



## **Santa Cruz County Civil Grand Jury**

### **2014-2015 Response Packet**

## **Santa Cruz County Fire Protection Districts**

Response Times, Mutual Aid, and Consolidation

Board of Directors, Central Fire Protection District

**Due date: 90 Days (by September 24, 2015)**

When finished, email the completed response packet as a file attachment to:

[grandjury@co.santa-cruz.ca.us](mailto:grandjury@co.santa-cruz.ca.us)

## **Instructions for Respondents**

California law PC § 933.05 requires that those responding to a Grand Jury report must provide a response for each individual finding and recommendation within a report, not a generalized response to the entire report. Explanations for disagreements and timeframes for further implementation or analysis must be provided.

Please follow the format below when preparing your response.

### **Response Format**

1. Find the Responses Required table that appears near the end of the report. Look for the row with the name of the entity you represent and then respond to the Findings and/or Recommendations listed in that row using the custom packet provided to you.
2. For Findings, indicate one of the following responses and provide the required additional information:
  - a. AGREE with the Finding,
  - b. PARTIALLY DISAGREE with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
  - c. DISAGREE with the Finding and provide an explanation of the reasons therefor.
3. For Recommendations, select one of the following actions and provide the required additional information:
  - a. HAS BEEN IMPLEMENTED, with a summary regarding the implemented action,
  - b. HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE, with a timeframe or expected date for implementation,
  - c. REQUIRES FURTHER ANALYSIS, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report,
  - d. WILL NOT BE IMPLEMENTED because it is not warranted or is not reasonable, with an explanation therefor.

If the respondent is a governing body, please provide the voted response of the body as a whole. Individual responses from members of a governing body will not be published.

If you have questions about the response report please contact the Grand Jury by calling 831-454-2099 or by sending an e-mail to [grandjury@co.santa-cruz.ca.us](mailto:grandjury@co.santa-cruz.ca.us).

## **How and Where to Respond**

1. Please download and fill out the Response Packet provided to you for your responses. Please respond to each finding and recommendation. Be sure to save any changes you make to the packet.
2. Print and send a hard copy of the Response Packet to:  
The Honorable Judge Rebecca Connelly  
Santa Cruz Superior Court  
701 Ocean Street  
Santa Cruz, Ca 95060
3. Email the completed Response Packet, as an attachment, to the Grand Jury at [grandjury@co.santa-cruz.ca.us](mailto:grandjury@co.santa-cruz.ca.us).

## **Due Dates**

Elected officials or administrators are required to respond within 60 days of the Grand Jury report's publication. Responses by the governing body of any public entity are required within 90 days.

## Penal Code § 933.05

1. For Purposes of subdivision (b) of § 933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
  - a. the respondent agrees with the finding,
  - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of § 933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
  - a. the recommendation has been implemented, with a summary regarding the implemented action,
  - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
  - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
  - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.

A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

## Findings

**Finding 1:** The consolidation of Fire and Emergency Medical System dispatch services at the Santa Cruz Regional 911 center and mutual aid agreements between districts have created an efficient virtual single service district for those services in the entire county.

**AGREE**

**PARTIALLY DISAGREE** - explain disputed portion below

**DISAGREE** - explain below

**Response explanation (required for responses other than “Agree”):**

Board vote 4-2 Agree

**Finding 2:** Shared services between fire districts have improved response times, training, and services across the county.

**AGREE**

**PARTIALLY DISAGREE** - explain disputed portion below

**DISAGREE** - explain below

**Response explanation (required for responses other than “Agree”):**

Board voted 4-2 to partially disagree.

Shared services in training, fleet maintenance, computer services and joint purchasing have created efficiencies within the specific discipline for those districts who participate in such programs. Automatic and Mutual Aid agreements do provide improved response times for those who participate in such agreements between agencies.

**Finding 3:** Aptos/La Selva Fire Protection District and Central Fire Protection District did not take advantage of the opportunity to pursue consolidation when the Aptos Fire Chief retired in 2014.

**AGREE**

**PARTIALLY DISAGREE** - explain disputed portion below

**DISAGREE** - explain below

**Response explanation (required for responses other than “Agree”):**

Board of Directors voted 5-1 to agree.

**Finding 4:** The differences in pay scales and benefits between Aptos/La Selva Fire Protection District and Central Fire Protection District are issues that must be addressed prior to consolidation.

**AGREE**

**PARTIALLY DISAGREE** - explain disputed portion below

**DISAGREE** - explain below

**Response explanation (required for responses other than “Agree”):**

Board of Directors voted 4-2 to agree.

**Finding 5:** Aptos/La Selva Fire Protection District and Central Fire Protection District have a common problem resulting from excessive and unreasonable Public Records Act requests. These requests have negatively impacted the daily administration, budgets and operations of the districts.

**AGREE**

**PARTIALLY DISAGREE** - explain disputed portion below

**DISAGREE** - explain below

**Response explanation (required for responses other than “Agree”):**

Board of Directors voted 6-0 to agree.

**Finding 6:** The lack of enforced policies and procedures regarding conflicts of interest and board member interactions in district operations, has interfered with the ability of the Aptos/La Selva Fire Protection District and Central Fire Protection District to consider further shared services or consolidation.

**AGREE**

**PARTIALLY DISAGREE** - explain disputed portion below

**DISAGREE** - explain below

**Response explanation (required for responses other than “Agree”):**

The Board of Directors voted 4-2 to partially disagree.

The Board of Directors of the Central Fire Protection District do not believe there has been any enforcement issues with policy and procedure regarding conflict of interest of Board Member interactions in District Operations within the Central Fire District. Current

operational functions and services such as Fleet Maintenance, Information Technology has continued to functioned with minimal effect. In support of this observation is correspondence from the Grand Jury Foreperson indicating the belief that the issue does not lay with Central Fire District. The disruptive behavior caused by Board Member interference does inhibit further consideration.

**Finding 7:** The joint Aptos/La Selva Fire Protection District and Central Fire Protection District Cooperative Fire Prevention Program is successful and could benefit the county if made permanent.

**AGREE**

**PARTIALLY DISAGREE** - explain disputed portion below

**DISAGREE** - explain below

**Response explanation (required for responses other than “Agree”):**

To date the CPP has been successful in identifying organizational practices and procedures needed to streamline joint operations. The agencies continue to address those organizational differences. The program was never intended to serve County residents other than in those served by the two fire districts. A much larger organization including a different governance model would be required to expand services to the whole county. In addition the economic capacity to fund increased service levels and lack of service expectation of smaller agencies makes it unlikely they would become users of such a proposed model.

Board of Directors voted 6-0 to partially disagree

**Finding 8:** Expansion of the Central Fire Protection District’s fleet services department is needed to allow a larger number of districts to contract with this service.

**AGREE**

**PARTIALLY DISAGREE** - explain disputed portion below

**DISAGREE** - explain below

**Response explanation (required for responses other than “Agree”):**



The Board of Directors voted 6-0 to agree.

## Recommendations

**Recommendation 1:** Aptos/La Selva Fire Protection District and Central Fire Protection District should work together to merge and form a Mid-County Fire Protection District.

**HAS BEEN IMPLEMENTED**

**HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**

- indicate timeframe below

**REQUIRES FURTHER ANALYSIS** - explain scope and timeframe below (not to exceed six months)

**WILL NOT BE IMPLEMENTED** - explain below

**Response summary, timeframe or explanation:**

**The Board of Directors voted 6-0: will not be implemented.**

The feasibility of merging, consolidating or other enhanced models of governance has been studied several times since the publishing of the 1973 Sierra Report.

Most of the proposed efficiencies highlighted in the Sierra Report have been implemented.

Additional studies such as the 1986 - Hughes, Heiss report; 1992 - Mid County Consolidation Feasibility Study; 1993 - Ralph Anderson Report; 1994 - addendum to the Ralph Anderson Report and the extensive joint exploration in 2000 by the Aptos and Central Fire Boards have not resulted in a consolidation. In no era has consultant conclusions affected a governance determination suggesting the two Districts can provide enhanced services or significant savings as the product of a consolidation.

Extensive study has consistently concluded that the greatest economic savings results from Fire Station closure. Station distribution and response times are in line with or exceed our Standards of Coverage response time policy. Modest savings may be recognized through shrinking Administrative Staff but as the Cooperative Prevention model has highlighted – agencies are running at minimal levels and combining staff would only allow status quo service levels.

The concern for abdication of local control will inhibit further analysis until such a time as system distress or as yet unrealized significant benefit is demonstrated by the dissolution of independent Districts established by law to serve their community. Lastly, in the 14'-15' Grand Jury report it was observed on Page 11 that “bigger is not

automatically better” as well as “local leadership and community involvement and support are important factors which must be taken into consideration”. This sage advice is universal in its application.

**Recommendation 2:** The governing bodies of Aptos/La Selva Fire Protection District and Central Fire Protection District should adopt the three year plan for the Cooperative Fire Prevention Program.

**HAS BEEN IMPLEMENTED**

**HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**

- indicate timeframe below

**REQUIRES FURTHER ANALYSIS** - explain scope and timeframe below (not to exceed six months)

**WILL NOT BE IMPLEMENTED** - explain below

**Response summary, timeframe or explanation:**

The Board of Directors voted 4-2: Requires further analysis.

This study has not been completed and requires ratification of a memorandum of understanding. Both agencies need agreement of financial terms and further evaluation on integration of policy and practices is ongoing. This process will take a minimum of 3-6 months to complete.

**Recommendation 4:** Central Fire Protection District should adopt and enforce clear and comprehensive conflict of interest regulations for Board Members.

**HAS BEEN IMPLEMENTED**

**HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** - indicate timeframe below

**REQUIRES FURTHER ANALYSIS** - explain scope and timeframe below (not to exceed six months)

**WILL NOT BE IMPLEMENTED** - explain below

**Response summary, timeframe or explanation:**

The Board of Directors voted 6-0 “Has not been implemented but will be implemented in the near future.

The Board of Directors is reviewing updated language to the Board of Directors by-laws at its August 2015 Board meeting with scheduled ratification at the September 2015 Board meeting.

**Recommendation 5:** Central Fire Protection District should explore expansion of its fleet maintenance services to support contracts with a greater number of local fire districts.

**HAS BEEN IMPLEMENTED**

**HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**

- indicate timeframe below

**REQUIRES FURTHER ANALYSIS** - explain scope and timeframe below (not to exceed six months)

**WILL NOT BE IMPLEMENTED** - explain below

**Response summary, timeframe or explanation:**

The Board of Directors has voted 6-0 to agree.