

RESOLUTION NO. _____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

**MAKING DETERMINATIONS AND APPROVING A REORGANIZATION AND
ASSOCIATED SPHERE OF INFLUENCE AMENDMENT**

**RAMONA MUNICIPAL WATER DISTRICT REORGANIZATION —
DIVESTITURE OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE FUNCTIONS AND
CONCURRENT ANNEXATION TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT**

**CONFORMING AMENDMENT TO SERVICE-SPECIFIC SPHERE OF INFLUENCE AND EXPANSION OF
ACTIVATED FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE POWERS AREA FOR
THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT
LAFCO FILE NO: RO22-03**

WHEREAS, the San Diego Local Agency Formation Commission (Commission) completed a Municipal Service Review on the Ramona region finding: “Existing fire protection and emergency medical service in the Ramona region are closely divided between Ramona MWD and San Diego County FPD with both agencies contracting with CALFIRE for day-to-day field operations. These dynamics suggest consolidating fire protection responsibilities under the San Diego County FPD’s greater economies of scale would advantageously sync and enhance service levels and should be fully explored”; and

WHEREAS, on October 4, 2021, the Commission approved a resolution adopting the written determinations in the Municipal Service Review on the Ramona region; and

WHEREAS, on December 14, 2021, the Board of Directors of the Ramona Municipal Water District (Ramona MWD) adopted a resolution of application initiating proceedings with the Commission for divestiture of fire protection and emergency medical service functions and a concurrent annexation to the San Diego County Fire Protection District (San Diego County FPD) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000, et seq.); and

WHEREAS, on February 8, 2022, the Board of Directors of the San Diego County FPD, adopted a resolution in support of Ramona MWD’s resolution and directed County staff to take all necessary actions to transfer responsibility for fire protection and emergency medical services; and

WHEREAS, on May 10, 2022, the Board of Supervisors of the County of San Diego approved an applicable negotiated property tax exchange; and

WHEREAS, the Commission’s Executive Officer has reviewed the reorganization proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal and need for a conforming service-specific sphere of influence amendment has been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public hearing along with reviewing the necessary conforming sphere of influence amendment for consistency under Government Code § 56375.5.

NOW, THEREFORE, BE IT RESOLVED, the Commission hereby finds, determines, and orders the following:

1. The hearing was held on the date set therefore, and due notice of said hearing was given in the manner required by law.
2. At the hearing, the Commission called for, heard, and considered all public comments by interested parties and read and considered the Executive Officer's report.
3. Ramona MWD serves as the lead agency under the California Environmental Quality Act (CEQA) for the reorganization proposal and has determined the proposal is categorically exempt from environmental review under provisions of State CEQA Guidelines Section 15320 (Changes in Organization of Local Agencies) because it would not change the geographic area where previously existing fire protection and emergency medical service powers are exercised. Additionally, the District has determined that the reorganization proposal is exempt under CEQA Guideline Sections 1500, 15061 (b)(3), and 15378(b)(5) as the proposal is an administrative and organizational action that does not change any existing land use or results in construction of new facilities, there is no evidence the divestiture/concurrent annexation involves any unusual circumstances that might cause significant effect on the environment, nor is there any currently known planned development for the affected territory at this time.
4. The Commission serves as lead agency under (CEQA) in considering the conforming service-specific sphere of influence amendment. The Commission finds the amendment to the service-specific sphere of influence of the San Diego County FPD for fire protection and emergency medical service to include the affected territory as modified qualifies as a project but is exempt from additional review per State CEQA Guidelines § 15061(b)(3) and 15378(b)(5). This exemption applies because spheres of influence are planning policies and amendments therein do not authorize any new uses or services, and as such provides certainty there will be no significant effect on the environment.
5. The Commission APPROVES the following sphere of influence amendment with modifications and subject to conditions as provided. Approval involves all of the following.
 - a) The sphere of influence for San Diego County FPD is amended to include territory within the Ramona MWD's jurisdictional boundary except for an approximately 3.0-acre portion of the Ramona MWD's jurisdictional boundary as shown in "EXHIBIT A".
6. The Commission's written statement of determinations addressing the mandatory factors required for consideration any time spheres of influence are adopted, amended, or updated under Government Code § 56425 are provided as "EXHIBIT B".
7. The Commission APPROVES the reorganization and subject to conditions as provided. Approval involves all of the following:

- a) Ramona MWD's fire protection and emergency medical service powers are divested from its jurisdictional boundaries.
- b) San Diego County FPD will assume responsibility for fire protection and emergency medical services within the affected territory in the same or increased scope and manner as is currently provided with the following key features:
- Continued year-round operation of Station Nos. 80, 81, and 82 within Ramona MWD's jurisdictional boundary;
 - Maintenance of and increase to 3.0 ALS Engine Companies at Station Nos. 80, 81, and 82;
 - Maintenance of paramedic ambulances at Stations Nos. 80 and 81;
 - Maintenance of a move up and cover plan that provides coverage for Ramona MWD's jurisdictional boundary;
 - Maintenance of facilities, apparatus, and equipment transferred from Ramona MWD;
 - Provision of all ancillary services required to operate and provide the services within the Ramona MWD's territory, including dispatching, information technology, regional radio communication systems and repair, utilities, fuel, administrative support, budgeting for operational and capital expenses, and other activities required to provide the Services at existing or increased levels;
 - Provision of fire prevention services in Ramona MWD's jurisdictional boundary, including all fire plan check and building inspection activities; and
 - Maintenance of San Diego County FPD's Urban Search and Rescue within Ramona MWD's jurisdictional boundary.
- c) San Diego County FPD's activated fire protection and emergency medical services power area is expanded to include Ramona MWD's jurisdictional boundaries except for an approximately 3.0-acre portion of the Ramona MWD's jurisdictional boundary from the annexation to San Diego County FPD as shown in "EXHIBIT A".
- d) Ramona MWD and San Diego County FPD adhere to the following property tax exchange terms:
- 4.5% annual property tax growth shall be transferred from Ramona MWD to San Diego County FPD; and
 - \$1.8 million in base property tax revenues shall be transferred from Ramona MWD to San Diego County FPD; and
 - 1.5% annual growth and base revenue proportionate to the transfer of ATI shall be transferred from the County of San Diego General Fund to the San Diego County FPD.
- e) Transfer of all personal property related to the provision of fire protection and emergency medical services to San Diego County FPD, including but not limited to fire and emergency medical apparatuses, appurtenances, rolling stock, tools, office furniture, fixtures, books, records, papers, and other equipment and supplies.

- f) The assignment to San Diego County FPD of any service agreements, licenses, permits, entitlements, or warranties related to the real or personal assets that transfer to San Diego County FPD under this reorganization.
 - g) San Diego County FPD assumes the authority to levy, assess and/or collect all previously authorized fees, taxes and charges, levied and collected in support of fire or emergency medical services including ambulance transport fees, Ramona MWD's fire/paramedic tax based on equivalent dwelling units as provided in Ramona MWD Legislative Code Chapter 5.20, fire plan check fees, first responder fees, and all mitigation fees.
 - h) An agreement between Ramona MWD and San Diego County FPD, as evidenced by joint letter or agreement, that in the event of a future transfer of fire protection and/or emergency medical services from San Diego County FPD to Ramona MWD or any other jurisdiction granted authority to provide fire protection and emergency medical services within the boundaries of Ramona MWD ("Other Ramona Jurisdiction"), it shall be the intent of both parties that the community-based real and personal property needed to provide fire protection and/or emergency medical services within the boundaries of Ramona MWD shall transfer to Ramona MWD or the Other Ramona Jurisdiction, to the extent permitted by law.
8. The Commission CONDITIONS the approvals on the following terms being satisfied by December 31, 2022 unless an extension is requested and approved by the Executive Officer:
- a) Completion of the 30-day reconsideration period provided under Government Code § 56895.
 - b) Ramona MWD's transfer to San Diego County FPD of real property generally referenced as Fire Station No. 80 (APN: 284-202-1900; APN:284-202-1600), Fire Station No. 81 (APN: 288-020-1300), and Fire Station No. 82 (APN: 283-053-4900) (collectively, the "Fire Station Sites") by grant deed, with the grant deed at Fire Station No. 80 reserving an easement in favor of Ramona MWD for its continued operations and provision of water and wastewater services.
 - c) San Diego County FPD's establishment of a three-member Ramona Fire Advisory Board to assist San Diego County FPD in decision-making with respect to issues related to the provision of the services to the District's territory. Membership of the three-member Ramona Fire Advisory Body shall consist of one member each from Ramona WMD, the Ramona Fire Safe Council, and the Ramona Community Planning Group.
 - d) An agreement between Ramona MWD and San Diego County FPD regarding the payment of property tax revenues by Ramona MWD to San Diego County FPD for the provision of services by San Diego County FPD as of the effective date through the date of the jurisdictional change being reflected on the County of San Diego tax roll. Such payment shall be in an amount up to \$1.8 million per fiscal year, pro-rated to the extent applicable and reduced by any payments retained by Ramona MWD for the purposes of undertaking the following actions and activities, to the extent permissible under the terms of the applicable lease or other agreements:
 - Payoff lease/purchase debt from Engine 80;

- Payoff lease/purchase debt from Medic Ambulance 80;
 - Re-chassis of the reserve ambulance; and/or
 - Purchase additional ambulance to serve as the new frontline Medic Ambulance 82.
- e) The agreement regarding the exchange of property taxes shall include a provision specifying the timeline for completion of the activities, which provision shall also acknowledge that:
- Ramona MWD shall make its best efforts to complete the activities within the specified timeline;
 - Ramona MWD shall not be liable for delays in completing activities due to issues or circumstances beyond Ramona MWD’s control, including but not limited to delays associated with supply-chain;
 - Ramona MWD shall not be responsible for any cost overruns associated with the activities beyond the amount of the remaining property tax revenue retained by it.
- f) San Diego County FPD’s assumption of all liabilities associated with the transfer of real and personal property under this reorganization, unless the Executive Officer receives notification in the form of a joint letter or agreement from Ramona MWD and San Diego County FPD that the agencies have agreed to an alternative arrangement.
- g) Ramona MWD’s submittal to the Commission of a final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.
- h) Ramona MWD’s submittal to the Commission of the following payments:
- A check made payable to LAFCO in the amount of \$100.00 to reimburse for filing two CEQA Notices of Exemption consistent with the findings in this resolution.
 - A check made payable to LAFCO in the amount of \$915.20 to reimburse for the public hearing notice publication.
 - A check made payable to the State Board of Equalization for processing fees in the amount of \$3,500.00.
9. The reorganization is assigned the following short-term title:
- “Ramona Municipal Water District Reorganization”
10. The affected territory as designated by the Commission is inhabited as defined in Government Code § 56046.
11. The Commission delegates to the Executive Officer performing all conducting authority proceeding requirements under Government Code § 57000 and consistent with policy.
12. All subject agencies utilize the regular assessment roll of the County of San Diego.

13. The effective date of the proposal shall be the date of recordation of the Certificate of Completion.
14. As allowed under Government Code §56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

**

**

PASSED AND ADOPTED by the Commission on 6th of June 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

**

ATTEST:

Tamaron Lockett
Executive Assistant