

**THE BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT**

Adopted this Resolution on 10/11/2022 by the following vote:

**AYE:**   
**NO:**   
**ABSENT:**   
**ABSTAIN:**   
**RECUSE:**



**Resolution No. 2022/13**

**In the Matter of Application by the Board of Directors of the Contra Costa County Fire Protection District to the Contra Costa Local Agency Formation Commission Requesting Approval to Provide Fire Protection Services Within the City of Pinole.**

**WHEREAS**, the City of Pinole (“City”) desires to expand and supplement the current fire protection services provided within the City;

**WHEREAS**, only one of the City’s two fire stations is currently operational;

**WHEREAS**, the Contra Costa County Fire Protection District (“District”) is able to provide a level of fire protection services within the City that would exceed current service levels, while reopening and staffing the fire station that is currently non-operational;

**WHEREAS**, the District and City have negotiated terms of a proposed fire protection services agreement (“Agreement”), attached to this Resolution and incorporated by reference as Exhibit A;

**WHEREAS**, the parties have also negotiated two leases for the two fire stations located within the City that set forth the terms under which the District would occupy the two stations during the term of the Agreement;

**WHEREAS**, the District would be paid by the City for budgeted direct and indirect costs incurred in the performance of services under this Agreement;

**WHEREAS**, the County of Contra Costa by Resolution No. 2022/332, has allocated from Measure X funds the amount of \$2,000,000 annually, adjusted annually by the percentage change in the Consumer Price Index- All Urban Consumers for the San Francisco-Oakland-Hayward Area for the twelve-month period ending with the February index of the calendar year in which the adjustment is made, but not to exceed four percent per year, through fiscal year 2027/28 to facilitate this partnership for services between the District and the City;

**WHEREAS**, because the City is not within the District’s service boundary, services under the Agreement may not commence until the Agreement is submitted to and approved by the Contra Costa Local Agency Formation Commission (“LAFCO”) pursuant to Government Code section 56134, which provides that a “public agency may provide new or extended services pursuant to a fire protection contract only if it first requests and receives written approval from the [local agency formation] commission in the affected county pursuant to the requirements of this section” (Gov. Code, § 56134, subd. (b));

**WHEREAS**, the District has prepared an application for a fire protection service contract, as required by LAFCO, and a service plan (“Service Plan”), in accordance with Government Code section 56134, subdivision (e), that details the cost of the new or extended fire protection services, the plan for financing these services and the services to be provided under the Agreement, among other provisions, which are attached to this Resolution and incorporated by reference as Exhibits B and C, respectively;

**WHEREAS**, the City, in coordination with the District, has had an independent fiscal analysis prepared in accordance with Government Code section 56134, subdivision (f), which shows that the financial terms of the contract are feasible and sustainable. This analysis is attached to this Resolution and incorporated by reference as Exhibit D, and;

**WHEREAS**, in accordance with Government Code section 56134, subdivision (d)(1)(A), the District has prepared a written agreement with the City of Pinole, Local 1230 and UCOA, whereby each entity consents to the Agreement, which is attached to this Resolution and incorporated by reference as Exhibit E.

**NOW, THEREFORE, IT IS RESOLVED** by the Board of Directors of the District as follows:

1. This Resolution of Application is hereby adopted and approved by the District’s Board of Directors. LAFCO is hereby requested to approve new or extended fire protection services to be provided by the District within the jurisdictional boundaries of the City as set forth in the Agreement and further described in the Service Plan.

2. The officers and staff of the District are hereby authorized and directed, jointly and severally, to do any and all things, to execute and deliver any and all documents, which, in consultation with District counsel, they may deem necessary or advisable in order to effectuate the purposes of this Resolution, and any and all such actions previously taken by such officers or staff members are hereby ratified and confirmed.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Lewis T. Broschard III, Fire Chief (925)  
941-3300**

**ATTESTED: October 11, 2022**

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

**cc:**