



County Administrator's Office

Craig L. Pedro
County Administrator

Tuolumne County Administration Center
2 South Green Street
Sonora, CA 95370
Phone (209) 533-5511
Fax (209) 533-5510
www.tuolumnecounty.ca.gov

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The Honorable Eric L. DuTemple
Presiding Judge of the Superior Court
41 W. Yaney Street
Sonora, CA 95370

FILED
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Superior Court of California
County of Tuolumne

BY *[Signature]*
Clerk

Re: Response to 2010-11 Grand Jury Findings & Recommendations –
Tuolumne County Fire First Responder Study

Dear Judge DuTemple:

The following is the response related to the Tuolumne County Fire First Responder Study section of the 2010-11 Grand Jury Report as requested and required pursuant to Penal Code Sections 933 and 933.05. Below you will find listed each Grand Jury finding or recommendation followed by my response to each.

Grand Jury Findings

F1. Combining all existing Tuolumne County fire districts and departments under a single management structure would address the following:

- (a) Improvement must be made in the use of currently available funding. Having a paid staff-member of Fire Chief status in multiple districts and departments is increasing costs unnecessarily.

Response: Agree. It should be noted that these costs vary greatly amongst districts both in terms of hourly pay, benefits and expected hours of work.

- (b) Training and equipment is not consistent among districts and departments.

Response: Agree. It should be noted that there have been efforts to standardize some equipment and training amongst districts.

- (c) An inventory of County-wide resources, both human and equipment, would be a useful tool in addressing how to provide economical and efficient use of what is available.

Response: Agree. A significant amount of this information was gathered as part of the Fire & 1st Responder Study for the very reason noted in the finding.

- (d) Parochial attitudes are barrier to change. Making sure future purchase of equipment and training of staff are compatible throughout the system will result in an emergency response capability and potential cost savings beneficial to everyone in the County, not just within a single district. Maintaining the integrity of current benefit assessments so that local taxpayers continue to receive what they voted to gain will be challenging to any proposal combining County-wide resources.

Response: Agree. With respect to “parochial attitudes”, I would agree that bringing about positive change to the broader Fire & 1st Responder system can only happen through the willingness of all parties to be open-minded and willing to consider doing things differently than done in the past. Having said that, all need to be respectful of the important role each district board plays as stewards of the resources that their constituents have entrusted to them.

- (e) Renewal or renegotiation of the CAL Fire Contract must be done with flexibility in mind and with careful attention to administrative cost reduction.

Response: Agree. The contract can be terminated annually and/or amended at any time. The built-in administrative/management staffing has not changed in years. CAL FIRE’s administrative/overhead rate is reviewed each year. This rate is calculated on a statewide basis and equally applied to all CAL FIRE contracts.

- F2. The Public’s perception of emergency response is outdated. Actual fire related calls are a small portion of demand. The shift from firefighting to medical response is a large part of increased costs. New funding sources are required to meet the increasing demands for emergency response. Since most of this demand is likely to be in medical response, emphasis must be on how to address these expenses.

Response: Agree. There are many options to address the increase in medical calls. Better supporting the current system is but one option. All study participants agreed early on that no proposal for new, additional funding would be considered until we had explored and implemented actions ensuring the best use of existing financial resources. The research done thus far has demonstrated the need for maintaining/extending existing special assessments amongst districts. As of this writing, it is encouraging to note that extensions of special assessments for fire services have been approved in the MiWuk, Columbia and Twain Harte districts. Continuation of fire and ambulance assessments in Groveland are likewise deserving of support.

- F3. Emergency dispatch is complicated. Centralization is needed now. The current dispatching system results in multiple actions necessary to send a response, (Appendix A), as well as errors in dispatching needed resources to the proper location. California Highway Patrol is the only available dispatch for 911 calls made from cellular phones

Response: Agree that improvements are needed in this system. Options for near-term improvement are being reviewed as part of the efforts of the Fire Working Group. Full consolidation would necessarily involve fire, medical and law and long-term planning and investment in staffing, communications equipment and plant. The challenge associated with 911 calls made from cell phones is real and will require a statewide solution. Improving the Fire & 1st Responder dispatching system has been made one of the top two priority areas of focus of the Fire Working Group.

- F4. It is essential to educate the public about how their demand for services relates to cost. The public's expectation of service must be defined. What it costs to provide those services must be explained. Funding methods can then be established to provide that level of service.

Response: Agree.

- F5. Volunteer numbers are declining due to several factors. An aging population, the demands on today's working families and discouragement from some professional firefighters are lesser issues. Training requirements appear to be the main obstacle to recruitment. Lack of opportunity to engage in actual fire fighting appears to be the primary obstacle to retaining volunteers because medical response is usually not their focus. Attrition will always be a factor. It is necessary that recruitment efforts remain constant.

Response: Agree with the array of factors that impact volunteerism. The Fire Working Group has made this one of its top two priority areas of focus.

- F6. Some volunteer fire stations have a low response rate or are inactive. These stations mislead residents regarding safety-response times and may affect ISO ratings.

Response: Agree.

- F7. The "Amador" Plan allows CAL Fire resources to be used for local structural fire protection during the non-fire season winter months.

Response: Agree.

- F8. Groveland Community Service District provides response outside its district's boundaries to Mariposa County. Mariposa County assists Groveland when necessary. This cooperation is essential to isolated and remote residents. It has 22 volunteers, successfully uses part-time employees, supports a ROP fire cadet program and has community appreciation activities.

Response: Agree. An auto-aid agreement is now in place amongst the Groveland Fire Department, Tuolumne County Fire Department and Mariposa Fire Department whereby each department will support the other. This was one of the solutions to address coverage gaps and improve ISO ratings in the south county identified during development of the Fire & 1st Responder Study. Special recognition should go to Groveland Chief Shane Warner and Tuolumne County Chief Paul Speer for making this happen.

- F9. Any centralization of responders will offer savings in some areas and increase costs in others. For some positions, personnel costs are likely to increase as "equal pay for equal work" will be a factor. There are many undefined benefits CAL Fire provides in services and equipment that must be included in a costs analysis. The success of methods to save on maintenance, purchasing and other budget items will vary.

Response: Agree.

Grand Jury Recommendations

- R1. The Grand Jury finds that Tuolumne County should consolidate all existing fire districts and departments under a single management system to provide structural fire protection on a year-around basis.
- (a) A single Fire Chief providing leadership to all responding districts should be considered. The districts would employ Fire Captains and Lieutenants as needed. By whatever method, it is critical that fire command structure is centralized for all responders County-wide. This might be accomplished under the "Single County-wide Fire System – Joint Powers Agreement Option" discussed in the Tuolumne County Fire and First Responder Study. Use of part-time firefighters should be explored to meet staffing demand in all districts/departments. This usually results in cost savings by reducing benefit packages.

Response: The recommendation requires further analysis. The centralization of the local fire command structure is a shared goal of both the Grand Jury and the Fire & 1st Responder Study. Developing a structure that is both cost-effective and politically acceptable to all fire districts is one of the most challenging issues to be addressed by the Fire Working Group.

Rather than start on this particularly difficult issue, the Working Group agreed to making improvements in the volunteer and dispatching systems its initial areas of focus. Why? Making improvements in these areas are needed and achievable in the near-term. If the Group's work can lead to some early tangible success, it will also help build the trust and support necessary to take on more challenging areas such as consolidated leadership. Work on the volunteer and dispatch systems should be completed before the end of the calendar year. It is not anticipated that any effort will be made on the matter of consolidated leadership until 2012.

Notwithstanding the above, the current vacancies in the Fire Chief positions in both Twain Harte and Tuolumne offer an opportunity to explore sharing Chief responsibilities in that region of the County. This could take the form of a cooperative agreement between the Twain Harte and Tuolumne districts and possibly the Mi-Wuk district. District to district agreements could be developed whereby Chief coverage could be provided utilizing the existing MiWuk Chief or through the new Chief being recruited by the Twain Harte district. If there was any merit seen in this approach, it should be taken up directly by those districts as opposed to the Fire Working Group.

- (b) Training should be standardized and every effort should be made to make it accessible to volunteers. Anyone from outside Tuolumne County that benefits from the consolidated Training Bureau's courses should pay a reasonable fee for that training.

***Response:** The recommendation requires further analysis. It will be important for the Fire Working Group to complete its efforts in the area of improving the collective volunteer and dispatching systems before acting on this recommendation focused on training. Why? The Working Group's efforts will shape what the volunteer system will look like in the future. With that accomplished, a complimentary training program can be established. Thus work on the training program will not occur until 2012.*

- (c) An inventory of resources should be completed that includes what/who belongs to, or is provided by, CAL Fire and must include:
- services and equipment Tuolumne County is enjoying without cost through its contract with CAL Fire
 - what/who does Tuolumne County Fire Department own and supply
 - what/who does each district/department own and could possibly supply to a coordinated County-wide system

This comprehensive and accurate list of assets, including personnel, is crucial in determining how to save money. (The Commission on Fire Accreditation International recommends a system approach known as

“Standards of Response Coverage” for use in self-assessment of a fire agency. [City-gate Association Fire Department Evaluation for the Groveland Community Services District]. This approach might be useful for the current evaluation of Tuolumne County fire and emergency response services.)

Response: The recommendation has been implemented. The type of inventory described in this recommendation was substantially completed as part of the Fire & 1st Responder Study effort. The inventory was developed with help of and then shared with the Chief's who participated in the Study. It would be useful to ensure this inventory is kept up-to-date and shared with the various district boards and public to raise the awareness of the level of support currently extended between districts and the broader benefits of the County's contract with CAL FIRE. Doing so will help demonstrate one of the Study's key findings that no district can stand on its own without help from the others.

(d) Set aside parochial attitudes and address economic reality by:

- using available dollars wisely through coordinated purchasing of supplies and equipment
- sharing maintenance of, and training personnel to use, all available equipment
- avoid unnecessary duplication of resources
- standardize and coordinate training of volunteers
- share educational and public relations efforts

Response: The recommendation requires further analysis. To be clear, some of the recommended actions outlined above are occurring today. Maximizing the full potential of these recommendations will require detailed discussion and plans for cooperation amongst all districts. Again, the priorities of the Fire Working Group are the volunteer and dispatching systems. When that aspect of the Group's work is completed, it is hoped that trust and support to take additional steps will have been developed. To the extent that trust and support is developed, action on the full intent of this recommendation could occur in 2012.

(e) While negotiating a new CAL Fire contract, include language that allows phasing out the broader services CAL Fire provides and provides flexibility to address those changes. Maintain the Amador Plan type of winter support for a defined term. Every effort should be made to reduce costs subject to the Administration fee.

Response: This recommendation will not be implemented because it is not warranted. The County's contract with CAL FIRE is reviewed annually and can be amended at any time. This flexibility is adequate to address any changes that may be sought in the future. For example, should the County

desire to reduce or increase Schedule A or Amador Station services, it would do so by amending the schedules in the agreement which define the scope and associated costs of the agreement. With respect to the administrative fee in the contract, CAL FIRE's administrative/overhead rate is reviewed each year. This rate is calculated on a statewide basis and equally applied to all CAL FIRE contracts.

- R2. Some communities in California are recovering at least part of response costs through various means including charging expenses to auto and homeowner's insurance coverage, medical insurance coverage, etc. Some are establishing "response fees" both for nonresidents and residents. Consultants are available that specialize in recovery, usually charge a set fee based on a percentage of recovered dollars. Models for in-house recovery systems are available from other local agencies. Success rates vary for both recovery systems. It should be noted, there is currently proposed State legislation that had adopted fees have since dropped them for various reasons. Researching these possible funding sources should be part of the working group's effort.

***Response:** This recommendation has not yet been implemented, but will be added to the existing list of issues for the Fire Working Group to look into. Charging such fees has proven controversial and problematic in other jurisdictions. This recommendation would not be taken up until the Working Group had completed its efforts to design the most cost-effective service model possible. Therefore, research and consideration of these types of fees are not expected to occur until late 2012.*

- R3. Adding medically qualified personnel to dispatch would result in sending the appropriate level of staff and equipment to a call. It should be determined if such a change would result in the costs to provide skilled staff being recouped by efficiency in response. Establishing a central, well equipped, dispatch center staffed with medically trained personnel serving the entire County must be considered. The possibility of combining County-wide dispatching services with the proposed new CAL Fire Command Center project should be investigated. That investigation should be open to the idea of a single dispatch for all emergency responders. Planning to accommodate change in how 911 calls from cellular phones are currently handled should be included in any new dispatch program.

***Response:** The recommendation as it relates to training staff in emergency medical dispatch procedures has not yet been fully implemented but is in process and should be completed by the end of the 2011 calendar year. As noted under F3 above, options for improvement of the current dispatching system is under review by the Fire Working Group. The primary focus is the implementation of Emergency Medical Dispatch (EMD) at the Sheriff's Office which could greatly reduce the number of calls transferred to the fire dispatch center and thereby reduce fire resources sent to medical calls. The Chief's are*

also reviewing the protocols used for sending and calling off fire resources in general which could further reduce the fire resources called out to incidents.

The recommendation as it relates to studying the creation of a central dispatch center has not yet been implemented. Full consolidation would necessarily involve fire, medical and law and long-term planning and investment in staffing, communications equipment and plant. The challenge associated with 911 calls made from cell phones is real and will require a statewide solution. While this was discussed as part of the Fire & 1st Responder Study, a serious evaluation of a truly centralized center was considered a lower priority than other tasks indentified in the Fire & 1st Responder Study. To the extent this is reviewed again, it will not likely happen until late in 2012.

- R4. The cooperative effort demonstrated by participation in the Tuolumne County Fire and First Responder Study is a good foundation for organizing and launching an educational public outreach program. The purpose of this program would be to explain what fire departments are expected to do today, how those demands have affected costs, the viability of volunteer-only stations, and the ongoing need for volunteers. Most importantly, the program should explain why change is necessary. That explanation would benefit from a clear presentation of how demand-for-service expectations relate to what the community can afford to provide. Once people understand that the level of service they expect cannot be provided with existing dollars, they will be more likely to support change.

Response: *The recommendation has not been implemented but will be in conjunction with presentation of the Fire Working Group's findings and recommendations.*

- R5. (a) Required training of volunteers should be made as accessible, affordable and flexible as possible. Volunteers should be encouraged to service County-wide whenever possible. Opportunity to engage in actual fire fighting should be expanded. Any professional firefighter that in any way discourages or disparages the contribution of volunteers should be disciplined. Leadership at all levels should reaffirm the importance of volunteers to the success of fire departments.

Response: *The recommendation has not yet been fully implemented, but will be in conjunction with the Fire Working Group's current review of the volunteer system which should conclude in calendar 2011. Having said this, it should be noted that area Fire Chiefs have been reinforcing the value of volunteers and the need for commensurate treatment of volunteers by paid fire staff.*

(b) Local businesses and organizations should be approached to sponsor volunteers with stipends or “scholarships” to help fund training, equipment and perhaps even child care during training sessions. At the very least, employers should be educated on why their cooperation is critical to volunteers they employ.

***Response:** The recommendation has not yet been implemented, but will be in conjunction with the Fire Working Group’s current review of the volunteer system which should conclude in calendar 2011.*

(c) Centralization of volunteer programs under a single leader would improve the potential of gaining new recruits, make training consistent, provide expanded opportunity to participate in responses, and insure better retention of recruits. The program should make use of every good idea available from successful efforts throughout the County and elsewhere. In addition, this program might serve as a public-relations and education coordinator.

***Response:** The recommendation has not yet been implemented and will need to be addressed as part of the consideration of centralized leadership mentioned in R1(a) above.*

- R6. All Tuolumne County responders should be cooperate in a strategy to improve ISO ratings. Maintaining the existing ratings must be a priority. Water service suppliers are a vital part of this effort, their participation should be requested. Volunteer stations should be re-opened as soon as possible.

***Response:** The recommendation has not yet been fully implemented but will be in 2012 after higher priority tasks in the Fire & 1st Responder Study have been addressed. This is a shared goal of the Grand Jury and the Fire & 1st Responder Study. It should be noted that several fire and water districts have been cooperating in ISO rating reviews that are currently in process.*

- R7. Groveland Community Service District has a successful responder program. Elements of its staffing, training, volunteer recruitment and community appreciation programs would be useful models to review for initial centralized management policy.

***Response:** The recommendation has not yet been implemented, but will be in conjunction with the Fire Working Group’s current review of the volunteer system which should conclude in calendar 2011.*

- R8. Studies of the economic issues relative to any consolidation should forecast costs and savings forward at least five years. It is likely consolidation will be costly in its first few years but changes might be very beneficial further out. Projections of this manner are difficult and subject to many influences over which the local agency has not control. All districts/departments in the

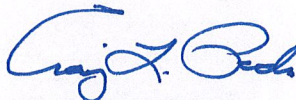
County should support the Working-Group study of how best to utilize existing resources and demonstrate a willingness to change business models.

Response: The recommendation has not yet been implemented and will need to be addressed as part of the consideration of centralized leadership mentioned in R1(a) above and the review of other related study objectives in the area of centralizing and reducing administrative support costs (e.g. maintenance, purchasing, etc...).

In conclusion, I would like to make the following overall comments. First, I am extremely grateful for the willingness of all area fire districts to participate in the Fire Working Group. These are important and difficult issues that challenge the status quo and will continue to require participants to be open-minded to change. Second, progress of the Working Group has been far slower than anticipated primarily due to the availability of staff resources. There are fewer Fire Chiefs compared to when the Study started. There are some new district participants. District and County staff are stretched very thin. Conducting the level of detailed work necessary on each of these topics is time consuming. Third, as for my part in this cooperative effort, I will endeavor to guide the Working Group to develop a process and schedule to move this effort forward faster in 2012.

I trust that the responses provided above are found to be fully responsive to the findings and recommendations contained in the FY 2010-11 Grand Jury Report.

Yours truly,



CRAIG L. PEDRO
County Administrator

Cc: Board of Supervisors
Gregory Oliver, County Counsel
Local Fire District Boards
Local Fire Chiefs
Fire Working Group Participants