

1 BRIGGS LAW CORPORATION [FILE: 1991.03]
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8 Protection District and Brian Kramer

FILED
Clerk of the Superior Court

APR 25 2019

By: Anthony Shirley, Deputy

9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **SAN DIEGO COUNTY – HALL OF JUSTICE**
12

13 JULIAN-CUYAMACA FIRE PROTECTION)
14 DISTRICT *et al.*,)
15 Plaintiffs,)
16 vs.)
17 SAN DIEGO COUNTY LOCAL AGENCY)
18 FORMATION COMMISSION *et al.*,)
19 Defendants.)

CASE NO. 37-2019-00018076-CU-MC-CTL
**PLAINTIFFS' BRIEF IN OPPOSITION
TO COUNTY OF SAN DIEGO'S EX
PARTE APPLICATION FOR A
TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION;
DECLARATIONS OF MIKE VAN
BIBBER AND CORY J. BRIGGS;
SUPPORTING EXHIBITS**

20 Action Filed: April 8, 2019
21 Department: C-70 (Trapp)
22 Hearing Date: April 25, 2019
23 Hearing Time: 8:30 a.m.

24 Plaintiffs JULIAN-CUYAMACA FIRE PROTECTION DISTRICT ("JCFPD") and BRIAN
25 KRAMER (collectively, "Plaintiffs") respectfully submit this brief in opposition to Defendants
26 COUNTY OF SAN DIEGO'S ("County") *ex parte* application for a temporary restraining order and
27 order to show cause regarding issuance of a preliminary injunction.

28 **I. INTRODUCTION**

This application should be denied because the County is in no danger of suffering irreparable
harm while this case makes its way to trial. Plaintiffs' lawsuit asks the Court to declare JCFPD's
dissolution invalid because it was the product of a "null and void" decision by past members of its
governing board. There is simply no risk to the status quo while this case moves forward.

1 Indeed, the parties already agreed to maintain the status quo until this lawsuit is resolved. The
2 County admitted as much last week when it informed the Court, during a hearing at which Plaintiffs'
3 own TRO was taken off calendar, that the only matter requiring urgent action was the disposition of
4 roughly \$375,000.00 from JCFPD's bank account. When Plaintiffs' counsel explained that the money
5 was sitting in a trust account and the Court thereupon ordered that it remain there pending further
6 instructions, whatever urgency might have existed went away.

7 So why is the County making this application now? The application is a rouse.

8 The County's real goal is to leave JCFPD without a lawyer so that nobody can represent its
9 interests in this proceeding or any other. The County already stopped a payment to JCFPD's lawyer
10 made in the ordinary course of business on April 4, 2019, for services rendered last month; the check
11 was returned not for insufficient funds, but because the County froze the account on which the funds
12 were drawn. Briggs Decl., ¶ 6. The application is just the latest attempt to interfere with that
13 representation, so the County can achieve by might what it cannot achieve by right.

14 Throughout its application, the County grossly and obviously misrepresents the "facts" in order
15 to disparage Plaintiff's counsel and leave JCFPD helpless in its pursuit to reverse an egregious wrong
16 – the illegal approval of Resolution No. 2018-03 – committed by the prior members of its governing
17 board. Such attempts to poison the well do nothing to establish an emergency or a likelihood of success
18 to warrant a TRO.

19 Because this application requires a substantial opposition in order for justice to be served, and
20 because there is no threat whatsoever to any of JCFPD's assets (other than those already illegally seized
21 by the County), the Court should deny the application for a TRO and instead set a hearing for a
22 preliminary injunction. In this regard, Plaintiffs request that the hearing include their counter-motion
23 for a preliminary injunction against the County and the San Diego Local Agency Formation
24 Commission ("LAFCO").

25 **II. STANDARD FOR RELIEF**

26 To obtain provisional relief, the moving party must show (i) that there is a reasonable likelihood
27 of prevailing on the merits and (ii) that the harm it will suffer if there is no preliminary injunction is
28 greater than the harm Plaintiffs will experience if the Court issues the injunction; the Court must weigh

1 these two considerations against one another – the greater the showing on one, the lesser the required
2 showing on the other. *Butt v. State of Calif.*, 4 Cal. 4th 668, 677-678 (1992).

3 A mandatory injunction is one which “compels performance of an affirmative act that changes
4 the positions of the parties.” *Davenport v. Blue Cross of Calif.*, 52 Cal. App. 4th 435, 446 (1997). The
5 substance of the injunction, not the form, determines whether it is mandatory or prohibitory. *Id.* at 447.
6 Mandatory injunctions are only permitted “in *extreme* cases where the right thereto is clearly
7 established and it appears that irreparable injury will flow from its refusal. *Id.* at 446 (emphasis added).

8 Finally, Code of Civil Procedure Section 526 lays out the circumstances when injunctions may
9 or may not be granted. *See generally* CODE CIV. PROC. § 526. An injunction cannot be granted to stay
10 a judicial proceeding pending at the commencement of the action in which the injunction is demanded,
11 unless the restraint is necessary to prevent a multiplicity of proceedings. *Id.*, § 526(b)(1). Nor can an
12 injunction be granted to prevent the exercise of a public or private office, in a lawful manner, by the
13 person in possession. *Id.*, § 526(b)(6).

14 III. ARGUMENT & ANALYSIS

15 There is no emergency, no extreme situation calling for a TRO. There is nothing more than false
16 accusations and unfounded paranoia on the County’s part. In the introductory section of the application,
17 the County blatantly misrepresents the “facts” in order to craft a compelling story for the Court.
18 However, the truth is nothing like what the County claims. JCFPD personnel remain in Fire Station
19 56 ready to answer calls (along with all JCFPD assets that the County has not already illegally seized).
20 They are public servants performing public duties in a lawful manner.

21 Plaintiffs will get to the County’s dishonest claims shortly. But first, the Court needs to
22 understand the evidence demonstrating no claim to Fire Station 56 and proving that there is no
23 emergency.

24 A. The County Has No Lawful Claim to Fire Station 56, and There Is No Emergency

25 The County’s first problem is that this application is a nothing more than a thinly disguised
26 unlawful-detainer action, and thus it cannot prevail on the merits. The property on which Fire Station
27 56 sits is subject to a reversionary interest in favor of the Kumeyaay Diegueño Land Conservancy,
28 which arises as soon as JCFPD no longer occupies the facility. Attorneys for the Conservancy have

1 notified the County and LAFCO, but they pushed forward with their illegal dissolution of JCFPD
2 anyway. Briggs Decl., ¶ 4; Ex. 4.

3 Conveniently, the County's application makes no mention of its lack of a lawful claim in the
4 land on which Fire Station 56 sits. Unable to prove that it is entitled to the land, it has failed to establish
5 that it has any likelihood of success on the merits.

6 Turning to the threat of irreparable harm, such harm must be imminent. "An injunction cannot
7 issue in a vacuum based on the proponents' fears about something that may happen in the future. It must
8 be supported by actual evidence that there is a realistic prospect that the party enjoined intends to
9 engage in the prohibited activity." *Korean Philadelphia Presbyterian Church v. California Presbytery*,
10 77 Cal. App. 4th 1069, 1084 (2000).

11 The County argues that it will likely suffer irreparable harm because "Plaintiffs and their
12 supporters have unlawfully taken control of over \$4 million worth of County Property." *Ex Parte App.*,
13 p. 3, lns. 16-17. Specifically, the County claims it will have to spend money replacing or repairing any
14 lost or damaged equipment; and that if Plaintiffs are allowed to remain in control of JCFPD's funds,
15 the County will be unable to use that money to provide fire-protection and medical services. *Id.*, p. 3,
16 lns. 23-25, p. 4, lns. 1-3. It also claims that "Plaintiffs and their supporters have threatened to pour
17 cement down the toilets and drains if they lose in court thereby rendering the station uninhabitable." *Ex*
18 *Parte App.*, p. 1, lns. 16-17; p. 2, lns. 21-23.

19 These claims are completely contrived, supported by speculation or rank hearsay. According
20 to Chief Mecham, "[t]he County currently has 5 trucks and pieces of equipment at its Julian and
21 Cuyamaca stations so that there is no disruption of service to people living in the affected territory."
22 Mecham Decl., ¶ 10. "Additionally, it was never the County's plan to immediately begin operating the
23 former District equipment upon the reorganization." *Id.*, ¶ 11. The County's lawyer has expressed
24 essentially the same thing in a letter to Plaintiffs' counsel back on April 8, 2019, agreeing that services
25 would continue to be provided while everyone maintains the status quo pending the lawsuit's resolution.
26 *See Briggs Decl.*, ¶ 3; Ex. 3.

27 Furthermore, Chief Van Bibber never made any of the comments that Chief Mecham claims (via
28 hearsay) to have been made. *See Van Bibber Decl.*, ¶ 2. To the contrary, all JCFPD personnel have

1 been advised, and have agreed, to continue business as usual. *Id.*, ¶ 3. All JCFPD property (except for
2 what the County has illegal seized) remains accounted for and in good working order. *Id.*

3 Likewise, the County's concerns about JCFPD's money are over-blown. The County suggests
4 that Plaintiffs stole District funds and believe those funds to be their own, and thus "there is no telling
5 what Plaintiffs may do with them." *Ex Parte App.*, p. 1, lns. 18-23. But the County knows exactly
6 where the funds are: in Plaintiffs' counsel's trust account. Just last week the Court ordered the funds
7 to remain there pending further instructions, and Plaintiffs' counsel represented that the funds would
8 indeed remain there. Any insinuation that Plaintiffs or their counsel would violate a Court order is
9 preposterous and outrageous at worst, and speculative at best.

10 The County goes on to accuse "Plaintiffs or people purporting to act on their behalf" of raiding
11 Station 57, stealing equipment, and then bragging about it on social media. *Ex Parte App.*, p. 2, lns.
12 11-15. They also accuse Plaintiffs of "playing with the equipment." *Id.*, p. 2, lns. 20-21. Even a casual
13 review of the County's evidence shows just how flimsy and misleading its characterization of this
14 social-media surveillance is. *See generally* Kavasch Decl., Ex. A (filed with County's application).
15 The social-media posts completely fail to show any raid, theft, playing with equipment, or bragging.
16 In fact, they show people posting about the status of the legal proceedings, sharing news articles, being
17 encouraging and supportive over JCFPD's stand against the County's hostile takeover of local fire-
18 protection services, and agreeing to maintain the status quo until the legal proceedings are over. *See*
19 *id.* That's it: no raiding, no thieving, not anything but sharing information and expressing support and
20 confidence in the legal system.

21 Because there is no immediate threat to JCFPD's assets, there is no extreme emergency
22 warranting a TRO. The County has not put forth any competent evidence to show it is likely to be
23 irreparably harmed and has only put forth speculation and contrivances amounting to nothing more than
24 its own unfounded fear. As case law demonstrates, such unfounded fear cannot be the basis for a TRO.

25 In short, the County cannot establish a claim to the land on which Fire Station 56 sits and, even
26 if it could, nothing bad is going to happen at the hands of Plaintiffs between now and when the legal
27 proceedings come to an end. The TRO should therefore be denied.

1 **B. The County is Simply Poisoning the Well**

2 The County spends as much time poisoning the well –if not more so – than it does dealing with
3 the (lack of) merits of its position or the evidence of an emergency. Plaintiffs apologize for the Court
4 having to expend its resources on the County’s non-sense, but the record must be set straight.

5 The County alleges that the Court lacked jurisdiction to enter judgment in the Brown Act lawsuit
6 because Jack Shelver was not served with the *ex parte* application in violation of Code of Civil
7 Procedure Section 1088. However, the County fails to mention that *three days earlier Mr. Shelver was*
8 *dismissed* from the Brown Act lawsuit.¹

9 The County accuses Plaintiffs’ counsel of “falsely represent[ing] to the Court that the writ
10 petition was unopposed.” *Ex Parte* App., p. 6, lns. 8-9. Again, the County is distorting the truth. Its
11 evidence – the minute order from the Brown Act lawsuit plaintiffs’ *ex parte* hearing for judgment or,
12 alternative, for an order shortening time for a motion and hearing for judgment – shows *that ex parte*
13 application being unopposed. *See* Notice of Lodgment, Ex. 19 (filed with County’s application).

14 The County also points to a report by JCFPD’s own auditors to contend there was an ongoing
15 concern about the lack of financial resources and JCFPD’s ability to continue operations. *Ex*
16 *Parte* App., p. 3, fn. 1; NOL, Ex. 3, p.7. What the County does not mention in its application is that
17 the concern was *tied to the dissolution proposal* and not to JCFPD under normal circumstances. It’s
18 true that Measure QQ to raise additional revenues for JCFPD did not receive enough votes to pass. But
19 why would a majority vote to raise revenues if the argument is that JCFPD is being dissolved? As this
20 application proves, the only result would be people giving more money to the government and getting
21 no additional services.

22 In other words, the County has no facts or legal authorities on its side and is therefore resorting
23 to false accusations and distortions of reality.

24 **C. The County Wants to Render JCFPD Lawyer-Less**

25 The County’s real aim is to deprive JCFPD of legal representation, as if JCFPD’s fate were not
26 the central contested issue in this case. It knows JCFPD cannot speak to the Court if it has no lawyer.

27 _____
28 ¹ The Request for Dismissal of Mr. Shelver was filed and served on March 22, 2019. Mr. Shelver was
sued in his official capacity as Board President of the District and was voted out of that position in
December 2018. Briggs Decl., ¶ 5; Ex. 5.

1 The County claims it “wants to maintain the status quo by preserving all former district property
2 and assets and prohibiting all parties, including the County, from access them while this case is
3 pending.” *Ex Parte* App., p. 4, lns. 10-12. The most telling phrase in the County’s application is: “the
4 District no longer exists.” *Id.*, p. 4, ln. 4. Yet the parties have already privately agreed to maintain the
5 status quo. Briggs Decl., ¶¶ 1 & 3; Exs. 1 & 3. The County purported to terminate Plaintiffs’ counsel’s
6 representation of JCFPD on April 8, 2019. Briggs Decl., ¶ 2; Ex. 2; *see also* County’s Notice of
7 Lodgment (“NOL”), Ex. 4 (filed with *ex parte* app.). Likewise, the County’s stonewalling on paying
8 the District employees their last checks is yet another example of the County’s tactics to gain complete
9 control over all sides of this matter.

10 The proposed order for the TRO is more explicit: paragraph (b) prohibits “all parties . . . and any
11 person acting or purporting to act on their behalf” from “taking or exercising” any “control” over
12 “employment and other contracts.” That language could easily be read to encompass JCFPD’s
13 contractual relationship with its counsel in this lawsuit and the related lawsuits – especially given the
14 County’s attempt to terminate JCFPD’s counsel more than two weeks ago. *See* Briggs Decl., ¶ 2; Ex.
15 2. That means JCFPD’s counsel could no longer work on this case despite having a retainer agreement
16 executed before the County and LAFCO attempted to dissolve JCFPD.

17 In a last-ditch effort to jettison JCFPD’s lawyer from this lawsuit, the County claims that
18 JCFPD’s counsel was hired in violation of the Ralph M. Brown Act. The Brown Act requires
19 legislative bodies of local agencies to conduct their business in open public sessions unless an exception
20 allows the business to be conducted in a closed-session meeting. GOV’T CODE § 54953(a). Again, the
21 County’s own evidence disproves the claim. On March 15, 2019, JCFPD’s governing board held a
22 special meeting for the purpose of a closed-session “*discussion* of bringing on additional new counsel.”
23 NOL, Ex. 18, p. 8 (emphasis added). The closed session was immediately followed by the regular
24 *open-session meeting* at which the board reviewed, reported, and *voted on* what it discussed during the
25 closed session. *Id.* Thus, there was no action taken in private and no Brown Act violation.

26 IV. CONCLUSION

27 For all these reasons, the Court should deny the County’s *ex parte* application and the requested
28 provisional relief in its entirety. Any preliminary-injunction hearing should allow cross-filings.

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Date: April 25, 2019.

Respectfully submitted,

BRIGGS LAW CORPORATION

By: *ORIGINAL SIGNED*
Cory J. Briggs

Attorneys for Plaintiffs Julian-Cuyamaca Fire Protection
District and Brian Kramer

**PLAINTIFFS' BRIEF IN OPPOSITION TO COUNTY OF SAN DIEGO'S EX PARTE
APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE: PRELIMINARY INJUNCTION**

Declaration of Mike Van Bibber

1 **DECLARATION OF MIKE VAN BIBBER**

2 I, Mike Van Bibber, am over the age of 18 years and, if called as a witness in this lawsuit, will
3 testify as follows:

4 1. I am the Fire Chief for Julian-Cuyamaca Fire Protection District (“JCFPD”) and have
5 held this position since December 15, 2018. I have been a fire-fighting professional for 35 years. I
6 have worked as a fire-fighting professional with JCFPD since approximately 1986. From 2013 until
7 December 15, 2018, I was a battalion chief for JCFPD operations. My current duties as Fire Chief
8 include supervision of all aspects of JCFPD’s fire-protection and emergency medical services, as well
9 as the training and certification of personnel to perform these functions and the maintenance of
10 personnel and other JCFPD records.

11 2. I have reviewed the declaration of Tony Mecham submitted in support of the County
12 of San Diego’s *ex parte* application for a temporary restraining order and order to show caused schedule
13 for April 25, 2019, as well as the application itself. The statements I am accused of making to a class
14 I teach at Palomar College are false. Let me be clear: I categorically, unequivocally, unconditionally,
15 and absolutely deny them in the strongest possible terms and in every conceivable variation. I have
16 never spoken those words or even given those sentiments a moment’s thought. I am a public servant,
17 and I intend to remain one throughout this legal process (and beyond).


18 3. I have been a professional fire-fighting professional for years. I also believe in the rule
19 of law. The men and women under my command at JCFPD have all been informed, by me, that we will
20 continue to maintain Fire Station 56 and its equipment in the ordinary course of business for the
21 duration of all legal proceedings affecting the future of JCFPD; and all of them expressed their
22 agreement back to me.¹ Furthermore, I have personally been to the Fire Station and routinely inspect
23 it as part of normal operating procedures. All property remains in good working order, and we are
24 prepared to respond to emergency calls. There has been absolutely no vandalism whatsoever, and it
25 offends me that I even have to put that in writing because any suggestion to the contrary is an insult
26 against the men and women (including me) who swore to protect the Julian-Cuyamaca community.
27 Frankly, I find the County’s attempts to stain our excellent reputation as a tool to gain some sort of
28 litigation advantage to be outrageous.

¹ The only exception is for the facilities/equipment that the County seized in the first few hours after it recorded its dissolution-completion certificate. JCFPD no longer has control over that property.

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I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct.

Date: April 24, 2019.



Mike Van Bibber

**PLAINTIFFS' BRIEF IN OPPOSITION TO COUNTY OF SAN DIEGO'S EX PARTE
APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE: PRELIMINARY INJUNCTION**

Declaration of Cory J. Briggs

1 **DECLARATION OF CORY J. BRIGGS**

2 I, Cory J. Briggs, am over the age of 18 years and, if called as a witness in this lawsuit, will
3 testify as follows:

4 0. I am an attorney licensed to practice law before all courts of the State of California. I
5 am one of the attorneys of record in this lawsuit for Plaintiffs Julian-Cuyamaca Fire Protection District
6 (“JCFPD”) and Brian Kramer. I am the sole shareholder of Briggs Law Corporation (“BLC”)

7 1. Attached hereto as Exhibit 1 is a true and correct copy of a text-message thread between
8 Joshua M. Heinlein, Carmen Brock, and me on April 10, 2019, wherein we agreed to maintain the status
9 quo pending resolution of this matter.

10 2. Attached hereto as Exhibit 2 is a true and correct copy of a letter from Mr. Heinlein to
11 me dated April 8 and delivered to my office on April 9, 2019, purporting to terminate my representation
12 of JCFPD.

13 3. Attached hereto as Exhibit 3 is a true and correct copy of another letter from Mr.
14 Heinlein to Mike Menghini, Mike Van Bibber, and me – also delivered to my office on April 9, 2019
15 – in which Mr. Heinlein stated: “Accordingly, during this time, County Fire Authority will continue to
16 provide services to the people of Julian and Cuyamaca as it has been doing. The County will not take
17 steps to take over Julian Fire Station No. 56 at this time.”

18 4. Attached hereto as Exhibit 4 is a true and correct copy of a letter that I received on April
19 5, 2019, from attorney Ted Griswold.

20 5. Attached hereto as Exhibit 5 is a true and correct copy of the dismissal request for Jack
21 Shelver in the related Brown Act lawsuit. I received it from attorney Craig Sherman on March 22,
22 2019. One or two days earlier, I had spoken to Mr. Sherman and advised him about a recent published
23 decision that disallows Brown Act plaintiffs from suing members of the governing board merely
24 accused of committing the violation. I then asked him to dismiss Mr. Shelver, which Mr. Sherman
25 agreed to do. As I understand the election results, Mr. Shelver had been voted off the governing board
26 in November 2018.

27 6. On April 4, 2019, JCFPD issued check no. 17677 drawn on an account at California
28 Bank & Trust in the amount of \$15,995.30 payable to BLC for legal services it rendered to JCFPD

1 through March 31, 2019. BLC staff promptly deposited that check in the ordinary course of business.
2 On April 10, 2019 – two days after the (contested) recording of the certificate of completion of JCFPD’s
3 dissolution – my bank returned the check as unpaid. It was returned not for insufficient funds, but
4 because the County had blocked the account.

5 I declare under penalty of perjury under the laws of the State of California that the foregoing is
6 true and correct.

7 Date: April 25, 2019.

ORIGINAL SIGNED

Cory J. Briggs

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**PLAINTIFFS' BRIEF IN OPPOSITION TO COUNTY OF SAN DIEGO'S EX PARTE
APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE: PRELIMINARY INJUNCTION**

Exhibit 1



2 People >

I am ok for Tues -
Thursday



Are we in agreement
that the parties
remain in a holding
pattern until the
hearing?

Carmen A. Brock



Yes from LAFCO

Joshua Heinlein



Yes from County

Groovy. I will do my
best to get Tues-Thu.



iMessage



**PLAINTIFFS' BRIEF IN OPPOSITION TO COUNTY OF SAN DIEGO'S EX PARTE
APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE: PRELIMINARY INJUNCTION**

Exhibit 2



County of San Diego

THOMAS E. MONTGOMERY
COUNTY COUNSEL

OFFICE OF COUNTY COUNSEL
1600 PACIFIC HIGHWAY, ROOM 355, SAN DIEGO, CA 92101
(619) 531-4860 Fax (619) 531-6005

JOSHUA M. HEINLEIN
SENIOR DEPUTY
Direct Dial: (619) 531-5850
E-Mail: joshua.heinlein@sdcounty.ca.gov

April 8, 2019

VIA EMAIL & OVERNIGHT MAIL

Cory J. Briggs
Briggs Law Corporation
4891 Pacific Highway, Suite 104
San Diego, CA 92110
cory@briggslawcorp.com

RE: Notice of Termination Following Dissolution of Julian-Cuyamaca Fire Protection District

Dear Cory:

The Julian-Cuyamaca Fire Protection District (JCFPD) was dissolved this morning upon recordation of the attached Certificate of Completion. The County of San Diego (County) is the successor agency to the JCFPD. Upon dissolution, all JCFPD assets and liabilities, including litigation matters involving the JCFPD, transferred to the County.

The County hereby terminates your engagement with the former JCFPD, effective immediately. Please send us a final bill for services provided to date.

Very truly yours,

THOMAS E. MONTGOMERY, County Counsel

By


JOSHUA M. HEINLEIN, Senior Deputy

cc (all via email): Suedy Alfaro
Holly O. Whatley
Herman Reddick
Tony Mecham
Keene Simonds

DOC# 2019-0124228



Apr 08, 2019 10:40 AM

OFFICIAL RECORDS

Ernest J. Dronenburg, Jr.,

SAN DIEGO COUNTY RECORDER

FEES: \$0.00 (SB2 Atkins: \$0.00)

PAGES: 40

RECORDING REQUESTED BY:

San Diego County
Local Agency Formation Commission (LAFCO)

AND WHEN RECORDED MAIL TO:

LAFCO
9335 Hazard Way, Suite 200
San Diego, California 92123
MS: O216

THIS SPACE FOR RECORDER'S USE ONLY

Certificate of Completion

"Julian-Cuyamaca Fire Protection District Reorganization"

Julian-Cuyamaca Fire Protection District and County Service Area No. 135

LAFCO File No. RO18-09 et al.

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION

6/94

Rec. Form #R25

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San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

SAN DIEGO COUNTY
Local Agency Formation Commission
 9335 Hazard Way, Suite 200
 San Diego, California 92123
 MS: O-216

CERTIFICATE OF COMPLETION

"Julian-Cuyamaca Fire Protection District Reorganization" |
 Julian-Cuyamaca Fire Protection District and County Service Area No. 135
 LAFCO File No. RO18-09 et al.

Pursuant to Government Code Sections 57200 and 57201, this Certificate is hereby issued. All subject agencies included in this reorganization are located entirely within San Diego County and identified below with the corresponding jurisdictional change:

Subject Agency	Jurisdictional Change
Julian-Cuyamaca Fire Protection District	Dissolution
County Service Area No. 135	Expansion of Latent Power Fire and Emergency Medical Service Area

Certified copies of the resolution approving the reorganization dated September 10, 2018; ordering the reorganization with an election dated December 3, 2018 and election results on the reorganization dated April 4, 2019 (attached hereto). This includes accompanying maps and descriptions of the affected territory.

All approval terms for the reorganization – including voter confirmation – have been completed.

I hereby certify I have examined the above-cited resolution for the reorganization and have found that document to be in statutory compliance. I further certify that a tax exchange agreement pertinent to reorganization is on file.


 Keene Simonds
 Executive Officer

April 8, 2019

Administration Keene Simonds, Executive Officer County Operations Center 9335 Hazard Way, Suite 200 San Diego, California 92123 T 858.614.7755 F 858.614.7766 www.sdlafco.org	Jim Desmond County of San Diego Dianne Jacob County of San Diego Greg Cox, Alternate County of San Diego	Catherine Blakespear City of Encinitas Bill Wells City of El Cajon Serge Dedina, Alternate City of Imperial Beach	Mark Kersay City of San Diego Chris Cate, Alternate City of San Diego	Chair Jo MacKenzie Vista Irrigation Vice Chair Ed Sprague Olivenhain Municipal Water Judy Hanson, Alternate Leucadia Wastewater	Andy Vanderlaan General Public Harry Mathis, Alternate General Public
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**CERTIFICATE OF COMPLETION
FILING CONTENTS**

**“Julian-Cuyamaca Fire Protection District Reorganization”
Julian Cuyamaca Fire Protection District and County Service Area No. 135
LAFCO File No. RO18-09 et al.**

1. LAFCO Resolution Approving the Reorganization, Dated September 10, 2018
(Exhibit C provides description and map of the affected territory)
2. LAFCO Resolution Ordering the Reorganization Subject to an Election, Dated December 3, 2018
3. Certified Election Results on the Reorganization, Dated April 4, 2019
4. Notice from the County of San Diego Fire Authority Offering Reserve Firefighter Positions to Current Julian-Cuyamaca Fire Protection District Firefighters, Dated April 3, 2019
(Addresses Approval Term No.7 (a)(iv))
5. Notice from County of San Diego Health and Human Services Agency Terminating Ambulance Transport Contract with Julian-Cuyamaca Fire Protection District, Dated March 29, 2019
(Addresses Approval Term No. 7(a)(v))

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Approved by the Local Agency Formation
Commission of San Diego

APR - 8 2019

Kenny Spinder

APR - 8 2019

RESOLUTION OF THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION

**APPROVING A JOINT-REORGANIZATION AND
ASSOCIATED SPHERE OF INFLUENCE AMENDMENTS**

**CONCURRENT DISSOLUTION OF THE JULIAN-CUYAMACA FIRE PROTECTION DISTRICT AND
LATENT POWER AREA EXPANSION OF COUNTY SERVICE AREA NO. 135
(RO18-09 ET AL.)**

WHEREAS, the Julian Cuyamaca Fire Protection District (FPD) has filed a resolution of application with the San Diego County Local Agency Formation Commission, hereinafter referred to as "Commission," pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Julian-Cuyamaca FPD's application requests dissolution and cession of all corporate powers within its approximate 52,000 acre jurisdictional boundary subject to certain terms, including concurrent Commission approval to transfer fire protection and emergency medical service responsibilities to the County of San Diego and its Fire Authority through County Service Area (CSA) No. 135; and

WHEREAS, the County of San Diego, acting on behalf of CSA No. 135, filed a supporting resolution of application with the Commission requesting expansion of CSA No. 135's existing latent power fire protection and emergency medical service area to include the affected territory; and

WHEREAS, the application filings by Julian-Cuyamaca FPD and County of San Diego are complementary and processed by the Commission as a joint-reorganization proposal; and

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

WHEREAS, the Executive Officer's report and recommendations on the joint-reorganization proposal and need for concurrent sphere of influence amendments have 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 concurrent sphere of influence amendments for consistency under Government Code Section 56375.5 on September 10, 2018.

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 interested parties and public comments and read and considered the Executive Officer's report.

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Kenny Smith


3. The Commission serves as lead agency under the California Environmental Quality Act (CEQA) in considering two distinct "projects" associated with the joint-reorganization proposal and as detailed in the Executive Officer's report: (a) accommodating sphere of influence amendments and the (b) reorganization itself. The Commission's findings follow.
 - a) The sphere of influence amendments qualify as a project, but are exempt from additional review per CEQA Guidelines section 15061(b)(3). This exemption appropriately applies because it can be seen with certainty spheres of influence are planning policies and amendments do not make any changes to the environment or authorize any new uses or services and thus there is no possibility that the activity in question may have a significant effect on the environment.
 - b) The reorganization qualifies as a project, but is exempt from additional review under CEQA Guidelines section 15320. This exemption appropriately applies given the affected territory is already within an authorized fire protection and emergency medical provider and the reorganization will not change the geographic area where services are authorized and exercised.
4. The Commission conditionally APPROVES the following sphere of influence amendments.
 - a) The sphere of influence for Julian-Cuyamaca FPD is amended to a transitional or zero status and shown in Exhibit A-1.
 - b) The fire protection and emergency medical service specific sphere of influence for CSA No. 135 is amended to include all of the affected territory and shown in Exhibit A-2.
5. The Commission conditions the approved sphere of influence amendments as described on the recordation of the associated joint-reorganization identified as RO18-09 et al.
6. The written statements of the Commission addressing the mandatory factors required for consideration any time spheres of influence are adopted, amended, or updated under Government Code Section 56425 are provided as Exhibit B.
7. The Commission conditionally APPROVES the proposed joint-reorganization proposal identified as RO18-09 et al. without modification or amendment and as shown in Exhibit C.
 - a. The following conditions must be satisfied within one calendar year – or August 6, 2019 – unless prior written request for an extension is received and approved by the Commission.
 - i. Completion of the 30-day reconsideration period provided under Government Code Section 56895.
 - ii. Receipt and confirmation by the County of San Diego Assessor's Office of the completeness of maps and geographic descriptions of the affected territory showing the (a) dissolution of Julian-Cuyamaca FPD and (b) expansion of CSA No. 135's latent power fire protection and emergency medical service area.

- iii. Upon the Commission's order giving approval to the joint-reorganization, Julian-Cuyamaca FPD is prohibited from taking any of the actions contained in Government Code section 56885.5, including:
 1. Approving any increase in compensation or benefits for members of the governing board, its officers, or the executive officer of the agency.
 2. Appropriating, encumbering, expending, or otherwise obligating, any revenue of the agency beyond that provided in the current budget at the time the dissolution is approved by the commission.
 - iv. Upon successful completion of medical and background screening, Julian-Cuyamaca FPD volunteer firefighters shall be offered reserve positions/transitioned into the San Diego County Volunteer Reserve Firefighter Program. Personnel unable to meet these requirements may be offered positions as Support Reserves.
 - v. Julian-Cuyamaca FPD must establish an interim arrangement for an outside contractor to assume ambulance transport services for the greater Julian area through June 30, 2019 consistent with its contract with County Health and Human Service Agency. This includes requiring the contractor to offer equivalent employment to the six affected Julian-Cuyamaca FPD employees through June 30, 2019 subject to meeting standard qualifications and testing of the contractor.
- b. The following conditions apply upon and after the effective date of the joint-reorganization as defined in No. 11 below:
- i. Successor Agency. Upon and after effective date, CSA No. 135 shall be the successor to Julian-Cuyamaca FPD for purpose of providing structural fire protection and emergency medical services, and succeeding to all of the rights, duties, and obligations of the extinguished district with respect to enforcement, performance, or payment of any outstanding bonds, including revenue bonds, or other contracts and obligations within the territory previously included within the extinguished district.
 - ii. Organization and Governance. The dissolved fire protection district will become part of the fire protection and emergency medical services subarea of CSA No. 135. CSA No. 135 is governed by the five-member Board of Supervisors and the Deputy County Administrative Officer for the Public Safety Group will serve as the Fire Warden. Operationally, the County of San Diego will continue to contract with CAL FIRE to provide services. A seven-member fire advisory board has been created in accordance with County Board Policy A-74. The fire advisory board shall create a Julian-Cuyamaca subcommittee to provide feedback on fire protection services in the affected territory. The subcommittee shall consist of three persons as follows initially: one current Julian-Cuyamaca FPD Board member; one member of the Chamber of Commerce; and one member from the Julian Plugs Fire Association. In its discretion, the fire advisory board may change the membership categories of such subcommittee over time in the event it becomes impractical to fill certain membership categories.

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- iii. Employees. As of the effective date, the Julian-Cuyamaca FPD Secretary shall be offered equivalent employment as determined by the County with the County, CSA No. 135, or through a contract with another agency/service provider.
- iv. Tax Revenues. Upon the effective date, the legal existence of Julian-Cuyamaca FPD shall cease except as otherwise required by law. All property tax revenues and voter-approved special tax or special assessment revenues (if any), received or receivable by Julian-Cuyamaca FPD as of the effective date shall be collected or collectible by CSA No. 135 for the exclusive use of funding the services within the Territory. CSA No. 135 property taxes, special taxes, and special assessments shall not be available for other CSA No. 135 or County purposes.
- v. Plan for Service. CSA No. 135 shall provide the services within the territory provided by Julian-Cuyamaca FPD per the Plan for Services adopted by the County of San Diego. CSA No. 135 will provide a Paramedic Fire Engine in Julian at Fire Station #56. CSA No. 135 will fund the year-round staffing of CAL FIRE Cuyamaca Fire Station #51 with an expanded scope BLS Fire Engine. Julian Fire Station #56 will be considered a must-cover priority #1 station subject to the 30-minute move up. Levels of services may improve or increase prior to the day immediately preceding the Effective Date.
- vi. Transfer of Facilities. Upon the effective date, the facilities located at the real properties identified on Exhibit B of Julian-Cuyamaca FPD Application shall be transferred to CSA No. 135 for use in providing the services. The facility in the community of Cuyamaca will not be transferred and will be disposed of by the Julian-Cuyamaca FPD prior to the effective date of dissolution.
- vii. Transfer of Assets. CSA No. 135 shall accept all real and personal property, books, records, papers, offices, equipment, supplies, moneys, funds, appropriations, licenses, permits, entitlements, agreements, contracts, claims, judgments, and all other assets and obligations transferred from Julian-Cuyamaca FPD in "as-is" condition, without any payment or repair obligation from Julian-Cuyamaca FPD. All incidental liabilities, such as accounts payable, contract obligations and consumer deposits, shall be transferred to CSA No. 135's appropriate, respective, isolated accounts. All assets including, but not limited to cash reserves, land, structures, appurtenances, rolling stock, personal property including tools, office furniture, fixtures and equipment, and held by Julian-Cuyamaca FPD, shall be transferred to the appropriate services zone of CSA No. 135 as of the effective date.
- viii. Transfer by Operation of Law. Except as otherwise provided herein, the ownership, possession, and control of all books, records, papers, offices, equipment, supplies, moneys, funds, appropriations, licenses, permits, entitlements, agreements, contracts, claims, judgments, land, and other assets and property, real or personal, owned or leased by, connected with the administration of, or held for the benefit or use of, Julian-Cuyamaca FPD shall transfer to CSA No. 135. CSA No. 135 is the successor to Julian-Cuyamaca FPD and, except as otherwise provided herein, the provisions of Government Code sections 57450 et seq. applicable to successor agencies to dissolved agencies apply to CSA No. 135.

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- ix. Insurance Service Office (ISO) Ratings. CSA No. 135 will petition the ISO to update Julian-Cuyamaca FPD's former 5/9 rating of properties within the Territory to the County's 3/3x ISO rating. Julian-Cuyamaca FPD maintains a class 5/9 ISO Fire Department rating.
 - x. Explorer Program. CSA No. 135 shall assume and continue support for Julian-Cuyamaca FPD Explorer Program in place on the day immediately preceding the Effective Date.
 - xi. Community Events. County and/or state firefighters stationed in Julian will participate in community events as requested.
 - xii. District Firefighters. Upon successful completion of medical and background screening, Julian-Cuyamaca FPD volunteer firefighters shall be offered reserve positions/transitioned into the San Diego County Volunteer Reserve Firefighter Program. Personnel unable to meet these requirements may be offered positions as Support Reserves.
 - xiii. Benefit Fee | No. 3115-01. The County will pay the remaining balance on the Fire Station loan using the collected Fire Station benefit fee established in 2006 and additional County funds. The Fire Station benefit fee – Identified by the Assessor as Fund No. 3115-01 – will then be discontinued no later than July 1, 2019.
 - xiv. Benefit Fee | No. 3115-40. CSA No. 135 shall be assigned all revenues collected by the Fire Protection benefit fee established in 1984. The Fire Protection benefit fee is identified by the Assessor by Fund No. 3115-40.
8. The affected territory as designated by the Commission is inhabited as defined in Government Code Section 56046.
9. The Commission delegates to the Executive Officer performing all conducting authority proceeding requirements under Government Code Section 57000.
10. Both subject agencies' utilize the regular assessment roll of the County of San Diego.
11. The effective date of the reorganization proposal shall be the date of recordation of the Certificate of Completion.
12. 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.

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PASSED AND ADOPTED by the San Diego County Local Agency Formation Commission on September 10, 2018 by the following vote:

AYES: Commissioners Blakespear, Horn, Jacob, MacKenzie, Sprague, Vanderlaan and Wells

NOES: None

ABSENT: Commissioners Cox and Zapf

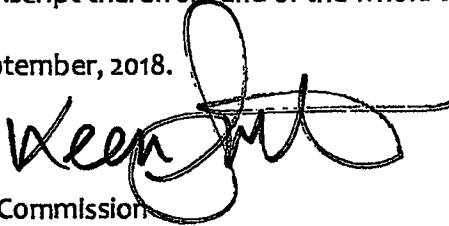
ABSTAINING: None

**STATE OF CALIFORNIA |
COUNTY OF SAN DIEGO**

I, KEENE SIMONDS, Executive Officer of the Local Agency Formation Commission of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution adopted by said Commission at its regular meeting on September 10, 2018, which original resolution is now on file in my office; and that same contains a full, true, and correct transcript therefrom and of the whole thereof.

Witness my hand this 11th day of September, 2018.

Keene Simonds, Executive Officer
San Diego Local Agency Formation Commission



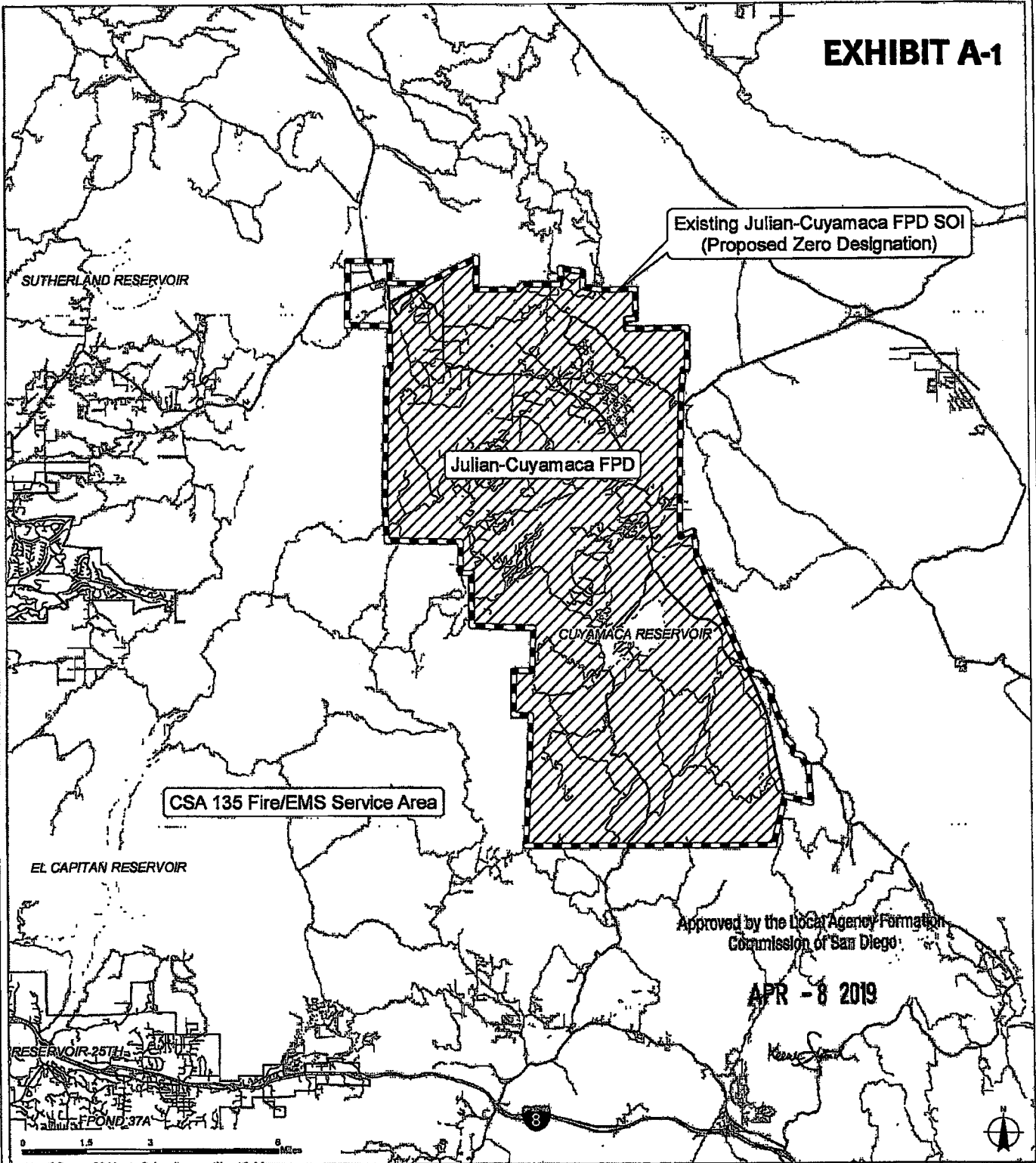
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Julian-Cuyamaca FPD Sphere of Influence (Proposed Zero Designation)

EXHIBIT A-1






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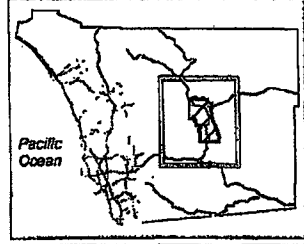


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Created by Dieu Ngu - 4/8/2019

-  Julian-Cuyamaca FPD
-  Julian-Cuyamaca FPD SOI
-  CSA 135 Fire/EMS Service Area

SOI = Sphere of Influence



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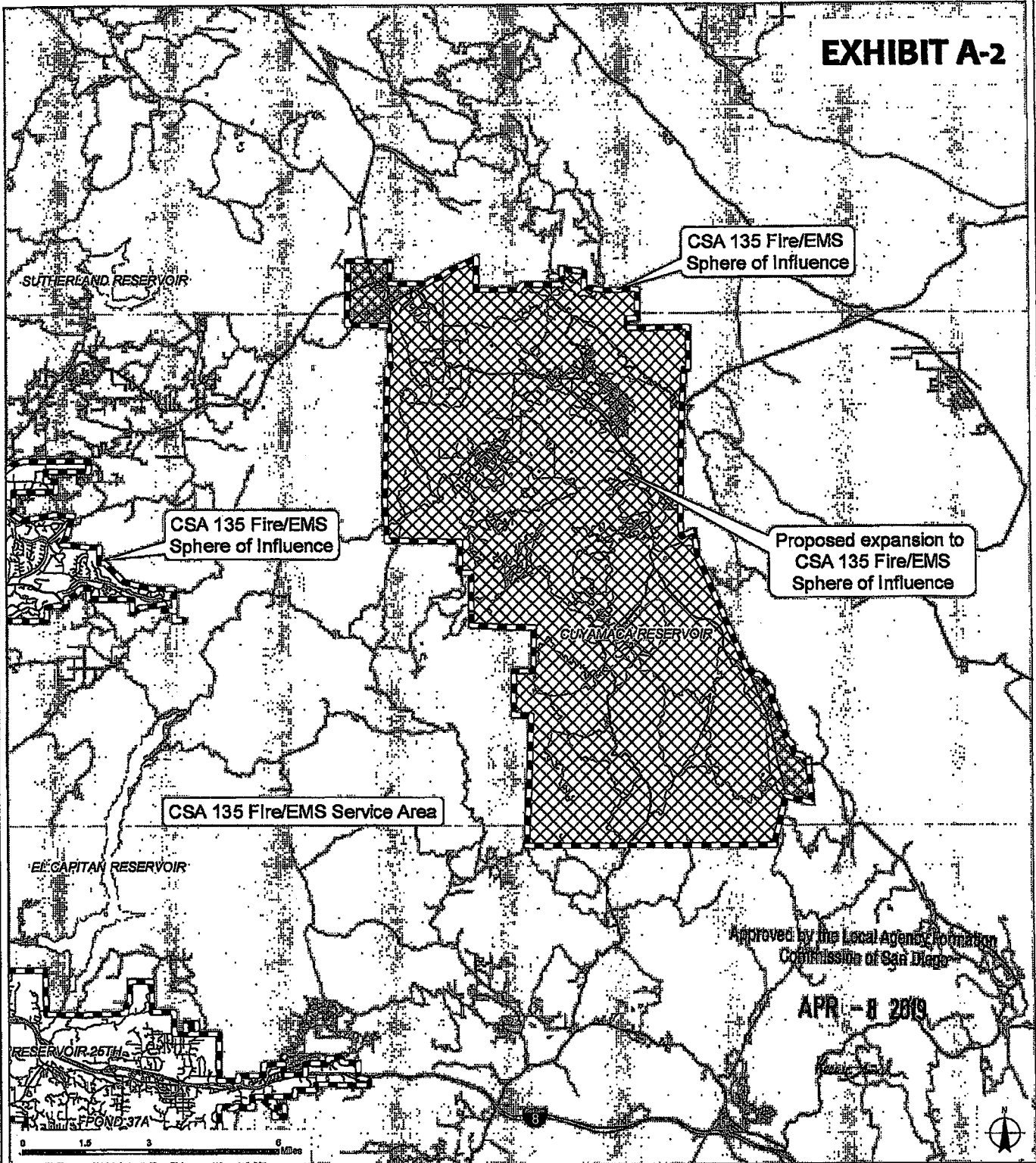
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Proposed CSA 135 Fire/EMS Service Area Sphere of Influence Expansion

EXHIBIT A-2



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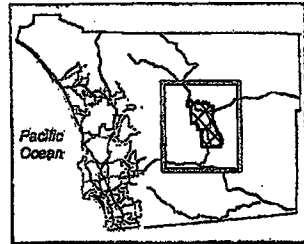
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-  Proposed CSA 135 Fire/EMS SOI Expansion
-  CSA 135 Fire/EMS Service Area
-  CSA 135 Fire & EMS Service Area SOI

SOI = Sphere of Influence



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EXHIBIT B

Government Code Section 56425 Sphere of Influence Statements

1) The present and planned land uses, including agricultural and open-space lands.

The affected territory spans close to 52,000 acres and is entirely unincorporated, and as such subject to the adopted land use policies of the County of San Diego. The northern half of the affected territory is anchored by the unincorporated community of Julian and includes its own historic district with a mix of local and tourist-serving retail and commercial uses as well as public facilities. Development within this portion of the affected territory is guided by the Julian Community Plan with no significant future growth anticipated. The southern half of the affected territory is more rural with agrarian uses ranging from orchards to vineyards. It also includes a significant portion of public lands – estimated at approximately 52% of the total affected territory – and highlighted by the Cuyamaca Rancho State Park. Development within this portion is guided by Central Mount Subregional Plan with minimal new future growth anticipated. LAFCO estimates the total resident population is 4,100.

(2) The present and probable need for public facilities and services in the area.

Existing and planned uses within the affected territory as described above merits organized fire protection and emergency medical services. This need is highlighted by an existing residential population of over 4,000 and steady influx of tourists underlying the relatively constant service demands experienced over the last several years.

(3) The present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.

Julian-Cuyamaca FPD presently provides fire protection and emergency medical services to the affected territory. These services are considered adequate when volunteer staffing is fully available; the latter being a variable. CSA No. 135 serves as an implementing vehicle for the County Fire Authority to provide fire protection and emergency medical services throughout a significant portion of unincorporated San Diego County – including lands surrounding Julian-Cuyamaca FPD. County Fire Authority has available and sufficient capacities to immediately assume and increase service levels to the affected territory with 24-hour professional firefighters while at a reduce cost to constituents.

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(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The affected territory has developed strong social and economic ties to the Julian-Cuyamaca FPD and highlighted by the community's ongoing involvement in supporting FPD's volunteer-based service activities. The affected territory also possesses – albeit to a different degree – communities of interest with the surrounding region served by CSA No. 135 through County Fire Authority given the shared experience of being part of the “backcountry” area of San Diego County.

(5) The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The northern half of the affected territory – which includes the main population center of Julian – qualifies as a disadvantaged unincorporated community (DUC) based on statute and implementing LAFCO policy. The sphere of influence amendments serve to facilitate the delivery of enhanced fire protection and emergency medical services to all of the affected territory by transitioning coverage from Julian-Cuyamaca FPD to County Fire Authority through CSA No. 135, and as such do not adversely impact residents within the DUC.

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EXHIBIT C



GEOGRAPHIC DESCRIPTION

" JULIAN-CUYAMACA FIRE PROTECTION DISTRICT REORGANIZATION "
RO18-09; LP(F)18-09; SA18-09(A); SA18-09(B)

**CONCURRENT DISSOLUTION OF THE JULIAN-CUYAMACA FIRE PROTECTION DISTRICT AND
EXPANSION OF COUNTY SERVICE AREA NO. 135 ACTIVATED FIRE PROTECTION AND
EMERGENCY MEDICAL SERVICE AREA**

ALL THAT TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, LYING WITHIN THE
FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT CORNER NO. 17 OF RANCHO SANTA YSABEL, ACCORDING TO MAP RECORDED IN BOOK
1, PAGE 72 OF PATENTS, FILED IN THE COUNTY RECORDER'S OFFICE OF SAN DIEGO COUNTY, BEING
ALSO A POINT ON THE EXISTING BOUNDARY OF THE LATENT POWERS AREA OF COUNTY SERVICE AREA
NO. 135 FOR STRUCTURAL FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES AS ESTABLISHED BY
RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF SAID COUNTY ON OCTOBER 6, 2008
(LAFCO REF NO. SI[F]08-20 ; LP08-20);

THENCE ALONG THE EXISTING BOUNDARY OF SAID COUNTY SERVICE AREA NO. 135, THE FOLLOWING
COURSES:

1. SOUTH 0°20'19" EAST 3963.61 FEET ALONG THE BOUNDARY OF SAID RANCHO SANTA YSABEL
TO CORNER NO. 16 THEREOF;
2. THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID RANCHO, NORTH 89°58'56" EAST
5121.07 FEET TO CORNER NO. 15 THEREOF;
3. THENCE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID RANCHO, NORTH 44°30'17" EAST
857.81 FEET TO THE NORTH LINE OF SECTION 30, TOWNSHIP 12 SOUTH, RANGE 4 EAST;
4. THENCE ALONG SAID NORTH LINE OF SECTION 30, NORTH 89°53'14" EAST 2144.30 FEET TO
THE NORTH QUARTER CORNER OF SAID SECTION 30;
5. THENCE CONTINUING ALONG SAID NORTH LINE OF SECTION 30, SOUTH 89°43'08" EAST
2651.35 FEET TO THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 4
EAST;
6. THENCE ALONG THE WEST LINE OF SAID SECTION 20, NORTH 0°07'31" EAST 707.37 FEET;
7. THENCE LEAVING SAID WEST LINE OF SAID SECTION 20, SOUTH 89°45'20" EAST 103.14 FEET;
8. THENCE PARALLEL TO THE WEST LINE OF SAID SECTION 20, NORTH 0°14'40" EAST 526.25 FEET;

9. THENCE NORTH 54°11'20" WEST 126.73 FEET TO THE WEST LINE OF SAID SECTION 20;
10. THENCE ALONG THE WEST LINE OF SAID SECTION 20, NORTH 0°07'29" EAST 695.25 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 20;
11. THENCE ALONG SAID NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF SAID SOUTHWEST QUARTER OF SAID SECTION 20, SOUTH 81°48'35" EAST 2804.59 FEET TO THE NORTHEAST CORNER THEREOF;
12. THENCE ALONG THE EAST LINE OF THE SOUTH HALF OF THE NORTH HALF OF SAID SOUTHWEST QUARTER OF SAID SECTION 20, SOUTH 1°36'01" WEST 1933.77 FEET TO THE NORTH QUARTER CORNER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 4 EAST;
13. THENCE ALONG THE NORTH LINE OF SAID SECTION 29, SOUTH 82°33'26" EAST 2838.84 FEET TO THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 12 SOUTH RANGE 4 EAST;
14. THENCE ALONG THE NORTH LINE OF SAID SECTION 28, NORTH 87°59'36" EAST 3819.43 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF SAID SECTION 28;
15. THENCE ALONG SAID WEST LINE, SOUTH 1°32'22" EAST 3719.09 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28;
16. THENCE ALONG THE NORTH LINE OF SAID QUARTER-QUARTER, SOUTH 89°10'42" WEST 1255.13 FEET TO THE WEST LINE OF SAID QUARTER-QUARTER TO THE NORTHWEST CORNER THEREOF;
17. THENCE ALONG THE WEST LINE OF SAID QUARTER-QUARTER, SOUTH 0°05'27" WEST 1176.80 FEET TO THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 4 EAST;
18. THENCE ALONG THE NORTH LINE OF SAID SECTION 33, SOUTH 89°19'01" EAST 2553.57 FEET TO THE NORTHEAST CORNER THEREOF, BEING ALSO THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 4 EAST;
19. THENCE ALONG THE NORTH LINE OF SAID SECTION 34, SOUTH 89°55'36" EAST 5090.61 FEET TO THE NORTHEAST CORNER THEREOF;
20. THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 34, SOUTH 0°29'44" EAST 5196.89 FEET TO THE SOUTHWEST CORNER THEREOF, BEING A POINT IN THE NORTH LINE OF SECTION 2, TOWNSHIP 13 SOUTH, RANGE 4 EAST;
21. THENCE WESTERLY ALONG SAID NORTH LINE OF SAID SECTION 2, NORTH 87°45'37" WEST 531.30 FEET TO THE NORTHWEST CORNER THEREOF;
22. THENCE IN A GENERALLY SOUTHERLY DIRECTION ALONG THE EAST LINES OF SECTION 3, 10, AND 15, TOWNSHIP 13 SOUTH, RANGE 4 EAST 17212.42 FEET TO THE NORTHEAST CORNER OF FRACTIONAL SECTION 22, TOWNSHIP 13 SOUTH, RANGE 4 EAST;

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- Kevin Smith*
23. THENCE ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 22, SOUTH 0°01'39" WEST 3310.46 FEET TO THE NORTHERLY BOUNDARY OF RANCHO CUYAMACA, ACCORDING TO MAP RECORDED IN BOOK 43, PAGE 309 OF DEEDS, FILED IN THE COUNTY RECORDER'S OFFICE OF SAN DIEGO COUNTY;
24. THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 66°53'02" EAST 1731.80 FEET TO CORNER NO. 3 OF SAID RANCHO;
25. THENCE SOUTH 6°29'35" EAST 3227.70 FEET ALONG THE EASTERLY BOUNDARY OF SAID RANCHO TO CORNER NO. 4 THEREOF;
26. THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY, SOUTH 22°53'22" EAST 8427.27 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF FRACTIONAL SECTION 35, TOWNSHIP 13 SOUTH, RANGE 4 EAST;
27. THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY, SOUTH 23°30'00" EAST 13017.16 FEET TO CORNER NO. 5 OF SAID RANCHO;
28. THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY, SOUTH 11°40'18" EAST 10264.82 FEET TO CORNER NO. 6 THEREOF, BEING ALSO THE NORTHWESTERLY CORNER OF FRACTIONAL SECTION 30, TOWNSHIP 14 SOUTH, RANGE 5 EAST;
29. THENCE LEAVING SAID BOUNDARY OF COUNTY SERVICE AREA NO. 135 AND CONTINUING ALONG SAID EASTERLY BOUNDARY OF SAID RANCHO, SOUTH 12°51'24" WEST 6040.46 FEET TO THE SOUTHWESTERLY CORNER OF SAID FRACTIONAL SECTION 30;
30. THENCE LEAVING SAID EASTERLY BOUNDARY OF RANCHO CUYAMACA, SOUTH 89°58'32" WEST 30802.84 FEET TO THE WESTERLY BOUNDARY THEREOF;
31. THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 2°19'40" EAST 16187.38 FEET TO THE SOUTHEAST CORNER OF FRACTIONAL SECTION 7, TOWNSHIP 14 SOUTH, RANGE 4 EAST;
32. THENCE ALONG THE SOUTHERLY LINE OF SAID FRACTIONAL SECTION 7, NORTH 89°27'48" WEST 2135.14 FEET TO THE SOUTHWEST CORNER THEREOF;
33. THENCE ALONG THE WESTERLY LINE OF SAID FRACTIONAL SECTION 7, NORTH 0°00'38" EAST 5480.00 FEET TO THE NORTHWEST CORNER THEREOF;
34. THENCE ALONG THE NORTH LINE OF SAID FRACTIONAL SECTION 7, SOUTH 89°09'16" EAST 2370.77 FEET TO THE NORTHEAST CORNER THEREOF, BEING ALSO THE WESTERLY LINE OF SAID RANCHO CUYAMACA;
35. THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 1°23'01" EAST 5402.56 FEET TO THE SOUTHEAST CORNER OF FRACTIONAL SECTION 31, TOWNSHIP 13 SOUTH, RANGE 4 EAST;

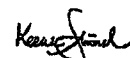
36. THENCE ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 31, NORTH 88°54'40" WEST 2578.42 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 3 EAST;
37. THENCE ALONG THE SOUTH LINE OF SAID SECTION 36, NORTH 87°38'05" WEST 5112.35 FEET TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EXISTING BOUNDARY OF AFOREMENTIONED COUNTY SERVICE AREA NO. 135

THENCE ALONG THE EXISTING BOUNDARY OF SAID COUNTY SERVICE AREA NO. 135, THE FOLLOWING COURSES:

38. NORTH 1°15'16" WEST 2629.31 FEET ALONG THE WEST LINE OF SAID SECTION 36 TO THE WEST QUARTER CORNER THEREOF;
39. THENCE CONTINUING ALONG THE WEST LINE OF SECTION 36 AND ALONG THE WEST LINE OF SECTION 25, TOWNSHIP 13 SOUTH, RANGE 3 EAST, NORTH 0°07'04" EAST 3919.96 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 13 SOUTH, RANGE 3 EAST;
40. THENCE ALONG THE NORTH LINE OF SAID QUARTER-QUARTER, NORTH 88°58'50" WEST 1294.08 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 26;
41. THENCE ALONG THE WESTERLY LINE OF THE EAST HALF OF THE EAST HALF OF SAID SECTION 26, NORTH 0°15'24" EAST 3914.75 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF OF THE EAST HALF OF SECTION 26;
42. THENCE ALONG THE NORTH LINE OF SAID SECTION 26, NORTH 89°39'41" WEST 3823.31 FEET TO THE NORTHWEST CORNER THEREOF, BEING ALSO THE SOUTHEAST CORNER OF SECTION 22, TOWNSHIP 13 SOUTH, RANGE 3 EAST;
43. THENCE ALONG THE SOUTH LINE OF SAID SECTION 22, SOUTH 88°18'38" WEST 5297.57 FEET TO THE SOUTHWEST CORNER THEREOF;
44. THENCE IN A GENERALLY NORTHERLY DIRECTION ALONG THE WESTERLY LINES OF SECTIONS 3, 10, 15 AND 22, SAID TOWNSHIP AND RANGE, 21682.28 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 3 EAST;
45. THENCE ALONG THE NORTH LINE OF SAID SECTION 3, NORTH 89°20'45" EAST 316.51 FEET TO THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 3 EAST;
46. THENCE ALONG THE WESTERLY LINE OF SAID SECTION 34, NORTH 0°51'22" WEST 5239.54 FEET TO THE NORTHWEST CORNER THEREOF, BEING ALSO THE SOUTHWEST CORNER OF FRACTIONAL 27, TOWNSHIP 12 SOUTH, RANGE 3 EAST;

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47. THENCE ALONG THE WESTERLY LINE OF SAID FRACTIONAL 27, NORTH 0°27'44" EAST 2989.63 FEET TO THE NORTHWEST CORNER THEREOF, BEING ALSO THE SOUTHERLY BOUNDARY OF SAID RANCHO SANTA YSABEL;

48. THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID RANCHO, NORTH 62°49'54" EAST 12121.98 FEET TO THE POINT OF BEGINNING.

CONTAINING **52,158.29 ACRES** OF LAND MORE OR LESS.

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



COUNTY OF SAN DIEGO
ASSESSOR'S MAPPING DIVISION
JGD 03.26.19

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Commission of San Diego

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A handwritten signature in black ink, appearing to read "Kearney".

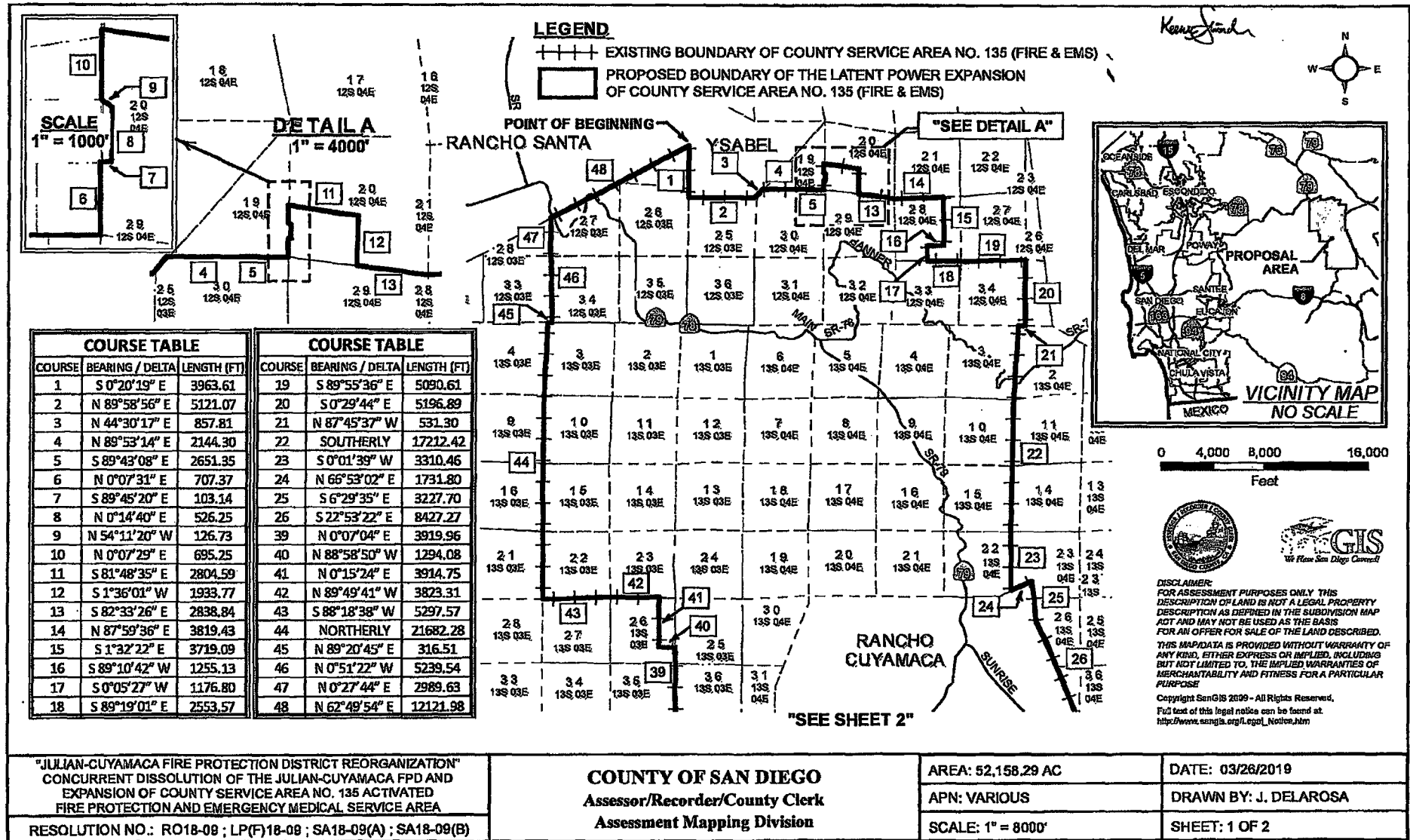
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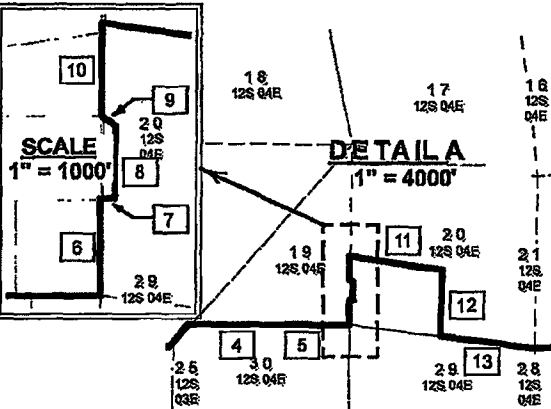
Kearney

APR - 8 2019

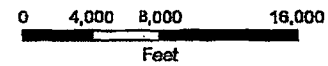
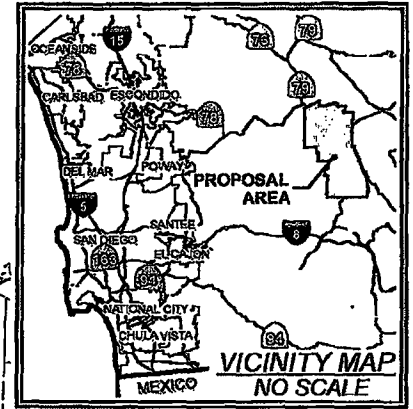


LEGEND

- EXISTING BOUNDARY OF COUNTY SERVICE AREA NO. 135 (FIRE & EMS)
- ▭ PROPOSED BOUNDARY OF THE LATENT POWER EXPANSION OF COUNTY SERVICE AREA NO. 135 (FIRE & EMS)



COURSE TABLE			COURSE TABLE		
COURSE	BEARING / DELTA	LENGTH (FT)	COURSE	BEARING / DELTA	LENGTH (FT)
1	S 0°20'19" E	3963.61	19	S 89°55'36" E	5090.61
2	N 89°58'56" E	5121.07	20	S 0°29'44" E	5196.89
3	N 44°30'17" E	857.81	21	N 87°45'37" W	531.30
4	N 89°53'14" E	2144.30	22	SOUTHERLY	17212.42
5	S 89°43'08" E	2651.35	23	S 0°01'39" W	3310.46
6	N 0°07'31" E	707.37	24	N 66°53'02" E	1731.80
7	S 89°45'20" E	103.14	25	S 6°29'35" E	3227.70
8	N 0°14'40" E	526.25	26	S 22°53'22" E	8427.27
9	N 54°11'20" W	126.73	39	N 0°07'04" E	3919.96
10	N 0°07'29" E	695.25	40	N 88°58'50" W	1294.08
11	S 81°48'35" E	2804.59	41	N 0°15'24" E	3914.75
12	S 1°36'01" W	1933.77	42	N 89°49'41" W	3823.31
13	S 82°33'26" E	2838.84	43	S 88°18'38" W	5297.57
14	N 87°59'36" E	3819.43	44	NORTHERLY	21682.28
15	S 1°32'22" E	3719.09	45	N 89°20'45" E	316.51
16	S 89°10'42" W	1255.13	46	N 0°51'22" W	5239.54
17	S 0°05'27" W	1176.80	47	N 0°27'44" E	2989.63
18	S 89°19'01" E	2553.57	48	N 62°49'54" E	12121.98

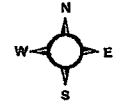


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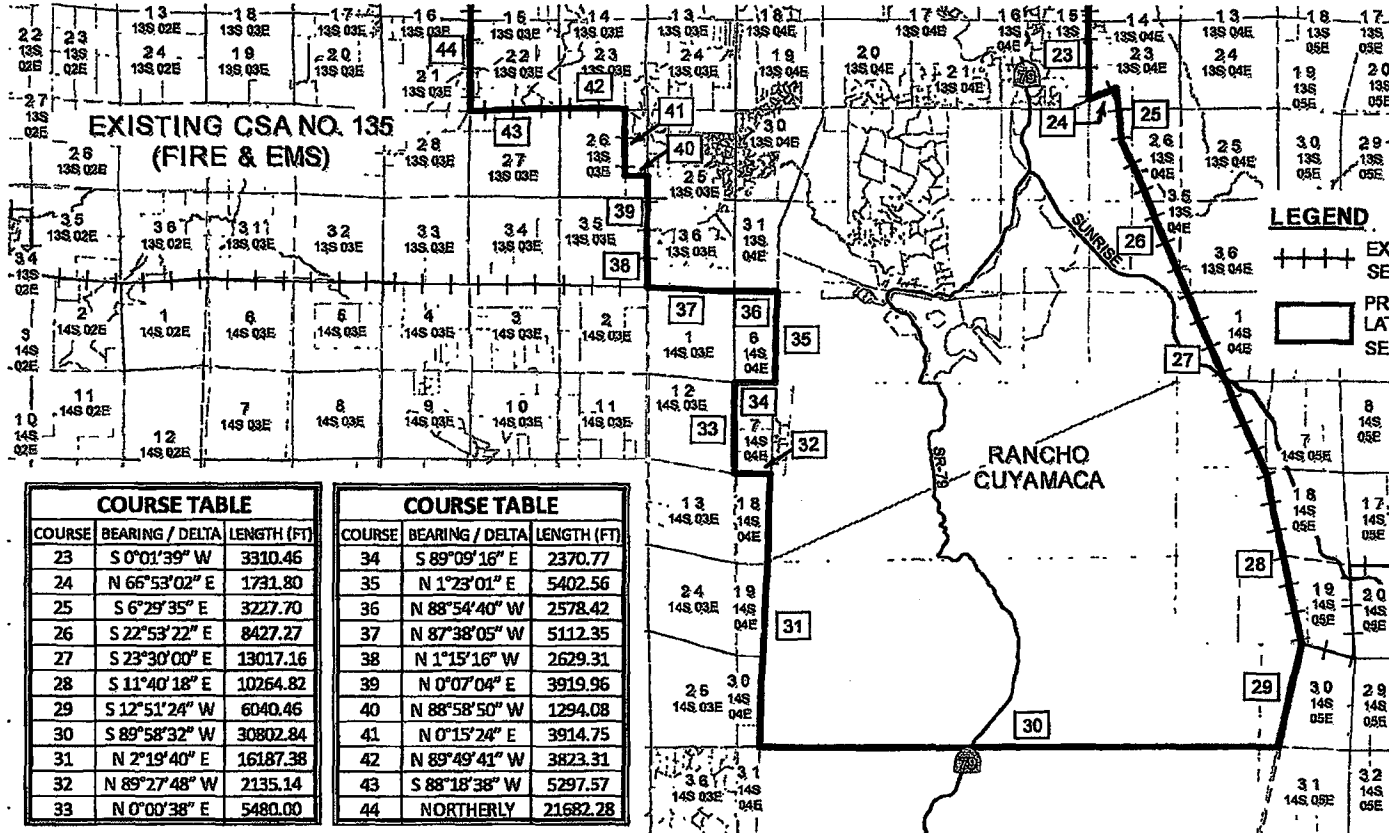
<p>"JULIAN-CUYAMACA FIRE PROTECTION DISTRICT REORGANIZATION" CONCURRENT DISSOLUTION OF THE JULIAN-CUYAMACA FPD AND EXPANSION OF COUNTY SERVICE AREA NO. 135 ACTIVATED FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE AREA</p> <p>RESOLUTION NO.: RO18-09 ; LP(F)18-09 ; SA18-09(A) ; SA18-09(B)</p>	<p>COUNTY OF SAN DIEGO Assessor/Recorder/County Clerk Assessment Mapping Division</p>	AREA: 52,158.29 AC	DATE: 03/26/2019
		APN: VARIOUS	DRAWN BY: J. DELAROSA
		SCALE: 1" = 8000'	SHEET: 1 OF 2

APR - 8 2019

Kenny Fisher



"SEE SHEET 1"



LEGEND

- EXISTING BOUNDARY OF COUNTY SERVICE AREA NO. 135 (FIRE & EMS)
- PROPOSED BOUNDARY OF THE LATENT POWER EXPANSION OF COUNTY SERVICE AREA NO. 135 (FIRE & EMS)



COURSE TABLE		
COURSE	BEARING / DELTA	LENGTH (FT)
23	S 0°01'39" W	3310.46
24	N 66°53'02" E	1731.80
25	S 6°29'35" E	3227.70
26	S 22°53'22" E	8427.27
27	S 23°30'00" E	13017.16
28	S 11°40'18" E	10264.82
29	S 12°51'24" W	6040.46
30	S 89°58'32" W	30802.84
31	N 2°19'40" E	16187.38
32	N 89°27'48" W	2135.14
33	N 0°00'38" E	5480.00

COURSE TABLE		
COURSE	BEARING / DELTA	LENGTH (FT)
34	S 89°09'18" E	2370.77
35	N 1°23'01" E	5402.56
36	N 88°54'40" W	2578.42
37	N 87°38'05" W	5112.35
38	N 1°15'16" W	2629.31
39	N 0°07'04" E	3919.96
40	N 88°58'50" W	1294.08
41	N 0°15'24" E	3914.75
42	N 89°49'41" W	3823.31
43	S 88°18'38" W	5297.57
44	NORTHERLY	21682.28



DISCLAIMER.
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"JULIAN-CUYAMACA FIRE PROTECTION DISTRICT REORGANIZATION" CONCURRENT DISSOLUTION OF THE JULIAN-CUYAMACA FPD AND EXPANSION OF COUNTY SERVICE AREA NO. 135 ACTIVATED FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE AREA RESOLUTION NO.: RO18-09 ; LP(F)18-09 ; SA18-09(A) ; SA18-09(B)	COUNTY OF SAN DIEGO Assessor/Recorder/County Clerk Assessment Mapping Division	AREA: 52,158.29 AC	DATE: 03/26/2019
		APN: VARIOUS	DRAWN BY: J. DELAROSA
		SCALE: 1" = 8000'	SHEET: 2 OF 2

APR - 8 2019



RESOLUTION OF THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION

**REQUESTING THE SAN DIEGO COUNTY BOARD OF SUPERVISORS
DIRECT THE COUNTY ELECTIONS OFFICIAL TO CONDUCT AN ELECTION
OF THE REGISTERED VOTERS OF THE JULIAN-CUYAMACA FIRE PROTECTION DISTRICT
TO CONFIRM THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION'S
ORDER RO18-09 ET AL. DISSOLVING THE
JULIAN-CUYAMACA FIRE PROTECTION DISTRICT AND DESIGNATING
COUNTY SERVICE AREA NO. 135 AS SUCCESSOR**

WHEREAS, on April 10, 2018, the Board of the Julian-Cuyamaca Fire Protection District ("District") adopted a "Resolution of Application" to dissolve the District, Resolution No. 2018-03 ("Resolution"); and

WHEREAS, the District submitted the "Resolution of Application" to the San Diego Local Agency Formation Commission ("Commission") on April 11, 2018; and

WHEREAS, the District's application requests dissolution and cession of all corporate powers within its approximate 52,000 acre jurisdictional boundary subject to certain terms, including concurrent Commission approval to transfer fire protection and emergency medical service responsibilities to the County of San Diego and its Fire Authority through County Service Area ("CSA") No. 135; and

WHEREAS, On May 15, 2018, the San Diego County Board of Supervisors, acting on behalf of CSA No. 135, filed a supporting resolution of application with the Commission requesting expansion of CSA No. 135's existing latent power fire protection and emergency medical service area to include the affected territory; and

WHEREAS, the application filings by the District and County were complementary and processed by the Commission as a joint-reorganization proposal; and

WHEREAS, on September 10, 2018, Commission adopted RO18-09 et al., approving the joint reorganization proposal to dissolve the District, expand CSA No. 135's existing latent powers to include the affected territory and designate CSA No. 135 as the successor agency, subject to the outcome of a protest hearing; and

WHEREAS, Commission provided landowners and registered voters with notice of the protest hearing on September 17, 2018; and

WHEREAS, on October 16, 2018 Commission conducted a protest hearing and received 803 signed written protests; and

WHEREAS, Commission submitted the written protests to the San Diego County Registrar of Voters on October 19, 2018 to verify the 803 signatures submitted; and

WHEREAS, the Registrar of Voters certified the results of the verification to the Commission on November 5, 2018, finding 177 signatures to be invalid and 626 signatures to be valid, which Certification is attached as Exhibit A; and

WHEREAS, the 626 valid written protests amount to 26% of the District's total registered voters which exceed the 603 protest, or 25% voter, threshold required to trigger an election by voters; and

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

1. Under Government Code Section 57000(d), the Commission determines that an election must be conducted and requests the San Diego County Board of Supervisors direct the County elections official to conduct the necessary election.
2. The Board of Supervisors of the County of San Diego is requested to phrase the question put to the voters as required by Government Code Section 57133(g) as follows: "Shall the order adopted on September 10, 2018, by the San Diego Local Agency Formation Commission (Resolution No. RO18-09 et al.) ordering the reorganization affecting the Julian-Cuyamaca Fire Protection District and County Service Area No. 135 and providing for the dissolution of the Julian-Cuyamaca Fire Protection District, the expansion of County Service Area No. 135's existing latent powers in the affected territory, and designating County Service Area No. 135 as the successor agency to the dissolved district be confirmed subject to the terms and conditions specified in the order?"
3. Per Government Code Section 57000(e)(1), the Board of Supervisors is requested, within 45 days from the date of this Resolution, to direct the County elections official to conduct the election.
4. The Board of Supervisors of the County of San Diego is authorized to determine the date and method of elections consistent with the deadlines set forth in Government Code sections 57000 et seq., but the Commission requests the Board consider a special election conducted wholly by mailed ballot on any date, including dates other than an established date authorized by the County elections official, as authorized to Government Code Section 57125(b). The Commission further recommends the special election be set for a date no later than 100 days from the date the Board of Supervisors calls the special election with a preferred date of March 19, 2019.
5. The Board of Supervisors of the County of San Diego is requested to issue to all officers of the County charged with duties pertaining to the conduct of elections the appropriate instructions to take any and all steps necessary in connection with the election services herein described.
6. The Board of Supervisors of the County of San Diego is requested to authorize and direct the Registrar of Voters to perform the following:
 - (a) In accordance with Government Code section 57146(a); (i) set the deadlines for submittal of arguments for or against the measure and rebuttal arguments; (ii) publish notice of such deadlines and the date of election in a newspaper of general circulation which is circulated in the affected territory; and (iii) ensure such published notice contains the required information set forth in Government Code section 57146(b);
 - (b) In accordance with Government Code section 57147 perform all required steps set forth in Elections Code section 9167 regarding rebuttal arguments;

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Commission of San Diego

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- (c) Prepare a mail the ballot pamphlet regarding the measure in accordance with Government Code section 57148;
 - (d) Furnish a tabulation of the number of registered voters in the affected territory (i.e., the current Julian-Cuyamaca Fire Protection District jurisdictional boundary);
 - (e) Examine and verify signatures;
 - (f) Provide election materials in languages other than English in accordance with federal law;
 - (g) Canvass the returns of the election in accordance with Government Code section 57149;
 - (h) Furnish a tabulation of the number of votes given in the affected territory;
 - (i) Complete any and all tasks related to the legal conduct of this election as required by the Executive Officer upon the request of the Executive Officer or the Commission;
7. The Commission authorizes the Executive Officer to reimburse the County of San Diego for the actual and direct costs of the services performed by the Registrar of Voters in connection with the election services herein described.
 8. 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 San Diego County Local Agency Formation Commission on December 3, 2018 by the following vote:

AYES: Commissioner Bragg (voting), Horn, Jacob, MacKenzie, Sprague, Vanderlaan, and Zapf

NOES: None

ABSENT: Commissioner Blakespear, Cate, Cox, and Wells

ABSTAINING: None

Keene Simonds

Attest: Keene Simonds
Executive Officer

Approved by the Local Agency Formation
Commission of San Diego

APR - 8 2019

Keene Simonds

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Commission of San Diego

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Exhibit A



County of San Diego

REGISTRAR OF VOTERS

County Operations Center Campus

3500 Overland Avenue, Suite 100, San Diego, California 92123-1278

Telephone: (858) 595-6900 Toll-free: 1 (800) 888-0138 TTY / TDD: (800) 735-2029
Facsimile: (858) 694-2655 Web Address: www.sdvotes.com

MICHAEL VU
Registrar of Voters

CYNTHIA L. PAES
Assistant Registrar of Voters

November 5, 2018

Keene Simonds, Executive Officer
San Diego Local Area Formation Commission
9335 Hazard Way, Suite 200
San Diego, CA 92123


Re: Julian-Cuyamaca Fire Protection District Reorganization

LAFCO Protests regarding Julian-Cuyamaca Fire Protection District/CSA 135 Reorganization (LAFCO file No. 18.09 et al.) was filed with the Registrar of Voters on October 19, 2018. As directed by your office, the Registrar of Voters conducted a verification of 100 percent of the 803 signatures submitted. Of this number, a total of 626 signatures have been verified to be valid. Results of the verification process are as follows:

CERTIFICATION OF RESULTS:

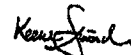
- Number of sections submitted 421
- Number of signatures submitted..... 803
- Number of signatures verified (100%)..... 803
- Number of signatures found to be valid 626
- Number of signatures found not to be valid (includes 40 duplicates)..... 177
- Number of signatures required for qualification 603

If you have questions, please contact me at (858) 505-7201 or Javier De Anda at (858) 505-7357.


MICHAEL VU
Registrar of Voters

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Commission of San Diego

APR - 8 2019



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Commission of San Diego

APR - 8 2019

Kenny Finkel



County of San Diego

MICHAEL VU
Registrar of Voters

REGISTRAR OF VOTERS
County Operations Center Campus
6600 Overland Avenue, Suite 100, San Diego, California 92123-1286
Telephone: (619) 586-8800 Toll-free: 1 (800) 698-0138 TDD: (619) 694-3441
Facsimile: (619) 694-2655 Web Address: www.sdvote.com

CYNTHIA L. PAES
Assistant Registrar of Voters

April 4, 2019

TO: Keene Simonds
Executive Officer, LAFCO

FROM: Michael Vu
Registrar of Voters

MARCH 19, 2019 ELECTION CERTIFICATION

Enclosed are the certification documents for the following election:

Jurisdiction: Julian-Cuyamaca Fire Protection District

Election Date: March 19, 2019

Please contact my staff at (858) 505-7210 if you have any questions regarding this matter.

Enclosure

- c: Supervisor Dianne Jacob, Chairwoman
- Supervisor Greg Cox, Vice Chair
- Supervisor Kristin Gaspar
- Supervisor Nathan Fletcher
- Supervisor Jim Desmond
- Helen N. Robbins-Meyer, Chief Administrative Officer
- Donald F. Steuer, Assistant Chief Administrative Officer
- April Heinze, P.E., Deputy Chief Administrative Officer, Community Services Group
- Ron Lane, Deputy Chief Administrative Officer, Public Safety Group
- Andrew Potter, Clerk of the Board of Supervisors

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Commission of San Diego**

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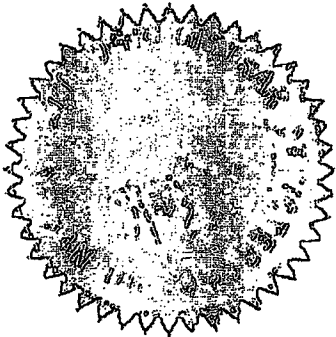
Kenny Smith


CERTIFICATE

STATE OF CALIFORNIA }
 } **ss.**
COUNTY OF SAN DIEGO }

I, Michael Vu, Registrar of Voters for the County of San Diego, do hereby certify that I have conducted the official canvass of the returns from the Julian-Cuyamaca Fire Protection District Special Election held on March 19, 2019, in the County of San Diego. The following is a statement of the results showing the total number of ballots cast and the total votes cast in favor of and against the measure.


Witness my hand and official seal this 4th day of April 2019.




L. MICHAEL VU
Registrar of Voters

Approved by the Local Agency Formation
Commission of San Diego

APR - 8 2019



**JULIAN-CUYAMACA FIRE PROTECTION DISTRICT
SPECIAL ELECTION**

Date:04/04/19
Time:08:57:22
Page:1 of 1

**March 19, 2019
Official Results**

Registered Voters 2496 - Cards Cast 1435 57.49%

Num. Report Precinct 1 - Num. Reporting 1 100.00%

JULIAN-CUYAMACA FIRE PROT	
MEASURE A	Total
Number of Precincts	1
Precincts Reporting	1 100.0 %
Total Votes	1433
YES	774 54.01%
NO	659 45.99%

Approved by the Local Agency Formation
Commission of San Diego

APR - 8 2019

Kenny Steiner



**SAN DIEGO COUNTY FIRE
IN COOPERATION WITH CAL FIRE**

5510 Overland Avenue | Suite 250, San Diego | CA 92123-1299
www.sdcountyfire.org

TONY MECHAM
FIRE CHIEF
(619) 680-3100

HERMAN REDDICK
DIRECTOR
(658) 874-5899

April 3, 2019

Keene Simonds
San Diego LAFCO
9335 Hazard Way, Suite 200
San Diego, CA 92123

SD LAFCO – Julian-Cuyamaca FPD Dissolution – Terms & Conditions

Mr. Simonds,

As you are aware, Julian-Cuyamaca Fire Protection District (JCFPD) voters passed "Measure A" by 54% of the vote. As such, under the Terms & Conditions, the County Fire Authority through CSA-135 was to develop procedures and offer reserve firefighter positions to current JCFPD volunteer firefighters should they complete the standard medical and background screening.

On March 29, 2019, the attached flyer was provided to the JCFPD Board President and Fire Chief for distribution to their volunteers. Beginning April 1 – 15, 2019, the volunteers can apply through our website at www.sdcountyfire.org. As of April 2nd, eight (8) existing volunteers have applied through this process. We will continue to encourage the volunteers to apply to our program.

Should you have any questions, please contact me at the phone number above or by email at herman.reddick@sdcounty.ca.gov.

Respectfully,

Herman Reddick
Director
San Diego County Fire Authority

Tony Mecham
Unit and County Fire Chief
CAL FIRE San Diego

Approved by the Local Agency Formation
Commission of San Diego

APR - 8 2019

Proudly serving the communities of Boulevard, Campo, Deerhorn Valley, De Luz, Descanso, Dulzura, Harbison Canyon, Intermountain, Jacumba, Jamul, Julian, Lake Morena, Mount Laguna, Ocotillo Wells, Otay Mesa, Palomar Mountain, Pine Valley, Potrero, Ranchita, San Pasqual, Shelter Valley, Sunshine Summit, and Warner Springs and providing Cooperative Fire Protection to the Dear Springs Fire Protection District, The Ramona Municipal Water District, Julian Cuyamaca Fire Protection District, and the Yulma Municipal Water District

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APR - 8 2019

Kenny Fitch

**San Diego County Fire
Welcomes & Invites
Julian Cuyamaca Volunteer Reserves
To apply for the County Volunteer Reserve
Firefighter Program**



BENEFITS

- * Gain first-hand firefighter experience
- * Scheduling flexibility
- * Obtain mentorship from and professionally train with career firefighters
- * Gear sponsorship for going to a Fire Academy
- * Training opportunities available for advancement in the Program
- * Stipends available for advanced positions

General Requirements

- ◊ At least 18 years of age
- ◊ High school diploma or GED
- ◊ Valid California Driver's License
- ◊ Valid Auto Insurance
- ◊ Must pass background and medical

Training Requirements

- ◊ Safety Fire Training Hired Equipment Course (SFT)
- ◊ Hazardous Materials First Responder Operational Training (HAZ MAT FRO)
- ◊ Public Safety-First Aid (PSFA)

Upon acceptance, you will have 45 days to complete the following online courses:

- ◊ S-130
- ◊ S-190
- ◊ S-110
- ◊ L-180
- ◊ IS-100
- ◊ IS-700
- ◊ IS-800
- ◊ DGS (Defensive Driver)

**APPLICATIONS OPEN FROM:
4/1/19 to 4/15/19**

APPLY NOW!

**Fire Apprentice
Application Link:**

www.surveymonkey.com/r/FIREAPPRENTICE

For those who meet the full requirements to be a Reserve Firefighter with County Fire, please go to www.sdcountyfire.org to apply. If you have any questions, please contact Reserve Program Manager - Royce.abalos@sdcounty.ca.gov.

Approved by the Local Agency Formation Commission of San Diego

APR - 8 2019

Kearney

RECEIVED

APR 04 2019



SAN DIEGO LAFCO

County of San Diego

NICK MACCHIONE, FACHE
AGENCY DIRECTOR

HEALTH AND HUMAN SERVICES AGENCY
EMERGENCY MEDICAL SERVICES
6255 MISSION GORGE ROAD, MAIL STOP S-555
SAN DIEGO, CA 92120-3599
(619) 285-6429 • FAX (619) 285-6531

NICK YPHANTIDES, MD, MPH
CHIEF MEDICAL OFFICER

Friday, March 29, 2019

Mike Van Bibber, Fire Chief
Julian-Cuyamaca Fire Protection District
3407 Highway 79
Julian, CA 92036

Chief Van Bibber,

As you are aware, County EMS has advised you of our intent to terminate the ground ambulance contract with the Julian Fire Protection District effective Friday, April 5, 2019 at 1200pm (noon).

With this notification, we are advising you that the succeeding contractor, Mercy Medical Transportation, Inc., will offer equivalent employment for up to six of your paid staff subject to the standard qualifications of the company.

If any of your staff is interested in this offer of employment they are to contact Jesse Torres at 619-405-8274 or at jtorges@mercymedtrans.com.

Respectfully,

A handwritten signature in black ink, appearing to read "Andy Parr", written over a horizontal line.

Andrew (Andy) Parr, EMS Administrator
HSA, MCSD, Emergency Medical Services

cc: Rick Roesch, Mercy Medical Transportation, Inc.
✓ John Traylor, LAFCO, San Diego
Kristen McEachron, CoSD Department of Purchasing and Contracting

Approved by the Local Agency Formation
Commission of San Diego

APR - 8 2019

A handwritten signature in black ink, appearing to read "Kenney", written below the date stamp.

**PLAINTIFFS' BRIEF IN OPPOSITION TO COUNTY OF SAN DIEGO'S EX PARTE
APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE: PRELIMINARY INJUNCTION**

Exhibit 3



County of San Diego

THOMAS E. MONTGOMERY
COUNTY COUNSEL

OFFICE OF COUNTY COUNSEL
1600 PACIFIC HIGHWAY, ROOM 355, SAN DIEGO, CA 92101
(619) 531-4860 Fax (619) 531-6005

JOSHUA M. HEINLEIN
SENIOR DEPUTY
Direct Dial: (619) 531-5850
E-Mail: joshua.heinlein@sdcounty.ca.gov

April 8, 2019

VIA EMAIL

Cory J. Briggs
Briggs Law Corporation
4891 Pacific Highway, Suite 104
San Diego, CA 92110
cory@briggslawcorp.com

Mike Menghini
tnmwine@aol.com

Mike Van Bibber
bc.vanbibber@jcfpd.com

RE: *Julian-Cuyamaca Fire Protection District and Brian Kramer v. San Diego County Local Agency Formation Commission, et al.*; Case No. 37-2019-00018076-CU-MC-CTL

Dear Mr. Briggs, Mr. Menghini, and Mr. Van Bibber:

The County of San Diego (County) understands that the above-entitled action was filed in San Diego Superior Court this morning, but the County has not been served with any summons or complaint. While the County is confident that it will prevail in any litigation, the County also knows that tensions are high and that this is an emotional situation for many people.

Accordingly, during this time, the County Fire Authority will continue to provide services to the people of Julian and Cuyamaca as it has been doing. The County will not take steps to take over Julian Fire Station No. 56 at this time. You are hereby notified that no one is to remove, dissipate, damage, or otherwise harm any of the assets that now belong to the County and that previously belonged to Julian-Cuyamaca Fire Protection District (JCFPD). This includes all real property, tangible assets (fire engines, ambulances, computers, etc.), financial assets (bank accounts, funds, etc.), and any and

April 8, 2019

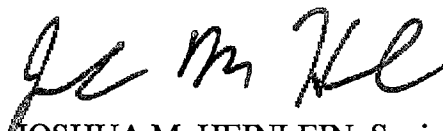
all other assets previously belonging to JCFPD. Anyone that takes actions to harm such assets is subject to potential civil and criminal liability. The County will have unarmed security guards at Station No. 56 to monitor anyone coming in and out of the station and to document the removal of any assets from the station.

If you would like to discuss this matter further, please contact me.

Very truly yours,

THOMAS E. MONTGOMERY, County Counsel

By



JOSHUA M. HEINLEIN, Senior Deputy

cc (all via email): Thomas E. Montgomery
Thomas D. Bunton
Suedy Alfaro
Holly O. Whatley
Helen Robbins-Meyer
Ronald Lane
April Heinze
Herman Reddick
Tony Mecham
Keene Simonds
jcfdp.admin@jcfpd.com

**PLAINTIFFS' BRIEF IN OPPOSITION TO COUNTY OF SAN DIEGO'S EX PARTE
APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE: PRELIMINARY INJUNCTION**

Exhibit 4



PROCOPIO
525 B Street
Suite 2200
San Diego, CA 92101
T. 619.238.1900
F. 619.235.0398

THEODORE J. GRISWOLD
P. 619.515.3277
ted.griswold@procopio.com

DEL MAR HEIGHTS
LAS VEGAS
PHOENIX
SAN DIEGO
SILICON VALLEY

April 5, 2019

Keene Simonds
Executive Officer and Board of Directors
San Diego County LAFCO
935 Hazard Way, Suite 200
San Diego, CA 92123

Re: Reversion of the Mosler Trust Property upon Dissolution of the Julian Cuyamaca Fire Protection District

Mr. Simonds:

Our firm represents the Kumeyaay Diegueño Land Conservancy ("KDLC"). We are in receipt of LAFCO's notice to take action at its April 8, 2019 meeting to "file certified results" of the March 19, 2019 special election and formally approve dissolution of the Julian Cuyamaca Fire Protection District ("JCFPD") through a Certificate of Completion. We understand that County spokespersons have opined that with recordation of the Certificate of Compliance, the property upon which JCFPD's Station 56 sits will transfer to the County. As we explained unequivocally to the County, with the dissolution of JCFPD this transfer is inconsistent with the ownership of the property and the County has no authorization to take possession of or occupy that property.

JCFPD obtained the real property by deed from the Frances H. Mosler Trust. That deed contained a condition subsequent and a reverter, which ceases JCFPD's ownership of the property upon abandonment of the fire station by the JCFPD (referred to as "District" in the deed):

If District permanently abandons the fire station, title to the subject property shall automatically vest in the [Native American Land] Conservancy or the Conservancy's assignee of this right of reverter. (Fiduciary's Deed to Real Property recorded on June 11, 2009 at the San Diego County Recorder's Office, as Document No. 2009-0316332)

Pursuant to the Marketable Record Title Act, an automatic reverter in real property is no longer recognized in the State of California. (Cal Civ. Code § 885.020). Instead, it has been transformed into a "power of termination". (Cal. Civ. Code § 885.020). The power of termination allows the grantor to terminate a fee simple estate to enforce a condition subsequent on the estate

procopio.com

(Cal. Civ. Code § 885.010). In addition, a party claiming an interest in this type of property may file a Notice to Preserve Interest to protect its interest from expiration (Cal. Civ. Code §§ 880.310-880.370). The Grantor of this property has recorded a Notice to Preserve Interest on the property and will protect that interest with all means necessary to effectuate the intent of the Frances H. Mosler Trust.

Thus, if these actions by LAFCO take place such that the JCFPD is dissolved, the real property held by JCFPD is necessarily abandoned by JCFPD and will revert to the original grantor, the Frances H. Mosler Trust ("Trust"), per the transfer deed. The Trustee will then decide the outcome of the property consistent with the probate document associated with the Trust. Discussions with the Trustee, Claudia Powell, and her attorney, K.C. Thompson, indicate that the Trustee intends to re-deed the property to the Native American Land Conservancy ("NALC") and its assignee KDLC.

If JCFPD abandons the property by means of dissolution of the organization and any government agency such as the San Diego County Fire Authority or Cal Fire attempts to take possession of the property or the fire station, such possession will constitute trespass and a taking without just compensation. The County Fire Authority and Cal Fire are fully aware of the reversion to the Frances H. Mosler Trust per the transfer deed upon JCFPD's dissolution and have chosen to ignore our attempts to warn them of this situation and discuss possible continued use of the fire station by the County.

In May 2018, the County Fire Authority and JCFPD went to the San Diego County Board of Supervisors to request to have their application for dissolution approved. At this time, KDLC representatives appeared and reminded the County Fire Authority and JCFPD of the automatic reverter in the transfer deed should JCFPD dissolve. Representatives of KDLC met with the County Fire Authority on August 10, 2018 to discuss the dissolution and the reverter was again heavily discussed, with KDLC informing County that it would appear at the dissolution proceedings and move to formally protect its interest in the property, but would entertain a Use Agreement with the County. The County was non-responsive to the suggestion of a Use Agreement. On September 7, 2018, NALC recorded a Notice of Intent to Preserve Interest for its power of termination and reverter interest, recorded at the San Diego County Recorder's Office as Document No. 2018-0370957. Representatives of KDLC and NALC appeared at the December 2018 LAFCO hearing regarding the dissolution and reiterated the situation regarding the property ownership to the LAFCO Board, County and JCFPD. As apparent from the foregoing, the County Fire Authority is fully aware of the reverter and has been aware since the beginning of the dissolution discussions.

KDLC and NALC have no interest in jeopardizing fire protection in the Julian area. As noted, they have repeatedly offered to allow the County to continue to use the property as a fire station under a conditional use agreement with compensation to NALC/KDLC, but all such offers have been ignored. This property does not belong to the County Fire Authority or Cal Fire and neither may legally take possession of the property or the station.

This letter does not attempt to contest the results of the election, but rather seeks to ensure that LAFCO fully understands the ramifications of its decision to certify the election and formally approve the dissolution of JCFPD. We are attaching the recorded Notice of Intent to Preserve Interest recorded on the property by the Trust per Cal. Civ. Code § 880.310.



Should you have any questions or wish to discuss this matter further, please do not hesitate to contact the undersigned at ted.griswold@procopio.com or 619-515-3277.

Very truly yours,

A handwritten signature in black ink, appearing to read "TJG", written over a horizontal line.

Theodore J. Griswold

TJG
Attachment

cc: Johnny Elliott, KDLC
Nicole Johnson, NALC
Claudia Powell, Trustee, Frances H. Mosler Trust
K.C. Thompson, Esq. Attorney for Frances H. Mosler Trust
Cory Briggs, Esq.
Suedy Alfaro, Esq., County Counsel

DOC# 2019-0123055



Apr 05, 2019 03:39 PM
OFFICIAL RECORDS
Ernest J. Dronenburg, Jr.,
SAN DIEGO COUNTY RECORDER
FEES: \$95.00 (SB2 Atkins: \$75.00)

PAGES: 3

Recording Requested by and
When Recorded Mail to:
Kent C. Thompson, Esq.
Hughes & Pizzuto
401 B Street, Suite 2400
San Diego, California 92101

Mail Tax Statements to:
PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
Theodore J. Griswold, Esq.
525 B Street, Suite 2200
San Diego, California 92101

Assessor's Parcel No. 292-011-15-00 (a portion)

(Space Above This Line for Recorder's Use Only)

NOTICE OF INTENT TO PRESERVE INTEREST

The undersigned Claimant declares:

Documentary Transfer Tax is \$ -0-

computed on the full value of property conveyed.

computed on the full value less value of liens and encumbrances remaining at time of sale.

Unincorporated area; City of San Diego; and

This notice is intended to preserve an interest in real property from extinguishment pursuant to Title 5 (commencing with Section 880.020) of Part 2 of Division 2 of the Civil Code (Marketable Record Title).

Claimant Name: Claudia Powell, Trustee, The Frances H. Mosler Trust

Mailing address: Post Office Box 2321
La Mesa, CA 91943-2321

Interest Character: Claudia Powell, the Trustee of The Frances H. Mosler Trust, holds a reverter interest and/or power of termination under the following clause in the deed: "If construction of a fire station has not commenced within three (3) years as of the date of this deed, title to the property shall automatically vest in the Native American Land Conservancy, hereinafter "Conservancy"), or the Conservancy's assignee of this right of reverter. If District permanently abandons the fire station, title to the subject property shall automatically vest in the Conservancy or the Conservancy's assignee of this right of reverter." (Fiduciary's Deed to Real Property recorded on June 11, 2009 at the San Diego County Recorder's Office, as Document No. 2009-0316332.)

Record location of document evidencing interest in claimant: Fiduciary's Deed to Real Property recorded on June 11, 2009 at the San Diego County Recorder's Office, as Document No. 2009-0316332.

Legal Description: See Exhibit "A attached hereto and fully incorporated herein by this reference.

I assert under penalty of perjury that this notice is not recorded for the purpose of slandering title to real property and I am informed and believe that the information contained in this notice is true. If this notice is made on behalf of a claimant, I assert under penalty of perjury that I am authorized to act on behalf of the claimant.

Date: April 5, 2019

CLAUDIA POWELL, TRUSTEE OF
FRANCES H. MOSLER TRUST

By: Claudia Powell, Trustee
Claudia Powell, Trustee

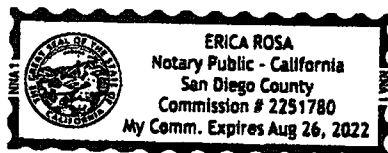
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss:
COUNTY OF SAN DIEGO)

On April 5, 2019 before me, ERICA ROSA, Notary Public, personally appeared Claudia Powell, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Erica Rosa
Notary Public

EXHIBIT A
LEGAL DESCRIPTION

THAT PORTION OF PARCEL 2, OF PARCEL MAP 2450, RECORDED IN BOOK OF PARCEL MAPS AT PAGE 2450 ON MARCH 14, 1974 AS FILE NO. 74064587 AT THE SAN DIEGO COUNTY RECORDERS, SAN DIEGO, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWEST BOUNDARY OF SAID PARCEL 2, SAID POINT BEING NORTH 39°26'51" WEST 821.09 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL 2; THENCE NORTH 50°31'24" EAST 131.33 FEET; THENCE NORTH 81°58'54" EAST 522.82 FEET TO A POINT ON THE EAST BOUNDARY OF SAID PARCEL 2, THENCE ALONG THE BOUNDARY OF SAID PARCEL 2 AS FOLLOWS: SOUTH 02°52'26" WEST 168.67 FEET; SOUTH 02°19'08" W WEST 568.28 FEET TO THE SOUTHEAST CORNER, SOUTH 50°34'36" WEST 85.36 FEET TO THE SOUTHWEST CORNER, AND NORTH 39°26'51" WEST 821.09 FEET TO THE POINT OF BEGINNING.

**PLAINTIFFS' BRIEF IN OPPOSITION TO COUNTY OF SAN DIEGO'S EX PARTE
APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE: PRELIMINARY INJUNCTION**

Exhibit 5

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) SBN 171224 Craig A. Sherman, Esq. Craig A. Sherman, APC; 1901 First Avenue, Suite 219, San Diego, CA 92101 TELEPHONE NO.: 619-702-7892 FAX NO. (Optional): 619-702-9291 E-MAIL ADDRESS (Optional): CraigShermanAPC@gmail.com ATTORNEY FOR (Name): Plaintiffs Julian Volunteer Fire Company Association	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 330 W. Broadway MAILING ADDRESS: CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: Central	
PLAINTIFF/PETITIONER: Julian Volunteer Fire Company Association, et al. DEFENDANT/RESPONDENT: Jullan-Cuyamaca Fire Protection District, et al.	
REQUEST FOR DISMISSAL	CASE NUMBER: 37-2018-20015-CU-MC-CTL
A conformed copy will not be returned by the clerk unless a method of return is provided with the document.	
This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)	

1. TO THE CLERK: Please dismiss this action as follows:

- a. (1) With prejudice (2) Without prejudice
- b. (1) Complaint (2) Petition
- (3) Cross-complaint filed by (name): _____ on (date): _____
- (4) Cross-complaint filed by (name): _____ on (date): _____
- (5) Entire action of all parties and all causes of action
- (6) Other (specify):* **Jack Shelver, in his official capacity as Board President of the Julian-Cuyamaca Fire Protection Dist.**

2. (Complete in all cases except family law cases.)

The court did did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: **March 22, 2019**

CRAIG A. SHERMAN

(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

(SIGNATURE)

*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

Attorney or party without attorney for:

- Plaintiff/Petitioner Defendant/Respondent
- Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date:

(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

(SIGNATURE)

** If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (f) or (g).

Attorney or party without attorney for:

- Plaintiff/Petitioner Defendant/Respondent
- Cross-Complainant

(To be completed by clerk)

- 4. Dismissal entered as requested on (date): _____
- 5. Dismissal entered on (date): _____ as to only (name): _____
- 6. Dismissal not entered as requested for the following reasons (specify): _____
- 7. a. Attorney or party without attorney notified on (date): _____
- b. Attorney or party without attorney not notified. Filing party failed to provide a copy to be conformed means to return conformed copy

Date:

Clerk, by _____, Deputy

PROOF OF SERVICE

San Diego Superior Court - Case No. 37-2018-20015-CU-WM-CTL
Julian Volunteer Fire Company Association, et al. v. Julian-Cuyamaca Fire Protection District, et al.

I, the undersigned, declare under the penalty of perjury that I am over the age of eighteen years, my place of business is in the County of San Diego, located at 1901 First Avenue, San Diego, CA, and I am currently the attorney to this action; that I served the below-named person(s) the following document(s):

**REQUEST FOR DISMISSAL
(as to Jack Shelver ONLY)**

On March 22, 2019 on the following person(s) in a sealed envelope or package, addressed as follows:

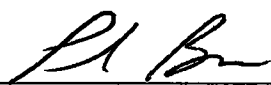
Cory J. Briggs, Esq. BRIGGS LAW CORPORATION 99 East C Street, Suite 111 Upland, CA 91786 cory@briggslawcorp.com	Gena B. Burns, Esq. Morgan L. Foley, Esq. 8100 La Mesa Boulevard, Suite 200 La Mesa, CA 91942 gburns@mcdougallove.com mfoley@mcdougallove.com
---	--

in the following manner:

- 1) By personally delivering copies to the person(s) served.
- 2) By placing a copy in a separate envelope, with postage fully pre-paid, for each person and address named above and depositing each with the US Mails at San Diego, California.
- 3) By sending to each person named above via electronic service at the above electronic notification address(es).

I declare under the penalty of perjury under the laws of the State of California that the above foregoing is true and correct.

Executed on March 22, 2019 at San Diego, California.



Paul Best

PROOF OF SERVICE

1. My name is Cory J. Briggs. I am over the age of eighteen. I am employed in the State of California, County of San Bernardino.

2. My business _____ residence address is Briggs Law Corporation, 99 East "C" Street, Suite 111, Upland, CA 91786.

3. On April 25, 2019, I served _____ an original copy a true and correct copy of the following documents: PLAINTIFFS' BRIEF IN OPPOSITION TO COUNTY OF SAN DIEGO'S EX PARTE APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION; DECLARATIONS OF MIKE VAN BIBBER AND CORY J. BRIGGS; SUPPORTING EXHIBITS

4. I served the documents on the person(s) identified on the attached mailing/service list as follows:

by personal service. I personally delivered the documents to the person(s) at the address(es) indicated on the list.

_____ *by U.S. mail.* I sealed the documents in an envelope or package addressed to the person(s) at the address(es) indicated on the list, with first-class postage fully prepaid, and then I

_____ deposited the envelope/package with the U.S. Postal Service

_____ placed the envelope/package in a box for outgoing mail in accordance with my office's ordinary practices for collecting and processing outgoing mail, with which I am readily familiar. On the same day that mail is placed in the box for outgoing mail, it is deposited in the ordinary course of business with the U.S. Postal Service.

I am a resident of or employed in the county where the mailing occurred. The mailing occurred in the city of _____, California.

_____ *by overnight delivery.* I sealed the documents in an envelope/package provided by an overnight-delivery service and addressed to the person(s) at the address(es) indicated on the list, and then I placed the envelope/package for collection and overnight delivery in the service's box regularly utilized for receiving items for overnight delivery or at the service's office where such items are accepted for overnight delivery.

_____ *by facsimile transmission.* Based on an agreement of the parties or a court order, I sent the documents to the person(s) at the fax number(s) shown on the list. Afterward, the fax machine from which the documents were sent reported that they were sent successfully.

_____ *by e-mail delivery.* Based on the parties' agreement or a court order or rule, I sent the documents to the person(s) at the e-mail address(es) shown on the list. I did not receive, within a reasonable period of time afterward, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws _____ of the United States of the State of California that the foregoing is true and correct.

ORIGINAL SIGNED

Date: April 25, 2019

Signature: _____

SERVICE LIST

*Julian-Cuyamaca Fire Protection District v. San Diego County Local Agency Formation
Commission*

San Diego County Superior Court Case No. 37-2019-00018076-CU-MC-CTL

Holly Whatley, Esq.
Carmen A Brock, Esq.
Colantuono, Highsmith & Whatley, PC
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Pasadena, CA 91101
(213) 542-5700
hwhatley@chwlaw.us
cbrock@chwlaw.us

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BY Joshua M. Heinlein, Senior Deputy
The Office of San Diego County Counsel
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San Diego, CA 92101
(619) 531-4860
joshua.heinlein@sdcounty.ca.gov

*Attorneys for: County of San Diego and
Michael Vu*

Craig A. Sherman, Esq.
Craig A. Sherman, A Professional Law Corp.
1901 First Avenue, Ste. 219
San Diego, CA 92101
(619) 702-7892
CraigShermanAPC@gmail.com

** Service was made on persons who appeared in person at the ex parte hearing. If a party did not appear in person, a service copy would have been e-mailed shortly after the hearing.