

ASSEMBLY BILL

No. 1217

Introduced by Assembly Member Daly

February 27, 2015

An act to add Section 6538 to the Government Code, relating to joint powers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1217, as introduced, Daly. Orange County Fire Authority.

Existing law authorizes 2 or more public agencies, by agreement, to form a joint powers authority to exercise any power common to the contracting parties, as specified. Existing law authorizes the agreement to set forth the manner by which the joint powers authority will be governed. Existing law authorizes the board of supervisors of any county to contract with any local agency within the county or with the state for services relating to the prevention and suppression of fires.

This bill would, as of January 1, 2018, require the Board of Directors of the Orange County Fire Authority, a joint powers agency, to consist of 13 members, each serving a term of 2 years. The bill would create the Orange County Fire Authority City Selection Committee to select 10 of those board members from cities that contract with the authority for fire protection services, as specified. The bill would additionally require 3 of the members of the Board of Directors of the Orange County Fire Authority to be members of the board of supervisors of the County of Orange.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Orange County Fire Authority.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6538 is added to the Government Code,
2 to read:

3 6538. (a) Notwithstanding any other law and notwithstanding
4 the provisions of the joint powers agreement governing the Orange
5 County Fire Authority, on and after January 1, 2018, the Board of
6 Directors of the Orange County Fire Authority shall be composed
7 of 13 members, as follows:

8 (1) (A) (i) One member from each of the five supervisorial
9 districts of the County of Orange, elected by the Orange County
10 Fire Authority City Selection Committee on a population weighted
11 voting basis.

12 (ii) One member from each of the five supervisorial districts of
13 the County of Orange, elected by the Orange County Fire Authority
14 City Selection Committee on a “one city, one vote” basis.

15 (B) A city that is within more than one supervisorial district
16 shall be considered part of the district where the highest percentage
17 of the city’s population resides. Under this circumstance, the entire
18 city’s population shall be used for population-weighted voting
19 purposes.

20 (C) Members elected pursuant to this paragraph shall be a mayor
21 or a city council member of a city within the County of Orange,
22 and shall serve for a term of two years. A member elected pursuant
23 to this paragraph whose term on the city council or as mayor ends
24 shall also cease to serve as a member of the board.

25 (D) The Orange County Fire Authority City Selection
26 Committee shall consist of either the mayor or a member of the
27 city council of each city that contracts with the Orange County
28 Fire Authority for fire protection services.

29 (2) Three members of the board of supervisors of the County
30 of Orange, selected by the board of supervisors, to serve a term of
31 two years.

32 (b) Any member of the board serving as of the effective date of
33 this section shall continue to serve until January 1, 2018, or until
34 the expiration of his or her term, whichever is sooner.

35 SEC. 2. The Legislature finds and declares that a special law
36 is necessary and that a general law cannot be made applicable
37 within the meaning of Section 16 of Article IV of the California

- 1 Constitution because of the challenges faced as a result of the
- 2 current governance structure of the Orange County Fire Authority.

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