

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

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November 1, 2013

Demetrious N. Shaffer, President  
California Fire Chiefs Association  
1851 Heritage Lane, Suite 138  
Sacramento, CA 95815

Dear Chief Shaffer,

Amid recent public discussions on “outsourcing” emergency response services, the role of CAL FIRE seems to be misunderstood by some within the fire service. While there are many in the California fire service who understand how CAL FIRE’s cooperative agreement process works, the recent proliferation of rumors and false allegations make it clear to me that there are those who still believe that CAL FIRE is aggressively seeking out contracts with local government.

Changes in the ability of communities to afford emergency services have been well documented in the local media. Unprecedented economic struggles and declining revenues have forced all of us to take a hard look at how basic services, including public safety, are delivered and funded. As a result, many governing bodies, such as local boards of supervisors and city councils, as well as many of you as fire chiefs, are looking to other providers, including CAL FIRE, for local fire protection services.

California Public Resources Code Section 4142 clearly establishes CAL FIRE's authority to enter into cooperative agreements with counties, cities, or special districts. The purpose of these agreements is to leverage infrastructure, equipment, personnel, and programs for maximum and mutual benefit to both the State and local government. CAL FIRE's authority does not in any way supersede or replace local government authority or responsibility; it merely provides the ability for local government, if it desires, to contract with CAL FIRE to provide services, as some entities have done since the mid-1920s. This is no different than the authority that exists for local government to contract with other local government entities, which is also the case in many of your fire districts and municipalities around the State.

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I must make it clear that CAL FIRE does not seek contracts to provide services. The process begins when a local government either initiates an informal discussion or makes a formal request for proposal for services. If a local government is still in the exploratory phase, it initiates informal discussions with CAL FIRE. Generally, these discussions take place between the local government fire chief and the local CAL FIRE unit chief, and more often than not, the process goes no further. However, if the local government determines that it wants to pursue a formal contract, then its governing body may decide to issue a request for proposal delineating the level of service it requires. This step must be approved by the local governing body.

It is important to understand that while the Public Resources Code allows CAL FIRE to enter into cooperative agreements with cities, special districts and counties, there is a very stringent and formal process that must be followed. Above all, these cooperative agreements must be fully reimbursable and meet some very basic criteria that include, but are not limited to, mutual benefit to the local entity and the State, fiscal solvency of the local entity, and regional efficiency for the taxpayers.

Ultimately, every proposal comes before me, and the decision to submit a proposal is mine alone. Not all proposed agreements meet the criteria, and in recent years, I have turned down a number of contract requests.

Upon receipt of proposals, the local government will review all of them and make a decision that is in the best interest of the public it serves. If the local government awards the contract to CAL FIRE, we will require a resolution from the local governing body ratifying the decision to enter into an agreement.

The key point is that local government must initiate the local cooperative agreement process. CAL FIRE cannot, and will not, assume fire protection services where the local governing body has not requested us to do so. The notion that there is a significant increase in the number of contracts is wrong. In fact, the number of agreements statewide has remained static over the last several decades.

CAL FIRE is proud to be a partner in the fire service in California. However, CAL FIRE will always consider if asked, cooperative agreements that are appropriate and mutually beneficial.

Sincerely,

A handwritten signature in blue ink that reads "Ken Pimlott". The signature is written in a cursive style with a large initial "K".

KEN PIMLOTT  
Director

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cc: Fire Districts Association of California  
California State Association of Counties  
Rural Counties Representatives of California  
League of California Cities  
California Professional Firefighters  
CDF Firefighters