

SAN DIEGO LOCAL AGENCY FORMATION COMMISSION

FIRE PROTECTION CONTRACTUAL SERVICE AGREEMENT APPLICATION

The following information must be submitted to evaluate a request for fire protection contract approval with the San Diego Local Agency Formation Commission (LAFCO). Respond to the following checklist and application questionnaire.

- 1. Completed Fire Protection Contractual Service Agreement Application.
- 2. A certified copy of the approved initiating resolution of the legislative body of the public agency proposing to provide new or extended services outside the public agency's current service area.
- 3. A copy of either: (a) a map and/or Geographical Information System shapefiles recognized by San Diego LAFCO to determine if the contract affects 25% of the service area; or (b) budgetary documents which include current employment statistics to determine if the contract affects 25% of the area's employment status.
- 4. Environmental documentation to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only:
 - (a) INITIAL STUDY: Submit completed form (available from LAFCO) if no environmental review has been conducted;
 - (b) CATEGORICAL EXEMPTION: Submit document if an agency has certified that the project qualifies for a categorical exemption from CEQA;
 - (c) NEGATIVE DECLARATION (ND): Submit document with certifying resolution and Initial Study*;
and
 - (d) ENVIRONMENTAL IMPACT REPORT (EIR): Submit 15 copies of the Final EIR and certifying resolution, plus one copy of the EIR Appendix*.

* For an ND or EIR, a copy of the receipt for the fee paid to the California Department of Fish and Game must be submitted.
- 5. A copy of the contract or agreement stipulating the terms and conditions of extending fire protection service to the affected agency(ies).
- 6. A copy of the plan for service addressing the statutory requirements according to Government Code Section 56134. Refer to LAFCO Legislative Policy L-110. (www.sdlafco.org/forms/Legislative_Policy_L_110.pdf) and the Fire Protection Contract Guidelines (www.sdlafco.org/forms/Fire_Contract_Guide.pdf).
- 7. A copy of the independent comprehensive fiscal analysis prepared by contract in accordance to Government Code Section 56134.
- 8. LAFCO processing fees. The San Diego LAFCO Fee Schedule is available at (www.sdlafco.org/document/feeschedule.pdf), or contact LAFCO staff.

It is recommended that the San Diego Local Agency Formation Commission be contacted to determine whether the proposed contract will require LAFCO approval. A pre-application discussion is also recommended to address any possible issues associated with the provision of fire protection services.

SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
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FIRE PROTECTION CONTRACTUAL SERVICE AGREEMENT APPLICATION

The information in this application is used by LAFCO staff to evaluate fire protection contracts and agreements. Please respond to **all** items in this form, indicating "NA" when an item does **not** apply.

AFFECTED AGENCY(IES) (City, District, or Public Agency)	PROPOSED ACTION (New or Extended Fire Protection Services)
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____

As part of this application for contractual fire protection services, the applicant(s) (city, district, or public agency), agree to defend, indemnify, hold harmless, and release the San Diego LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any or all of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or denial of this application or adoption of or refusal to adopt the environmental document which accompanies it or any other action San Diego LAFCO takes with respect to this application. This defense and indemnification obligation shall include, but not be limited to, attorneys' fees and other costs of defense, damages, costs, and expenses, including attorneys' fees payable to another party. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. San Diego LAFCO's acceptance of this application is sufficient to make this agreement a binding, bilateral contract between us.

I acknowledge that extension of fire protection services may result in the imposition of taxes, fees and assessments **existing within the affected agencies** on the effective date of new or extended services outside the public agency's current service area. Any rights to a hearing, assessment ballot proceeding or an election on those existing taxes under Articles XIII C and XIII D of the State Constitution (Proposition 218) are waived.

Signature: _____ Date: _____

Print/Type Name: _____ Title: _____

Agency Name: _____ Telephone: () _____

Address: _____

Indicate below if anyone, in addition to the person signing this application, is to receive notices of these proceedings.

Name: _____

Address: _____

_____ Telephone: () _____

Name: _____

Address: _____

_____ Telephone: () _____

FIRE PROTECTION CONTRACT/AGREEMENT CHECKLIST

1. Did the Executive Officer determine the proposed fire protection contract to be exempt from LAFCO purview? Yes No
 - a. If yes, a Certificate of Exemption must be signed and filed by the LAFCO Executive Officer and it will not be necessary to respond to any further questions in this application.

2. Will the proposed fire protection contract / agreement transfer responsibility for providing services in more than 25% of the area within the jurisdictional boundaries of any public agency affected by the contract or agreement? Yes No

Refer to the **adopted** guidelines (www.sdlafco.org/forms/Fire_Contract_Guide.pdf) and (www.sdlafco.org/forms/Legislative_Policy_L_110.pdf) for the required documentation related to this threshold.

Discuss your response: _____

3. Will the proposed fire protection contract / agreement changes the employment status of more than 25% of the employees of any public agency affected by the contract or agreement?
 Yes No

Refer to the **adopted** guidelines (www.sdlafco.org/forms/Fire_Contract_Guide.pdf) and (www.sdlafco.org/forms/Legislative_Policy_L_110.pdf) for the required documentation related to this threshold.

Discuss your response: _____

4. Was a written agreement, validated and executed by each affected public agency and recognized employee organization that represents firefighters of the existing and proposed service provider consenting to the fire protection contract submitted with this application?
 Yes No

- a. If yes, provide a copy of the contract with your LAFCO application.

5. Was a written notice, regarding the initiating resolution, provided at least 30 days prior to the hearing to each affected public agency and recognized employee organization that represents firefighters of the existing proposed service providers of the proposed fire protection contract?
 Yes No

- a. If yes, provide a copy of the mailed notice document.
(Please note: the notice shall, at minimum, include a full copy of the proposed contract)

6. Did the public agency interested in providing new or extended fire services conduct an open and public hearing on the resolution pursuant to the Ralph M. Brown Act or the Bagley-Keene Open Meeting Act, as applicable? Yes No

- a. If yes, provide a copy of the staff report and / or hearing documents.

7. Does the Plan for Service address the following:

- a. Total estimated cost to provide the new or extended fire protection services in the affected territory: Yes No
- b. Total estimated cost to provide the new or extended fire protection services in the affected territory: Yes No
- c. Total estimated cost of the new or extended fire protection services to customers in the affected territory: Yes No
- d. An identification of existing service providers, if any, of the new or extended services proposed to be provided and the potential fiscal impact to the customers of those existing providers: Yes No
- e. Plan for financing the exercise of the new or extended fire protection services in the affected territory: Yes No
- f. Alternatives for the exercise of the new or extended fire protection services in the affected territory: Yes No
- g. An enumeration and description of the new or extended fire protection services proposed to be extended to the affected territory: Yes No
- h. The level and range of new or extended fire protection services: Yes No
- i. Indication of when the new or extended fire protection services can feasibly be extended to the affected territory: Yes No
- j. Indication of any improvements or upgrades to structures, roads, sewer or water facilities, or other conditions the public agency would impose or require within the affected territory if the fire protection contract is completed: Yes No
- k. Determination supported by documentation, that the proposed fire protection contract meets either 25% threshold. The documentation must include a copy of the proposed contract. In addition, if the contract affects 25% of the service area, a map and/or Geographic Information System (GIS) shapefiles recognized by the San Diego LAFCO must be provided in order for data verification by LAFCO. If the contract changes the employment status of, budgetary documents disclosing employment statistics must be provided to LAFCO:
 Yes No

8. Does the Independent Comprehensive Fiscal Analysis address the following:

- a. A thorough review of the plan for services submitted by the public agency: Yes No
- b. How the costs of the existing service provider compare to the costs of services provided in service areas with similar populations and of similar geographic size that provide a similar level and range of services and make a reasonable determination of the costs expected to be borne by the public agency providing new or extended fire protection services:
 Yes No
- c. Any other information and analysis needed to support the findings required by the Commission's determinations: Yes No

FIRE PROTECTION CONTRACT / AGREEMENT QUESTIONNAIRE

1. Why is this contractual service agreement for the exercise of new or extended fire protection services outside a public agency’s jurisdictional boundaries?

2. Identify existing dispatch providers and discuss all changes in providers or amendments to existing communications agreements that would be required.

3. Describe any proposed changes to paramedic service that may be required.

4. How would the service contract affect exclusive operating areas (EOA) for any of the affected agencies?

5. Please identify current and proposed staffing:

	Service Provider		Affected Agency	
	Current	Proposed	Current	Proposed
Safety				
Number of paid personnel				
Number of paid reserves				
Number of non-paid reserves				
Non-Safety				
Number of Admin/Support				

6. List specific position classifications and personnel that would be added or eliminated as a result of the contractual service agreement.

7. List the fire protection services currently provided within the proposal area.

8. Briefly discuss any new or extended fire protection services that would be provided.

9. List existing automatic or mutual agreements and indicate which agreements may need to be amended to accommodate this proposed fire protection contract.

10. Discuss how the fire protection contract will affect opportunities for furthering efficiencies, such as usage of joint powers agreements, joint powers authorities, regional planning opportunities, etc. List current shared activities with other service providers, including shared facilities and staff and the affected agency is planning to provide. Discuss how the proposal will further these efforts.

11. Please identify current data for the following:

	Service Provider	Affected Agency
District Population		
Registered Voters		
Acres / Square Miles		
Most recent ISO rating		

12. Describe prevalent land uses in each agency; list predominant General Plan designations.

13. Briefly describe if new equipment or equipment upgrades would be required to implement proposal. Provide cost estimates and explain how capital funds will be available for purchase.

14. List any terms and conditions that are requested for this proposal.

15. List all agencies, groups and individuals contacted regarding this proposal.

16. Are there any jurisdictional issues / conflicts associated with this proposal? Yes No
(If yes, please complete the Policy L-107 form at www.sdlafco.org/forms/Legislative_Policy_L_107.pdf)