

**Copy of Letter to the San Bernardino
County Fire Chiefs
Dated July 14, 2016**

Attachment 4



LAFCO

**Local Agency
Formation Commission**
for San Bernardino County

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July 14, 2016

San Bernardino Fire Chiefs
c/o Chief Sid Hultquist
President
San Bernardino County Fire Chiefs' Association

Dear Chiefs:

Senate Bill (SB) 239, authored by Senator Hertzberg, added a new section to the LAFCO statutes related to fire protection contracts (contracts between two or more public agencies for fire protection and emergency medical response). Prior to this bill being enacted, such a contract between two (or more) public agencies would have been processed as an exemption from LAFCO review pursuant to Government Code (GC) Section 56133(e) with LAFCO being the determiner of facts.

As a result of the Governor signing SB 239, effective January 1, 2016, GC Section 56134 has been added providing new requirements and procedures for processing fire protection contracts separately from other contracts for service. If certain conditions are met, the Commission is now required to review the contract at a noticed public hearing, and take action to approve, approve with conditions, or deny the request for approval of the fire protection contract.

In order to implement SB 239, LAFCO staff is recommending that the Commission adopt policies and procedures addressing the unique standards within GC Section 56134. Attached are the recommended policies and procedures (application procedures as well as the Commission's review procedures) and an application form that staff is recommending. This matter has been continued to the Commission's hearing on August 17, 2016.

San Bernardino LAFCO staff have requested to be placed on the next Fire Chief's Association meeting to review this topic. We are requesting that you review the attached documents and provide us with your feedback, comments, and/or any suggestions on how to best implement the new provisions related to fire protection contracts at the meeting on **July 28, 2016**. If you have any questions on the proposed process or LAFCO's involvement in these types of actions, please do not hesitate to contact me or Samuel Martinez, Assistant Executive Officer, at the address and phone number listed on the letterhead.

Sincerely,

KATHLEEN ROLLINGS-McDONALD
Executive Officer

- Attachment: 1) SB 239 (Hertzberg) Local Services: Contracts: Fire Protection Services
2) Proposed Policies and Procedures Related to Fire Protection Contracts
3) Proposed Application Form for Fire Protection Contracts