

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

December 17, 2019

FROM

GARY McBRIDE, Chief Executive Officer, County Administrative Office

SUBJECT

Appointment of the Fire Warden and the Deputy Fire Warden for the County of San Bernardino

RECOMMENDATION(S)

1. Appoint Dan Munsey, Fire Chief for the San Bernardino County Fire Protection District (SBCFPD), as the Fire Warden for the County of San Bernardino pursuant to Government Code section 24008, including the full powers of a Peace Officer as provided for by California Penal Code section 830.37, subdivisions (b) and (c), that are not currently included under the SBCFPD Fire Chief.
2. Appoint Michael A. Horton, SBCFPD Fire Marshal, as a Deputy County Fire Warden pursuant to Government Code section 24008 to include the powers under the Deputy County Fire Warden, including the full powers of a Peace Officer as provided for by California Penal Code section 830.37, subdivisions (b) and (c), that are not currently included under the SBCFPD Fire Marshal.

(Presenter: Gary McBride, Chief Executive Officer, 387-5418)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

Pursuant to Government Code section 24008, the Board of Supervisors may appoint a County Fire Warden, Deputy Fire Wardens and Assistant Fire Wardens in order to include powers otherwise not included under the domain of the SBCFPD Fire Chief, Fire Marshal and Deputy Chiefs. The Fire Warden's responsibilities include overseeing countywide enforcement of laws relating to fire protection, prevention and fire suppression which is a primary duty of these peace officers, when acting in that capacity. Specifically, Government Code section 24008 states the following: "The county fire warden shall aid in enforcing all laws and ordinances and any rules or regulations adopted by the State Board of Forestry and Fire Protection and by the State Fire Marshal relating to fires or to fire prevention and protection." Additionally, "the county fire warden and the county fire warden's deputies and assistants shall perform those duties relating to fires or to fire protection and prevention required by the board of supervisors."

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On November 20, 2019, Dan Munsey was appointed the Fire Chief for the San Bernardino County Fire Protection District by Chief Executive Officer Gary McBride with the concurrence from the Board of Supervisors. This appointment was pursuant to San Bernardino County Code section 12.0206.

The SBCFPD Fire Chief is restricted in authority over fire protection and prevention and suppression services in State Responsibility Areas. Designating the officials listed in Recommendations Nos.1 and 2 as the County Fire Warden and the Deputy County Fire Warden will allow them to carry out responsibilities listed in Government Code section 24008 on behalf of the County.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Deputy County Counsel, 387-5455) on December 13, 2019; Finance (Tom Forster, Administrative Analyst, 387-4635) on December 13, 2019; and County Finance and Administration (Katrina Turturro, Deputy Executive Officer, 387-5423) on December 13, 2019.

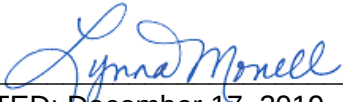
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Record of Action of the Board of Supervisors
County of San Bernardino

DEFERRED/APPROVED

Moved: Janice Rutherford Seconded: Josie Gonzales
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY _____
DATED: December 17, 2019

cc: File- Administrative Office
la 12/20/2019