

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
AND RECORD OF ACTION**

July 26, 2022

FROM

DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District

SUBJECT

Non-Financial Automatic and Mutual Aid Agreement Between San Bernardino County Fire Protection District and the Marine Corps Air Ground Combat Center in Twentynine Palms

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Fire Protection District, approve a non-financial Automatic and Mutual Aid **Agreement No. 22-727**, including a non-standard term, with Marine Corps Air Ground Combat Center in Twentynine Palms for mutual assistance on fire, rescue, and emergency response services from July 26, 2022 through June 30, 2026. (Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-5779)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this agreement will not result in the use of additional Discretionary General Funding (Net County Cost). This is a non-financial agreement that defines the responsibilities of the two entities regarding mutual aid response.

BACKGROUND INFORMATION

The San Bernardino County Fire Protection District (SBCFPD) has numerous mutual aid agreements with local, state, and federal agencies to assist each other in the suppression of fires and in the provision of emergency medical services. These agreements allow one party to assist the other party by providing personnel, equipment, materials/supplies, and other services, as needed, for fire and/or emergency incidents.

SBCFPD and the Marine Corps Air Ground Combat Center in Twentynine Palms (MCAGCC) desire to enter into the recommended mutually beneficial automatic and mutual aid agreement for a reasonable and reciprocal exchange of fire, rescue and emergency medical services between the two agencies. Mutual aid responses from either party shall include equipment, materials and supplies such as are usually and customarily used within the sending party's jurisdiction. SBCFPD will, upon notification from its primary dispatch facility, and with approval of its Duty Officer, respond with the requested type of emergency equipment to an incident within the MCAGCC's jurisdictional boundaries. MCAGCC will, upon notification from its primary dispatch facility, and with approval from its Duty Officer, respond with the requested type of emergency equipment to an incident within SBCFPD's jurisdictional boundaries.

Automatic aid is the immediate dispatch of a fire unit within the jurisdictional boundary set forth under the terms and conditions of the agreement. Automatic Aid will be initiated by each agency's primary dispatch facility. The agreement outlines response criteria to include the pre-

Non-Financial Automatic and Mutual Aid Agreement Between San Bernardino County Fire Protection District and the Marine Corps Air Ground Combat Center in Twentynine Palms
July 26, 2022

identified emergency equipment to be used for each emergency incident. This agreement allows for the most expeditious and cost-effective response to suppress fires, as well as other emergency services, for the public served by these fire agencies.

SBCFPD and MCAGCC also agree to participate in a boundary drop to adhere as closely as possible to the “closest resource” concept. For the purposes of the agreement, “boundary drop” shall mean the use of the closest most appropriate fire unit, regardless of jurisdiction.

SBCFPD and MCAGCC will mutually benefit from this arrangement by allowing resources to cross jurisdictional boundaries and providing equipment and apparatus that are unavailable from within the jurisdiction. The service to the communities will be enhanced by decreasing response times to emergencies, allocating specialized equipment to incidents, and developing partnerships and a spirit of cooperation amongst agencies. In the event of multiple calls for service within a short time frame, this agreement identifies the closest, most appropriate resource and reduces travel delays from units located at a further distance. When multiple calls for service occur, there will be a draw from the units in the area that can lead to an increase in response time for any additional calls.

The mutual aid agreement does not require MCAGCC to indemnify SBCFPD, but instead provides a non-standard term that the parties waive all claims against the other party for compensation of any loss, damage, personal injury, or death occurring in consequence of the performance of this agreement.

- SBCFPD's standard contract indemnity provision requires the other agency to indemnify, defend, and hold SBCFPD harmless from third party claims arising out of the acts, errors or omissions of any person. Also, SBCFPD's standard contract does not include a release of claims.
- Potential Impact: MCAGCC is not required to defend, indemnify or hold SBCFPD harmless from any claims. In addition, the parties are generally waiving any claims they may or will have against each other. As a result, SBCFPD could incur additional costs associated with these provisions.

Notwithstanding the non-standard provision, SBCFPD is recommending that the Board of Directors approve this agreement as it will provide for the safety, health, and social service needs of County and SBCFPD residents by enhancing the emergency response capabilities of SBCFPD and MCAGCC. The term of this agreement is from July 26, 2022, through June 30, 2026, but may be terminated by either party upon 90 days' written notice.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Principal Assistant County Counsel, 387-5455) on July 1, 2022; Finance (Tom Forster, Administrative Analyst, 387-4635) on June 5, 2022; and County Finance and Administration (Diana Atkeson, Deputy Executive Officer, 387-5423) on July 5, 2022.

Non-Financial Automatic and Mutual Aid Agreement Between San Bernardino County Fire Protection District and the Marine Corps Air Ground Combat Center in Twentynine Palms
July 26, 2022

Record of Action of the Board of Directors
San Bernardino County Fire Protection District

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Janice Rutherford
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, SECRETARY

BY 
DATED: July 26, 2022



cc: SDD/SBCFPD- Munsey w/agree
Contractor- C/O SBCFPD w/agree
File- w/agree
LA 08/10/2022