

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

550 Main Street Suite E • Placerville, CA 95667
(530) 295-2707 • lafco@edlafco.us • www.edlafco.us

July 13, 2015

The Honorable Robert Hertzberg
California State Senate
State Capitol, Room 4038
Sacramento, CA 95814

RE: SB 239 as Amended June 1, 2015 – OPPOSE

Dear Senator Hertzberg:

On May 27, 2015, El Dorado LAFCO sent a letter of opposition to Senate Bill 239. Since then, the bill has been substantially amended to remove some of those concerns. While El Dorado LAFCO commends your flexibility and your willingness to listen to the concerns of LAFCOs, I am writing to respectfully inform you that we remain opposed to SB 239.

There are currently 12 independent fire protection agencies in El Dorado County, seven of which are poor, rural fire districts. Despite their precarious financial position, the rural districts are key pieces in maintaining a functional mutual aid safety net that has few peers in the state. The level of coordination among all El Dorado County fire districts is outstanding. Unfortunately, the recession and other economy-related dynamics have steadily undermined the rural districts' ability to make do with the little that they have. Some have, at most, two years left before they will be forced to shut down.

For the past nine years, this LAFCO has been actively encouraging the fire districts to look for ways to ensure all districts' long term financial solvency and retain the excellent fire suppression services that the residents have come to expect. This LAFCO has been a proponent of contracting and shared services agreements. Over the past year and a half, this encouragement is starting to pay dividends and we are starting to enter a very delicate phase in these negotiations.

Senate Bill 239 would undermine these efforts in numerous ways. Foremost is that these rural districts cannot afford the required costly studies that may be triggered by requirements that are not defined in the bill. In addition, processing time and more costs are added into the mix by the requirement that an agreement is subject to a review by the firefighters associations and a discretionary, conditional approval by LAFCOs. The benefits of the process as outlined in SB 239 are unknown to this LAFCO; but the potential harm by requiring burdensome studies and unnecessary scrutiny is very large. It is conceivable that if these requirements were law, all of the current negotiations would not only be discouraged, but stop altogether.

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El Dorado LAFCO believes that locally elected officials and their administrators are in the best position to provide the necessary direction to their staff in ensuring sustainable, cost effective fire and EMS services. If that means districts enter into contracts among themselves (or with CalFIRE) to achieve that goal, then they should retain that authority. To add more obstacles, such as giving LAFCOs the ability to amend or disapprove an agreement entered into by two or more local governing boards, undermines the discretion of those officials in pursuing contracts for service as a potential solution.

For these reasons, El Dorado LAFCO respectfully opposes SB 239 as amended.

Regards,



José C. Henríquez
Executive Officer