

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF JULY 22, 2020

REGULAR MEETING

TO: Shiva Frentzen, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

AGENDA ITEM #7: CONSIDER GRAND JURY FINAL REPORT ON FIRE
DISTRICT CONSOLIDATION AND CONSIDER RESPONSE
TO GRAND JURY CASE 19-06

RECOMMENDATION

Staff recommends that the Commission receive the report, titled “update,” written by the Grand Jury and consider whether to respond to Case 19-06. Please note the Commission is not required to respond, only encouraged to do so.

REASON FOR RECOMMENDED ACTION

The Grand Jury posits in Case 19-06 that, while it made sense historically, the only reason there are multiple fire agencies in El Dorado County is because of “strong loyalty to a local home district,” coming “at the expense of the County as a whole.” The Grand Jury concludes that the insufficient revenues afforded to rural districts puts a strain on the mutual and automatic aid system as a whole; forcing more financially stable districts to “subsidize” the rural ones by having the former respond to calls when the latter is unable to do so. Responses to the case’s findings and numbered recommendations is required by California Penal Code §§933 and 933.05. While LAFCO is not listed as a respondent agency, it is “invited” to submit a response.

BACKGROUND

In its report, the Grand Jury states that separate fire departments that provided service to isolated communities were logical in the past; however these districts have outlived their usefulness and possibly hinder service now. Its conclusion is that, “[t]he operation of nine separate fire districts is inefficient, both financially and operationally. With some limited exceptions, each district has its own training regimen, equipment requirements, administrative costs, supply purchase, insurance policies and salary & benefit schedule. The State has set minimum requirements for training, equipment and hiring standards.

However, operations exceeding those standards can vary widely between districts. In interviews with fire district employees and directors there was wide agreement that a single County fire department could function more efficiently financially and operationally." LAFCO is mentioned a few times in the report; but it is not a required respondent. Nevertheless, the Grand Jury invites the Commission to respond to the following findings and recommendations:

The Grand Jury Report concludes with the following findings:

- F1. Long term fiscal sustainability of fire protection on the West Slope of the County is highly questionable.
- F2. County citizens on the West Slope experience a wide disparity in fire protection services often masked by Automatic Aid, based on their location and their specific fire district.
- F3. Efforts to improve fire protection on the West Slope of the County have been ongoing for many years with limited success.
- F4. Cal Fire has the infrastructure, staffing and expertise to be a major component of a solution to the County's fire district disparities.
- F5. Improvements in the existing fire protection model for the West Slope requires all fire protection districts to take a holistic view of fire protection and the political will to embrace change.
- F6. Fire protection districts on the West Slope have not displayed the ability to take a holistic view of fire protection or the political will to embrace change, to the detriment of all County citizens.

It also contains the following recommendation:

- R1. Fire Protection Districts, Cal Fire, BOS and LAFCO should continue discussing ways to improve County fire protection services.

While not obligated to respond, the Commission should consider whether it chooses to respond to the Findings and Recommendation with one of the following as required by Penal Code Section 933.05:

- a) Respondent agrees with finding;
- b) Respondent disagrees wholly with finding; or
- c) Respondent disagrees partially with finding.

If respondent uses option b or c then the response shall specify the portion of the finding that is disputed and shall include an explanation.

Staff recommends that the Commission respond that it agrees with the Findings and Recommendation. LAFCO can have a role to play in these discussions and will definitely be involved if there has to be some type of governmental reorganization as part of the solution.

Attachments

Attachment A: Grand Jury Report

Attachment B: Letter to Judge Kingsbury in Response to Grand Jury Case