and supported by the community. Our -- as  
11 you've read, our community voted over 80 percent to support  
12 the funding.

13           The second part is I want to send a message loud  
14 and clear to the supervisors that DPLU is the inappropriate  
15 planning agency. While DPLU should have an incorporated  
16 fire planning in their approval of projects and things like  
17 that, DPLU has no business running the fire agencies, as  
18 you've heard from the professionals.

19           And, finally, I want to remind the other  
20 commissioners who might not remember, CSA 135 was formed to  
21 fund a communications system. And I'm sure Supervisor Jacob  
22 will agree with me, that the tens of millions of dollars  
23 that the County did spend on that CSA 135 were spectacularly  
24 as shown by '03, the 2003, and opposed by many of the  
25 previous predecessors of the CDF here, 'cause I was here at

1 that hearing for some other reason -- I think it was Ag 20  
2 or something -- that they couldn't communicate with the 800  
3 MHz system.

4           So think about what you're doing and do it  
5 carefully. In our community, the dissolution of our fire  
6 department is the dissolution of our community. Elfin  
7 Forest is really one of the truly great communities in San  
8 Diego County, and part of the strength of our fire  
9 department is this -- is our community. Dissolving those  
10 boundaries, which are our community boundaries, will  
11 dissolve us as a community. And I would hate to think that  
12 58 citizens of Elfin Forest would hold up, in the interest  
13 of preserving their community, this process, because it does  
14 need to go forward. And those million acres out there need  
15 protection. What starts out, unfortunately, in the East  
16 County, does not stay there, as we have found out. And  
17 under the right conditions, it will burn to the coast, as  
18 they found out in Malibu and other places. Thank you.

19           CHAIRMAN VANDERLAAN: Thank you. Darrell Jobes.

20           EXECUTIVE OFFICER OTT: Excuse me, Mr. Chairman.  
21 Darrell, I know that you wanted to speak last. Did you want  
22 to speak at the end of the supporters, which we are now at,  
23 or at the end of the opposition slips? We have six  
24 opposition slips, and then that'll complete the testimony.

25           MR. JOBES: Whatever your pleasure would be, I



1 just wanted to basically bat up.

2 EXECUTIVE OFFICER OTT: Since you're up here, why  
3 don't you --

4 CHAIRMAN VANDERLAAN: Step right up, Darrell.

5 MR. JOBES: Okay. All right. Thank you. My name  
6 is Darrell Jobes. I'm President of the San Diego County  
7 Fire Districts Association. I want to thank you for the  
8 opportunity to speak to your Commission today. It's a  
9 subject that's extremely important to me, both as a resident  
10 and as a member of the fire service in San Diego County.

11 The Fire Districts Association met in March and we  
12 voted, and we came up with two topics that we could support  
13 unanimously -- I'm sorry, by majority. One is, we support  
14 the LAFCO Report. Second, we recommend the formation of an  
15 independent regional fire protection governance model.  
16 Today you have ten recommendations before you. I ask that  
17 you support staff's recommendations.

18 I would like to expand a little bit on  
19 recommendation 4. We do concur with staff recommendation  
20 4a. We do believe that as it relates to 4b, the Commission  
21 has to consider each request to be removed from Phase I on  
22 the merit of that request. We concur with staff  
23 recommendation 4c, and we're not taking a position on 4d  
24 because it includes too many different options.

25 In closing, you've heard many different and

1 independent comments today, which all exemplify the need for  
2 a regional fire and emergency medical service delivery  
3 system that has to have ongoing, appropriate, sustainable  
4 funding. And that's the key. We have to have the ongoing  
5 sustainable funding. The fire service in this county has  
6 done an excellent job. We've been leaders nationwide in  
7 auto and mutual aid programs. We've done that because we  
8 know that none of us can stand alone. We all need the  
9 support of each other, and that's what we want to do is  
10 improve the fire service and the EMS service for the  
11 citizens of this county. Thank you.

12 CHAIRMAN VANDERLAAN: Thank you. We do have  
13 one additional speaker in support. That would be Randy  
14 Scales.

15 MR. SCALES: Hi. My name is Randy Scales. I  
16 represent CDF Firefighters Local 2881 in support of the  
17 recommendation. First of all, we look at the recommendation  
18 and, as a person that lives in the back country, you want to  
19 look at what's in the best interest of your community. We  
20 look at things like response times, consistency of  
21 personnel, efficiency. Most of the volunteers that are out  
22 there respond from home or from work, or from someplace in  
23 their community, which delays the response time. By  
24 providing career staff personnel along with volunteers,  
25 seven days a week, 24 hours a day, you improve those

1 response times, improve fire suppression, and also improve  
2 patient care.

3           We also look at what level of experience career  
4 personnel bring to the fire service. By having at least one  
5 or two career personnel on duty every day adds to the  
6 experience of the volunteers and the reserves that you might  
7 hire. It makes the command decisions that are out there  
8 easier for the personnel to deal with, the volunteers that  
9 may not have the experience to make those decisions aren't  
10 required to make those decisions.

11           By providing the experienced leaders, provides  
12 better training and it provides a better experience overall  
13 for the reserves and volunteers that may not be willing to  
14 leave after a short period of time because they're getting a  
15 better experience than what they were getting before. Most  
16 volunteers and reserves come into the fire service,  
17 especially the younger ones, as a stepping stone. They're  
18 looking for the experience to put on a resume, to make their  
19 career as a firefighter and need something to enhance a  
20 resume and provide experience to another department that  
21 they may serve.

22           The other issue that's come up is local control.  
23 It's been brought up that, do we really want supervisors  
24 downtown making the decisions for the back country  
25 communities? That doesn't happen. It doesn't happen

1 because we provide battalion chiefs in zones or battalions  
2 out there that listen to the communities, listen to the  
3 needs of the firefighters on the floor every day. What are  
4 they experiencing? What are they lacking? What do they  
5 need in funding? What is the next piece of equipment that  
6 would best serve them? Then they make that recommendation  
7 to whoever the unit chief or the County service provider  
8 would be, who then makes the recommendations to the Board  
9 for that type of funding for those areas.

10 We talked about this being a knee-jerk reaction  
11 from the Cedar Fire. It actually wasn't. This started out  
12 in 1996, where the county fire chief said, hey, we need to  
13 provide a county fire service, that it's not in very good  
14 cohesion; it's not working. It was the Cedar Fire that  
15 finally got the ball rolling. It took a reaction from the  
16 Cedar Fire, the devastation, the homes that were lost, the  
17 lives that were impacted, to make the ball move in this  
18 case. It wasn't moving before, it was stuck at the top of  
19 that knoll and wouldn't go over either side. But nobody  
20 would move forward until the Cedar Fire came through and  
21 devastated all the lives of the people of this community.

22 Secondly, and in closing, as a resident of the  
23 back country, again, what is in the best interests of your  
24 community? To have a full-time professional fire service  
25 supplemented by reserves and volunteers without a tax

1 increase? I think that's something I'd want. Thank you.

2 CHAIRMAN VANDERLAAN: Thank you. We have no other  
3 speaker slips in support. We now go to the opposition  
4 speakers. The first speaker will be Diane Brehm. Is Diane  
5 here?

6 MS. BREHM: Yes, sir. It's my fingers, I  
7 apologize. Yes. Diane Brehm, resident of Crest, which is  
8 East County Fire Protection District. One of my main  
9 concerns is ISO ratings. As a property owner in Crest,  
10 currently East County Fire Protection District, which is now  
11 covering Harbison Canyon, as well as Crest, our ISO rating  
12 in Crest is four. We've been told -- I've been told by my  
13 insurance company, and we've been told by a number of  
14 insurance companies, the ISO rating will drop to nine if  
15 we're annexed as a part of this consolidation plan; no  
16 offense to LAFCO. But that's the way it'll be. The only  
17 option would be state insurance, which would be 4,000 a year  
18 for a 1200 foot, only cover the initial dwelling, will not  
19 cover garage, personal property, pool, anything else other  
20 than the primary dwelling.

21 Potential effect on mutual aid, not just the  
22 automatic aid that was mentioned earlier. Mutual aid's been  
23 in effect since 1954 and also concerns about sustainable  
24 ongoing income that was mentioned previously. No offense at  
25 all to Mr. Ott and LAFCO and the hard work that's been done

1 by everybody and the [sneeze] -- excuse me -- that's been  
2 going on for all these years. So I'm just sharing my  
3 concerns. As homeowners, that makes a tremendous  
4 difference, 4,000 a year. So, that's all I had to say. I  
5 yield my remaining time. Thank you members of the  
6 Commission, and Mr. Ott and your department.

7 CHAIRMAN VANDERLAAN: Thank you. Rosalind Orner  
8 just wanted her name in the record, not to speak. Is that  
9 still the case?

10 (No audible response.)

11 So, Rosalind does not want to speak?

12 (No audible response.)

13 Next speaker would Weaver Simonsen, followed by  
14 Jack Shelver.

15 MR. SIMONSEN: Mr. Ott, distinguished  
16 Commissioners. I appreciate the opportunity to talk to  
17 you. My name is Weaver Simonsen. I live at 19075 Paradise  
18 Mountain Road. I'm the Vice President of the Valley Center  
19 Fire Protect District, and also I serve as a de facto member  
20 on the Treasurers Committee.

21 I'm here to address you on -- I don't know whether  
22 it's oppose or whatever, but I'd like you to take some  
23 action today, and I'll explain the reason why that action.  
24 And that is to remove us from consideration in Phase I. I'm  
25 going to take advantage, Mr. Ott, of your offer, and say

1 ditto for Deer Springs. Everything they said, same with  
2 Valley Center, with the exception that we're running four  
3 people on our engines. We have found that the young people  
4 out there at night on the side of the road in traffic  
5 accidents, to have more bodies, creates greater safety with  
6 them. So we took the county funds and augmented our staff  
7 on the engines instead of supplemented in case it goes away,  
8 so we can continue to maintain.

9           But we've been looking at our funding, and we are  
10 a post-Prop 13, and as a post-Prop 13 district, we struggle  
11 with funding. The funding does not keep up with the  
12 requirements. We're set at a fixed rate, three percent, yet  
13 our growth continues. So we're constantly running behind,  
14 just as Deer Springs raised their funding, went to the  
15 taxpayers, we intended to do that. We've projected our  
16 revenues and expenses out for the next six to seven years.  
17 We know in two to three years we're going to be running  
18 negative. We have been trying and worked -- we've even  
19 hired a consultant to assist us to go out and establish a  
20 new benefit fee. The consultant has come back and said,  
21 place it on hold; with all this on the fire, it'll be too  
22 confusing to the voters. So, for the last year we've done  
23 nothing, and yet, we've lost another year. So we're now one  
24 more year closer to going into a negative. And as you, as  
25 commissioners, and your various bodies, you know, your

1 responsibility is to ensure that you have the resources to  
2 provide the services. Well, what's happening, this action  
3 has delayed our ability to do that. So we would ask, in  
4 Valley Center, for you to take this action today and remove  
5 us, to get this out so we can move on with our benefit fee  
6 process and increase our benefit fee so we can at least go  
7 another five to six years. Because that's the nature of  
8 benefit fees for those people in post-Prop 13 districts.  
9 And if there's anything you could do, it would be go to the  
10 legislature and change that concept in funding for fire  
11 departments so we post-Prop 13 are not in that vicious cycle  
12 of going out every five to six years for another benefit fee  
13 to fund us. Any questions you have I'd be more than happy  
14 to answer.

15 CHAIRMAN VANDERLAAN: Thank you very much.

16 MR. SIMONSEN: Thank you very much.

17 CHAIRMAN VANDERLAAN: Jack Shelver and then Marty  
18 Orenyak.

19 MR. SHELVER: Thank you, Mr. Chairman, members of  
20 the Commission. First off, I'll apologize for the color  
21 slip I submitted. We're not in opposition. My name is Jack  
22 Shelver. I live at 3232 Para Alta Drive in Julian. I'm the  
23 Chairman of the Julian Community Planning Group. Our Group  
24 took action at their April 9 meeting to support the position  
25 of Julian-Cuyamaca Fire District to ask to be excluded from



1 Phase I. We did not take action to support or oppose the  
2 report. Personally, I've read the report and I think it's  
3 thorough, well done and very timely. But the position of  
4 our group was at the Julian Community -- Cuyamaca Fire  
5 Protection District has a strong and viable volunteer  
6 component, and our concerns about the continued viability of  
7 that component are the basis of our position. We appreciate  
8 the analysis by my former colleague, John Goss, regarding  
9 the relationships in a hypered-staffing pattern, that is,  
10 volunteer and fully paid staff. That really is the basis of  
11 the concern that our group had, and we think that excluding  
12 Julian-Cuyamaca Fire Protection District from the initial  
13 phase, not necessarily from the whole report, but from the  
14 initial phase, would help to address that concern that we  
15 have. Thank you very much.

16 CHAIRMAN VANDERLAAN: Thank you. Marty Orenyak.

17 MR. ORENYAK: Chairman, members of the Board. My  
18 name is Marty Orenyak. I'm the Chairman of the Board of  
19 Directors for the Borrego Fire District. I was confused by  
20 the pink and red slips, too, because a lot of what we've --  
21 your staff has proposed, we agree with. We just don't want  
22 to be included, you know, in the first phase.

23 (Laughter).

24 So I'd particularly like to thank Ms. Anderson and  
25 Mr. Traylor, who came to the far reaches of Borrego to spend

1 four or five hours with us, it seemed like. They answered  
2 all of our board's questions. They got beat up a little  
3 bit, but they're grown up and they could handle it very  
4 well.

5 I'm not going to reiterate or regurgitate a lot of  
6 the things that have been said here today. The position  
7 that our community has and the board has is clearly  
8 articulated in our letter to your Executive Director,  
9 Mr. Ott. We have nothing new to add. Nothing much has  
10 happened since all this started. We're totally -- so  
11 there's not misunderstanding, we're totally in support of a  
12 regional plan. We just believe, as many others have said  
13 here today, that we need to have a funding strategy in  
14 place. We can't go down the line and come back a year from  
15 now and find out that, hey, it really didn't work, now what  
16 are we going to do? So, when and if you have a funding  
17 strategy, we're a hundred percent behind you and we'll do  
18 everything that we can do to ensure a smooth transition into  
19 a regional fire protection district.

20 Our current level of service, like many others  
21 have stated here today, currently exceeds that of the best  
22 model proposed in Phase I. Like a great philosopher once  
23 said, if it ain't broke, don't fix it. Borrego Springs Fire  
24 District, and apparently some other ones, are not broken,  
25 either literally or figuratively. So come back to us when

1 you can make this thing work the way it's been intended to  
2 work. I lost my home in the Cedar Fire, so I am totally  
3 supportive of a regional solution that would, hopefully,  
4 prevent that from happening, although I don't think there  
5 was enough firemen in the State of California that could  
6 have put that thing out. So, anyhow, thank you for your  
7 consideration. And I hope you'll take our recommendation to  
8 heart and exclude us from Phase I. Thank you very much.

9 CHAIRMAN VANDERLAAN: Thank you very much. I  
10 appreciate your sense of humor from Borrego Springs. That's  
11 the last official slip we have. Is there anyone else who  
12 would like to speak to the Commission this morning regarding  
13 item 11A, 11B? Seeing none, we will close the public  
14 hearing.

15 I know that my colleagues here have a lot to say,  
16 but just a couple of general statements before we do that  
17 and that is, I, too, commend our staff. They did an  
18 excellent job, not only putting together the report, both  
19 the Micro and the Macro Report, but also in the outreach  
20 program. It's been mentioned a couple of times about the  
21 public comments, it's a document that looks like this. So I  
22 think it was kind of an aerobic program for the staff that  
23 sent to the commissioners to go through that process. But,  
24 seriously, an excellent job. We've heard comments by those  
25 that are affected; the quality of our staff in coming out

1 and meeting and talking to them, perhaps the first time  
2 that's occurred. So, I commend our staff, Mike Ott, our  
3 Executive Director. And thanks also to -- the -- your  
4 Commission here has been quite involved in this process, not  
5 only in the hearings, but in other things as well. Both of  
6 the supervisors, within their districts, other folks up here  
7 who have a connection in one way or the other to the fire  
8 services have also participated in that. And DPLU's been --  
9 kind of been put on the burner. Today I'd like to thank  
10 them. They participated in the process. Like any agency,  
11 when you step out and do something, there are people who  
12 love you and people who don't care so much about you. But  
13 they participated well and they're doing an excellent job.

14 I think before us, the Commission, we have maybe a  
15 watershed moment. I came to this county in 1976; thought we  
16 should have a regional fire agency at that point, and here  
17 we are, what, 31 years later and we're having the discussion  
18 that certainly takes catastrophic events, sadly, like Cedar  
19 Fire, and other things, to get us to the point where we are  
20 today. I don't know where our Commission will go with this  
21 other than to say I thank all of you that came to  
22 participate today, both the fire chiefs and the fire  
23 district associations that participated in the SSP, that was  
24 done -- turned around in a phenomenally short period of  
25 time. The quality of that is what's taken what was

1 originally the Commission's idea in terms of the phases, and  
2 turned that upside-down. And I think that that's the basis  
3 for our discussion today. So with that said, Mr. Ott, is  
4 there anything you'd add before we open up the Commission  
5 comments?

6 EXECUTIVE OFFICER OTT: I think all of it has been  
7 said already, Mr. Chairman. The recommendations, again, are  
8 starting on page 20 of your report, and at the appropriate  
9 time, if your Commission needs any background or discussion  
10 of what those recommendations entail, we can provide it.

11 CHAIRMAN VANDERLAAN: Okay, thank you.  
12 Commissioner Horn.

13 COMMISSIONER HORN: Thank you, Mr. Chairman. This  
14 has been a long process, and we've mentioned a number of  
15 fires. I recall the Gavilan Fire that almost burned up  
16 Fallbrook, and it was my commitment at that time that we  
17 would have helicopters. Unfortunately, we only have two,  
18 and I think we need to have at least five in the county  
19 before we go to a mutual aid situation.

20 I think this is a good report, and I want to thank  
21 the staff for actually visiting the departments. I always  
22 know when the information's getting out there 'cause I start  
23 getting e-mails and phone calls and everybody panics. So  
24 I'm sure it was communicated. I've been invited more -- to  
25 more pancake breakfasts at fire departments in the last

1 month, just to discuss this topic, than I have in 12 years.

2 I think this is a good report, and I think it's a  
3 good study. I do appreciate the maps and the departments  
4 laid out there. Unfortunately, most of the departments that  
5 want to be left out are in my district, and so I think, and  
6 I will say this to whoever makes the motion -- 4b which is  
7 in our consideration on page 21 -- I think those  
8 departments, Borrego Springs, Valley Center, Deer Springs,  
9 Julian-Cuyamaca, Elfin Forest, Palomar Mountain and San  
10 Pasqual -- I think we have to honor their request, because I  
11 think the goal here is to bring the County together, and not  
12 separate it. As far -- there was a couple of things  
13 mentioned as far as the funding goes. At this point, I  
14 don't really see the State sending a truck down here with  
15 some money in it, so I think the County is going to have to  
16 make the next step or help put this Phase I into operation,  
17 and I think we have -- we can't wait any longer. Like I  
18 mentioned, I'd like three more helicopters available for the  
19 County. They have done a tremendous job.

20 CAL FIRE was here. I think one of the best things  
21 we did as a county was to put the Amador contracts in place  
22 and open the stations 12 months out of the year. A lot was  
23 mentioned about the volunteers. I have five of the seven  
24 volunteer departments in the county in my district. They do  
25 a tremendous job. I don't think you can replace the fire --

1 the volunteers. We need to augment them. They have been  
2 there -- and you might remember the -- when we had the Cedar  
3 Fire, we had a second punch, which was the Paradise Fire.  
4 If it hadn't been for the volunteers in the Paradise Fire  
5 area, we would have lost far more, because it was about two  
6 days before anybody else showed up to help us. So I can't  
7 say enough for the volunteers. And the money that is being  
8 provided to them now, and we should continue that to help  
9 augment their departments. I just would say to whoever is  
10 going to make the motion, 'cause I don't want to jump in  
11 here, 'cause Dianne's been doing this for years, make sure  
12 that we have 4b in there and allow these departments to  
13 stand aside and see it work and then if they want to come in  
14 on -- later, let them do that.

15 CHAIRMAN VANDERLAAN: Commissioner Jacob.

16 COMMISSIONER JACOB: Thank you, Mr. Chairman. Mr.  
17 Horn, I certainly agree with you on 4b. I would like to ask  
18 a couple of questions, and then I have some comments, and  
19 then I would like to put a motion on this floor.

20 My first question, Mr. Ott, on the seven agencies,  
21 just to make it absolutely clear, would there be any  
22 negative impact to a reorganization by leaving those seven  
23 agencies out at this time?

24 EXECUTIVE OFFICER OTT: There wouldn't be a  
25 negative impact. Obviously, as I mentioned earlier, the

1 more, the better. But we have worked up a service plan that  
2 is an alternative to what we started out with a couple of  
3 years ago by modeling out the seven agencies, and John  
4 Traylor is responsible for doing that. It's not just a  
5 matter of costing out a revised staffing schedule or a  
6 revised boundary, John went through the entire region to  
7 determine where stations should be located, where they are  
8 located, what the capital facilities are like. And John, do  
9 you want to talk any more about that in terms of the  
10 impacts? Because he looked at that quite exhaustively.

11 MR. TRAYLOR: Well, we did, and short of knowing  
12 exactly what this Commission's direction would be on those  
13 that requested out, it's a little difficult to determine, I  
14 guess, if you will, the operational areas or the battalions  
15 without knowing who all's involved. But the original  
16 concept was developed, five battalions, with anywhere from  
17 seven to ten fire stations, including paid, paid volunteer  
18 and strictly volunteer stations. So there was an extensive  
19 look at using existing facilities, namely the volunteer  
20 facilities. There are some capital improvement costs to  
21 increase those facilities to accommodate on-duty staffing.  
22 But there was an extensive look and, you know, the numbers  
23 were provided you on estimates based on what was known at  
24 that time.

25 COMMISSIONER JACOB: John, could you refresh my



1 memory? How many stations in the entire Phase I? And then  
2 if we exclude those seven agencies that have requested being  
3 excluded, how many stations then would we have in the area  
4 that would be left?

5 MR. TRAYLOR: We started off in Phase I with 42  
6 stations. One of the stations, Harbison Canyon station, was  
7 lost during the Cedar Fire, so 41 stations exist, where 42  
8 really should be. If you subtract out those seven agencies  
9 or organizations that are requested to be moved to Phase II  
10 or removed from the reorganization, we're going to eliminate  
11 about 12 stations. So, that would bring us down to about 30  
12 stations remaining.

13 COMMISSIONER JACOB: That's a lot.

14 MR. TRAYLOR: Yes.

15 COMMISSIONER JACOB: Thank you. My second  
16 question, Mr. Ott, does LAFCO have the authority to include  
17 tribal lands in a reorganization? It doesn't seem to me  
18 like they would, but I don't know the answer.

19 EXECUTIVE OFFICER OTT: Well, we do have the  
20 authority to draw the boundaries of a local agency around  
21 tribal authorities, around federal, state, military lands,  
22 but in terms of the sovereignty of those entities, even if  
23 we were to draw a county service area boundary or a regional  
24 fire district boundary around a tribal authority, there  
25 would be no interference, for example, that the county could

1 have over the tribal firefighting efforts. So, while we  
2 have the authority to draw the boundaries, there would be no  
3 corporate responsibility that the new fire entity would have  
4 over those tribal lands.

5 COMMISSIONER JACOB: And I notice that Campo has  
6 requested removal. Again, it wouldn't make much sense to me  
7 to include them if we have no authority to integrate them.  
8 But perhaps they'd be a partner with a reorganization, and  
9 hopefully, the tribal nations would work with any  
10 reorganization effort.

11 EXECUTIVE OFFICER OTT: Let me tell you why they  
12 originally were included. When we started this process, we  
13 started at, if you can imagine, a funnel, with the largest  
14 number of agencies on top, the largest land area on top.  
15 And as we get to the process today, the funnel is narrowing,  
16 and it's an opportunity to make modifications. At the time  
17 we included the tribal interests in this proposal, we did it  
18 purely for technical reasons, so that those entities would  
19 be within one master legal description that would have to be  
20 drawn for a fire entity. As far as anything beyond that,  
21 there really are no service ramifications by excluding them  
22 per some of the requests that have been made from the tribal  
23 entities.

24 COMMISSIONER JACOB: So, in your recommendation, I  
25 don't see a recommendation on this, it would be 4c. But in

1 your opinion, would it be best for the Commission to exclude  
2 them?

3 EXECUTIVE OFFICER OTT: It would be best to  
4 exclude them based upon the testimony and comments that  
5 we've received from some of the agencies. And, again, there  
6 would be no negative impact on a successor agency.

7 COMMISSIONER JACOB: Okay. I have another  
8 question of you, Mr. Ott. The East County Fire Protection  
9 District -- we've talked about that at our past LAFCO  
10 meetings, and it is included in the Phase I consolidation,  
11 and East County has had some really serious financial  
12 difficulties that they have been dealing with lately. But  
13 the testimony that we received had to do with the ISO  
14 rating. Would including the East County Fire Protection  
15 District within the Phase I reorganization, does that have  
16 any effect at all on the ISO rating?

17 EXECUTIVE OFFICER OTT: I wasn't following the  
18 argument that the individual made regarding the degradation  
19 of the ISO rating. If anything, the ISO rating would  
20 improve through regionalizing service functions, especially  
21 if additional monies were available for a reorganized system  
22 of fire protection. I don't know who your affected  
23 citizens' insurance provider is or what information they  
24 were sharing with you in making that comment, but something  
25 doesn't add up in terms of what was relayed to you regarding

1 that. So I would take disagreement with the comment that  
2 was received, respectively; and not only would I hope, but I  
3 would think that the ISO rating would improve with more  
4 money, more resources, more centralization of command and  
5 control.

6 COMMISSIONER JACOB: Because East County would not  
7 -- the East County Fire Protection District, as I understand  
8 the report, would not lose their property tax base, they  
9 would not lose their special assessments that they have  
10 already voted in. Is that correct?

11 EXECUTIVE OFFICER OTT: That would be correct for  
12 any agency that would be included in this proposal. One of  
13 the steps that we would take after, assuming the Commission  
14 would approve a reorganization, would be to establish the  
15 zones that would segregate the revenue that is generated  
16 within those communities and how it would be spent, so that  
17 would be the answer to your question.

18 COMMISSIONER JACOB: Thank you. I have a question  
19 for Ivan Holler. Ivan's in the audience, and Ivan has been  
20 the point person in charge of the County Fire Enhancement  
21 Program, which some folks have liked, some don't like, but  
22 they like the money. I think everybody agrees, everybody  
23 likes the money, but there may have been some problems along  
24 the way. But, Ivan, what I wanted to ask you, because there  
25 has been some concerns that are brought up at this hearing,

1 is if right now the County is contracting with CDF for  
2 what's called the Amador contracts, which is, for all  
3 intents and purposes, from what I've seen, is really a good  
4 fiscal deal because the CDF stations are already out there,  
5 all we're doing is paying for having them be there for the  
6 three months, so they're there year-round, not just for wild  
7 land fire, but structural fire protection, emergency medical  
8 services. With that being said, then there's the Amador  
9 contract with some of the other stations, those are the  
10 newer contracts. From a County perspective, and these are  
11 details that the LAFCO Commission is not going to be getting  
12 into today, but they are details to be worked out later,  
13 depending on how the Commission votes on this -- on this  
14 whole reorganization issue today, but, is the County -- and  
15 since you're the head person involved in the County's  
16 program, are you wed to CDF providing the services in the  
17 area that we're forming, or would you be open to competitive  
18 bidding to see who else might be out there to -- if there's  
19 a more cost-effective, same level of service, or better  
20 level of service approach? Do you follow what I'm asking?

21 MR. HOLLER: I do. Mr. Chairman, Commissioner  
22 Jacob. One of the things that we had considered and  
23 actually discussed when we originally made the County  
24 proposal was to evaluate service providers and, certainly,  
25 if there was a service provider that could provide a similar

1 level of service for less money, we would absolutely be open  
2 to considering that.

3 COMMISSIONER JACOB: All right. And did -- it  
4 seemed to me when the Board of Supervisors voted on the  
5 County's Enhancement Program that it was an interim program,  
6 it was something to try to do something immediately, to try  
7 to improve fire and emergency medical services, and that  
8 once the LAFCO decision is made, then that all could  
9 change. Would that be correct?

10 MR. HOLLER: I think that we did view it as --  
11 when we originally made the proposal to the Board of  
12 Supervisors, that we did view it as an immediate action in  
13 response to past events. And it certainly could change  
14 depending upon action of this Commission and subsequent  
15 actions by the Board.

16 COMMISSIONER JACOB: Thank you, Ivan. Thanks for  
17 the good work that you've done. I think it achieved that  
18 goal, maybe ruffled a few feathers along the way, but,  
19 looking at the numbers -- and I think eventually whatever  
20 unfolds, which will be a lot of the actions, as I understand  
21 the subcommittee will deal with, I certainly am interested  
22 in the most cost-effective approach. Obviously our goal is  
23 to improve and enhance, not just fire protection services,  
24 but the emergency medical because about 80 percent of what a  
25 fire department does is emergency medical services. But

1 also to look at what is the most cost effective way that we  
2 can get the job done. And I'm glad to hear Ivan open to  
3 looking at other options that might achieve the goal. The  
4 revised numbers we have, it certainly is clear that CDF is a  
5 more expensive option, and that was the only point I wanted  
6 to make.

7           My comments. It has been a long time; it's been  
8 ten years, and for some a lot longer than that, in getting  
9 to this point today. But this is a day for a very, very  
10 major decision in one of the most important public safety  
11 issues in this region. And even though we're focusing on  
12 the back country areas, let there be no mistake that what --  
13 depending on how strong our back country areas are in terms  
14 of providing fire and emergency medical services, so goes  
15 the region. It's -- and the stronger that the back country  
16 can be, the stronger the cities can be and the entire region  
17 in the event of another major disaster. And we know that  
18 it's not a matter of when -- or if; it's a matter of when we  
19 will have another major fire event.

20           I think it's also rather ironic as we sit here  
21 today on the heels of one of the most important public  
22 safety decisions that could be made for the San Diego  
23 region, that we're under the highest fire threat that we  
24 have ever had in our region. Certainly the Cedar Fire, we  
25 should never forget what happened during that fire, and all

1 of us sitting here made sure that nobody does forget that by  
2 our actions today. And this was one of the most important  
3 efforts, albeit the most difficult, the one that's taken the  
4 longest amount of time because of all the analysis to be  
5 done to get here. But it is a command and control issue.  
6 It is about more efficiencies and coordinations. And it is  
7 an important decision that we give a green light to today.

8 I'm really impressed with the work that Mr. Ott  
9 has done and our -- Mr. Goss and Mr. Traylor and Shirley  
10 Anderson and all of the LAFCO staff. All the documents over  
11 the years that have been produced, albeit rather lengthy,  
12 lot of detail into it, and the Micro Report has the most  
13 detail. You've done just an outstanding job in what has  
14 been provided, and your public outreach. I commend you for  
15 going out into the communities, and I'm well aware that the  
16 audiences were sometimes a little hostile, yet failed to --  
17 they did not fail to assume their responsibilities of  
18 letting you know very clearly how they felt and some of that  
19 we're hearing here today.

20 All we're really to do here today is identify  
21 boundaries and the governance structure, and then the  
22 details, as I understand, will be looked at with a  
23 subcommittee of this Commission. It's clear in my mind that  
24 the County -- in order for County money to be sustained on  
25 an ongoing basis, which I hope will be the case, that there



1 has to be one of the models that will put the Board of  
2 Supervisors as the governing authority. That may not be the  
3 ultimate goal. The Fire Chiefs Association, which I have  
4 appreciated all of their hard work as well as Fire District  
5 Association Zone 8 folks and all the rest, you work very  
6 hard, you've come forward with, I think some very thoughtful  
7 recommendations, although we may not be able to reach the  
8 ultimate goal today.

9 I like the 6a option. I wish we could go there  
10 immediately. The only difference between the 5a option and  
11 the 6a option is the level of emergency medical care. One  
12 is the basic life support, one is the advanced life  
13 support. I think the 6a option is ultimately what we should  
14 strive for, and ultimately some kind of a county-wide fire  
15 entity, which we're not sure what that's going to look like  
16 yet, but I want to make sure that I continue at least, and  
17 others, to work with the associations to try to achieve that  
18 county-wide fire agency.

19 To start with the unincorporated area, and that's  
20 where we are now, it seems to me CSA 135 would be our best  
21 option. I like the idea that the property tax is sustained  
22 in that area plus the special assessment revenue, and as the  
23 LAFCO Report states, and it was stated here today, that the  
24 revenue would be held in a separate account and not just go  
25 into the county general fund, but it would be a separate

1 isolated account and accounting for that.

2 I counted up the Phase I area minus the seven  
3 agencies that have requested to be out at least at this  
4 time. We've got over 1.5 million acres that would be  
5 reorganized into one entity. To put that into perspective,  
6 that is more than one half of the geographical size of the  
7 San Diego County region. So still, even with those seven  
8 agencies out at this time, this is a really big deal in  
9 terms of reorganization.

10 I'll just mention briefly, as Bill did, the  
11 importance of the volunteers. In my book, our volunteers in  
12 our back country area have been like gold, the unsung heroes  
13 in most cases. A lot of people in cities don't realize when  
14 they take a drive out to Julian or Campo or anywhere else  
15 east to enjoy our beautiful back country area or to play in  
16 the Laguna Mountains, that it's a volunteer firefighter if  
17 there is an accident on the road, that responds, and you  
18 better hope they're home and you better hope they're  
19 available. And I think that the region has relied far too  
20 heavily on these volunteer firefighters, and they do need  
21 some help, but I think the basis of any program must revolve  
22 around a strong volunteer firefighting force. That's our  
23 baseline. That is what has created a strong fire and  
24 emergency medical services in our back country today.  
25 Anything else that we do should certainly augment that.

1 I noted in the LAFCO Report, too, they put that in  
2 terms of dollars. Fourteen to twenty million dollars of  
3 annual service is provided by our volunteer firefighters in  
4 our back country area, serving people. There are three  
5 million people in the entire San Diego County region, and I  
6 want to make sure we team that and enhance it and build upon  
7 that strong volunteer force.

8 The reserves are also an important part, that they  
9 get paid a stipend. And it amazes me how we have reserves,  
10 people that are willing to come in to get training in San  
11 Diego County, that come from Huntington Beach, from LA, from  
12 Orange County, all over, to come here, to serve in our  
13 communities because the training is excellent in this  
14 county. I point out Dennis Sherman in Mount Laguna. Great  
15 volunteer program, knows how to recruit, retrain them and  
16 reserves -- Kevin Dublar, you've heard from earlier. They  
17 have a great program, great community support. And even  
18 Terry Coleman didn't speak today, but Inner-Mountain, that's  
19 a 100 percent volunteer department, and they have a great  
20 reserve program as well as volunteers in the area, and I  
21 commend you and the many others that are out there for that.

22 Zone 8 made some comments, some good ideas,  
23 concerns about county administration of funds. I think,  
24 again, those are details that can be worked out at a  
25 subcommittee level. I haven't really heard anybody say that

1 we don't need to do something in the terms of change. So  
2 here we go, and let me put a motion on the floor, and we'll  
3 see where we go with that.

4 I would start off with my motion to approve the  
5 Executive Officer's recommendations with the following  
6 amendments: Recommendation 4b to grant the requests of the  
7 seven agencies wishing to opt out from Phase I of the  
8 proposed reorganization and add a condition that those  
9 agencies have the opportunity to opt back in within the next  
10 60 days if they would want to. That would be purely  
11 voluntarily.

12 This is a little out of order, on 4a --  
13 recommendation 4a, which is the water districts, I heard  
14 Mr. Ott say that they would be allowed to voluntarily opt in  
15 if they wanted to, is that right?

16 EXECUTIVE OFFICER OTT: That is correct.

17 COMMISSIONER JACOB: So I would put that into my  
18 motion, that the water agencies under 4a would have the  
19 opportunity to voluntarily opt in if they would like to do  
20 that.

21 On 4b, just to reiterate those agencies that would  
22 be opted out at this time: Borrego, Deer Springs, Julian-  
23 Cuyamaca, Valley Center, Palomar, San Pasqual and Elfin  
24 Forest.

25 On recommendation 4c, which involves the tribal

1 lands, I would recommend that we exclude the tribal lands.

2 On recommendation 4d, which is the regional  
3 governance structure, I would recommend that we approve the  
4 CSA 135 model for the regional governance structure.

5 And then on recommendation 5, I would direct the  
6 Chief Executive Officer to add LAFCO Chairman Andrew  
7 Vanderlaan to the subcommittee and an additional spot for a  
8 special district representative of LAFCO to the subcommittee  
9 if there is one that would be interested in doing that. And  
10 that would be my motion.

11 CHAIRMAN VANDERLAAN: Thank you. Is there a  
12 second to the motion?

13 COMMISSIONER HORN: I'll second.

14 CHAIRMAN VANDERLAAN: There is a second.  
15 Discussion on the motion? Mr. Menshek, I think you had your  
16 hand up earlier.

17 COMMISSIONER MENSHEK: Thank you very much.  
18 Excellent report. Obviously LAFCO staff took a great class  
19 and passed with flying colors in how to eat an elephant. I  
20 mean fantastic here. My only concern is I would just hate  
21 to be Battalion 2. That poor guy goes from Riverside-  
22 Imperial almost to the border of Southern California.

23 But having said that, two things struck direct,  
24 and something that I've been near and dear to my heart for  
25 many years. I'm a fire safety professional -- paid

1 professional battalion chief. I'm a LAFCO representative.  
2 I'm elected as a special district representative. I'm a  
3 past volunteer. I'm also a past employee of CDF, which is  
4 now CAL FIRE. So I got a little piece in this in all the  
5 organizations that stood up at this podium today and I thank  
6 you for that.

7 I do support the majority of Supervisor Jacob's  
8 motion, and I understand we're doing the best that we can.  
9 And I've had two things that I've been consistent on since  
10 bringing this issue up through my districts, through  
11 bringing this up through the Fire Service Task Force and at  
12 LAFCO. And that's, number one, that there be a funding  
13 allocation is sustained and identified funding source prior  
14 to moving forward with the dissolution. And the second,  
15 that districts with cause that demonstrated that would be  
16 allowed to opt out.

17 So in discussion of point 4b, considering the  
18 requests of the agencies to opt out, I'm in full support of  
19 all of those. They've all demonstrated through their  
20 communications to us and in their current level of fire  
21 service that I believe they have the ability to function  
22 independently and if that's their decision, then I'm in full  
23 support of that. I do have to say, though, CSA 110 gives me  
24 pause, the Palomar Mountain area. The fire severity  
25 conditions up there are extreme, geographically they're set

1 out there on their own. But if that's the wishes of that  
2 group, then I'll support that. But I'd just like that for  
3 the record. I really think that CSA 110 should reconsider  
4 that in the 60-day window.

5 As far as codification of the Phase I agencies, I  
6 think we've cleared that. The model of service I'm  
7 comfortable with, as long as we would move towards the 6a at  
8 some point with ALS intervention back there just because of  
9 the lack of, but I have to say the immediate influx of funds  
10 that we've done out there through the County, I thank you  
11 for that. And I thank the County. It's needed out there.  
12 We're going to see it again, we're going to see it again  
13 this year, unfortunately. And we need to anchor that piece  
14 of the front line to keep it off the real urban areas.

15 So I just have one question on this for the  
16 motion-maker, and it may defer over to our XO, Mr. Ott. If  
17 we agree to this today, because the last piece of my stance  
18 has not been answered, of funding allocation, that is  
19 identified and permanent for this, can we move forward based  
20 on the motion of Commissioner Jacob to a point where we  
21 would not start the dissolution process until the funding  
22 source has been identified? In other words, we identify the  
23 model, we identify the governance body of the 135, we  
24 identify the players, but at that point, hold it up. Does  
25 that motion cover that?

1 EXECUTIVE OFFICER OTT: That motion does cover  
2 that. We have mentioned in the report itself and in the  
3 recommendations that a subcommittee needs to work with me in  
4 answering that question to have specificity on the exact  
5 dollar amount that would be transferred to a regional  
6 successor agency. And that would be a condition before  
7 moving forward. So this action that the Commission would be  
8 taking today is a conditional action of approval based on  
9 securing the funds. And we've set out three different  
10 thresholds for the funds to transfer the existing funds and  
11 assessments from the dissolved agencies to a successor, to  
12 look at additional monies and supplemental funds that would  
13 be discretionary from the Board of Supervisors. All of that  
14 would be a condition before finalization. The finalized  
15 action would include the dollars and cents.

16 COMMISSIONER MENSHEK: Okay. With that, I'm in  
17 full support of the motion. Thank you.

18 CHAIRMAN VANDERLAAN: Thank you. Yes?

19 COMMISSIONER REXFORD: Yeah, I too am concerned  
20 that we don't have a source of the funding, and if you go  
21 under 8 direct -- to direct the officer to prepare terms and  
22 conditions and under (d) transferring all assets from the  
23 districts to the successor agency and transferring all  
24 equipment to the County of San Diego, we're not going to do  
25 that until we find out where the funding is, are we?



1 EXECUTIVE OFFICER OTT: That is correct. The  
2 journey that we'll be taking after today's meeting, assuming  
3 that this motion carries, is to develop a checklist of those  
4 items that are purely technical/legal in nature and those  
5 items that will require Commission ratification. Some of  
6 these items are going to be returning to this Commission for  
7 ratification after we have answers to those questions, but  
8 the basic policy decision today is to make a decision on go  
9 or no go, to make a decision on the boundaries, to make a  
10 decision on the governance. Virtually everything else will  
11 be details to be worked out. Some of it will be  
12 ministerial, some of it will be subject to Commission  
13 ratification. But the big decisions would be made today.

14 COMMISSIONER REXFORD: Well, you're saying that  
15 we're not going to move ahead until we have the funding,  
16 we're not going to take equipment and things and calculating  
17 transferring property tax revenue.

18 EXECUTIVE OFFICER OTT: No, I'm --

19 COMMISSIONER REXFORD: We're not going to do any  
20 of that.

21 EXECUTIVE OFFICER OTT: I'm not saying that we're  
22 not going to be moving forward. We'll be moving forward at  
23 lightening speed. After this point there will be a lot of  
24 hurdles that we need to encounter, but I think that it's  
25 important for the Commission to relegate some of those

1 responsibilities to the technical/legal/fiscal realm, and  
2 for those items that I wouldn't be able to ministerially  
3 approve, they would be coming back for ratification. But  
4 there would not be the basic policy decision of reopening  
5 this entire process to reconsideration. The tough decisions  
6 would be made today. There's still a lot of work that needs  
7 to continue, but we've bitten off enough in a manageable  
8 amount where we think that within a reasonable amount of  
9 time we'll be able to complete this.

10           COMMISSIOENR REXFORD: I think my question is that  
11 we're not going to do any of this 'til we know we have  
12 funding. I don't think we're going to be taking equipment  
13 away from areas and stuff and moving them forth. I mean,  
14 that's my question. Are we going to do that if we don't  
15 have the funding?

16           EXECUTIVE OFFICER OTT: No, no, no.

17           COMMISSIONER REXFORD: Okay. That's --

18           EXECUTIVE OFFICER OTT: Assets are not transferred;  
19 equipment is not transferred and shifted to another entity  
20 until we secure the funding, until we develop a legal  
21 description of the boundaries, which we can only do after  
22 today's meeting. There are a number of these technical  
23 steps, but the agencies out in the audience should not feel  
24 that we're going to be going out to their headquarters  
25 tomorrow and securing their apparatus, their facilities, and

1 transferring it to a new entity. We do need to take care of  
2 some of these technical matters first.

3 COMMISSIONER REXFORD: Also, I heard loud and  
4 clear from a lot of the agencies that one of their big  
5 concerns was being under the County umbrella, not under a  
6 fire thing. Is that one of the things that we're going to  
7 look at, too? -- of where this -- it wouldn't be the County  
8 Planning Department, or whoever the other group is. Are we  
9 going to be looking at that also?

10 EXECUTIVE OFFICER OTT: Well, LAFCO does not have  
11 purview over the day-to-day operations or administration of  
12 services. I think that the comments that were made today,  
13 and you have inches of testimony that we have before you,  
14 are going to be listened to by county government. And we've  
15 already heard from Ivan Holler, the planning representative  
16 that's in charge of the Fire Enhancement Program for the  
17 County, that they sincerely are looking at a competitive  
18 process where they'll be looking at how to best provide  
19 services, bang for the buck, in this region.

20 COMMISSIONER REXFORD: Yeah. Also, there were  
21 seven agencies that wanted to opt out. I heard Diane  
22 talking about we're better for it if we have the back county  
23 involved, but we -- Julian and some of these other counties  
24 want to opt out on Option I, and we give them 60 days to  
25 come in, so what if they don't come in in 60 days, then they

1 go to Phase II?

2 EXECUTIVE OFFICER OTT: The agencies that we've  
3 identified --

4 COMMISSIONER REXFORD: Seven, yeah.

5 EXECUTIVE OFFICER OTT: -- for this particular  
6 reorganization, I think there's six agencies left; seven  
7 have requested to be excluded. We're giving those seven,  
8 plus I believe the municipal water districts should have a  
9 60-day opt-in period as well. We may have a different  
10 complexion, a different compilation of agencies within the  
11 60 days of which we're going to have to go back and re-  
12 examine some of those numbers staff-wise. But that we will  
13 only know at the 60-day mark.

14 COMMISSIONER REXFORD: Okay. All right. But my  
15 other question is, transferring property tax and stuff, that  
16 won't happen until we have a funding source. We're not  
17 going to go out and --

18 EXECUTIVE OFFICER OTT: Correct.

19 COMMISSIONER REXFORD: -- start transfer -- I  
20 mean, I just want to be very clear on that --

21 EXECUTIVE OFFICER OTT: Correct.

22 COMMISSIONER REXFORD: -- 'cause it's in this  
23 report, and I don't want people to think we're going to go  
24 out there and start charging property tax on people until we  
25 find that out.

1           Lastly, I want to say to the firefighters out  
2 there, I really appreciate them and the hard work that they  
3 do. I live the City of Poway, where we lost, I think,  
4 50-some homes. And the great response to them -- and I  
5 think they work really hard and the volunteers and the  
6 people that are involved with the firefighters and the  
7 safety services and the things they do. I can't say enough  
8 as an elected official. The City of Poway and all around  
9 us, that I appreciate what they do and we're trying to  
10 resolve a problem that we've had for a long time, is to find  
11 a funding source to fund and have better services out there.

12          And hopefully we can do this. I'm not sure what'll happen  
13 in Sacramento, so I support it, but with a caveat that we  
14 really have the fund -- we need to have the funding before  
15 we can move ahead and start doing these other things, 'cause  
16 I don't support taking stuff away, or taxes or anything like  
17 that. I want to be very clear on that. So thank you.

18           CHAIRMAN VANDERLAAN: Thank you. Any other  
19 Commissioners? Commissioner Morrison.

20           COMMISSIONER MORRISON: Yes. A couple of things,  
21 one being that, as I see it, part of the motion is to go  
22 with, as far as form of governance, the 4d2, which is the  
23 CSA 135. And my understanding of that was -- the rationale  
24 for going with that was if the County was going to be  
25 providing funds into this, that they would need to be the

1 agency that would be overseeing the distribution of those  
2 funds. And I think that's great if we know that there are  
3 substantial funds that are being provided and that they are  
4 sustainable. Otherwise, maybe we ought to be looking at a  
5 different form of governance, but would determine the  
6 governance without knowing if the funds are going to be  
7 arriving, which I think gets a little convoluted.

8           So, you know, I think that's one of the answers  
9 that needs to come forth in that, because, otherwise, I know  
10 if I was a person living out in this district, I would much  
11 rather have a board that was a little bit closer and  
12 actually contained people that might live in the area and  
13 have some affect. I mean, nothing against the Board of  
14 Supervisors, but I'm just saying, just by nature, a majority  
15 of that Board is going to be urban, and not rural, and yet  
16 this is going to be a rural fire district. So, as I see it,  
17 the main reason why we would be going with 4d(2) would be  
18 because of the funding that would be coming from the  
19 county. And I understand that, I understand the Board  
20 saying we don't want to be throwing money into something  
21 that we would have no control and no vote under, just need  
22 to make sure that there is money, it is a substantial  
23 amount, and that it's sustainable. Because otherwise,  
24 there's not a real rationale for that form of governance,  
25 then. So that would be one thing.

1           The other thing is, and also as mentioned, that  
2 the good thing about that, it does put it into a separate  
3 accounting as far as the funds that come in. But the thing  
4 that I think that in government that we always have to look  
5 at in the middle of that is not only are they are in  
6 separate accounts, but how do you control the end direct  
7 overhead, which can siphon out from one account to the  
8 next? And so I think when you look at the governance form,  
9 I think some kind of limits need to be put on indirect  
10 overhead also, to give assurances, I think, to the fire  
11 districts to make sure that that money is actually be used  
12 for -- within the fire districts and not for other  
13 governmental purposes. I mean, that just -- and I'm not  
14 saying that against the County, I would say that with any  
15 government agency, I'd say the same thing with them. I know  
16 we do the same thing with our contracts with the Lower  
17 Sweetwater District. That's part of the county (sic).  
18 We've done the same thing there, not allowing -- only  
19 allowing a very small percentage of indirect overheads.

20           The other thing is I think, you know, that this is  
21 extremely important, I think, what we're doing. You know,  
22 it's something that's needed. I don't think there is a  
23 perfect solution, or the perfect solutions don't have  
24 perfect answers. But I would -- the hesitation I would have  
25 in this thing is that we would be careful of the bureaucracy

1 that we establish, and that we make sure that whatever we're  
2 doing is inclusionary. When they talked about the volunteer  
3 firefighters, things along this line, it may not be part of  
4 a system that others within the bureaucratic form might not  
5 like, but that -- but at the same time, you know, I look  
6 back toward the Cedar Fire and I remember that as it was  
7 approaching the urban core, we had a large amount of  
8 firefighting equipment that was doing training exercises.  
9 And that was at Miramar 'cause they weren't allowed, but by  
10 the bureaucracy, they weren't allowed to go into the rest of  
11 the county. Well, thank God they were there, because  
12 Miramar just happened to be in the way of the fire to get  
13 into the urban core, and the minute it got there, they were  
14 to bring those resources to bear. But the bureaucracy said  
15 they couldn't be outside of their area. You know, those are  
16 the kinds of things we've got to make sure that we're using  
17 every resource that's possible and not allow bureaucracy to  
18 get into the way, but make sure the firefighters are able to  
19 take care of firefighting. Those are my comments.

20 CHAIRMAN VANDERLAAN: Thank you. Any other  
21 Commissioners? Commissioner Ingalls.

22 COMMISSIONER INGALLS: Thank you, Mr. Chairman. I  
23 have a question about the motion as put on the floor, as it  
24 relates to 4d(2). And let me say -- let me digress for a  
25 moment before I ask my question. The motion on the floor is



1 an omnibus motion that addresses one of, you know, these  
2 components. But we could take them serially or separately.  
3 For example, 4b, there's adequate support for eliminating  
4 those seven districts that have been requested to be  
5 excluded, and there's even the possibility, as referred to  
6 by counsel, of a legal challenge were we to include one of  
7 the fire protection districts under the Cortese-Knox-  
8 Hertzberg Act.

9           So I think 4b is one that I could support, but  
10 4d(2), I have a question as it relates to the need to make  
11 that decision on governance today. Because as I see the  
12 recommendation the staff wrote, it did not make that  
13 decision today, but rather left to a subsequent meeting a  
14 determination on governance. And it put forth options 1, 2,  
15 and 3. And Commissioner Jacob has made a motion for 4d(2).  
16 But I had some questions about 4d(1) as to how a regional  
17 fire protection district would work with the volunteer fire  
18 companies. And it's going to take me a minute or two to ask  
19 those questions, but I think before we determine governance,  
20 we need to know that there is the possibility of having a  
21 form of governance which would increase the likelihood that  
22 some of these agencies that are being excluded today might  
23 voluntarily opt-in in the future.

24           Some of the Phase I agencies might be willing to  
25 participate if we had a regional fire district with an

1 elected 11-person board. Some of the Phase II agencies may  
2 be willing to participate if we had a regional fire district  
3 with an 11-person board. But I think, as I sit here today,  
4 choosing option 2 -- 4d(2) -- sets forth down the tracks, an  
5 engine which I think is going to end up with not too many  
6 passengers on it. And I think what we would like to see is  
7 a form of governance that would increase the likelihood that  
8 at subsequent stops, this train will pick up more people and  
9 that agencies such as happened in Orange County would opt  
10 in.

11 So I do have a question as to the materials that  
12 were presented today as they relate to the possibility of a  
13 regional fire district contracting with volunteer fire  
14 companies, because as Supervisor Jacob and Commissioner  
15 Morrison have spoke, and Commissioner Rexford, I think  
16 everyone recognizes the importance of volunteers, and we  
17 need to have in place a governance structure that allows the  
18 volunteers to continue to participate. And certainly option  
19 4d(2) does that, but I didn't quite understand the staff  
20 write-up as it related to the ability of a fire protection  
21 district, 4d(1), to contract with volunteer fire companies.

22 And there's some confusing material, but I'm not sure we  
23 need to make that decision today.

24 So I come back to the threshold question: Do we  
25 need to vote up or down on an omnibus resolution? -- because

1 as the motion stands on the floor, I would vote against it  
2 -- or whether we should take some of these issues seriatim,  
3 including 4b, which I would certainly vote for.

4 EXECUTIVE OFFICER OTT: Commissioner Ingalls, let  
5 me try to untangle that for you. First of all, it is the  
6 recommendation that we make a decision on governance today  
7 because it has great implications on the likelihood of being  
8 able to get through all of the other recommendations,  
9 namely, funding. We've made an argument in the report that  
10 it would be unlikely to derive supplemental funding from  
11 county government, the Board of Supervisors, if there was an  
12 independent regional fire district formed, mainly because  
13 that entity would not be able to abide by any of the  
14 programs or any of the goals within the County in terms of  
15 how those funds may be spent. So the recommendation was to  
16 go with an entity that was either directly run by the County  
17 or an entity that was dependently run by the County, such as  
18 the County Service Area 135.

19 You asked about a regional fire district and the  
20 ability of regional fire districts to contract with fire  
21 companies -- the independent volunteer fire companies -- and  
22 we concluded, and perhaps our legal counsel can add to this,  
23 is that there is a prohibition under the Public Contracts  
24 Law for an independent fire district to contract with  
25 another entity, a private entity, for the provision of fire

1 protection. That law does not apply to County Service  
2 Areas, which is why we see in the County of San Diego  
3 currently, that County Service Areas do have a close  
4 relationship with volunteer companies. Bill, do you want to  
5 add anything regarding the public contract?

6 LAFCO LEGAL COUNSEL SMITH: No.

7 EXECUTIVE OFFICER OTT: That is one of the big  
8 distinguishing characteristics. I would encourage the  
9 Commission to look at all of the recommendations in tandem.  
10 They're all predicated on one another. I think that we owe  
11 it also to the public to make a decision on what type of  
12 representation may be allowed to them. We've made it clear  
13 also in the Micro Report that down the road the system may  
14 evolve into an independent fire district after the super-  
15 structure is established by the County of San Diego via a  
16 County Service Area, or the County taking on that  
17 responsibility directly. But I think it would be,  
18 professionally, in terms of my opinion, too much for this  
19 region to bite off to start out with a regional fire  
20 district at this point in time, realizing all of the  
21 transitional decisions that would need to be made or have to  
22 be made, going from the system that is rather scattered  
23 today to one that would be placed with the responsibility of  
24 an independent fire board. I think it would be too much to  
25 make as far as that leap. So that's the rationale, and I'm

1 hoping that the Commission would be able to support that.

2 CHAIRMAN VANDERLAAN: Mr. Ingalls, does that  
3 answer your question?

4 COMMISSIONER INGALLS: That's helpful, but I would  
5 like to ask everyone to think about the possibility -- and  
6 let me back up a second to make sure everyone understands my  
7 question. It comes up on page 11 of the staff write-up. At  
8 the bottom -- the first bullet appearing at the bottom of  
9 page 11, where it says "a regional fire protection district  
10 would not be able to contract with volunteer companies to  
11 provide fire protection services because of the public  
12 contract code."

13 I was confused by that because I remember on page  
14 46 of the Micro Report there is a discussion, beginning on  
15 page 45 of the Micro Report, about how volunteer fire  
16 companies would work within a regional fire protection  
17 district. And reading on page 46 of the Micro Report, it  
18 says, "As successor to the County Service Areas, the  
19 regional fire protection district would be required to honor  
20 the 501(c)(3) corporation contracts. Initially volunteer  
21 companies with contracts would continue as the designated  
22 service provider within the CSAs." And this is under the  
23 regional fire protection district. So I think you can see  
24 why I was somewhat confused, knowing what the Micro Report  
25 said and then seeing the staff report today that said that

1 would not be possible.

2 EXECUTIVE OFFICER OTT: The staff report, page 11,  
3 the transmittal report dated May 7th, that citation  
4 regarding the public contract code is the ruling citation  
5 and if you have any confusion at all about any predecessor  
6 documents, it's 11 -- page 11 that rules.

7 COMMISSIONER INGALLS: Okay. So thank you for  
8 clarifying that.

9 EXECUTIVE OFFICER OTT: Sure.

10 COMMISSIONER INGALLS: The Public Contract Code  
11 does override what we were talking about. But we also have  
12 another law that's pending. It's not quite a law yet  
13 because it's still a bill, but it's SB-806. Now SB-806  
14 would solve a lot of our problems with funding, but it would  
15 also make some decisions regarding the issue I just talked  
16 about, the ability of volunteer corporations, 501(c)(3)s, to  
17 be dissolved, or to dissolve, or even potentially to  
18 contract with a fire protection district. So we have a bill  
19 that's been introduced by one of our senators that's up  
20 there. It may move forward in whole or in part, but in  
21 part, it could move forward with authorizing a San Diego  
22 County Regional Fire Protection District, notwithstanding  
23 the general contract law, to contract with volunteer fire  
24 corporations, 501(c)(3)s. So, I mean, as I sit here today,  
25 that has as much likelihood as passing as SB-806. So I

1 really think the question of governance and the question of  
2 setting up a regional fire protection district should not be  
3 ruled out today, and that's why, as the motion stands, I  
4 would vote against it.

5 CHAIRMAN VANDERLAAN: Okay. Thank you. Other  
6 comments? Commissioner Jacob.

7 COMMISSIONER JACOB: Just one, Mr. Chairman.  
8 Mr. Ingalls mentioned Orange County, and I thought it might  
9 be helpful just to share a couple of comments in regards to  
10 the Orange County Joint Powers Authority. Kevin Crawford,  
11 who is the immediate past president of the Fire Chiefs  
12 Association, and I had the opportunity to go up to Orange  
13 County and to actually talk with the folks up there and how  
14 they formed their Joint Powers Authority.

15 The County of Orange actually takes on the  
16 responsibility for the entire unincorporated area, not  
17 unlike what we're talking about today. We're not talking  
18 about the whole unincorporated area today, but we're  
19 certainly talking about over half, as I mentioned earlier,  
20 of the geographic size of the entire San Diego region --  
21 over 1.5 million acres. And the whole goal of what Orange  
22 County achieved, and what Kevin and I talked with, and I  
23 think we're still trying to get there some day, is to use  
24 that Orange County Joint Powers Authority as a model. But  
25 with 60 fire agencies in this entire region, you cannot form

1 a JPA with 60 agencies, you've got to pare them down.

2           So this is just the beginning step in order to do  
3 that where the county would take on the responsibility for a  
4 good portion of the unincorporated area. And then if that  
5 proves successful, I think that others may add on to that,  
6 but it certainly is the beginnings of a Joint Powers  
7 Authority, a county-wide fire entity, which we so badly  
8 need.

9           CHAIRMAN VANDERLAAN: Commissioner Morrison.

10           COMMISSIONER MORRISON: Yeah. A question of the  
11 Executive Director. The -- once this goes back and we start  
12 working out some of the details, now this is going to come  
13 back to this Board again, I would take it, once we start  
14 seeing those details are getting flushed out.

15           EXECUTIVE OFFICER OTT: One of the steps that we  
16 would be taking on after today's meeting would be to  
17 identify which of those steps truly can be acted upon  
18 ministerially, which should come back for either Commission  
19 ratification -- some of them we may decide Commission  
20 approval. But there definitely will be some items coming  
21 back to the Commission.

22           COMMISSIONER MORRISON: And I imagine governance  
23 would certainly be a part of that.

24           EXECUTIVE OFFICER OTT: Well, governance is  
25 included in the motion today. The CSA 135 model is the



1 preference, then that wouldn't necessarily come back.

2 COMMISSIONER MORRISON: You said it would or would  
3 not?

4 EXECUTIVE OFFICER OTT: Would not. I think what  
5 would be helpful as much as possible is to make decisions on  
6 those items of a policy nature.

7 COMMISSIONER MORRISON: I understand. But we're  
8 going after that governance model with some presumptions,  
9 without knowing any of the details of how that's coming  
10 together. Or will there be any substance to those  
11 assumptions? So, from that standpoint, I would like to see  
12 as a part of the motion that the governance -- I think this  
13 would also address Mr. Ingalls' situation, also his  
14 question, that that would be one of the things that comes  
15 back for ratification, just so that we can see that those  
16 things -- that it's working, that it makes sense. Because  
17 otherwise, we're doing so with assumptions. If those things  
18 aren't ferreted out, then it makes no sense for us to vote  
19 -- be voting and moving ahead in that direction.

20 CHAIRMAN VANDERLAAN: Okay. Thank you,  
21 Commissioner Horn first --

22 COMMISSIONER REXFORD: I would like to --

23 COMMISSIONER HORN: Yeah. I want to respond to  
24 that. First, the governance model that's included here  
25 comes with the County's oversight and funding. The chances

1 of this bill in Sacramento passing and then money coming to  
2 us, I think is like a snowball's chance in August.

3 COMMISSIONER MORRISON: Exactly.

4 COMMISSIONER HORN: Okay. So I think we need to  
5 proceed, and I don't want to delay this. And if you don't  
6 have a governance model, they can't proceed. Now the  
7 County's current commitment is to provide \$8 million, which  
8 we currently are doing. This -- I see this as adding about  
9 another \$5 million to do this first phase. That brings us  
10 to \$13 million. I think that is totally within the County's  
11 reach to make that happen. But if you don't put a  
12 governance model in place, I don't see the Board putting up  
13 the money to make that happen, to be honest with you.

14 COMMISSIONER MORRISON: I can respond.

15 CHAIRMAN VANDERLAAN: Commissioner Rexford first,  
16 and then back to you, Commissioner Morrison.

17 COMMISSIONER REXFORD: No, I was just saying I  
18 agree, and I do understand Supervisor Horn's concern there.

19 But I would like it to come back so we can kind of review  
20 it instead of just passing it totally now. I think we have  
21 some concern of how it's going to look.

22 CHAIRMAN VANDERLAAN: Okay. Commissioner  
23 Morrison.

24 COMMISSIONER MORRISON: Just for clarification,  
25 you know, you mentioned the County putting up I think it was

1 8.25 million, and then you say it'd 5 mill- -- is that  
2 ongoing, or is that one time?

3 COMMISSIONER HORN: The County has already put up  
4 the eight, whatever it is --

5 COMMISSIONER REXFORD: Eight and a half.

6 COMMISSIONER HORN: Eight and a half --

7 COMMISSIONER MORRISON: Okay.

8 COMMISSIONER HORN: -- to open the Amador stations  
9 and deal with CAL FIRE and the outlying areas. This would -  
10 - I see this -- our decision here today would open the door  
11 for the county to put another \$5 million into this to bring  
12 it about to \$13, \$14 million, to make Phase I happen for  
13 these areas --

14 COMMISSIONER MORRISON: Okay.

15 COMMISSIONER HORN: -- that we're going to vote on  
16 --

17 COMMISSIONER MORRISON: And I understand.

18 COMMISSIONER HORN: -- leaving out the seven.

19 COMMISSIONER MORRISON: But my question is, is  
20 that one-time money or is that ongoing money?

21 COMMISSIONER HORN: Well, I --

22 COMMISSIONER JACOB: Ongoing.

23 COMMISSIONER HORN: As far as Dianne and I are  
24 concerned, it's -- we see this as a responsibility, it would  
25 have to be an ongoing --

1           COMMISSIONER MORRISON: But, you see, that's the  
2 detail that we need to see. That's what I'm saying. That's  
3 the detail.

4           COMMISSIONER HORN: Well, you've got a better  
5 chance of getting ongoing out of the County than you've got  
6 out of Sacramento, I guarantee it.

7           COMMISSIONER MORRISON: Well, I'll agree to that.

8           CHAIRMAN VANDERLAAN: Thank you. Commissioner  
9 Menshek.

10          COMMISSIONER MENSHEK: Okay. Briefly. I think  
11 we're all heading in the same direction, we've just got two  
12 different paths of getting there. I think ultimately a  
13 regional fire protection district would be the best model.  
14 However, I concur with the sentiments, as it currently  
15 stands, it's not going to happen. So, where's the money  
16 coming from? It's coming from the County, and if they're  
17 putting the money, and I don't have any problem with them  
18 having a say in a CSA. Would it be possible for the motion-  
19 maker to make an amendment if the County's putting the money  
20 in, then it's a CSA? If the money comes from an alternate  
21 source, that we revisit that to see if it can go back to  
22 either a different model of governance.

23          COMMISSIONER JACOB: No.

24          (Laughter)

25          CHAIRMAN VANDERLAAN: Thank you, Commissioner

1 Jacob.

2           COMMISSIONER JACOB: I don't think it's necessary.  
3 I think the real question is, are the Commissioners going  
4 to look a gift horse in the mouth here? And we've been  
5 talking about money for a long, long time. I -- although  
6 there are those that are little naysayers on SB-806, and the  
7 reason that's on hold is because the committee consultant  
8 said, we want to know what this reorganization's going to  
9 look like before we're going to take this seriously. And  
10 believe me, if the County puts up the money, makes it  
11 ongoing, which I wholeheartedly support, and I believe my  
12 colleague does too, that when we do that, I think we have a  
13 much better chance in Sacramento. First of all, we'll have  
14 a plan that LAFCO has approved, the County will have put up  
15 a good hunk of money, and that's a pretty convincing  
16 argument to take to Sacramento to at least try to get some  
17 additional money from the State, which eventually, then,  
18 could do some other things for us. But we are where we are  
19 now, and I'm not going to change my motion.

20           COMMISSIONER MENSHEK: Okay.

21           CHAIRMAN VANDERLAAN: Thank you. We've kind of  
22 drug this horse through the snow for quite some time. I can  
23 recall coming to -- before the County Board of Supervisors  
24 to try to get a dollar. We're not getting \$13.5 million on  
25 the table, it appears, so my prerogative as the chair, I

1 will call for the question, and we will do that by roll call  
2 vote.

3 COMMISSION SECRETARY: Commissioner Vanderlaan.

4 CHAIRMAN VANDERLAAN: Yes.

5 COMMISSION SECRETARY: Commissioner Horn.

6 COMMISSIONER HORN: Yes.

7 COMMISSION SECRETARY: Commissioner Jacob.

8 COMMISSIONER JACOB: Yes.

9 COMMISSION SECRETARY: Commissioner Morrison.

10 COMMISSIONER MORRISON: No.

11 COMMISSION SECRETARY: Commissioner Rexford.

12 COMMISSIONER REXFORD: No.

13 COMMISSION SECRETARY: Commissioner Menshek.

14 COMMISSIONER MENSHEK: Yes.

15 COMMISSION SECRETARY: Alternate Commissioner  
16 Ingalls.

17 COMMISSIONER INGALLS: No.

18 COMMISSION SECRETARY: Four yes and three nos.

19 LAFCO LEGAL COUNSEL SMITH: We need five votes to  
20 carry any motion, but you can continue the matter. Under  
21 your rules, you need five votes.

22 EXECUTIVE OFFICER OTT: Or there can be a  
23 substitute motion, sure.

24 CHAIRMAN VANDERLAAN: Okay. Where we are is this  
25 motion failed because of lack of one vote. Commissioner

1 Rexford.

2 COMMISSIONER REXFORD: May I suggest that we put  
3 something in there about the County, you know, the  
4 organization, that it be brought back to us. That's what  
5 we're asking, Diane, because we want to know.

6 COMMISSIONER JACOB: My under- --

7 CHAIRMAN VANDERLAAN: Commissioner Jacob.

8 COMMISSIONER JACOB: Mr. Chairman, my  
9 understanding is that Mr. Ott's going to bring the whole  
10 package back. But in order for us to move forward today, we  
11 need to give a green light to a reorganization. We need to  
12 make a decision on the boundaries and the governance  
13 structure. And then all the details will be worked out  
14 within the subcommittee and that whole package will be  
15 brought back to the Commission. Is that correct, Mr. Ott?

16 EXECUTIVE OFFICER OTT: That is correct. Parts of  
17 the package would be subject to ratification.

18 COMMISSIONER JACOB: So, it's all cut -- the whole  
19 package is going to come back.

20 COMMISSIONER REXFORD: Are we going to get another  
21 bite at the apple to bring that up, or is --

22 COMMISSIONER JACOB: The whole package is going to  
23 come back to us. Is that correct?

24 EXECUTIVE OFFICER OTT: That would be correct.

25 CHAIRMAN VANDERLAAN: Commissioner Morrison.

1           COMMISSIONER MORRISON:     Okay. I'm hearing two  
2 different things. I'm hearing the whole package will come  
3 back to us, but only portions of it for ratification. So in  
4 other words, if the portion of governance will come back to  
5 us, we get to look at it, but we don't get to say anything  
6 about it because that's not up for ratification. That's the  
7 part we've got -- we just wanted to make sure the parts are  
8 all in place. And that's -- I think is the whole question  
9 here. So if we can bring back the governance for  
10 ratification, once we see what it actually is, I don't think  
11 there'll be any problem at all. I don't think anyone's got  
12 -- everyone sees this is going to be, I think, the best way  
13 that we can work with the system with the things that are in  
14 front us if the parts are all in place.

15           COMMISSIONER JACOB: I would ask -- and that's why  
16 I was asking Mr. Ott the question -- my understanding that  
17 we're giving the direction that LAFCO staff and the  
18 subcommittee need to move forward to do all the details that  
19 are outlined, and that the whole package, then, after the  
20 details are worked out, the whole package would come back to  
21 the Commission.

22           COMMISSIONER MORRISON: For ratification?

23           COMMISSIONER JACOB: I support that. For  
24 ratification, for whatever you want to call it, would come  
25 back to the Commission. You wouldn't have something come



1 back to the Commission if the Commission didn't get another  
2 crack at it.

3 COMMISSIONER HORN: So change your votes so we can  
4 move forward. Come on.

5 (Laughter.)

6 COMMISSIONER HORN: You've gone on long enough.

7 COMMISSIONER MORRISON: Okay. If the motion reads  
8 that the entire package comes back for ratification, then  
9 that's fine.

10 CHAIRMAN VANDERLAAN: Is that -- the maker of the  
11 motion, is that --

12 COMMISSIONER HORN: Are you changing your vote,  
13 giving us five votes?

14 CHAIRMAN VANDERLAAN: Well, before we get there,  
15 Commissioner Jacob, is that your intent?

16 COMMISSIONER JACOB: That is my intent in making  
17 the motion.

18 CHAIRMAN VANDERLAAN: Commissioner Menshek, did  
19 you have something?

20 COMMISSIONER MENSHEK: No, I'm fine. Thank you.

21 COMMISSIONER REXFORD: Let's call for the  
22 question, then.

23 CHAIRMAN VANDERLAAN: Okay. So are we going to  
24 re-vote, then, on the --

25 COMMISSIONER HORN: All we need is one change.

1 CHAIRMAN VANDERLAAN: Okay. So how do we do that,  
2 counselor?

3 LAFCO LEGAL COUNSEL SMITH: Someone can amend, or  
4 someone can make a motion to coincide with whatever it is  
5 that they want to have approved.

6 COMMISSIONER JACOB: Well, I would --

7 CHAIRMAN VANDERLAAN: What do we need to do, then?

8 COMMISSIONER JACOB: I would think --

9 COMMISSIONER HORN: Let's re-vote.

10 COMMISSIONER JACOB: I would put the prior motion  
11 on the floor, with the understanding that the entire package  
12 would come back to the Commission.

13 CHAIRMAN VANDERLAAN: Is there a second to that?

14 COMMISSIONER HORN: I'll second that.

15 CHAIRMAN VANDERLAAN: Okay. And there is a  
16 second, I'm sorry.

17 EXECUTIVE OFFICER OTT: Excuse me, for  
18 ratification.

19 COMMISSIONER JACOB: For ratification.

20 COMMISSIONER HORN: I'll second that. Now let's  
21 have the roll call.

22 CHAIRMAN VANDERLAAN: Okay. The devil is  
23 certainly in the details.

24 COMMISSIONER INGALLS: Can we have discussion on  
25 this motion?

1 CHAIRMAN VANDERLAAN: Yes. Commissioner Ingalls,  
2 if you would like to, please.

3 COMMISSIONER INGALLS: One of the questions that's  
4 present in this motion is the 60-day option to come back in  
5 by one of the seven agencies that, in 4b, is being left  
6 out. And the same with 4a, the four municipal water  
7 districts. There was reference to the 60-day window to come  
8 back in, but I'm a little unclear about whether they're out  
9 but can come back in if they act within 60 days, or --

10 EXECUTIVE OFFICER OTT: Currently, the municipal  
11 water districts are out. However, if they voluntarily  
12 choose to be in, they have 60 days to make that decision and  
13 to inform us by resolution, and then they would be included.

14 COMMISSIONER INGALLS: So that it's clear, the way  
15 the motion stands, that if these four water district boards  
16 do not take affirmative action to come back in within 60  
17 days, then they're left out?

18 EXECUTIVE OFFICER OTT: Correct.

19 COMMISSIONER INGALLS: Okay. And that may be  
20 particularly fine with those four districts. I've also  
21 heard that three of the four districts are inclined to come  
22 in, but we don't have correspondence from them. In our  
23 package, we have a letter from Ramona dated February 28<sup>th</sup>,  
24 which is pretty clear. But I don't see any correspondence  
25 from the other three municipal water districts as to where

1 they're headed, so that leaves me a little bit concerned  
2 about acting today when we could act a month from now.

3           The situation as presented by staff outlined four  
4 different scenarios under governance, one of which was the  
5 status quo. And the status quo is the County last year put  
6 up \$8.5 million of funding, and for that, everyone is  
7 grateful. And it's likely that we will see a level of  
8 support equivalent to that, if not higher, going forward.  
9 And the County is working through DPLU to build indigenous  
10 fire companies in those areas where there is no structural  
11 fire protection. So, you know, I think the system is not  
12 perfect, but it reminds me of the old joke about the U.S.  
13 economy. When the U.S. economy is good, it's very good.  
14 And when the U.S. economy is bad, it's still pretty good.  
15 So the status quo here may not be -- it may be bad, but it's  
16 still pretty good. I mean, we have County funding and DPLU  
17 involvement in the siting and of bricks and mortar and the  
18 growth of indigenous fire companies. That's been the model  
19 in this county that's worked pretty well. So I'm reluctant  
20 to make a decision that is going to rule out the regional  
21 fire protection district. And that's why I will vote again  
22 against this, when I don't think we need to vote today at  
23 all.

24           COMMISSIONER HORN: Okay. I just want to make one  
25 comment, if I could, Mr. Chair. The County, since the Cedar

1 Fire, has put about \$170 million into communications,  
2 equipment, helicopters -- that's been our commitment. Now,  
3 we're talking about \$14 million ongoing that has to be here.  
4 But I think we have proven ourself. I realize that we're  
5 the big, bad papa bear here, and nobody likes us. But at  
6 the same time, we're what's available. So please vote on  
7 this, up or down, one way or the other. I have to get out  
8 of here.

9 (Laughter).

10 CHAIRMAN VANDERLAAN: Okay. We'll call for the  
11 question on the new motion. Roll call vote, please.

12 COMMISSION SECRETARY: Commissioner Vanderlaan.

13 CHAIRMAN VANDERLAAN: Yes.

14 COMMISSION SECRETARY: Commissioner Horn.

15 COMMISSIONER HORN: Yes.

16 COMMISSION SECRETARY: Commissioner Jacob.

17 COMMISSIONER JACOB: Yes.

18 COMMISSION SECRETARY: Commissioner Morrison.

19 COMMISSIONER MORRISON: Yes.

20 COMMISSION SECRETARY: Commissioner Rexford.

21 COMMISSIONER REXFORD: Yes.

22 COMMISSION SECRETARY: Commissioner Menshek.

23 COMMISSIONER MENSHEK: Yes.

24 COMMISSION SECRETARY: Commissioner Ingalls.

25 COMMISSIONER INGALLS: No.

1           CHAIRMAN VANDERLAAN: Motion carries. Is there  
2 anything else to come before us today, Mr. Ott?

3           EXECUTIVE OFFICER OTT: Thankfully, no,  
4 Mr. Chairman.

5           (Laughter).

6           CHAIRMAN VANDERLAAN: We do have a place on the  
7 subcommittee for a district member. Is there anyone that  
8 would like to volunteer, Mr. Menshek?

9           (Laughter).

10          CHAIRMAN VANDERLAAN: Okay. Thank you very much.  
11 Thank you all for coming. Please drive safely on your way  
12 home. God bless you.

13          (Hearing adjourned.)

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CERTIFICATE

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MICHAEL D. OTT

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Date