

Central Calaveras Fire & Rescue Protection District

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Bill Wennhold
Fire Chief



The Honorable Timothy S. Healy
Calaveras County Superior Court
400 Government Center Drive
San Andreas, CA 95249-9794

Please find below the responses of the Central Calaveras Fire & Rescue Protection District to the Recommendations made by the Calaveras County Civil Grand Jury. This below response is intended to supplement the original response, emailed to the Grand Jury Foreperson in March. It addresses issues raised by County Counsel and addresses corrective actions taken by the District since March to implement the recommendations of the Grand Jury.

1. The Calaveras County Grand Jury recommends the Board of Directors receive formal training in Brown Act requirements by April 30, 2021.
 - a. The Board of Directors of Central Calaveras Fire District AGREES with the Grand Jury findings regarding Brown Act Training F1.
 - b. The recommendation R1 has been implemented in the following ways. The District has undergone extensive turnover amongst its Board of Directors during the past few years and understands the need to provide both initial and ongoing training for not only Directors but also to all management staff in regards to the Brown Act. Therefore, effective March 31, 2021 all District Board Directors and management staff are required to complete an online webinar titled "The Brown Act" developed by the "Institute for Local Government". The webinar provides information on when and how to communicate with officials in order to be in compliance with the Ralph M. Brown Act and also educates Directors and staff to understand their role and the rules limiting an agency's Board and Management staff in the decision-making process. The webinar includes instruction in the following specified areas: 1. Brown Act Essentials 2. Legal Updates and Changes to the Brown Act 3. Common Mistakes and How to Avoid Them. Board Directors and Management staff are now required to sign a District form, on an annual basis, stating their compliance in reviewing the Brown Act and it's specific requirements. Additionally the District will disseminate information provided by the Fire District Association of California (FDAC), (which the District is a member) to all District Board Directors and management staff regarding the Brown Act. The FDAC regularly provides updated and pertinent information to California Special Fire Districts in regards to legal and legislative changes. This information will be beneficial to Directors and staff to ensure that they are apprised of any changes or updates concerning the Brown Act.
2. The Calaveras County Grand Jury recommends the Board of Directors ensure that the Central Calaveras Fire and Rescue Protection District website is updated as Board of Directors membership changes, and that policies and procedures are modified by March 31, 2021.
 - a. The Board AGREES with the findings F2 and the recommendation R2 has been implemented with the following changes:
 - b. The District acknowledges that its website has not been updated on a regular basis due to a lack of funding for office staff nor sufficient command and management staff. However effective March 31, 2021 the District updated its website with information that is current regarding the Board of Directors membership and Policy and Procedural manuals. The

Fire Chief will verify on a monthly basis that the District website contains up to date and accurate information.

3. The Calaveras County Grand Jury recommends the Chief and Board Treasurer be provided full access to all District financial records and that financial records be stored and maintained at District Fire Station #1 by February 1, 2021.
 - a. The Board of Directors AGREES with the findings F3 and has implemented the following actions as recommend in R3:
 - b. The Fire District has maintained a Financial Dashboard on District's Intra-net for more than 3 years. This Dashboard allows full access to all District financial records. However, staff, including the current Fire Chief and Director's on the Finance Committee did not have sufficient training on how to use and access this information. To remedy this issue, the Fire District has taken the following remedial steps: 1. The current Fire Chief has been provided a listing of the passwords and administrative credentials necessary to access the information. The Fire Chief maintains responsibility for the security of this access information. 2. Board Members and staff that lacked sufficient technical expertise to access electronic records have been provided information in paper format. Board members are now able to access all electronic financial records and in addition may request and receive written copies of any records from the Fire Chief. 3. At the District March 2021 Board meeting, the Fire District approved the hiring of a ¼ time Chief's Aide position that will assist in maintaining and filing paper copies of all district financial records. This position was filled on May 5, 2021. 4. The limited physical space available at the Fire District's Headquarters on Jesus Maria Rd has been re-organized to allow space for filing records and for administrative staff to work.
4. The Calaveras County Grand Jury recommends the Board of Directors review the Deputy Chief position assignment to determine efficacy, by December 31, 2020.
 - a. The Board of Directors DISAGREES with the entire findings of F4 that the Deputy Chief position is unnecessary.
 - b. Regarding R4, the Board has analyzed the Deputy Chief position and based on this analysis has determined the following. As noted by the Grand Jury report, the Fire District has undergone severe financial constraints over the past several years. However the position of Deputy Chief is essential to ensuring that there is continuity within the department regarding the overall administration and enforcement of policies and procedures and required administrative and financial tasks and duties. Nearly all fire districts in California retain a command staff consisting of some combination of the following positions along with the Fire Chief; Assistant Chief, Deputy Chief, Division Chief, or Battalion Chief. In fact many of the Fire Districts, operating within Calaveras County, retain at least one or several Battalion Chiefs on their staff in order to assist the Fire Chief in directing day to day emergency and non-emergency operations and also to oversee a wide range of administrative functions. As noted in the report, the District underwent a change in the Fire Chief position in May of this year due to time constraints of the previous Fire Chief's primary employment. The previous Chief has held the position of Fire Chief for the past 10 years prior to stepping down to the role of Deputy Chief and therefore retains extensive institutional knowledge of the organization and its operations and maintains valuable relationships within the community. The District does not retain a fulltime Fire Chief, office staff, or support personnel in order to assist with performing required administrative functions and therefore the Deputy Chief fills numerous roles in assisting the Fire Chief in completing these tasks and also provides

invaluable direction and perspective as to the historical nature of how the District has operated, especially in light of the current budget constraints. The Deputy Chief not only provides direction to staff and oversight at emergency responses in the absence of the Fire Chief and also provides assistance on day to day operations and functions. Therefore it is essential that the Fire Chief and Deputy Chief work jointly to ensure that the District is functioning effectively and competently. The Deputy Chief is filling the role of a secondary or multiple chiefs normally retained in the operations and administrative structure of a fire district. Many times decisions need to be immediately made in regards to expenditures and responses, such as vehicle and equipment breakdowns and repairs, and requests for personnel and equipment for emergency responses to neighboring jurisdictions and the State. On duty personnel cannot wait to speak directly with the Fire Chief in order to have a timely response to requests for assistance and expenditures. All fire departments, be they paid or volunteer, require a staff of informed and competent leaders who have the authority to make rapid decisions and ensure that ongoing emergency services are supported and available 24 hours a day. Throughout the fire service, fire chiefs rely on additional on duty chiefs to handle immediate needs, personnel issues and a wide range of administrative and emergency functions. The Deputy Chief position with the District fills this role and provides indispensable direct support to the Fire Chief and eliminating this position would greatly hamper the District's ability to respond to emergency requests in a timely and effective manner. The Fire District is committed to reviewing the departments staffing and command structure on an ongoing basis to ensure that resources are being effectively utilized.

5. The Calaveras County Grand Jury recommends the Central Calaveras Fire and Rescue Protection District Board of Directors immediately ensure District funds are managed directly by the District.
 - a. The Board AGREES that District funds for fire suppression activities should be directly managed by the Fire District.
 - b. The Fire Safety Elves program was established following the Butte Fire to assist the Fire District in cleaning up from and recovering from the fire and to promote and manage future fire prevention and fuel reduction programs. The Fire Safety Elves program was approved by the Fire District Board and was intended to closely coordinate with the Fire District in completing the critical Fire Prevention projects that the Fire District needs to complete to address the significant risks of wildfire to the Fire District. The Board believes that funding that was received that was intended for Fire Prevention projects and obtained by the Fire Safety Elves Program was correctly managed and applied to the intended projects. The Fire Safety Elves successfully obtained several grants as well as the services of a CCC crew. Since these grant funds could only be used for Fire Prevention and Fuel Reduction programs, these funds were managed by the Fire Safety Elves program. The Fire District Board received grant reports as the grants were completed. In June of 2020, the Board of Directors determined that the Fire District did not have the financial resources or volunteer staffing to commit to Fire Prevention activities and requested that the Fire Safety Elves develop a plan to finish the existing projects that were underway and cease undertaking any new projects. As of March 1st, 2021, the Fire Safety Elves program has been disbanded, the project yard has been cleaned and returned to the property owner. All Fire District equipment was inventoried and accounted for.

6. The Calaveras County Grand Jury recommends the Board of Directors direct the Chief to create a procedure to track all usage of Central Calaveras Fire and Rescue Protection fuel accounts, by March 31, 2021.
 - a. The Board DISAGREES that the District should create this procedure because this procedure is already in place.
 - b. The Fire District has maintained for 10+ years daily fuel counters and log entries with apparatus, mileage, gallons of fuel and whether fuel was gas or diesel. This information is reflected on the Daily Log and can also be captured as a report in the Fire District's Records Management System: Emergency Reporting. This information is monitored by operational staff such as the Fire Chief and Fire Captains. It is generally not monitored by the Board of Directors. To address the concerns of the Grand Jury, the Fire Chief is going to prepare and present a report showing the prior months fuel usage to the Board of Directors at each monthly Board meeting. The Fire District began doing this with the March 2021 Board meeting. Attached to this response are the fuel logs for the last 3 years.
7. The Calaveras County Grand Jury recommends the Board of Directors review its priorities and ensure that spending and asset acquisition is in line with the Central Calaveras Fire and Rescue Protection District mission statement and capabilities, by June 30, 2021.
 - a. The Fire District AGREES with the Grand Juries finding that the Board of Directors review its priorities and ensure that spending and asset acquisition is in line with the Central Calaveras Fire and Rescue Protection District mission statement and capabilities, by June 30, 2021.
 - b. Fire Prevention is a critical mission of any Fire District. For a Fire District, such as Central Calaveras Fire and Rescue, that is located in a Very High Wildfire hazard area, the reduction of fuels and preparedness for future fire events has to be a high priority. During the Butte Fire, more than 500 homes (constituting approximately 20% of the homes in the District) were lost. Following the Butte Fire, the Fire District worked with the Fire Safety Elves program to obtain grant funding and revenue specifically for the purpose of Fire Prevention and Butte Fire recovery. The funds that were obtained for this program could only be used for these specific programs and the equipment that was authorized for purchase had to be used to complete these programs. The Fire District supported these critical Fire Prevention programs with incidental support, such as the use of Fire District apparatus to transport equipment to work sites. All expenditures by the Fire District were authorized and approved by the Fire District Board as part of the regular course of business. The Fire District Board reviewed the grant close-out reports for each program that was completed. The corrective actions taken and addressed in Response 5 should also be considered in this response.
8. The Calaveras County Grand Jury recommends the Central Calaveras Fire and Rescue Protection District:
 - a) Increase community outreach and engagement about District Services
 - b) Propose a new parcel tax measure, by the March 2022 primary election and increase public education about the need for support, beyond 2018 efforts.
 - a. The Board of Directors DISAGREES with the Grand Jury findings of F8 that the District is not sufficiently engaged with its citizens.
 - b. As noted the District has been unsuccessful over the past several years in passing a parcel tax. However this failure to pass a tax measure has become the norm rather than the exception for Fire Districts throughout California since the requirement for passing local tax measures changed from a simple majority to a two-thirds requirement in the early

2000's. Multiple fire district serving a wide range of populations throughout the state have failed over the past ten to fifteen years to pass parcel tax measures in spite of the increase in fire activity and frequency of fires throughout California. This appears to be due to a lack of overall voter support for increasing taxes statewide, be they for fire districts, schools, bond measures or other types of special districts. This failure rate was recently highlighted locally within Calaveras County with the failure of both the San Andreas Fire District and the West Point Fire District to pass separate tax measures during the last election. Additionally due to the Districts current financial constraints and limited budget, it is difficult to place tax measures on local ballots due to the cost of conducting these elections. These tax measure elections are costly and the District is hesitant to spend money on elections that have been repeatedly rejected by voters over the past several years when the main purpose and function of the District is to provide its funding for personnel for emergency responses and to pay for the associated cost incurred supporting these operations and not on the elections to support them. In regards to the Grand Jury's recommendation that the Fire District increase its community outreach and engagement R8 (a), the Fire District is made up of several rural and isolated communities including Mountain Ranch, Glencoe, and Rail Road Flat and many of the residents do not have access to internet and social media and residents typically live on very rural properties many times behind locked gates and therefore interaction with the public on a regular basis is very limited. Complicating this problem is the regular publicity that Cal Fire receives in local and regional newspaper publications and on the local television news. Residents often times believe that Cal Fire provides all emergency services within rural areas of the state even though they are primarily a seasonal fire Department in our area. Further compounding this problem, the District does not contain community groups such as Rotary or Lions Clubs that frequently meet in local communities and foster opportunities to showcase the fire districts operations and functions. Public meetings and the community's lack of involvement to attend such meetings hampers the Districts effort to outline and its need for additional revenue. The Districts Firefighters Association does conduct regular outreaches to the community including pancake breakfasts and spaghetti dinners along with posting information within the local newspaper, however due to the majority of the residents living a rural isolated lifestyle it is difficult to have many opportunities to inform the public on who the district is and its current operational needs.

- c. Regarding the R8(b) Recommendations, the District is currently working with the Calaveras County Fire Joint Powers Authority (JPA), which is made up of all Fire District within the County. The JPA is currently researching the feasibility of placing on the ballot a county wide sales tax measure which would directly benefit and provide funding for all Fire Districts within Calaveras County. The JPA is reviewing the requirements for such a ballot measure and is seeking the support of all current Fire District's Boards within the county in-order to determine if there is sufficient support to place a tax measure on the ballot in 2022. The Central Calaveras Fire District Board believes that a county wide sales tax initiative would have the greatest chance of successfully passing compared to a parcel tax measure specific to the District. At the upcoming June 2021 meeting of the County JPA it will be determined if there is sufficient support from the Fire Districts to move forward with this tax measure. Once the level of support has been determined the Central Calaveras District Board will determine whether to move forward with this County wide Fire sales tax measure or to seek alternative methods of funding to assist in solving the Districts financial woes.

Respectfully Submitted,

Sam Cook
Board President
Central Calaveras Fire and Rescue Protection District